

ITEM: 25

SUBJECT: California Dairies, Inc., Los Banos Foods, Inc., Merced County

BOARD ACTION: *Consideration of Renewal of a NPDES Permit*

BACKGROUND: California Dairies, Inc., owns and operates Los Banos Foods, Inc., a milk processing facility that discharges up to 0.38 million gallons per day of non-contact cooling water to the San Luis Canal, a water of the United States.

The proposed Order renews NPDES Permit No. CA0082082 and includes new effluent limitations for electrical conductivity, chromium, and copper. As California Dairies cannot immediately comply with the proposed metals limits, the proposed Order includes interim effluent limitations for chromium and copper and a time schedule to comply with the final chromium and copper effluent limitations. The proposed Order also requires California Dairies to conduct and implement a Salinity Minimization and Evaluation Program and a TMDL Compliance Study.

In late May, staff became aware that California Dairies disinfects its source water with chlorine to meet California Department of Health Services requirements. Thus, the proposed Order contains new effluent limits for total residual chlorine and a compliance schedule for the installation of dechlorination equipment and effluent total residual chlorine monitoring equipment.

ISSUES: California Sportsfishing Protection Alliance (CSPA) is unsatisfied with interim effluent limits for copper and chromium IV as well as the final effluent limit for EC. CSPA is also unsatisfied with the antidegradation analysis in the proposed Order. The interim effluent limits for copper and chromium IV are set using standard statistical methods and are designed only to cap the discharge at existing levels until California Dairies can implement measures to comply with the final limits. Similarly, the EC limit is set using the methodology used by the USEPA to set effluent limitation guidelines, as staff does not have the information necessary to derive a water quality based limit and the discharge will eventually have to meet the Basin Plan TMDL for Salt and Boron. The limit caps the EC of the discharge at existing

levels. Generally, a detailed antidegradation analysis is not necessary for this discharge, as it contains lower mass emissions and is of lower flow than previously authorized by this Board as consistent with State and federal antidegradation policies.

California Dairies may not concur with the late addition of effluent total residual chlorine limits and associated requirements. These requirements are necessary to ensure that chlorine is not discharged in amounts that will adversely affect beneficial uses of the San Luis Canal.

Mgmt. Review _____
Legal Review _____

21/22 June 2007
Central Valley Regional Water Quality Control Board
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