

## INFORMATION SHEET

PROPOSED ORDER NO. R5-2009-\_\_\_\_\_

### RESCISSION OF:

CEASE AND DESIST ORDER 5-01-191  
CALIFORNIA OLIVE GROWERS

SPECIAL ORDER 93-201  
TRI VALLEY GROWERS, OBERTI OLIVE COMPANY

WASTE DISCHARGE REQUIREMENTS ORDER 91-178  
TRI VALLEY GROWERS, OBERTI OLIVE COMPANY

FORMER OLIVE PROCESSING FACILITIES  
MADERA COUNTY

The former Oberti Olive Company (Oberti) olive processing plant (Site) located in Madera, CA., operated from the late 1940's until Tri Valley Growers (TVG) purchased the site in the 1960's and operated the Site as Tri-Valley/Oberti. TVG filed for bankruptcy in 2000 and the Site was acquired and operated by California Olive Growers, Inc. (COG). COG subsequently filed for Chapter 7 bankruptcy liquidation in 2004.

The olive processing operations and the issues regarding the groundwater impacts by olive brine wastewater discharges have been regulated by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) since the 1960's. High strength olive brine wastewater from the Site was discharged into two sets of disposal ponds (located offsite) totaling approximately 160 acres. Wastewater was formerly discharged into three clay-lined ponds (closed in the 1970's) located at the south end of the former 78.5 acre processing facility. Brine wastewater leaked from the ponds resulting in impacts to the underlying regional groundwater aquifer.

Groundwater in the area is approximately 120 feet below ground surface and is a source of drinking water and irrigation water. Grapes are the main crop grown in the area. The groundwater impacts required the replacement of several private drinking water and irrigation wells. In accordance with waste discharge requirements, nearly 50 groundwater monitoring and groundwater extraction wells were constructed in the area for monitoring and remediation by Oberti, TVG, and COG. Groundwater extraction ceased in 2004.

The Oberti processing facility originally consisted of 4 parcels totaling approximately 78.5 acres. Two parcels still remain the property of Stan and Gary Oberti, one 5-acre parcel contains olive trees and one 7-acre parcel contains a concrete warehouse and two groundwater monitoring wells. A 5.5 acre parcel owned by United Security Bank contains a second concrete warehouse and one groundwater monitoring well.

The remaining 61 acre former olive processing plant site was purchased in 2006 by a local Madera developer without a pre-purchase agreement with the Central Valley Water Board. Most of the processing infrastructure and all equipment have been removed, with some of the remaining buildings being rented. Six groundwater monitoring/extraction wells and most of the old clay-lined ponds are on the former plant site. The new owner has been notified by the Central Valley Water Board staff in correspondence dated 9 March 2007 that all environmental liabilities associated with the site are considered the responsibility of the property owner. Submittal of an appropriate post-closure land use plan and eventual well abandonment to the Central Valley Water Board will be the responsibility of the new owner.

The two adjacent parcels containing the brine wastewater disposal ponds (Process Ponds - 45 acres, Remote Ponds-110 acres) were purchased in 2008 by a developer/farmer from Manteca. Twenty-nine groundwater monitoring/extraction wells remain on the two properties. These sites were also purchased without a pre-purchase agreement with the Central Valley Water Board. The new owner was notified by Central Valley Water Board staff in correspondence dated 19 November 2008 that all environmental liabilities associated with the two pond sites are considered the responsibility of the property owner. Submittal of a pond closure plan, appropriate post-closure land use plan and eventual well abandonment to the Central Valley Water Board will be the responsibility of the new owner.

Waste Discharge Requirements Order 91-178 for TVG and Oberti prescribed requirements and contained a time schedule addressing various issues regarding the former olive processing operations and wastewater disposal to the ponds. TVG and Oberti are no longer associated with the site.

Cease and Desist Order 5-01-191, issued by the Central Valley Water Board on 27 July 2001, required COG to cease discharging waste contrary to waste discharge requirements, specifically Order 91-178 and Special Order 93-201 related to issues at the former Oberti olive processing facilities. COG is bankrupt and no longer associated with the Site.

Special Order 93-201, amending Order 91-178, issued by the Central Valley Water Board on 17 September 1993, required TVG and Oberti to cease the discharge of pumped groundwater to the two sets of disposal ponds by a specified date. The Order extended the cease discharge deadline. The companies are no longer associated with the site.

All olive processing and wastewater disposal has ceased, the former processing property and the disposal ponds have been sold, and all olive processing facilities and equipment removed.