

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, November 20, 2014
Regional Water Board Office
Santa Rosa, California

- ITEM: 8
- SUBJECT: Public Hearing on Order No. R1-2014-0026 to consider adoption of proposed Waste Discharge Requirements for Foster Dairy Farms dba Humboldt Creamery Facility, WDID No. 1B80185OHUM, NPDES NO. CA0005584 (*Lisa Bernard*)
- BOARD ACTION: The Board will consider adoption of Waste Discharge Requirements Order No. R1-2014-0026. The Order will serve as a National Pollutant Discharge Elimination System (NPDES) permit for a period of five years.
- BACKGROUND: Foster Dairy Farms owns and operates Humboldt Creamery, a dairy processing facility (Facility) in Fortuna, CA that produces dry milk powders and evaporated products, ice cream and frozen desserts, and fluid milk. Process wastewater generated at the facility includes milk tanker truck washout, acidic and caustic rinse water, boiler blowdown, cleaning water from dairy processing equipment, evaporated milk condensate, and non-contact cooling water.
- The Facility is currently regulated under Waste Discharge Requirements Order No. R1-2008-0020, which also serves as an NPDES permit for its waste discharges. The wastewater treatment facility (WWTF) originally constructed in the early 1970s consists of an aeration pond, settling pond, and approximately 150 acres of grazed pasture. The Facility is authorized to discharge evaporated milk condensate (condensate of whey (COW) water) and non-contact cooling water to the Eel River. Although permitted to seasonally discharge COW water to the Eel River, the Facility did not elect to use that discharge point since adoption of Order No. R1-2008-0020. Process wastewater and COW water are also permitted for land application. Domestic wastewater is treated and disposed of through an onsite septic and leachfield system.
- ISSUES: Based upon waste characteristics and reasonable potential analyses, Order No. R1-2014-0026, as proposed, continues to prescribe land application specifications (effluent limitations) for biochemical oxygen demand, nitrite, total dissolved solids, sodium, and aluminum. In addition, Order No. R1-2014-0026 adds land discharge specifications for total suspended solids. Ammonia nitrogen, nitrate and manganese limitations are proposed to be removed based upon an absence of reasonable potential to cause or

contribute to an excursion of the water quality objectives to protect the most sensitive beneficial uses of the shallow groundwater.

Correspondence from the Permittee was received timely regarding the draft permit. Staff made some modifications to the Proposed Order in response to those comments. However, insufficient information and/or compliance with the statewide Antidegradation Policy prevented staff from removing or increasing land discharge specifications for total dissolved solids requested by the Permittee. In discussions with the Permittee, staff has suggested development of a cease and desist order (CDO) to allow for interim effluent limits and more study of the TDS issue. The CDO would provide time for the Permittee to develop and implement feasible alternatives to mitigate the issue and bring the Facility into compliance. A full explanation of all comments and responses is provided in the attached response to comments document.

At the hearing, staff expects the Permittee to contest the proposed effluent limitations for total dissolved solids. The Permittee has indicated that they disagree that groundwater may be degraded by total dissolved solids in the discharge. The Permittee has further indicated that they are continuing to evaluate options to achieve compliance and protect water quality.

RECOMMENDATION: Adopt Order No. R1-2014-0026, as proposed.

**SUPPORTING
DOCUMENTS:**

1. Proposed Order No. R1-2014-0026
2. Staff Response to Comments
3. Comment Letter
4. Public Notice