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BEFORE THE STATE OF CALIFORNIA
CENTRAL VALLEY REGIONAL WATER QUALITY BOARD

**In the matter of Administrative Civil
Liability Complaint R5-2015-0549 and
Tentative Cease and Desist Order against
The Morning Star Packing Company, LP**

**Declaration of Lani Andam, Water
Resource Control Engineer**

I, Lani Andam, declare as follows:

1. I am a Water Resource Control Engineer in the Non-15 Permitting Section for the Central Valley Regional Water Quality Control Board (Board). I have worked at the Board for 6 years and with the Non-15 Permitting Section for 6 years. I have a Bachelor of Science degree in Civil Engineering.
2. I was the staff person assigned to work on Waste Discharge Requirements Order R5-2013-0144 (2013 WDRs) for The Morning Star Packing Company, LP (Morning Star or Discharger) and Fred Gobel. I have visited the Morning Star Packing Plant in Williams, California. In course of drafting the 2013 WDRs, I regularly communicated with Morning Star representatives, including Ross Oliveira and Hillary Reinhard.
3. The 2013 WDRs included findings regarding the sizes of the Cooling Pond, the Settling Pond, and the acreage available for the Land Application Areas (LAA) at the facility. The 2013 WDRs were issued with my understanding that the Cooling Pond was 60 acres in size, the Settling Pond was 5 acre-feet in size, and that 695 acres of LAA were available for irrigation as stated in the 2013 WDRs. The permit was drafted based on information known by me at the time of drafting the 2013 WDRs.
4. WDRs are typically written based on the information specifically provided in the Report of Waste Discharge or any subsequent addendum to that Report of Waste Discharge.
5. To the best of my knowledge and recollection, at no time during the permitting process did Morning Star representatives provide any specific information in either the Report of

Waste Discharge or an addendum regarding planned expansions to the Cooling Pond or reductions in LAA acreage resulting from the removal of MS20A, MS20B, and MS21.

6. To the best of my knowledge and recollection, at no time during the permitting process did Morning Star representative inform me that the description of the Settling Pond in the 2013 WDRs was not accurate with respect to its size and capacity.
7. In the regular course of business, if Morning Star planned to increase in the size of either the Cooling Pond or the Settling Pond from the sizes described in the WDRs, Morning Star would need to provide a new Report of Waste Discharge (ROWD). I never received a ROWD that described a Cooling Pond or Settling Pond larger than what is described in the 2013 WDRs.
8. In the regular course of business, if Morning Star planned to remove portions of the LAA making it unavailable for irrigation, Morning Star would need to provide a new ROWD. I never received a ROWD that described elimination of LAAs MS20A, MS20B, or MS21.
9. The 2013 WDRs include a description of the types of wastewater discharged to the Cooling Pond. Finding 12 states, in part, "[t]he Cooling Pond receives water softener reject, condensate from the evaporation process, and boiler blowdown." To the best of my knowledge and recollection, the discharge of organics to the Cooling Pond was not contemplated by the 2013 WDRs.
10. The Monitoring and Reporting Program (MRP) for the Cooling Pond requires Morning Star to monitor for two wastewater constituents, dissolved oxygen and pH, because they represent the minimum parameters to identify odor and nuisance conditions. No other monitoring parameters were required because it was not expected that process wastewater would be discharged into the Cooling Pond.
11. If organics, such as tomato waste or tomato byproducts, were anticipated in the discharge to the Cooling Pond, then the MRP would require Morning Star to monitor for biochemical oxygen demand, fixed dissolved solids, and nutrients similar to the required monitoring for the Settling Pond discharge. If organics were anticipated to be in the Cooling Pond discharge, then the Anti-degradation Analysis would have included a discussion regarding the potential impacts to groundwater from this type of discharge.

I declare under penalty of perjury to the laws of the State of California that the foregoing is true and correct. Executed this 22nd day of December, 2015, at Sacramento, California.



Lani Andam
Water Resource Control Engineer