



California Regional Water Quality Control Board Central Valley Region

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27 September 2011

Eric McDonald, Director
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NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0082 (GENERAL ORDER); SCONZA CANDY COMPANY, STANISLAUS COUNTY

Our office received a Report of Waste Discharge application on 5 May 2009 from the Sconza Candy Company (hereinafter Discharger and Facility), for discharge of treated wastewater to surface water. Based on the application packet and subsequent information submitted by the Discharger, we have determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). The proposed discharge is classified as a superchlorination project. Superchlorination projects, as defined by the United States Environmental Protection Agency, are those that utilize chlorination with doses that are deliberately selected to produce free or combined residual so large as to require dechlorination. This project is hereby assigned Limited Threat General Order No. R5-2008-0082-015 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2008-0082-015**, in your correspondence and submitted documents:

The Limited Threat General Order shall become effective on **14 October 2011**, when the existing individual NPDES permit for the Facility, Order R5- 2002-0111 (NPDES No. CA0004146), is rescinded by a separate action of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) at its regularly scheduled Board meeting.

The Limited Threat General Order is enclosed, and may also be viewed at the following web address:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0082.pdf. You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring and reporting requirements. The project activities shall be operated in accordance with the requirements contained in this NOA and the Limited Threat General Order.

California Environmental Protection Agency

PROJECT DESCRIPTION

The Discharger owns and operates a candy manufacturing facility. The Facility discharges non-contact cooling water and reject water from a reverse osmosis unit. The source of the non-contact cooling water is three deep wells located on the Discharger's property. The well water is converged within the plant and water is chlorinated to drinking water standards. The chlorinated water is used to maintain plant cooling through automatic temperature controllers providing water to large condensers and tanks. The water then flows to a storage pit where it is dechlorinated prior to pumping to a 1.0 million gallon concrete-lined surface impoundment (Pond) with newly installed dechlorination equipment. The dechlorinated water from the Pond is used as the water source for the plant fire sprinkler and hose system and lawn sprinkler irrigation. Unused water is discharged at a flow rate of approximately 1.28 million gallons per day to the Oakdale Irrigation District Riverbank Lateral Canal (OID Canal), a water of the United States, and a tributary to the Stanislaus River. All other process water and domestic wastewater is discharged to the City of Oakdale wastewater collection, treatment, and disposal system. Best Management Practices are used to keep fines and suspended solids from entering the storm drain system. This is accomplished by installing waddles around the drain inlets.

CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited Threat General Order incorporates the requirements of the California Toxic Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, 2005*, also known as the State Implementation Policy (SIP).

Screening levels for CTR constituents are found in Attachment B of the Limited Threat General Order. Review of your effluent water quality data in comparison to the CTR screening values, showed no reasonable potential for the discharge to cause or contribute to an exceedence of the CTR water quality objectives in the OID Canal. However, due to use of chlorine and the discharge flow of 1.28 million gallons daily, this discharge has a limited threat to water quality.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS of the Limited Threat General Order. The following effluent limitations are applicable to this discharge and are contained in Section V. A through C of the Limited Threat General Order:

A. Effluent Limitations – Applicable to All Limited Threat Discharges

2. **Acute Whole Effluent Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste for all limited threat discharges shall be no less than:
 - a. 70%, minimum for any one bioassay; and
 - b. 90%, median for any three consecutive bioassays.

B. Effluent Limitations – Limited Threat Discharges to Specific Waterbodies

4. The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.

C. Effluent Limitations – Limited Threat Discharges from Superchlorination Projects

1. **Total Residual Chlorine.** In addition to the effluent limitations contained in Sections V.A. and V.B. above, the discharge from a superchlorination project shall not exceed the following effluent limitations for total residual chlorine:
 - a. 0.011 mg/L, as a 4-day average; and
 - b. 0.019 mg/L, as a 1-hour average.

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment E of the Limited Threat General Order. The Discharger is required to comply with the following monitoring and reporting requirements for the effluent and receiving water as specified in Attachment E of the Limited Threat General Order.

Effluent Monitoring – The Discharger shall monitor the effluent as required in Table E-3 for Total Flow, Electrical Conductivity @ 25°C, pH, and Whole Effluent Toxicity, and as required in Table E-4 for total residual chlorine. At the time of total residual chlorine monitoring, the Discharger shall also monitor for residual dechlorination agent in the effluent, at the same frequency and sampling type as total residual chlorine, to provide additional confirmation of compliance with the effluent limitations for total residual chlorine. Any excursion above the 1-hour average or 4 day average total residual chlorine effluent limitations and greater than or equal to a reporting level of 0.08 mg/L is an effluent limit violation. A positive residual dechlorination agent in the effluent indicates that chlorine is not present in the discharge, which demonstrates compliance with the effluent limitations. This type of monitoring can also be used to prove that some chlorine residual exceedances are false positives. ~~Monitoring data showing either a positive dechlorination agent residual or a chlorine residual at or below the prescribed limit are sufficient to show compliance with the total residual chlorine effluent limitations, as long as the instruments are maintained and calibrated in accordance with the manufacturer's recommendations.~~

Receiving Water Monitoring – None required.

Monitoring in accordance with the Limited Threat General Order shall begin on **14 October 2011**. Monitoring reports shall be submitted to the Central Valley Water Board on a quarterly basis. The first quarterly monitoring report is required by **1 February 2012** for monitoring conducted in the last quarter of 2011. Quarterly monitoring reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge or receiving water flow during the reporting quarter.

The OID Canal is not listed under the Clean Water Act 303(d) List of impaired water bodies. Therefore, no additional effluent limitations or monitoring requirements will be added to this Limited Threat General Order.

GENERAL INFORMATION AND REQUIREMENTS

Superchlorinated discharge(s) covered by this Limited Threat General Order shall be dechlorinated prior to surface water discharge. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary. If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. In addition, late monitoring reports may be subject to an MMP of \$3,000. When discharges do not occur during a quarterly report monitoring period, the Discharger must still submit a quarterly monitoring report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All monitoring reports submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Victor Vasquez of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Vasquez can be reached at (916) 464-4623 or vvasquez@waterboards.ca.gov.

Questions regarding the permitting aspects of your Limited Threat General Order, and written notification for termination of coverage under the Order, shall be directed to Mr. Anand Mamidi at (916) 464-4853 or at amamidi@waterboards.ca.gov.



PC
Pamela C. Creedon
Executive Officer

Enclosure: General Order No. R5-2008-0082 (Discharger only)

cc: U.S. Environmental Protection Agency, Region IX, San Francisco
Phil Isorena, Division of Water Quality, State Water Board, Sacramento