

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, CA 93706

PUBLIC HEARING

concerning

RESCISSION OF
WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2005-0149
(NPDES NO. CA0081256) AND
TIME SCHEDULE ORDER NO. R5-2005-0150
FOR
KRAFT FOODS, INC.
VISALIA PLANT
TULARE COUNTY

Kraft Foods, Inc. (hereafter Discharger), a California corporation, owned and operated a milk products processing plant at 715 North Divisadero Street in Visalia, California. The Discharger's effluent consisted of approximately 25,000 gallons per day of non-contact cooling water from the initial cooling cycle for three cottage cheese process starter tanks and from evaporation pump seals. The source water was groundwater pumped from an on-site well, which is chlorinated to inhibit biological activity in the cooling system. The non-contact cooling water was discharged from the plant to a storm drain, which discharges to Mill Creek. On 21 October 2005, the Regional Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2005-0149 and the companion Time Schedule Order (TSO) No. R5-2005-0150 for the Discharger. The TSO required the Discharger to develop, submit, and implement methods to comply with a new chlorine effluent limitation in WDRs Order No. R5-2005-0149 by 23 October 2006.

On 27 February 2006, the Discharger submitted a written request to rescind Order Nos. R5-2005-0149 and R5-2005-0150. The request states that discharge to Mill Creek ceased on 19 January 2006 and was rerouted to the Visalia Wastewater Treatment Facility. A site visit by Regional Water Board staff noted that the Discharger appeared to have severed the connection between the cooling water discharge line and the storm drain. In addition, the current plant owner/operator, Provisions Food Company, does not wish to re-establish non-contact cooling water discharges to Mill Creek. Therefore, it is appropriate to rescind both the WDRs and the TSO.

A public hearing concerning this matter will be held during the Regional Water Board meeting scheduled for:

DATE: 31 July / 1 August 2008
TIME: 8:30 a.m.
PLACE: Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of the Regional Water Quality Control Board
- Kraft Foods, Inc.

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Regional Water Board no later than noon on **14 July 2008**. The request must explain the basis for status as a designated party.

Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than by noon on **14 July 2008**. Written evidence or comments submitted after noon on **14 July 2008** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party. All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions on the proposed rescission of Order Nos. R5-2005-0149 (NPDES No. CA0081256) and R5-2005-0150 should contact Matt Scroggins at (559) 445-6042. Interested parties may download the proposed rescission Order and related documents from the Regional Water Board's Internet website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 1685 E Street, Fresno California, 93706, weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/centralvalley/laws_regulations/. Information on meeting and hearing procedures is also available on the Regional Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Regional Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

LOREN J. HARLOW, Assistant Executive Officer