

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. 00-049

WASTE DISCHARGE REQUIREMENTS FOR:

MORGAN HILL PROPERTIES, MORGAN HILL, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

1. Morgan Hill Properties, hereinafter referred to as the discharger, owns and operates a food processing plant located at 100 Olgier Avenue, Morgan Hill, Santa Clara County. The discharger submitted the original Application and Report of Waste Discharge on September 3, 1998, for on-site treatment and disposal of food processing wastewater. The Board received subsequent amendments to the application on March 31, April 19, and May 12, 1999. The application was deemed complete on August 23, 1999, and amendments to the application were received on September 2 and October 15, 1999.
2. Existing process wastewater is currently disposed of through a septic tank and off-site leachfield system. Sanitary waste is currently collected separately from process wastewater and conveyed off-site for treatment and disposal. This Order applies to the treatment and discharge of process waste only, from the food processing plant. Sanitary waste will continue to be collected separately from process wastewater, and treated through the septic tank and leachfield. The designed maximum flow volume for the process waste treatment system, the subject of this Order, is 10,000 gallons per day.
3. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The revised Basin Plan was approved by the State Water Resources Control Board and the Office of Administrative Law on July 20, 1995 and November 13, 1995, respectively. A summary of the regulatory provisions is contained in Title 23 of the California Code of Regulations, Section 3912. The Basin Plan identifies beneficial uses and water quality objectives for waters of the state in the Region, including surface waters and ground waters. The Basin Plan also identifies effluent limitations and discharge prohibitions intended to protect beneficial uses. This Order implements the plans, policies and provisions of the Board's Basin Plan.
4. The beneficial uses identified in the Basin Plan for the Santa Clara Valley ground water include:
 - a. Municipal and domestic supply
 - b. Industrial process supply

- c. Industrial service supply
 - d. Agricultural supply
5. The beneficial uses of the Coyote Creek as set forth in the Basin Plan include:
- a. Navigation
 - b. Water Contact Recreation
 - c. Ocean Commercial and Sport Fishing
 - d. Warm Fresh Water Habitat
 - e. Preservation of Areas of Special Biological Significance
 - f. Wildlife Habitat
 - g. Marine Habitat
 - h. Fish Migration
6. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA, pursuant to a General Plan Amendment, Santa Clara County file No. 390-61-44-82GP, which was approved on November 23, 1982. This CEQA action was the subject of a recent "Petition for use of a Prior CEQA Document" which was filed January 20, 1998.
7. The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
8. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Morgan Hills Properties, pursuant to the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. PROHIBITIONS

- 1. Wastewater discharged to the treatment system shall not exceed 1.54 million gallons per year or 10,000 gallons per day, as a monthly average.
- 2. The collection, treatment, storage and disposal of wastewater shall not create a pollution or nuisance as defined in Sections 13050 (l) and (m), respectively, of the California Water Code.
- 3. There shall be no bypass or overflow of wastewater to waters of the State from the discharger's wastewater collection, treatment, storage or disposal facilities.

4. The storage, treatment and disposal of wastewater shall not degrade the quality of any groundwater used for domestic purposes or cause an increase in any quality parameter that would make groundwater unsuitable for irrigation use.
5. The discharge of toxic substances into the discharger's treatment system which will disturb the its biological mechanisms is prohibited.
6. No wastewater from the facility shall be allowed to escape from the discharger's property into waters of the State via surface flow, surfacing after percolation, or airborne spray.
7. The discharge of domestic wastewater into the treatment system is prohibited.
8. No wastewater or process solids shall be applied to any irrigation areas when soils are saturated, when conditions are such that runoff or ponding is likely to occur, during rainfall, or when rainfall is expected to occur within 24 hours.
9. The discharge of effluent from the storage pond to other than to the designated irrigation site is prohibited.

B. DISCHARGE SPECIFICATIONS

1. The facility's wastewater collection, treatment, storage and disposal system shall be constructed as described in the discharger's Report of Waste Discharge.
2. The facility's wastewater collection, treatment, storage and disposal system shall be operating in accordance with these requirements no later than September 1, 2000.
3. Water in the storage pond, within one foot of the water surface, shall meet the following quality limits at all times, in any grab sample:
 - a. Dissolved Oxygen 2.0 mg/L, minimum
 - b. Dissolved Sulfide 0.1 mg/L, maximum
 - c. pH 6.0, minimum; and 9.0, maximum
4. To prevent the threat of overflow, a minimum freeboard of two (2) feet shall be maintained in the storage pond at all times. Freeboard is the vertical distance between the water surface and the lowest elevation of the top of the containment structure (storage pond perimeter levee or outlet structure).
5. The pond shall be managed to minimize stagnant water areas which could provide breeding conditions of mosquitoes or other vectors of public health significance.

6. The public shall be effectively excluded from the wastewater treatment and storage area.
7. Conspicuous warning signs shall be posted at adequate intervals around the aerated lagoons informing the public that the water contained therein is wastewater which is not safe for drinking or contact. Signs shall be of sufficient size and proper wording to be clearly read.
8. The wastewater treatment system shall be adequately protected from erosion, washout, and flooding from a rainfall event having a predicted frequency of one in 100 years.
9. All equipment, including pumps, piping, valves, storage ponds, etc. which may at any time contain wastewater, and are publicly accessible, shall be adequately and clearly identified with warning signs to inform the public that the liquid contained therein is wastewater which is not safe for drinking or contact.
10. All wastewater streams shall be measured in order to monitor the total flow rate of wastewater.

C. RECLAIMED WASTEWATER USE SPECIFICATIONS

1. Wastewater irrigation shall be limited to the area specified in Attachment A. A revised map must be submitted, and written authorization from the Executive Officer must be obtained, before any future change is made in the area used for irrigation.
2. Wastewater irrigation shall not create ponding, which could provide a breeding area for mosquitoes.
3. Process wastewater shall not be applied to the irrigation site when the soil is saturated or during periods of rain.

D. PROVISIONS

1. The discharger shall comply with all sections of this Order immediately upon adoption.
2. The discharger shall comply with the Self-Monitoring Program for this Order, as adopted by the Board and as may be amended by the Executive Officer.
3. The discharger shall maintain in good working order and operate, as efficiently as possible, any facility or control system installed or as modified to achieve compliance with this Order.

4. In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a. Breakdown of wastewater transport or treatment equipment;
- b. Accidents caused by human error or negligence; or
- c. Other causes such as acts of nature;

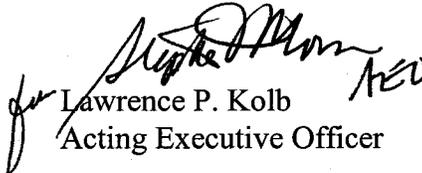
the discharger shall notify the Board by telephone as soon as the discharger or the discharger's agents have knowledge of the incident. Written confirmation of this notification shall be submitted within five working days of the telephone notification. The written notification shall include pertinent information explaining reasons for the non-compliance and shall indicate what steps were taken to correct the problem and the dates thereof, and what steps are being taken to prevent the problem from recurring.

- 5. The treatment facility shall be operated so as to achieve maximum freeboard between September 15 and October 1 of each year, in order to accommodate wastewater flows during the wet-weather season.
- 6. The discharger shall provide written notification to the Board at least 180 days before making any material change or proposed change in the character, location or volume of the discharge, or the characteristics of the wastewater collection, treatment or disposal facilities or practices regulated by this Order, except for during emergency conditions in which case the Board shall be notified as soon as possible thereafter.
- 7. The discharger shall permit the Board staff or its authorized representative in accordance with Section 13267(c) of the California Water Code:
 - a. Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
 - b. Access to and copy of, at reasonable times, any records that must be kept under the conditions of this Order;
 - c. Inspection, at reasonable times, of any facility (including monitoring and control equipment), practices, or operations regulated or required under this Order; or
 - d. To photograph, sample or monitor, at reasonable times, for the purpose of assuring compliance with this Order.
- 8. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall

notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this Board.

9. The Board will review this Order periodically and may revise the requirements.

I, Lawrence P. Kolb, Acting Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on June 21, 2000.


Lawrence P. Kolb
Acting Executive Officer

Attachments:

- A. Map
- B. Self-Monitoring Program
- C. Standard Provisions and Reporting Requirements

Attachment A

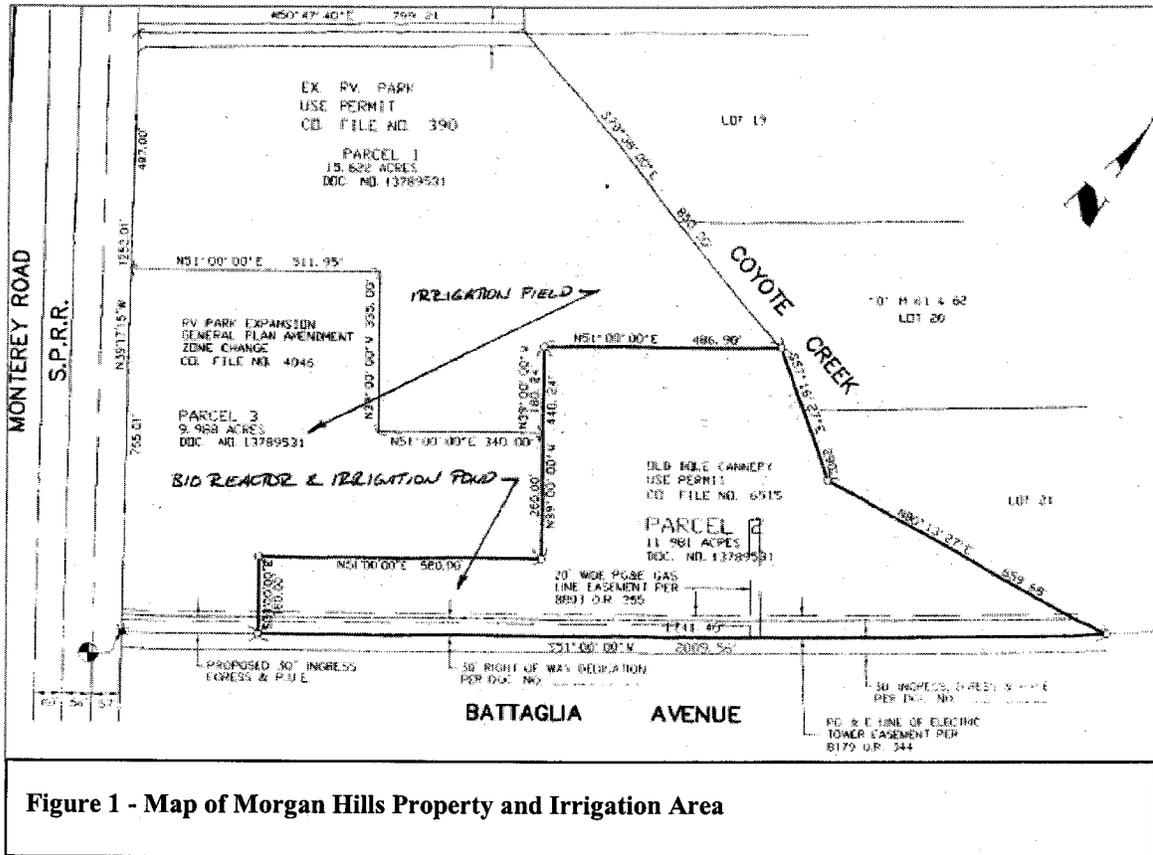


Figure 1 - Map of Morgan Hills Property and Irrigation Area

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM

FOR

MORGAN HILL PROPERTIES
SANTA CLARA COUNTY, CALIFORNIA

FOR WASTE DISCHARGE REQUIREMENTS

ORDER NO. 00-049

CONSISTS OF

PART A

[Standard Provisions]

and

PART B

[Site Specific Provisions]

SELF-MONITORING PROGRAM

PART A

for

MORGAN HILLS PROPERTIES

I. GENERAL

Reporting responsibilities of waste dischargers are specified in Sections 13225(a), 13267(b), 13268, 13383, and 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16.

The principle purposes of a monitoring program by a waste discharger, also referred to as a self-monitoring program, are:

1. To document compliance with waste discharge requirements and prohibitions established by this Regional Board; and
2. To facilitate self-policing by the discharger in the prevention and abatement of pollution arising from waste discharge.

II. SAMPLING AND ANALYTICAL METHODS

Sample collection, storage, and analyses shall be performed according to Code of Federal Regulations Title 40, Section 136 (40 CFR S136), or other methods approved and specified by the Executive Officer of this Regional Board.

Water and waste analyses shall be performed by a laboratory approved for these analyses by the State Department of Health Services (DHS), or a laboratory waived by the Executive Officer from obtaining a DHS certification for these analyses.

The director of the laboratory whose name appears on the certification, or his/her laboratory supervisor who is directly responsible for the analytical work performed shall supervise all analytical work including appropriate quality assurance / quality control procedures in his / her laboratory and shall sign all reports of such work submitted to the Regional Board.

All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

III. DEFINITION OF TERMS

- A. A grab sample is an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples represent only conditions existent at the time of sampling.

B. A flow sample is the accurate measurement of a flow volume over a given period of time using a properly calibrated and maintained flow measuring device. Other means of providing a reasonable accurate quantification of flows may be acceptable, such as calculation from pump usage records for a pump of known capacity, or determination from batch discharges of known volumes.

C. Standard Observations - Treatment System Observations:

- (a) Freeboard: The vertical distance between the water surface and the lowest elevation of the top of the water containment structure (lagoon perimeter levee or outlet).
- (b) Evidence of seepage from the lagoon (Show affected areas on sketch, and include estimated volume of flow rate).
- (c) Nuisance odors from the lagoons: If present, indicate type of odor, cause of odor, and area affected by the odors.
- (d) Evidence of mosquitoes breeding within the lagoon area due to stagnant water areas.
- (e) Warning signs properly posted to inform public that the lagoons contain wastewater which is not safe for drinking or contact.

IV. STANDARD OBSERVATIONS

A. Storage Pond Area

- a. For each lagoon, determine height of the freeboard at the lowest point of the lagoon perimeter levees.
- b. Evidence of seepage from the lagoons (Show affected area on a sketch, and estimate volume or flow rate).
- c. Odor from lagoons: If present, indicate apparent source, characterization, direction of travel, and any public use areas or offsite facilities affected by the odors.
- d. Estimated number of waterfowl and other water-associated birds in the lagoon area.
- e. Warning signs properly posted to inform public that lagoon contains wastewater which is not safe for drinking or contact.

B. Irrigation Site

- a. Evidence of runoff of reclaimed water from the site (Show affected area on a sketch, and estimate volume).

- b. Odor from Irrigation site: If present, indicate apparent source, characterization, direction of travel, and any public use areas or offsite facilities affected by the odors¹.
- c. Evidence of ponding of reclaimed water, and/or evidence of mosquitoes breeding within the irrigation area due to ponded water.
- d. Warning signs properly posted to inform public that irrigation water is reclaimed water which is not safe for drinking or contact.
- e. Evidence of leaks or breaks in the drip irrigation system pipelines or tubing.
- f. Evidence of plugged, broken or otherwise faulty drip irrigation system emitters.

¹ * Note: Odors are not considered violations when confined within the dischargers' property, and the potential for transmission of odors to public use areas or offsite facilities is minimal.

SELF-MONITORING PROGRAM
PART B
for

MORGAN HILLS PROPERTIES

I. DESCRIPTION OF SAMPLING AND OBSERVATION STATIONS

Note: A map of the facility showing locations of all sampling and observation stations described below shall accompany the first monitoring report submitted under this Self-Monitoring Program, and subsequent reports when stations are changed or a violation is reported. This map shall also accompany each Annual report.

A. STORAGE POND INFLUENT AND EFFLUENT

<u>Station</u>	<u>Description</u>
P-IN	At a point in the wastewater system prior to discharging into the Storage Pond, such that the total wastewater flow into the Storage Pond can be determined.
P-EFF	At a point in the wastewater system between the Storage Pond and the irrigation system, such that the total wastewater flow used for irrigation can be determined.

B. STORAGE POND WATER

<u>Station</u>	<u>Description</u>
P-1 & P-2	Located in the Storage Pond, at a point about one foot below the water surface and no less than two feet from the bank, representative of the wastewater.

C. STORAGE POND OBSERVATION STATIONS

<u>Station</u>	<u>Description</u>
L-1 & L-2	Along the perimeter levee of the Storage Pond.

D. IRRIGATION AND SEWAGE DISPOSAL OBSERVATIONS

Irrigation System and Field: The irrigation system and field shall be checked daily during irrigation for evidence of runoff and/or ponding of water.

II. SCHEDULE OF SAMPLING, ANALYSES AND OBSERVATIONS

- A. The discharger is required to perform observation, sampling, measurements and analyses according to the schedule given in Table 1 and Table 1 Footnotes.
- B. The discharger shall conduct a complete inspection of all irrigation lines and emitters, and of the Storage Pond levee, at least once each year. A report of the findings of this inspection, including a description of any repairs or modifications made to the irrigation system, shall be submitted to the Board by April 15th.

III. REPORTS TO BE FILED WITH THE REGIONAL BOARD

A. Self-Monitoring Reports

Written reports shall be filed regularly for each calendar quarter (ending March, June, September and December). Reports shall be submitted to this Regional Board's office no later than the fifteenth day of the month following the end of each quarter. The reports shall consist of the following:

1. Letter of Transmittal

A letter transmitting the self-monitoring reports should accompany each report. Such a letter shall include a discussion of requirement violations found during the reporting period, and actions taken or planned for correcting noted violations, such as operation or facility modifications. If the discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory.

The transmittal letter shall contain a statement by the discharger, or the discharger's authorized agent, under penalty of perjury, that to the best of the signer's knowledge the report is true, accurate and complete.

2. Results of Analyses and Observations

- a. Tabulations of the results from all required analyses specified in Table 1 by date, time, type of sample, and sample station.
- b. Completed Lagoon Observation and Reclaimed Water Use Report forms (Attached) or reports with equivalent information.

B. Report of Permit Violation

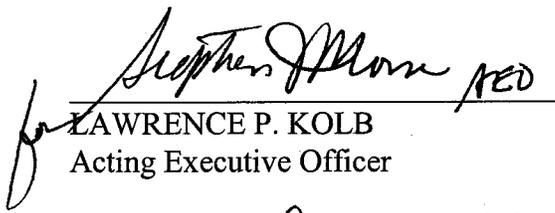
In the event the discharger violates, or threatens to violate the conditions of the waste discharge requirements and prohibitions due to:

- a. Maintenance work, power failure, or breakdown of wastewater transport or treatment equipment;
- b. Accidents caused by human error or negligence; or
- c. Other causes such as acts of nature,

the discharger shall notify the Regional Board office by telephone as soon as the discharger or the discharger's agents have knowledge of the incident. Written confirmation of this notification shall be submitted within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the non-compliance and shall indicate what steps were taken to correct the problem and the dates thereof, and what steps are being taken to prevent the problem from recurring.

I, Lawrence P. Kolb, Acting Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in the Regional Board's Resolution No. 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 00-049.
2. Is effective on the date shown below.
3. May be revised at any time after the effective date by the Executive Officer.



LAWRENCE P. KOLB
Acting Executive Officer
Effective Date June 21, 2000

Attachments

Attachment A: Table 1. Lagoon Observation and Reclaimed Water Use Report Form (Schedule of Sampling, Measurement and Analysis)

Attachment B: Storage Pond Process Wastewater Report

**Table 1.
Schedule for Sampling, Measurements and Analyses**

Sampling Stations	Units	Lagoon Influent	Lagoon Effluent	P-1 and P-2	L-1 and L-2	Irrigation Areas
Type of Sample	flow sample	grab	grab	grab	observations	observations
Total Monthly Flow Volume	gallons	monthly (flow measuring device)	monthly			
Average Monthly Flow rate	gallons per day	monthly (flow measuring device)	monthly			
pH	units			monthly		
Dissolved Oxygen	mg/L			monthly		
Freeboard					Every Two Weeks	
Standard Observations					Every Two Weeks	Every Two Weeks during irrigation operations

P
A
R
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M
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S

**ATTACHMENT B: STORAGE POND PROCESS WASTEWATER REPORT
FLOW**

Month/Year				
<i>Influent Wastewater Flow</i>				
Total Monthly Flow (gallons)				
Average Daily Flow Rate (gallons/day)				
<i>Effluent Wastewater Flow</i>				
Total Monthly Flow (gallons)				
Average Daily Flow Rate (gallons/day)				

LAGOON WATER

Sampling Date				
Pond Section				
pH				
Dissolved Oxygen (mg/L)				
Dissolved Sulfide (mg/L)				

STANDARD OBSERVATIONS (1) (Twice/Month)

Observation Date							
Freeboard (feet, inches)							
Seepage?							
Nuisance Odors?							
Mosquito Breeding?							
Warning Signs Properly Posted?							

(1) For each inspection record either date, freeboard, or "yes" or "no".

If any observations indicate a violation, the following shall be included in the quarterly monitoring report:

- a. Show location of violation on a sketch of the site.
- b. Explain cause and extent of violation.
- c. Describe corrective actions taken, and date(s) when compliance was achieved and regular lagoon use was resumed.

I certify that the information in this report, to the best of my knowledge, is true and correct.

Signature

Date