

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 9/10 October 2014**

Response to Written Comments for

**Del Monte Foods, Inc., and Mr. Ralph Alcala
Plant #24
Kings County
Tentative Waste Discharge Requirements**

At a public hearing scheduled for 9/10 October 2014, the Regional Water Quality Control Board, Central Valley Region, (Central Valley Water Board) will consider adoption of Waste Discharge Requirements for Del Monte Foods, Inc., (Del Monte) and Mr. Ralph Alcala (hereafter Dischargers) for Plant #24 in Hanford. This document contains responses to written comments received from interested parties regarding the tentative WDRs circulated on 18 July 2014. Written comments from interested parties were required by public notice to be received by the Central Valley Water Board by 5:00 pm on 20 August 2014 to receive full consideration. Written comments were received, on behalf of the Dischargers, from Del Monte on 20 August 2014. Del Monte submitted additional comments by email on 2 September 2014 after reviewing revisions to the tentative WDR's made in response to its original comments.

Written comments are summarized below, followed by the responses of Central Valley Water Board staff. Based on the comments and to increase clarity, Central Valley Water Board staff did make some changes to the tentative WDRs.

DEL MONTE FOODS, INC., COMMENTS

Comment No. 1: Effluent Limitation for Electrical Conductivity.

Del Monte requests the performance based effluent limitation for electrical conductivity (EC) of 1,000 umhos/cm (annual average) be increased to 2,000 umhos/cm (annual average). Del Monte is concerned that it cannot consistently meet the effluent limitation as proposed since the effluent data included in the Report of Waste Discharge (which is the data used to develop the performance based effluent limitation for EC) were reflective of discharge quality when processing good quality tomatoes. The quality of the discharge is dependent on the quality of tomatoes received at Plant #24 and tomato quality is an uncontrollable factor. Generally, poorer quality tomatoes require more lye in the peeling process which results in a higher effluent EC. Del Monte submitted revised discharge and land application area (LAA) loading data that are reflective of processing good, moderate, and poor quality tomatoes.

RESPONSE: Based on the revised discharge data, there is sufficient acreage in the LAA to assimilate the nitrogen in the wastewater. The proposed maximum annual hydraulic loading to any field in the LAA increased from 115 acre-feet to 152 acre-feet. The proposed FDS loading to the LAA increased from a maximum of 1,223 lbs/acre/year to 2,579 lbs/acre/year. The annual average EC of the discharge is projected to be up to approximately 1,821 umhos/cm. The off-season chloride concentration of the discharge is projected to be consistently greater (ranging from 120 to 650 mg/L) than the effluent chloride limitation of 175 mg/L for discharges to areas that may recharge to good quality groundwater contained in the *Water Quality Control Plan for the Tulare Lake Basin, Second*

Edition, revised January 2004. However, the effluent chloride concentration during the processing season is less than 175 mg/L, which results in an annual average effluent chloride concentration of 174 mg/L. Provision G.4 has been revised to include a compliance schedule to allow the Dischargers to come into compliance with the effluent limitation for EC. The compliance schedule will include an interim effluent EC limitation of 2,000 umhos/cm (annual average). Due to the projected effluent chloride concentrations, the WDR's have been revised to include a final effluent chloride limitation of 175 mg/L (daily maximum). The compliance schedule will also include an interim effluent chloride limitation of 210 mg/L (annual average). Del Monte's additional comments requested the final effluent limitation for chloride be changed from a daily maximum to an annual average. However, no change to the chloride effluent limitation was made since the Basin Plan indicates the effluent chloride concentration shall not exceed 175 mg/L. The compliance schedule will be for a period of seven years. Del Monte also requested modifications to the due dates for submittals in accordance with the compliance schedule that were incorporated into the tentative WDR's.

Comment No. 2: Source Water Quality Table.

The arsenic result for Plant Well #4 in the table in Finding 6 on page 2 should be changed from "0.68" mg/L to "0.068" mg/L.

RESPONSE: The arsenic concentration has been corrected in the table as requested and in the appropriate table in the Information Sheet.

Comment No. 3: Crop Tissue Analysis for 2010 - 2013 Table.

The units in the last column for Mean Nitrogen Uptake in the Crop Tissue Analysis table in Finding 42 on page 12 should be changed from "lbs N/acre" to "lbs N/ton." In addition, the Del Monte provided FDS and potassium uptake data from plant tissue analysis data for 2013 that it would like added to the table.

RESPONSE: The units for Mean Nitrogen Uptake have been changed as requested and the FDS and potassium plant uptake data have been added to the table.

Comment No. 4: Biochemical Oxygen Demand Loading.

Del Monte requests Land Application Area Specification D.4 on page 19 to be revised as follows:

The BOD loading to the LAA calculated as a cycle average as determined by the method described in the attached Monitoring and Reporting Program, shall not exceed 100 pounds per acre per day ***unless the permittee can demonstrate through technical analysis that the site can adequately treat higher loadings of BOD.***

Del Monte specifically requests this modification to allow it to conduct a study to obtain a higher biochemical oxygen demand (BOD) loading rate, if desired, in the future without having to re-issue new WDRs.

RESPONSE: No change to the BOD loading rate of 100 lbs/acre/day has been made to Land Application Area Specification D.4 in response to this comment. The Central Valley Water Board does encourage dischargers to conduct site-specific studies to determine loading rates specific to its discharge. However, the site-specific loading rate study can be conducted without revising the specification as requested. Furthermore, any new justified BOD loading rate in excess of 100 lbs/acre/day would require Central Valley Water Board review and approval.

Comment No. 5: Solids Disposal Specifications.

Tomato pumice and tomato wet wastes may be suitable as a feed supplement for other animals in addition to cattle. Therefore, Del Monte requests Solids Disposal Specification E.4 on page 20 to be revised as follows: "Tomato pumice and tomato by-products shall be hauled off-site and used as cattle feed ***and/or other acceptable animal feed.***"

RESPONSE: Solids Disposal Specification E.4 has been revised as requested. In addition, similar changes have been made in the "2013 Solids" table in Finding 14 on page 5, "Item #5" under Plant #24 Information reporting requirements section on page 8 of the Monitoring and Reporting Program (MRP), and in the "Solids" subsection on page 2 of the Information Sheet.

Comment No. 6: Groundwater Limitations.

Del Monte requests the first paragraph in the Groundwater Limitations section on page 20 to be revised as follows:

Release of waste constituents associated with the discharge shall not ***significantly*** cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or in excess of natural background quality for the specified constituents, whichever is greater:

RESPONSE: No change has been made to the Groundwater Limitations section in response to this comment. The Groundwater Limitations are based on Water Quality Objectives set forth in the *Water Quality Control Plan for the Tulare Lake Basin, Second Edition*, (January 2004) and adding "significantly" as requested is vague and does not add value to the paragraph. The Dischargers would be in violation of the Groundwater Limitations whether or not the exceedance, related to the discharge, is significant.

Comment No. 7: Salinity Management Plan Requirements.

Del Monte indicates it is not necessary to "Fully Evaluate Pre-Treatment/Source Reduction Options for Process Wastewater Nitrogen Treatment" as part of the Salinity Management Plan required by Provision G.4 on page 21, because Del Monte increased the size of the land application area to address nitrogen loading issues.

RESPONSE: The provision requiring the submittal of a Salinity Management Plan does not require Del Monte to "Fully Evaluate Pre-Treatment/Source Reduction Options for Process Wastewater Nitrogen Treatment," rather, the provision only requires an update on the status of completing what was identified by Del Monte as "Task 4 - Fully Evaluate Pre-Treatment/Source Reduction Options for Process Wastewater Nitrogen Treatment" in its December 2010 response to a Notice of Violation from the Central Valley Water Board. Del Monte's Comment No. 7 provides the required update to "Task 4" and the requirement to submit a Salinity Management Plan has been replaced by the work plan and/or technical report submittal requirements of the compliance schedule in Provision G.4.

Comment No. 8: Requirement to Replace Dry Groundwater Monitoring Wells.

In consideration of the on-going drought, Del Monte requests modification to the last paragraph of the Groundwater Monitoring section on page 5 of the MRP regarding the replacement of dry monitoring wells as follows:

The Dischargers shall maintain its groundwater monitoring well network. If a groundwater monitoring well(s) are dry for more than ~~two~~ **four** consecutive sampling events, the Dischargers shall submit a work plan and proposed time schedule to replace the well(s). The well(s) shall be replaced following written Executive Officer approval of the work plan and time schedule.

RESPONSE: The Groundwater Monitoring section of the MRP has been revised as requested.