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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

TIME SCHEDULE ORDER NO. R5-2007-_____

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REQUIRING THE BELL-CARTER OLIVE COMPANY, INC
PLANT 1
TEHAMA COUNTY

TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER NO. R5-2007-_____ (NPDES PERMIT NO. CA0081639)

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The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Water Board) finds that:

T 1. On _____, the Regional Water Board adopted Waste Discharge Requirements (WDR) Order No. R5-2007-_____, prescribing waste discharge requirements for the Bell-Carter Olive Company, Inc. (hereafter Discharger) at the Plant 1 (hereafter Facility), Tehama County.

A 2. WDR Order No. R5-2007-_____, contains Receiving Water Limitations at Section V.A.16., which reads as follows:

"V. Receiving Water Limitations

T A. *Surface Water Limitations*

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause the following in Jewett Creek:

I 16. *Temperature. The natural temperature to be increased by more than 5°F.*

The Discharger operates a food processing facility. City drinking water is used in the retort and can cleaning and sterilization operations. Wastewater from these processes is discharged to Jewett Creek through Discharge Point 001. The temperature of the effluent can exceed the receiving water temperature limitations at certain times of the year and previous permits interpreted the Basin Plan differently regarding receiving water temperature objectives.

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E 4. Currently hot retort water is discharged to a cooling tower (atmospheric cooler) and then discharged to Jewett Creek. The Discharger is researching the feasibility of elimination of the discharge (Discharge Point 001) to Jewett Creek by reusing cooled retort water at the Facility. Preliminary analysis of possible reuse of retort water within the plant has shown promise. The Discharger plans to evaluate various reuse alternatives and

proceed with the most effective approach. The options rely on innovative, experimental, and or alternative approaches or technology. Therefore the Discharger cannot implement reuse immediately.

A general overview of reuse scheme follows:

Warm retort water leaving the atmospheric cooler will be passed through an evaporative cooling system, which will reduce the temperature so the retort water can be recycled for can cooling in a closed loop (after chlorination). Salt accumulation within this new process will be managed by directing a blow down wastestream to Bell Carter's Class II Surface Impoundments. Once the alternatives have been fully researched, and all analyses are complete, the Discharger will implement the selected alternative. Time will be required for testing and possible redesign before a functional system can be fully relied upon to eliminate the need for the current discharge to Jewett Creek.

5. California Water Code (CWC) section 13300 states: *"Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."*
6. Federal regulations, 40 CFR section 122.44 (d)(1)(i), require that NPDES permit effluent limitations must control all pollutants which are or may be discharged at a level which will cause or have the reasonable potential to cause or contribute to an in-stream excursion above any State water quality standard, including any narrative criteria for water quality. Beneficial uses, together with their corresponding water quality objectives or promulgated water quality criteria, can be defined per federal regulations as water quality standards.
7. This Order provides time schedules for the Discharger to develop, submit, and implement methods of compliance, including utilizing pollution prevention activities or construct necessary treatment facilities to meet the receiving water limitations for temperature.
8. On _____, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Board conducted a public hearing at which evidence was received to consider a Time Schedule Order under CWC section 13300 to establish a time schedule to achieve compliance with waste discharge requirements.

9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000, et seq.), in accordance with CWC section 15321 (a)(2), Title 14, of the California Code of Regulations.
10. Any person adversely affected by this action of the Board may petition the State Water Resources Control Board to review this action. The petition must be received by the State Water Resources Control Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

IT IS HEREBY ORDERED THAT:

1. The Discharger shall comply with the following time schedule to assure compliance with the receiving water limitations for temperature contained in Waste Discharge Requirements Order No. R5-2007-_____, as described in the Findings of this Order:

<u>Task</u>	<u>Date Due</u>
Submit Implementation Schedule	1 January 2008
Progress Reports ¹	1 January, annually , after approval of work plan until final compliance
Submit Thermal Plan Report	1 January 2009
Submit Design Plans	1 July 2009
Full compliance	5 Years After Adoption of this Order

¹ The progress reports shall detail what steps have been implemented towards achieving compliance with receiving water limitations for temperature requirements, including studies, construction progress, evaluation of measures implemented, and recommendations for additional measures as necessary to achieve full compliance by the final date.

2. For the compliance schedules required by this Order, the Discharger shall submit to the Regional Water Board on or before each compliance report due date, the specified document or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, and shall include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Water Board by letter when it returns to compliance with the time schedule.
3. If, in the opinion of the Executive Officer, Bell-Carter Olive Company, Inc. fails to comply with the provisions of this Order, the Executive Officer may apply to the Attorney General for judicial enforcement. If compliance with these limitations is not achieved by

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PLANT 1
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the Full Compliance date, the discharge would be subject to issuance of a Cease and Desist Order in accordance with CWC section 13301.

I, PAMELA C. CREEDON, 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, Central Valley Region, on _____.

PAMELA C. CREEDON
Executive Officer

05/06/2007
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