

**Regional Water Quality Control Board  
Central Valley Region  
Board Meeting –5/6 June 2014**

**Response to Written Comments for Baker Commodities, Inc.  
Kerman Rendering Plant  
Tentative Waste Discharge Requirements and  
Draft Time Schedule Order**

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At a public hearing scheduled for 5/6 June 2014, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), will consider adoption of Waste Discharge Requirements (WDRs) and a Time Schedule Order for discharge from the Baker Commodities, Inc. (hereafter Discharger or Baker), Kerman Rendering Plant (Plant). This document contains responses to written comments received from interested parties regarding the tentative WDRs (TWDRs) and draft Time Schedule Order circulated on 1 April 2014. Written comments from interested parties were required by public notice to be received by the Central Valley Water Board by 1 May 2014 to receive full consideration. Only Baker submitted comments.

Written comments from interested parties are summarized below, followed by the responses of Central Valley Water Board staff. Central Valley Water Board staff also made some minor changes to the TWDRs to improve clarity and fix typographical errors.

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**BAKER COMMENTS**

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**BAKER – COMMENT No. 1:** Baker requests that Finding 47 of the TWDRs be removed. Finding 47 describes the directive in Provision G.7 to provide a Groundwater Monitoring Well Installation Work Plan describing a plan for installation of additional monitoring wells and Baker opined that it is inappropriate and recommends its removal from the TWDRs. Baker indicates the stated objective of Provision G.7, to provide sufficient information to assess groundwater conditions upgradient and downgradient of the lined wastewater ponds, was already met with installation of monitoring wells in April 2012. Specifically, MW-8 and MW-9 are downgradient of the lined ponds and MW-1 represents groundwater upgradient of the ponds.

**RESPONSE:** No changes have been made to the TWDRs in this regard. Baker chose to install ponds with a single membrane liner with no leachate collection and recovery system. A punctured membrane has potential to cause groundwater degradation with seepage of high-strength waste from the ponds. Together with a leak location survey required every five years, monitoring wells are required to verify that groundwater degradation underlying the ponds is consistent with the conditions of the TWDRs. Existing groundwater monitoring wells MW-8 and MW-9 are downgradient of the lined ponds. However, MW-1 is not upgradient of the ponds. Analytical results from samples collected from MW-8 and MW-9 already show higher concentrations of waste constituents than samples from MW-1. Provision G.7 of the TWDRs allows Baker to propose the appropriate location, construction, and number of wells required for proper assessment of groundwater conditions.

**BAKER – COMMENT No. 2:** Baker comments that Finding 49.c in the TWDRs should be changed to define the baseline EC used for calculation of the effluent EC limit as the EC of first-encountered groundwater (i.e., upgradient monitoring wells or irrigation wells) rather than the actual source water EC. Baker indicates that the actual source water from well FW-3 is 580-feet deep and represents the quality of the deeper aquifer and not upper aquifer. In reference to the proposed change in the effluent limit from source water EC plus 500 umhos/cm to the upper aquifer EC plus 500 umhos/cm, Baker states, "This would equate to an EC value of 1,500 to 2,000 umhos/cm. It is not economically feasible or practical to reduce the effluent discharge limit for EC to a level of 900 umhos/cm."

**RESPONSE:** The requested change has not been made. Effluent Limitation B.1 in the TWDRs is included to implement the limit as set forth in the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan). For industrial discharges of waste to land, the Basin Plan (on page IV-13) states, "Industrial dischargers shall be required to...Limit the increase in EC of a point source discharge to surface water or land to a maximum of 500 umhos/cm. A lower limit may be required to assure compliance with water quality objectives." The proposed revision to the limit is inconsistent with the Basin Plan. Staff recognizes the potential for significant process changes and/or cost to comply with this effluent limit. For this reason, the draft TSO allows Baker more than 10 years to comply (3 February 2025) with the limit. Baker will have the opportunity in the interim either to develop a plan to bring the discharge into compliance with the limit or demonstrate to the Central Valley Water Board that it is eligible for an exception to the Basin Plan limit and request an amendment to the WDRs.

**BAKER – COMMENT No. 3:** Baker comments that the Administrative Draft WDRs it reviewed prior to issue of the TWDRs included a finding that was removed in error from the TWDRs, which indicated that Baker is not required to obtain coverage under State Water Resources Control Board Water Quality Order No. 97-3-DWQ National Pollutant Discharge Elimination System WDRs. Baker requests that the same finding be added back into the TWDRs.

**RESPONSE:** The requested changes have not been made. The finding was removed because it was found to be redundant. Finding 61 of the TWDRs covers the same information.

**BAKER – COMMENT No. 4:** Baker comments that Effluent Limitation B.1 should be changed to be consistent with the change requested in Comment No. 2.

**RESPONSE:** The requested change has not been made for the reasons identified in the response to Comment No. 2.

**BAKER – COMMENT No. 5:** Baker comments that Provision G.7 should be removed for the reasons identified in Comment No. 1.

**RESPONSE:** The requested change has not been made for the reasons identified in the response to Comment No. 1.

**BAKER – COMMENT No. 6:** Baker recommends that the Monitoring and Reporting Program be changed to reduce Pond Influent Monitoring frequency for General Minerals (as defined in the Glossary, a part of the Monitoring and Reporting Program) from quarterly to annual monitoring. If quarterly monitoring is required, Baker recommends that trends be reviewed after one year of monitoring and the required monitoring frequency be revisited.

**RESPONSE:** The requested changes have not been made. Pond Influent monitoring has yet to be performed at a sufficient frequency to adequately characterize the wastewater discharged to the pond system. Regarding the proposal to revisit the required monitoring frequency, the Monitoring and Reporting Program includes the following statement to clarify that a reduced monitoring frequency may be implemented by revision of the Monitoring and Reporting Program, if demonstrated by sufficient data: "If monitoring consistently shows no significant variation in magnitude of a constituent concentration or parameter after at least 12 sampling events, the

Discharger may request this MRP be revised to reduce monitoring frequency. The proposal must include adequate technical justification for reduction in monitoring frequency.”

**BAKER – COMMENT No. 7:** Baker recommends that the Monitoring and Reporting Program be changed to reduce Pond Effluent Monitoring frequency for General Minerals from quarterly to annual monitoring. If quarterly monitoring is required, Baker recommends that trends be reviewed after one year of monitoring and the required monitoring frequency be revisited.

**RESPONSE:** The requested changes have not been made, for the same reasons identified in response to Comment No. 6. Pond Effluent monitoring has yet to be performed at a sufficient frequency to adequately characterize the wastewater discharged from the pond system.

**BAKER – COMMENT No. 8:** Baker recommends that the Monitoring and Reporting Program be changed to reduce the Soils Monitoring requirement from annual monitoring to a one-time event as part of the Nutrient Management Plan required by Provision G.9 of the TWDRs. Baker comments that when requirements of the TWDRs are met, soils monitoring will be unnecessary and also the required sample depths will be difficult to obtain given the stratigraphy beneath the land application areas.

**RESPONSE:** The requested changes have not been made. Soil monitoring can provide an indication of overloading of the land application areas with waste constituents, which is a potential issue for Baker’s discharge, prior to groundwater being adversely affected. If, after sufficient monitoring has been performed, the results demonstrate that a change to the required monitoring is appropriate, Baker may request the change in writing to the Executive Officer. The Monitoring and Reporting Program has been changed to require soil Cation Exchange Capacity (CEC) monitoring only once, consistent with Baker’s comment. When requirements of the TWDRs are met, the CEC is not expected to change over time.

**BAKER – COMMENT No. 9:** Baker comments that monitoring wells MW-1 through MW-3 have been sampled quarterly since 1996 and show relatively stable trends over the course of each year. Monitoring wells MW-4 through MW-9 have been sampled quarterly since April 2012 and also show these relatively stable trends. Baker recommends that the Monitoring and Reporting Program be changed to reduce Groundwater Monitoring frequency for General Minerals from quarterly to semi-annual monitoring.

**RESPONSE:** The requested changes have not been made. The only well for which water quality trends appear to be relatively stable is upgradient monitoring well MW-1. Monitoring wells downgradient of the discharge, perhaps due to the discharge, generally show changing concentrations of nitrate, sodium, and other constituents. The record contains little data for the newer monitoring wells (MW-4 through MW-9). A reduced monitoring frequency would take longer to gather data supporting the expected outcome of improvements in groundwater quality resulting from the recent changes (lined ponds and better solids removal rates) Baker has made to the Plant and discharge. More data should also improve the assessment required by Task 3 of the draft TSO of the horizontal and vertical extent of elevated EC and TDS, sodium, chloride, and nitrate concentrations in groundwater beneath and down-gradient of the unlined ponds and/or LAAs.

**BAKER – COMMENT No. 10:** Baker comments that the naming convention for monitoring locations should be changed to be consistent throughout the TWDRs. For example, the Monitoring Location

Description listed on page 2 of the Monitoring and Reporting Program defines the monitoring location name for the Plant water supply wells as both “SPL” and “FW”, rather than consistently using one term.

**RESPONSE:** The requested changes have been made. The naming convention for sample locations at the water supply have been changed to “SPL” for reporting purposes to be consistent with the standard naming convention in the State Water Board’s California Integrated Water Quality System (CIWQS).