

ITEM: 21

SUBJECT: Hilmar Cheese Company, Inc., and Reclamation Area Owners, Hilmar Cheese Processing Plant, Merced County – Status report on the Cleanup and Abatement Order for Hilmar Cheese Company, Hilmar, Merced County

BOARD ACTION: *No Board action. Information Item Only.*

BACKGROUND: On 2 December 2004, the Executive Officer of the Central Valley Water Board issued Cleanup and Abatement Order No. R5-2004-0722 (CAO) to Hilmar Cheese Company, Inc.; Hilmar Whey, Inc.; and Kathy and Delton Nyman (collectively referred to as Hilmar Cheese). The CAO directed Hilmar Cheese to abate nuisance and take actions to address impacts on groundwater. Specifically, the CAO required Hilmar Cheese to:

- Abate offensive odors and nuisance
- Initiate a program to identify and mitigate impacts on private domestic water supplies which includes in-kind replacement of unreasonably affected water supplies
- Submit and implement a work plan to determine the lateral and vertical extent of waste constituents in groundwater that exceed background quality if the exceedance is potentially caused by Hilmar Cheese
- Submit a technical report that evaluates remedial action and cleanup alternatives and proposes an appropriate cleanup system once the Executive Officer has determined that investigation of the lateral and vertical extent of waste constituents in groundwater is complete
- Continue investigation, cleanup and abatement activities until such time as the Executive Officer determines that Hilmar Cheese has complied with the CAO.

The purpose of this informational item is to update the Board on the progress made by Hilmar Cheese toward completing the above required tasks.

RECOMMENDATION: No recommendation, information item only.

Mgmt. Review \_\_\_\_\_  
Legal Review \_\_\_\_\_

28/29 January 2010  
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