

ALTERNATE LANGUAGE TO CONSIDER AS LATE REVISIONS

MORNING STAR PACKING COMPANY L.P.
AND FRED GOBEL
THE MORNING STAR TOMATO PACKING PLANT

Consideration of Resolution to Amend Cease and Desist Order R5-2016-0007

Item #7 of 18/19 August 2016 Central Valley Water Board Meeting

Proposed Resolution:

Modify Ordered Paragraph 13 of the Resolution as follows:

Modify the last sentence of the first paragraph, as well as the second paragraph, of Item 21 of the "IT IS HEREBY ORDERED" section as follows:

"...The report shall reference the ~~corrected~~ BOD loading rates *submitted on 1 April 2016* for 2014 and 2015 *which utilized the correct formula articulated above in Ordered Paragraph 12*, as well as the revised "Groundwater Samples Lab-Test Results" table." **The 2014 and 2015 BOD loading rates, as submitted on 1 April 2016, will only be used for purposes of this Ordered Paragraph and not to determine past compliance with the BOD loading limit in the WDRs.**

"Alternatively, ... The report shall reference the ~~corrected~~ BOD loading rates *submitted on 1 April 2016* for 2014 and 2015 *which utilized the correct formula articulated above in Ordered Paragraph 12, ...*" **The 2014 and 2015 BOD loading rates, as submitted on 1 April 2016, will only be used for purposes of this Ordered Paragraph and not to determine past compliance with the BOD loading limit in the WDRs.**

Amended Cease and Desist Order

Modify Ordered Item 21 as written above.