

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 3/4/5 October 2012**

**Response to Written Comments for SunnyGem, LLC, Sandridge Partners, LP, and
McCarthy Family Farms, Inc., Spicer City Juice Processing Plant
Initial Study and Tentative Waste Discharge Requirements**

At a public hearing scheduled for 3/4/5 October 2012, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), will consider adoption of Waste Discharge Requirements (WDRs) for discharge from the SunnyGem, LLC, Sandridge Partners, LP, and McCarthy Family Farms, Inc. (Discharger), Spicer City Juice Processing Plant (Plant). This document contains responses to written comments received from interested parties regarding the Initial Study and tentative WDRs (TWDRs) initially circulated on 6 July 2012. Written comments from interested parties were required by public notice to be received by the Central Valley Water Board by 13 August 2012 to receive full consideration. SunnyGem and the Department of Fish and Game (DFG) submitted comments.

Written comments from the above interested parties are summarized in the appropriate sections below, followed by the responses of Central Valley Water Board staff.

SUNNYGEM COMMENTS

SUNNYGEM – COMMENT No. 1: SunnyGem notes the township and range information in Finding 1 of the TWDRs is incorrect.

RESPONSE: Finding 1 has been corrected.

SUNNYGEM – COMMENT No. 2: Effluent Limitation B.1 should be revised to allow discharge of effluent with a pH range from 4.5 to 9.0.

SunnyGem states the acidic nature of the wastewater will complement the highly alkaline soils in the Reuse Areas and substantially reduce the current practice of applying acidifying minerals to neutralize the alkaline soils. Requiring SunnyGem to chemically neutralize the acidic wastewater prior to discharge will add to the fixed dissolved salt concentration in the wastewater and increase salt loading.

SunnyGem is aware that excessive soil acidity can be harmful to crops and mobilize certain metals that could potentially degrade groundwater. While soil acidity in this area is not a recognized concern, the rate and depth of mobilized cations in acidic soil would be limited due to continual re-adsorption by a redundant succession of clay and organic matter as they move toward downward toward soil with near neutral pH.

Redundant chemical treatment to neutralize wastewater has been acknowledged by the Board with the adoption of WDRs for other food processors that allow a pH range of 4.5 to 9, e.g. WDR Order R5-2009-005. SunnyGem requests similar consideration.

RESPONSE: Effluent Limitation B.1 of the tentative Order has been modified to expand the allowable effluent pH range from between 6.5 and 8.5 to between 4.5 and 9.0. Finding

11 of the tentative WDRs has been modified to include a description of existing soil pH (about 8.0 according to published surveys). The Pond Influent Monitoring section of the Monitoring and Reporting Program prepared as part of the tentative WDRs now includes daily pH monitoring. The discharge is not expected to exceed the buffering capacity of the soil. The increase in effluent pH monitoring frequency is intended to improve the ability of staff and the Discharger to immediately identify potential issues with pH.

DEPARTMENT OF FISH AND GAME COMMENTS

DEPARTMENT OF FISH AND GAME (DFG) – COMMENT No. 1: DFG comments that no information was provided in the Project Description section of the Initial Study discussing whether additional processing facilities would need to be constructed to accommodate the Plant expansion. If expansion of the plant will include ground-disturbing activities, they should be detailed in a revised Project Description. Additionally, the Department recommends that focused biological surveys be conducted by a qualified biologist during the appropriate timing to assess whether these species are present or near enough to any planned construction activities to be impacted.

RESPONSE: Staff contacted DFG by phone to clarify that modifications to the 45-acre Plant property to accommodate expansion, including ground-disturbing activities, have already been implemented. DFG staff expressed concern that the Project Description in the Initial Study does not clearly state that the proposed facilities have already been constructed. DFG staff indicated that the comment letter does not apply if the construction portion of the proposed Plant expansion has already been implemented. Staff added language to the description in the Initial Study to improve clarity. The changes serve only to clarify the status and scope of the project, with no significant additional information of consequence to the Initial Study or Mitigated Negative Declaration.