

Central Valley Regional Water Quality Control Board  
16/17 April 2015 Board Meeting

Response to Written Comments on  
Tentative Waste Discharge Requirements for  
Bell-Carter Olive Company, Inc. and City of Corning  
Bell-Carter Industrial Wastewater Treatment Plant  
Tehama County

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At a public hearing scheduled for 16/17 April 2015, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of tentative Waste Discharge Requirements (NPDES No. CA0083721) for the Bell-Carter Olive Company, Inc. and City of Corning Industrial Wastewater Treatment Plant. This document contains responses to written comments received from interested parties in response to the Tentative Order. Written comments from interested parties were required to be received by the Central Valley Water Board by 17 February 2015 in order to receive full consideration. Comments were received after the deadline from:

1. Bell-Carter Olive Co., Inc. (Discharger) (received 18 February 2015)

Written comments from the above interested parties are summarized below, followed by the response of Central Valley Water Board staff.

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**DISCHARGER (BELL-CARTER OLIVE CO., INC.) COMMENTS**

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**DISCHARGER COMMENT #1 – Effluent Limitations**

The Discharger requested that references to monitoring locations EFF-002 and EFF-003 on page 4 be deleted as they are not included anywhere else in the permit.

**RESPONSE:**

Water Board staff agreed and have amended the tentative permit by deleting references to EFF-002 and EFF-003.

**DISCHARGER COMMENT #2 – Internal Flow Limitations**

The Discharger requested that internal flow limitations for BOD, TSS, and pH and internal monitoring requirements at INT-001, INT-002, and INT-003 be removed from the permit.

**RESPONSE:**

Water Board staff agreed and have amended the tentative permit by deleting internal flow limitations for BOD, TSS, and pH at INT-001, INT-002, and INT-003.

### **DISCHARGER COMMENT #3 – Chronic Toxicity**

The current numeric toxicity trigger in the permit is  $>20 TU_C$ . The Discharger requested that the numeric toxicity trigger be increased to  $> 40 TU_C$ .

#### **RESPONSE:**

Water Board staff have retained the current numeric chronic toxicity trigger of  $>20 TU_C$ . Increasing the numeric chronic toxicity trigger to  $>40 TU_C$  will result in excessive chronic toxicity and is inconsistent with the human health chronic criteria mixing zone developed in the permit. Furthermore, chronic toxicity has not exceeded  $20 TU_C$  during the previous permit term.

### **DISCHARGER COMMENT #4 – Monitoring Locations**

The Discharger clarified that the physical location for sampling of ponds 6 and 7 is a shared pipe, and therefore separate internal monitoring locations for ponds 6 and 7 as specified on page E-3, Table E-1 is not feasible.

#### **RESPONSE:**

Separate monitoring locations INT-002 and INT-003 were established so that monitoring can be conducted for each location (Pond 6 or Pond 7) independently. So long as Pond 6 or Pond 7 do not discharge simultaneously (according to the Discharger this does not occur), then flow monitoring from a shared pipe should be sufficient to measure flow from either pond during a given time period. Water Board staff propose to keep INT-002 and INT-003 as monitoring locations.

### **DISCHARGER COMMENT #5 – Influent Monitoring Requirements**

The Discharger requested the sampling frequency for influent TDS be changed from once per week to twice per month, consistent with influent BOD and TSS.

#### **RESPONSE:**

Water Board staff have amended the Tentative Order by changing the sampling frequency for influent TDS to once per month.

### **DISCHARGER COMMENT #6 – Influent Monitoring Requirements**

The Discharger has requested to remove the internal flow, BOD, pH, and TSS monitoring requirements from page E-4, Table E-3, of the permit. If Table E-3 is retained, the Discharger requested that reference notes 3, 4, and 14 be removed from minimum sampling frequency for pH.

**RESPONSE:**

Water Board staff agree and have amended the tentative permit to delete the internal flow monitoring at INT-001, INT-002, and INT-003 for BOD, TSS, and pH. Internal flow monitoring for flow (mgd) was retained, however, so that the ratio of INT-001, INT-002, and INT-003 flows can be measured and the monitoring and reporting program implemented whenever the flow at INT-001 changes by more than 20% as outlined in the permit.

**DISCHARGER COMMENT #7 – Chronic Toxicity Testing**

The Discharger requested that a) clarification be added that laboratory water is allowed as diluent on page E-7, Item VI.B.2 and that b) callouts for Table E-4 be revised to correctly reference Table E-5.

**RESPONSE:**

Clarification that laboratory water is allowed as the diluent is not necessary as this is already specified on page E-7, Item VI.B.7. Water Board staff agree and references to Table E-4 have been revised to correctly reference Table E-5.

**DISCHARGER COMMENT #8 – Receiving Water Monitoring Requirements**

The Discharger requested sampling frequencies for pH, EC, temperature, and turbidity be reduced from weekly to monthly for both receiving water sampling locations.

**RESPONSE:**

Water Board staff propose to keep the weekly receiving water sampling frequencies for pH, EC, temperature and turbidity. Please note, however, that cost sharing efforts could be pursued with the City of Corning for monitoring the receiving water. Footnote 1 was included in Table E-1 such that receiving water monitoring locations for both dischargers may be consistent and therefore mutual sampling may be conducted.

**DISCHARGER COMMENT #9 – Other Monitoring Requirements**

The Discharger requested that callouts for Table E-7 be changed to correctly reference Table E-8 on page E-11, Section X.A.1 and X.A.3.

**RESPONSE:**

Water Board staff agree and references to Table E-7 have been revised to correctly reference Table E-8.

**DISCHARGER COMMENT #10 – Other Reports**

The Discharger requested that Table E-10 be modified so that due dates for the Mixing Zone/Dilution Confirmation Study Workplan & Final Report, and Mixing Zone Biological Assessment Report are consistent with provision VI.C.2.

**RESPONSE:**

Water Board staff agree and have revised Table E-10 so that due dates for the aforementioned reports are consistent with provision VI.C.2.

**DISCHARGER COMMENT #11 – Summary of Technology-based Effluent Limitations**

The Discharger stated that footnote 2 on page F-16, Table F-6 is not valid.

**RESPONSE:**

Water Board staff do not agree and will retain footnote 2 on page F-16, Table F-6. Footnote 2 references applicable sections of the permit that discuss the more stringent WQBELs for BOD, TSS, and pH.

**DISCHARGER COMMENT #12 – Rationale for Monitoring and Reporting Requirements**

The Discharger contested that the rationale for providing internal monitoring and compliance locations at INT-001, INT-002, and INT-003 is not accurate. The Discharger stated that 40 CFR 407 establishes effluent limit guidelines for BOD, TSS, and pH in the discharged effluent, and therefore compliance determination at INT-001, INT-002, and INT-003 is not appropriate. The Discharger requested that all references to internal monitoring locations INT-001, INT-002, and INT-003 be deleted from the permit.

**RESPONSE:**

Water Board staff agree, in part, and have deleted internal flow limitations for BOD, TSS, and pH. Internal monitoring at INT-001, INT-002, and INT-003 for flow has been retained in the tentative permit so that the ratio of INT-001, INT-002, and INT-003 flows can be measured and the monitoring and reporting program implemented whenever the flow at INT-001 changes by more than 20% as outlined in the permit.

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### **Other Central Valley Water Board Modifications to Tentative Permit**

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In addition to the modifications discussed above, Water Board staff has made the following additional modifications to the tentative permit:

1. Page F-16, Table F-6. Water Board staff recalculated technology-based effluent limitations for BOD and TSS correctly based on annualized average daily production. Average monthly and maximum daily technology-based effluent limitations for BOD were changed from 1,564 lbs/day and 4,461 lbs/day, respectively, to 932 lbs/day and 1,518 lbs/day. Average monthly and maximum daily technology-based effluent limitations for TSS were changed from 3,239 lbs/day and 8,028 lbs/day, respectively, to 1,931 lbs/day and 2,732 lbs/day. Annual Average technology-based effluent limitations for BOD and TSS were retained pursuant to 40 CFR 407 as 320,000 lbs/year and 600,000 lbs/year, respectively.
2. Page F-42 through F-44. Studies are currently underway to determine how the latest scientific knowledge on the toxicity of ammonia reflected in the USEPA 2013 Ammonia Criteria can be implemented in the Central Valley Region as part of a Basin Planning effort to adopt nutrient and ammonia objectives. Until the Basin Planning process is completed, the Central Valley Water Board will continue to implement the 1999 Criteria to interpret the Basin Plan's narrative toxicity objective. Language in the Fact Sheet, pages F-42 through F-44 was revised to reflect this change.
3. Page E-11. The following language was added to provide further clarity on what constitutes a representative effluent sample for the effluent and receiving water characterization study: "In order to ensure a representative sample of the effluent is obtained, the Discharger shall maintain a final blended effluent flow ratio (i.e., ratio of flows from INT-001, INT-002, and INT-003) consistent with the average final blended effluent flow ratio from the first two years of the permit term."