

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

TIME SCHEDULE ORDER R5-2014-XXXX
REQUIRING
THE WINE GROUP LLC
FRANZIA SANGER WINERY
FRESNO COUNTY

TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER R5-2014-XXXX

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

1. The Wine Group LLC (Discharger) owns and operates the Franzia Sanger Winery (Winery) at 2916 South Reed Avenue, Sanger, in section 22 and 27 of Township 14 South, Range 23 East, MDB&M. Process wastewater is discharged to an existing 150 acres of land application area (LAA) one and a half miles west of the Winery in sections 29 and 32 of Township 14 South, Range 23 East, and immediately adjacent to Byrd Slough.
2. Waste Discharge Requirements (WDRs) Order 92-120, National Pollutant Discharge Elimination System (NPDES) Permit CA0081019, adopted by the Central Valley Water Board on 26 June 1992, prescribe requirements for the discharge of condenser cooling water to Fink Ditch (discharge 001), and discharge of winery wastewater (discharge 002) and stillage wastewater (discharge 003) to 150 acres of LAA.
3. The Discharger ceased stillage discharges (discharge 003) following the 2000 season. The Discharger also ceased discharging condenser cooling water to Fink Ditch (discharge 001) in 2001 by internally recycling its cooling water as boiler makeup water.
4. On 2 May 2001, the Central Valley Water Board adopted Revised Monitoring and Reporting Program (MRP) 92-120 to include additional effluent monitoring constituents and monitoring requirements to include ion-exchange regeneration waste and boiler blowdown wastewater streams not identified in WDRs Order 92-120.
5. The Discharger submitted a Report of Waste Discharge (RWD) proposing to increase wastewater flows from 49 million gallons per year (mgy) up to 70 mgy (43 percent increase) and increase its current 150-acre LAA by an additional 53 acres for a total of 203 acres (35 percent increase).

6. The Winery crushes 63,000 to 85,000 tons of grapes annually to produce wine and juice concentrate. The crush generally occurs from August to October. Historical crush tonnage and juice concentrate and wine produced is presented in the table below.

Table 1. Historical Grapes Crushed and Juice Concentrate and Wine Produced.

Year	Total Grapes Crushed (Tons)	Grape Juice Concentrate Produced (MG)	Wine Produced (MG)
2005	80,500	1.1	10.7
2006	77,500	1.1	10.0
2007	85,000	1.1	11.4
2008	73,200	1.3	7.8
2009	62,600	1.7	4.6
Future	85,000	1.5	8.8

Wastewater Characteristics

7. Wastewaters generated at the Winery include: cleaning and sanitation wastewater, ion-exchange regeneration waste, boiler blowdown, refrigeration unit wastewater, condenser cooling water that is reused through multiple cycles before comingling, and filter backwash water. All of the different waste streams are comingled in a sump before being applied at the existing 150-acre LAA.
8. The Winery operates year-round, with maximum wastewater flows occurring during the crush season. In 2012, the total annual wastewater flow generated at the Winery was 69 mgy. Based on effluent data reported in the Self-Monitoring Reports (SMRs) from January 2008 through December 2012, the Winery generally discharges flows as tabulated in Table 2A. Total annual wastewater flows generated at the winery are shown in Table 2B.

Table 2A. Non-Crush and Crush Season Wastewater Flows

Season	Minimum Monthly Average Flow (mgd)	Maximum Monthly Average Flow (mgd)	Average Monthly Flow (mgd)
Non-Crush	0.016	0.292	0.096
Crush	0.128	0.459	0.303

Table 2B. Total Annual Wastewater Flows

Year	Total Annual Wastewater (mgy)
2008	45
2009	34
2010	46
2011	63
2012	69

9. Wastewater discharged to the 150-acre LAA is high in organics, as measured by biochemical oxygen demand (BOD). It is also relatively high in nitrogen, as measured by total nitrogen, and salts, as measured by fixed dissolved solids. Monthly average wastewater concentrations based on data from January 2008 through June 2013 are shown in Table 3.

Table 3. Quality of Comingled Wastewater

	BOD ¹ (mg/L)	EC ² (umhos/cm)	TDS ³ (mg/L)	FDS ⁴ (mg/L)	TN ⁵ (mg/L)	K ⁶ (mg/L)	Na ⁷ (mg/L)	SO ₄ ⁸ (mg/L)
January	3,187	1,068	1,606	890	22	80	41	101
February	5,521	640	4,240	1,062	93	71	32	79
March	4,261	---	1,832	980	19	---	---	---
April	3,885	773	960	527	19	83	66	64
May	2,398	---	803	382	24	---	---	---
June	1,762	567	1,523	746	24	26	---	60
July	1,283	1,490	1,828	1,044	25	177	139	173
August	2,925	900	3,294	1,464	24	27	---	58
September	2,521	1,200	2,040	832	71	200	67	240
October	3,662	1,344	1,366	714	80	121	75	276
November	2,848	---	1,190	528	75	---	---	---
December	1,831	1,550	1,383	735	41	185	42	565
Average	3,007	1,059	1,839	825	43	108	66	179

¹ BOD denotes Biochemical Oxygen Demand

² EC denotes Electrical Conductivity

³ TDS denotes Total Dissolved Solids

⁴ FDS denotes Fixed Dissolved Solids

⁵ TN denotes Total Nitrogen

⁶ K denotes Potassium

⁷ Na denotes Sodium

⁸ SO₄ denotes Sulfate

10. Wastewater is collected in trench drains throughout the Winery and conveyed to a sump where wastewater gravity flows through a 24-inch diameter pipeline to the 150-acre LAA. The 150-acre LAA is divided into long checks (1,250 ft to 2,500 ft). Wastewater is applied from east to west via flood irrigation. The Discharger currently grows corn and forage

crops in the 150-acre LAA. The proposed crops in the new 53-acre LAA are vineyards with cover crop in between the vines.

- Historical FDS and TN loading rates to the 150-acre LAA based on total annual flows and average annual constituent concentrations (2008 through 2012 data) are shown in Table 4.

Table 4. Range of FDS and TN Loading Rates to the 150-acre LAA

Constituent/Parameter	Units	Loading Rates
FDS	lbs/acre/year	1,380-3,945
TN	lbs/acre/year	88-225

- Historical BOD loading rates to the 150-acre LAA during the processing season (August to October) are shown in Table 5.

Table 5. Historical Loading Rates to the 150-acre LAA

Year	BOD Loading Rate (lbs/acre/day)
2008	48-89
2009	22-45
2010	22-106
2011	31-80
2012	22-44

- At the proposed total annual flow of 70 mgd, the distribution of wastewater to the 150-acre and the new 53-acre LAA's should be approximately 60 mgd and 10 mgd, respectively, based on monthly distribution patterns presented in the RWD. The FDS and TN loading rates to the 150-acre and the new 53-acre LAA, based on the distribution of wastewater flow to each of the LAA's and annual average (2012 data) constituent concentration for FDS and TN are tabulated in Table 6.

Table 6. Proposed FDS and TN Loading Rates to the 150-acre and 53-acre LAA's

Area	FDS (lbs/acre/yr)	TN (lbs/acre/yr)
150-acre LAA	3,089	197
53-acre LAA	1,457	93

- The estimated monthly average daily BOD loading rates to the 150-acre and new 53-acre LAA's based on given worst case scenario wastewater application rates in the water

balance and an average BOD concentration (from August through October of 2008 to 2012) of 3,036 mg/L are tabulated in Table 7. The instantaneous and cycle average BOD loading rates to the 150-acre and new 53-acre LAA's are much higher than the estimated monthly average daily rates and threaten to violate Effluent and Mass Loading Limitation B.2, Discharge Specifications C.1 and C.2, Land Application Area Specifications D.1 and D.2, and Groundwater Limitations of WDRs Order R5-2014-XXXX.

Table 7. Estimated Monthly Average Daily BOD Loading Rates to the 150-acre and 53-acre LAA's

Area	BOD (lbs/acre/day)
150-acre LAA	77
53-acre LAA	90

Waste Discharge Requirements Order 92-120

15. WDRs Order 92-120, Groundwater Limitations state:

The discharges, in combination with other sources, shall not cause underlying groundwater to:

1. Contain waste constituents in concentrations statistically greater than groundwater limits, where specified below, or background water quality where not specified.
2. Exceed an annual average incremental increase in specific electrical conductivity of greater than 4 umhos/cm, based on the most recent five year period, or a maximum of 900 umhos/cm, whichever is less.
3. Contain chemicals, heavy metals or trace elements in concentrations that adversely affect beneficial uses or exceed maximum contaminant levels specified in Title 22, CCR, Division 4, Chapter 15.
4. Exceed concentrations of radionuclides specified in Title 22, CCR, Division 4, Chapter 15.
5. Contain taste or odor-producing substances in concentrations that adversely affect beneficial uses.

16. WDRs Order 92-120, Provision G.2 states in part that:

The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements (NPDES)", dated 1 March 1991, which are part of this Order...

17. Standard Provisions and Reporting Requirements, 1 March 1991, General Provision A.22 states that:

Neither the treatment nor the discharge shall create a condition of nuisance or pollution as defined by the CWC, Section 13050.

Waste Discharge Requirements Order R5-2014-_____

18. On __ August 2014, the Central Valley Water Board adopted WDRs Order R5-2014-_____. WDRs Order R5-2014-_____ includes the following Effluent and Mass Loading Limitations, Discharge Specifications, Land Application Area Specifications and Groundwater Limitations:

a. Effluent and Mass Loading Limitation B.2, states:

The cycle average BOD loading rates to the 150-acre LAA and the new 53-acre LAA shall not exceed 100 lbs/acre/day both long-term and over the course of any discharge cycle (i.e., the time between successive applications).

b. Discharge Specification C.1, states:

No waste constituent shall be released, discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes violation of Groundwater Limitations of this Order.

c. Discharge Specification C.2, states:

Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.

d. Land Application Area Specification D.1, states:

Application of waste constituents to the LAA shall be at reasonable agronomic rates to preclude creation of a nuisance and degradation of groundwater, considering the crop, soil, climate, and irrigation management system. The annual nutritive loading of the LAA, including the nutritive value of organic and chemical fertilizers and of the wastewater shall not exceed the annual crop demand.

e. Land Application Area Specification D.2, states:

The Discharger shall ensure that water, BOD, and nitrogen are applied and distributed uniformly across each LAA field. The Discharger shall implement change to the irrigation system and/or operational practices as needed to ensure compliance with this requirement.

f. Groundwater Limitations state:

Release of waste constituents from any treatment, reuse, or storage component associated with the Winery or LAA's shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or natural background quality, whichever is greater.

1. Nitrate as Nitrogen of 10 mg/L.
2. For constituents identified in Title 22, the MCLs quantified therein.

Groundwater Degradation/Pollution

19. The 150-acre LAA is immediately adjacent to Byrd Slough of the Kings River. Soils below the 150-acre LAA are coarse grained. Soil below the Winery and the 53-acre LAA are primarily sandy loams.
20. Groundwater below the 150-acres LAA is found at approximately 7 to 10 feet below ground surface (bgs) and flow is generally in the southeast direction. The 150-acre LAA has a groundwater monitoring well network of four wells (MW-1 through MW-4). Groundwater quality below the 150-acre LAA based on groundwater data from January 2008 through June 2013 is shown in Table 8A. Quality of groundwater with respect to arsenic is shown in Table 8B to display individual sampling events. Items in bold indicate exceedances of state primary or secondary drinking water Maximum Contaminant Levels (MCLs).

Table 8A. Range of Groundwater Quality Below the 150-acre LAA

Well	EC µmhos/cm	TDS mg/L	NH ₃ -N ¹ mg/L	NO ₃ -N ² mg/L	HCO ₃ ³ mg/L	TOC ⁴ mg/L	Fe ⁵ mg/L	Mn ⁶ mg/L
MW-1	161-335	108-196	0.5-1.53	0.23-0.34	90-193	1.83-2.57	3.2-8.3	1.6-3.8
MW-2	248-434	170-256	0.60-1.64	0.23-0.32	167-243	2.83-10.56	1.4-11.3	2.0-3.9
MW-3	544- 1,037	351- 652	1.11-2.88	0.23-0.46	345-682	5.34-8.23	4.5-19.3	2.1-5.5
MW-4	353- 923	233- 539	2.68-7.24	0.23-0.46	224-604	7.88-11.31	1.6-29.0	2.3-7.6
MCL	900/1600	500/1000	N/A	10	N/A	N/A	0.30	0.050

¹ NH₃-N denotes Ammonia as nitrogen

² NO₃-N denotes Nitrate as nitrogen

³ HCO₃ denotes Bicarbonate

⁴ TOC denotes Total Organic Carbon

⁵ Fe denotes Iron

⁶ Mn denotes Manganese

Table 8B. Arsenic in Groundwater Below the 150-acre LAA

Sample Date	MW-1 mg/L	MW-2 mg/L	MW-3 mg/L	MW-4 mg/L
1/5/2012	<0.010	<0.010	<0.020	<0.020
2/6/2012	0.017	<0.010	0.017	<0.010
3/1/2012	0.013	<0.010	0.022	<0.010
4/4/2012	0.020	<0.010	0.019	<0.010
5/7/2012	0.015	<0.010	0.024	0.014
6/11/2012	0.014	<0.010	0.026	0.016
7/5/2012	0.017	0.013	0.041	0.021
8/8/2012	0.014	<0.010	0.045	0.018
9/6/2012	0.015	0.011	0.029	0.012
10/3/2012	<0.010	<0.010	0.011	<0.010
11/12/2012	0.015	<0.010	0.020	<0.020
12/5/2012	0.014	<0.010	0.030	0.011
1/21/2013	<0.010	<0.010	0.016	0.012
2/7/2013	<0.010	<0.010	<0.01	<0.010
3/7/2013	0.013	<0.010	0.017	<0.010
4/9/2013	<0.010	<0.010	<0.01	<0.010
5/6/2013	<0.010	<0.010	<0.01	<0.010
6/6/2013	<0.010	<0.010	0.020	<0.010

21. Groundwater below the proposed Carmelita Mine is found 15 feet bgs and flows in the southeast direction. The Carmelita Mine has a groundwater monitoring well network of three wells (MW-A through MW-C). Groundwater quality below the Carmelita Mine, based on a sample collected on 10 June 2009, is tabulated below.

Table 9. Groundwater Quality below the Carmelita Mine

Well	EC (umhos/cm)	TDS (mg/L)	HCO ₃ (mg/L)	Ca ¹ (mg/L)	Fe (mg/L)	Mn (mg/L)	As ² (mg/L)
MW-A	98	80	50	9	0.11	0.02	<0.002
MW-B	454	310	140	40	0.07	<0.01	<0.002
MW-C	571	370	160	48	<0.05	<0.01	<0.002
MCL	900/1600	500/1000	N/A	N/A	0.30	0.050	0.010

¹ Ca denotes Calcium

² As denotes Arsenic

22. The new 53-acre LAA is approximately a mile and a half east of the 150-acre LAA and borders the Winery to the north and south. Groundwater below the new 53-acre LAA is 30 feet bgs and flows in the south direction. Groundwater quality below the new 53-acre LAA based on a sample collected on 5 September 2013 is shown in Table 10 below.

Table 10. Groundwater Quality below the new 53-acre LAA

Well	EC (umhos/cm)	TDS (mg/L)	HCO ₃ (mg/L)	Ca (mg/L)	Fe (mg/L)	Mn (mg/L)	As (mg/L)	TN (mg/L)	NO ₃ as N ¹ (mg/L)
MW-5	510	310	170	55	<0.10	0.0054	<0.010	17	17
MW-6	820	520	260	81	<0.10	<0.0050	<0.010	22	22
MW-7	990	670	170	97	<0.10	0.027	<0.010	32	32
MCL	900/1600	500/1000	N/A	N/A	0.30	0.050	0.010	10	10

¹ NO₃ denotes Nitrate as Nitrogen, converted from Nitrate as Nitrate

23. The groundwater quality data demonstrates the following:
- Years of groundwater data show pollution with resulting from reducing conditions caused by the discharge at the 150-acre LAA. Concentrations of iron and manganese in groundwater of the monitoring (MW-1 through MW-4) exceed their respective MCLs of 0.3 mg/L and 0.05 mg/L by orders of magnitude. Arsenic also consistently exceeds the MCL of 0.010 mg/L in MW-1 and MW-3, relatively consistently in MW-4, and sporadically in MW-2.
 - Reducing conditions from organic loading to the 150-acre LAA are confirmed by the gradual increase of TOC and low nitrate as nitrogen concentrations in groundwater. Elevated TOC concentrations deplete oxygen creating anoxic conditions and mobilizing naturally occurring metals is soil such as iron, manganese, and arsenic.
 - Monitoring well MW-1, the background well is immediately adjacent to the northeast corner of the 150-acre LAA (wastewater is applied from east to west), has been impacted by the discharge, and does not represent background conditions.
 - Single groundwater samples taken for the Carmelita Mine (Table 9) and single samples taken from groundwater monitoring wells at the new 53-acre LAA (Table 10), which has yet to receive waste, do not show similar organic related degradation/pollution of groundwater.

Compliance History

24. On 12 December 2000, the Central Valley Water Board issued a Notice of Violation to the Discharger for violating Groundwater Limitations F.1. and F.2. of WDRs Order 92-120.

Self-Monitoring Reports show concentrations of iron and manganese exceed secondary MCLs of 0.3 mg/L and 0.05 mg/L, respectively, in downgradient monitoring wells.

25. The Discharger proposes a yearly flow limit of 70 mg/y. In 2012, the total yearly flow at the Winery was about 69 mg/y (see Finding 8). Discharge flows and loading at much lower rates than proposed have polluted groundwater with arsenic, iron, and manganese. Groundwater contains arsenic, iron, and manganese concentrations that exceed their respective MCLs by several orders of magnitude.
26. The discharge has violated Groundwater Limitations F.1, F.3, and F.5 of Order 92-120 for causing groundwater to contain chemicals, heavy metals, or trace elements in excess of MCLs; to contain taste or odor-producing substances (e.g. EC and TDS) in amounts that cause nuisance or adversely affect beneficial uses; and to contain chemical constituents in amounts that affect beneficial uses.
27. Information in Findings 19 through 25 indicates that the discharge will violate or threaten to violate WDRs Order R5-2014-____; Effluent and Mass Loading Limitation B.2 for exceeding a cycle average BOD loading rate of 100 lbs/acre/day to the LAA's; Discharge Specifications C.1 and C.2 for discharging wastes in amounts that cause violations of groundwater limitations and cause pollution or nuisance; and Land Application Area Specifications D.1 and D.2 for exceeding application of nutrients in amounts that exceed crop and soil demand and not distributing wastewater uniformly across each LAA field. In addition, the discharge will violate or threaten to violate the Groundwater Limitations of WDRs Order R5-2014-____ for causing groundwater to exceed the MCLs for iron, manganese, and arsenic of 0.30 mg/L, 0.050 mg/L, and 0.010 mg/L, respectively.

Regulatory Considerations

28. Water Code 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.

29. Water Code section 13267(b), states that:

- (1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

30. In accordance with Water Code section 13300, the Central Valley Water Board finds that there is a discharge of waste threatening to take place that will violate requirements prescribed by the Central Valley Water Board, and that the Discharger may not be able to immediately comply with Effluent Limitation B.2., Discharge Specification C.1. and C.2., and Land Application Area Specification D.1. and D.2, and Groundwater Limitations of WDRs Order R5-2014-_____.
31. The technical reports required by this Order are necessary to assure compliance with both this Order and Waste Discharge Requirements Order R5-2014-_____, and to assure protection of the public health and safety. The Discharger owns and operates the facility that discharges the waste subject to these Orders.
32. On ___ August 2014, in Rancho Cordova, California, after notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider a Time Schedule Order.

IT IS HEREBY ORDERED that, pursuant to Water Code sections 13300 and 13267, The Wine Group, LLC, its agents, successors, and assigns, shall:

1. Comply with WDRs Order R5-2014-_____, Effluent and Mass Loading Limitation B.2 and Discharge Specifications C.1 and C.2, and Land Application Area Specifications D.1 and D.2, and Groundwater Limitations in accordance with the following compliance schedule:

<u>Task</u>		<u>Report Date</u>
a.	Submit a Work Plan and implementation schedule that identifies the specific control measures The Wine Group, LLC will employ to ensure compliance with the following requirements of the WDRs Order R5-2014-____: Effluent and Mass Loading Limitation B.2, Discharge Specifications C.1 and C.2., and Land Application Area Specifications D.1 and D.2. The Work Plan and implementation schedule shall be subject to the approval of the Executive Officer.	9 months from the adoption of this Order
b.	Begin implementation of the approved Work Plan and schedule.	In accordance with the approved schedule, but by no later than 1 year from the adoption of this Order.
c.	Submit a technical report demonstrating complete implementation of the approved Work Plan and compliance with Effluent and Mass Loading Limitation B.2, and Discharge Specification C.1 and C.2., and Land Application Area Specification D.1 and D.2. in WDRs R5-2014-____. Upon receipt of written concurrence by the Executive Officer this task shall be considered complete.	In accordance with the approved schedule, but by no later than 3 years from adoption of this Order.

2. The Discharger shall comply with Groundwater Limitations F.1 and F.2 in accordance with the following compliance schedule:

<u>Task</u>		<u>Report Date</u>
a.	Submit a Work Plan and implementation schedule that identifies the methods proposed for assessing the horizontal and vertical extent of elevated iron, manganese, and arsenic concentrations in groundwater beneath and downgradient of the 150-acre LAA. Additionally, the Discharger shall complete a survey of domestic wells within a one mile radius of the 150-acre LAA and the new 53-acre LAA. The results of the well survey shall	9 months from the adoption of this Order

	be included in the Work Plan along with a proposed a strategy and schedule for sampling wells that could be impacted by the discharge. The Work Plan shall be subject to Executive Officer approval.	
b.	Submit a technical report that describes the horizontal and vertical extent of iron, manganese, and arsenic concentrations that exceed Groundwater Limitations F.1 and F.2, or appropriate background concentrations were not included in Groundwater Limitations F.1 and F.2, in groundwater beneath and downgradient of the 150-acre LAA as a result of historic discharges from the Winery. The technical report shall also provide an estimate of how long it will take for groundwater to meet applicable water quality objectives after the Discharger implements appropriate course of action required under this Order.	In accordance with the approved schedule, but by no later than 3 years from adoption of this Order.
c.	Annually submit, a technical report analyzing groundwater quality and progress towards meeting applicable water quality objectives.	Annual progress report (by 1 February of each year)
d.	If the periodic monitoring required in Subsection c. above, indicates unsatisfactory progress towards meeting water quality objectives, the Discharger shall submit a Work Plan with a compliance schedule for implementing additional measures to meet applicable water quality objectives. The proposed Work Plan and compliance schedule shall be subject to Executive Officer approval and may be incorporated into future Board Orders.	As required by the Executive Officer

All technical reports and work plans required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. To demonstrate compliance with sections 415 and 3065 of Title 16 of the California Code of Regulations, all technical reports must contain a statement of the qualifications and responsible registered professional(s). As required by these laws, completed technical reports and work plans must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the

professional responsible for the work. The technical reports are subject to the Executive Officer approval.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for Administrative Civil Liability.

Failure to comply with this Order or with the WDRs may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality/

or will be provided upon request.

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