

**LATE REVISIONS – 6 October 2014**

- Item 25 Musco Olive Products, Inc. and The Studley Company, Musco Family Olive Company, Class II Surface Impoundments; San Joaquin County – Consideration of Revised Waste Discharge Requirements.**

**WASTE DISCHARGE REQUIREMENTS**

Page 15. Edit Finding 87 of the Waste Discharge Requirements as follows:

87. ~~Storm~~ **Surface** water drainage from the site ~~flows~~ **is** to an unnamed ephemeral stream that ~~extends flows~~ **extends** eastward toward the valley floor in the North Diablo Range Hydrologic Area (Unit# 543.00) of the San Joaquin Hydrologic Basin. Storm water from the process areas is collected in secondary containment, routed via drains to sumps and pumped to a wastewater ~~treatment/storage reservoir~~ **treatment/storage reservoir** holding pond regulated by WDRs Order R5-2010-0025. Storm water from a small chemical storage area ~~is can be~~ **is** directed to the surface impoundments if warranted based on testing of characteristics. ~~The Discharger is currently covered under the~~ **The Discharger's Industrial Storm Water Permit (WDID# 5S39I017003) issued under WDRs 97-03-DWQ Order, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities (NPDES General Permit CAS000001), which permits the discharge of storm water to waters of the United States. In accordance with the Discharger's Storm Water Pollution Prevention Plan (SWPPP) required under that permit, the Discharger has established four storm surface water monitoring points SW-1 through SW-4 under the NPDES General Permit. The Discharger currently monitors for pH, biochemical oxygen demand (BOD), total dissolved solids (TDS), volatile dissolved solids (VDS), total suspended solids (TSS), ammonia, nitrate, total Kjeldahl nitrogen (TKN), sodium, chloride, sulfate, iron, calcium, bicarbonate, and carbonate. WDRs R5-2014-XXXX requires the Discharger to monitor pending storm water runoff adjacent to Ponds A and B for the COCs listed above. To satisfy this requirement and avoid duplicate monitoring, these WDRs allow the Discharger to report monitoring results under the NPDES General Permit as long as the Discharger is covered by that Permit. If the Discharger discontinues coverage under the NPDES General Permit, these WDRs will still continue to require monitoring and reporting of storm water runoff that ponds adjacent to Ponds A and B at the current location of designated as storm water monitoring point SW-4 on a biannual basis. report monitoring results under the NPDES General Permit in order to determine if COCs in storm water runoff are influencing the groundwater monitoring network associated with the Class II surface impoundments.**

Page 20. Edit Finding 102 of the Waste Discharge Requirements as follows:

102. The Discharger **currently** conducts ~~surface-water~~ monitoring of storm water **under the** ~~related discharges through its~~ Industrial Storm Water Permit (WDID# 5S39I017003) issued under WDRs 97-03-DWQ Order, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities (NPDES General Permit CAS000001).

Page 34. Edit Financial Assurance F.1 of the Waste Discharge Requirements as follows:

1. By **17 April 2015**, pursuant to Title 27 Section 22207, the Discharger shall submit a report showing that it has **provided an adequate financial assurance mechanism(s) pursuant to CalRecycle-promulgated sections of Chapter 6 (Title 27 section 22200 et seq.)** or established an irrevocable closure fund ~~financial assurance~~ with the Central Valley Water Board named as beneficiary to ensure final closure of all Class II surface impoundments with the closure fund balance increasing proportional to estimated solids accumulation in the surface impoundments. **The Discharger may use a financial assurance mechanism for closure funding as allowed pursuant to 27 CCR section 22207 and Chapter 6 (27 CCR section 22200 et seq.) if approved by the Executive Officer.** The **selected financial assurance mechanism(s)** or initial irrevocable fund financial assurances balance shall be ~~established base on~~ **determined using the** initial closure costs of all four surface impoundments as of **17 April 2015** and shall increase on a prorated basis to the final closure cost submitted by the Discharger in accordance with the cost estimate in the Closure Plan dated 21 May 2014 submitted as an ROWD addendum. The financial assurances mechanism(s) shall be one or a combination of the eligible mechanisms approved for closure listed in Title 27 Section 22228 for which the Discharger is eligible. For financial assurance mechanisms eligible for closure costs requiring funding, the Discharger shall either fully fund the mechanism by **17 April 2015** for estimated closure costs as of 17 April 2015 or may propose a payment schedule. If the Discharger proposes a payment schedule to fund the mechanism(s), **the Discharger** they shall submit a report by **1 June 2015** showing the means and the schedule by which **to fully fund** the mechanism is ~~fully funded~~. For financial assurance mechanisms eligible for closure costs not requiring funding, the Discharger shall submit a report showing the mechanism is in place by **1 June 2015**.

Page 35. Edit Financial Assurance F.2 of the Waste Discharge Requirements as follows:

2. By **17 April 2015**, pursuant to Title 27 Section 22222, the Discharger shall submit a report showing that it has **provided an adequate financial assurance mechanism(s) pursuant to CalRecycle-promulgated sections of Chapter 6 (Title 27 section 22200 et seq.)** or established an irrevocable corrective action fund ~~financial assurance~~ with the Central Valley

Water Board named as beneficiary to ensure funds are available to address a known or reasonably foreseeable release from all Class II surface impoundments. **The Discharger may use a financial assurance mechanism for corrective action funding as allowed pursuant to 27 CCR section 22222 and Chapter 6 (27 CCR section 22200 et seq.) if approved by the Executive Officer.** The financial assurance mechanism(s) shall be one or a combination of the eligible mechanisms approved for corrective action listed in Title 27 Section 22228 for which the Discharger is eligible. For financial assurance mechanisms eligible for corrective action costs requiring funding, the Discharger shall either fully fund the mechanism by **17 April 2015** or may propose a payment schedule. If the Discharger proposes a payment schedule to fund the mechanism(s), **it the Discharger shall submit a report by 1 June 2015 showing the means and the schedule by which to fully fund the mechanism(s) is fully funded.** For financial assurance mechanisms eligible for corrective action costs not requiring funding, the Discharger shall submit a report showing the mechanism is in place by **1 June 2015**.

#### **MONITORING AND REPORTING PROGRAM:**

Page 6. Edit A.3 of the Monitoring and Reporting Program as follows:

3. Surface Water Monitoring. The Discharger shall operate a surface water detection monitoring system for any facility where runoff from waste management unit areas flows or could flow to waters of the United States, **as applicable**. The monitoring system shall comply with the applicable provisions of Title 27, sections 20415 and 20420. At the Musco Family Olive Company's Tracy Plant, runoff from waste management unit areas flows from the site to a dry **wash** creek bed. Stormwater from the process areas is collected in secondary containment, routed via drains to sumps and pumped to the wastewater holding pond regulated under WDRs Order R5-2010-0025. **Storm Surface** water monitoring is **currently** performed in accordance with the Musco Stormwater Pollution Prevention Plan (SWPPP) and the National Pollution Discharge Elimination System (NPDES) General Permit No. CAS000001.

In lieu of conducting separate surface water monitoring for this Order, the Discharger shall submit **any** monitoring results performed in accordance with the Musco Stormwater Pollution Prevention Plan (SWPPP) **so long as covered by** and the National Pollution Discharge Elimination System (NPDES) General Permit No. CAS000001. The Discharger in its ROWD dated 13 December 2013 identified the following constituents **currently** monitored under the NPDES General Permit ~~that shall also be reported as part of this MRP:~~ pH, biochemical oxygen demand (BOD), total dissolved solids (TDS), volatile dissolved solids (VDS), total suspended solids (TSS), ammonia, nitrate, total Kjeldahl nitrogen (TKN), sodium, chloride, sulfate, iron, calcium, bicarbonate, and carbonate. If the Discharger discontinues

coverage under the NPDES General Permit, this MRP ~~still~~ ***will continue to require monitoring and reporting of storm water runoff*** that ponds ***adjacent to Ponds A and B at the current location designated as of storm water monitoring point SW-4 on a biannual basis.***