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CENTRAL VALLEY REGION

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**WASTE DISCHARGE REQUIREMENTS
ORDER R5-2026-XXXX**



ORDER INFORMATION

Order Type(s):	Waste Discharge Requirements
Status:	
Program:	Groundwater Quality Protection Program
Region 5 Office:	Sacramento (Rancho Cordova)
Dischargers(s):	City of Tracy and Leprino Foods Company
Facility:	Land-Based Treatment Units of the Tracy Wastewater Treatment Plant
Address:	3900 Holly Drive
County:	San Joaquin
Parcel Nos.:	212-230-03, 213-050-08
Prior Order(s):	R5-2007-0038

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX August 2026.

PATRICK PULUPA, Executive Officer

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WASTE DISCHARGE REQUIREMENTS ORDER R5-2026-XXXX
CITY OF TRACY AND LEPRINO FOOD COMPANY
LAND-BASED TREATMENT UNITS OF THE TRACY WWTP
SAN JOAQUIN COUNTY

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GLOSSARY

bgs	below ground surface
BOD ₅	[5-day] Biochemical Oxygen Demand at 20° Celsius
BPTC.....	Best Practicable Treatment or Control
CEQA	California Environmental Quality Act, Public Resources Code section 21000 et seq
CV-SALTS.....	Central Valley Salinity Alternatives for Long-Term Sustainability
DO.....	Dissolved Oxygen
DWR.....	Department of Water Resources
EC	Electrical Conductivity
FEMA	Federal Emergency Management Agency
MCL.....	Maximum Contaminant Level
MGD.....	Million Gallons [per Day]
mg/L	Milligrams per Liter
MRP	Monitoring and Reporting Program
MUN	Municipal and Domestic Supply Beneficial Use
MW.....	Monitoring Well
N.....	Nitrogen
NA	Not Applicable
ND	not detected or non-detect
NE	Not Established
NPDES.....	National Pollutant Discharge Elimination System
OAL.....	Office of Administrative Law

P&O Study	Prioritization and Optimization Study of the Salt Control Program
RCRA	Resource Conservation and Recovery Act
RWD.....	Report of Waste Discharge
SERC	State of Emergency Response Commission
SPRRs	Standard Provisions and Reporting Requirements
TDS	Total Dissolved Solids
Title 22	California Code of Regulations, Title 22
Title 23	California Code of Regulations, Title 23
Title 27	California Code of Regulations, Title 27
TKN	Total Kjeldahl Nitrogen
USEPA.....	United States Environmental Protection Agency
Wat. Code	Water Code
WDRs.....	Waste Discharge Requirements
WQOs	Water Quality Objectives
µg/L	Micrograms per Liter
µmhos/cm.....	Micromhos per Centimeter

FINDINGS

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

Introduction

1. The City of Tracy (City) owns and operates a 125-acre wastewater treatment plant (WWTP) that primarily treats domestic wastewater and is located at 3900 Holly Drive in Tracy in San Joaquin County, Section 16, T1S, R5E, MDB&M (Attachment A). The WWTP (Facility) also accepts and treats industrial food processing wastewater through a segregated collection system from Leprino Foods Company (Leprino), a local cheese manufacturer. The industrial wastewater treatment system and sludge drying beds are regulated under these Waste Discharge Requirements (WDRs).
2. The Facility is composed of a main domestic treatment system and an industrial treatment system. The City's discharge to Old River, from the main domestic treatment system, consists of treated industrial and disinfected domestic effluent. Discharges to Old River are regulated under WDRs Order R5-2022-0073 (NPDES No. CA0079154).
3. The Land-Based Treatment Units of the Tracy WWTP (the industrial treatment system), consisting of two pretreatment units (referred to as Lagoons), a treatment pond (Treatment Pond 002), and four holding ponds (Holding Ponds 001, 003, 004, and 005), are owned by the City of Tracy. The City of Tracy leases the Lagoons and Treatment Pond 002 to Leprino. The City of Tracy authorizes industrial discharges from the Lagoons to Treatment Pond 002 under the City's Industrial Pretreatment Program. The Pretreatment Program is regulated under separately issued WDRs Order R5-2022-0073 (NPDES No. CA0079154). This Order regulates the Lagoons, Treatment Pond 002, Holding Ponds 001, 003, 004, and 005, and the sludge drying beds.
4. The City and Leprino are collectively referred to as Dischargers and are responsible for compliance with these WDRs.
5. The following materials are attached and incorporated as part of this Order:
 - a. Attachment A – Site Location Map
 - b. Attachment B – Site Features Map
 - c. Attachment C – Wastewater Flow Schematic
 - d. Attachment D – Constituent Concentrations in Groundwater Map

- e. Standard Provisions and Reporting Requirements dated 1 March 1991 (SPRRs)
- 6. Also attached is **Monitoring and Reporting Program Order (MRP) R5-2026-XXXX**. The MRP constitutes a separate, enforceable order, which requires monitoring and reporting for discharges regulated under these WDRs. The Dischargers must comply with the MRP and any subsequent revisions thereto.

Regulatory History

- 7. On 4 May 2007, the Central Valley Water Board adopted WDRs Order R5-2007-0038, which prescribed requirements for the treatment and discharge of wastewater to the treatment pond system at the WWTP. In addition, WDRs Order R5-2007-0038 also regulated the sludge drying beds.
- 8. The Dischargers have had no violations associated with discharges regulated under WDRs Order R5-2007-0038.
- 9. On 24 January 2022, the Dischargers submitted a Report of Waste Discharge (RWD) that describes the industrial treatment system and the sludge drying beds. A supplemental RWD was submitted on 30 January 2024, and additional data were submitted on 11 August 2025.

Facility and Discharge

- 10. Leprino is the world's largest producer of mozzarella cheese. The Leprino facility in Tracy, CA was constructed between 1973 and 1975 and is located approximately 0.75 miles south of the WWTP. Leprino supplies cheese to major pizza chains, including Domino's, Pizza Hut, Papa John's, and Little Caesars and generates approximately \$3.6 billion in annual revenue. Industrial process wastewater from Leprino's Tracy plant discharges to a segregated industrial collection line. The wastewater from this line enters the industrial pretreatment system at the WWTP and is directed into the Lagoons.
- 11. The Lagoons consist of two identical units (Lagoons 1 and 2) that are approximately 25 feet deep (Attachment B). The Lagoons, constructed in 1977, are two geotextile lined ponds constructed with compacted berms and rise above the base level of the surrounding ground. The berms are of 1.5:1 slope on the interior and meet a concrete floor 94-ft square, and the floor slab is between 8-12 inches thick. The concrete floor serves as the base for grouted threaded supports holding a fine air tube diffuser system 18-inches off the floor. The sloped interior sides of the aerated Lagoons are lined with an impermeable Hypalon/EPDM reinforced geotextile fabric specifically designed to seal active lagoon systems. The liner is sealed to the floor of the Lagoons with a perimeter-bolted frame completely wrapped by the liner material and grouted in place, and the liner itself is vulcanized into a single continuous sheet. The top of the liner is buried in a

trench dug 12-inches deep along the top perimeter of the lagoon system to prevent pullout of the liner top. The liner is approximately 29 years old. The freeboard design allows for 2-feet of freeboard.

12. The aerated and lined Lagoons allow reduction of organic components in the food processing wastewater produced from the cheese manufacturing process. The Lagoons operate in an aerobic mode that promotes the natural growth of microscopic organisms to consume the soluble portion of the organic materials in the wastewater. Waste within the pretreatment Lagoons is aerated using a coarse bubble aeration system, while a nitrogen source in the form of urea is added when necessary to provide a proper nutrient balance. Acetic acid is used for pH adjustments and to support biological processes. The resulting reduction in organic loading is measured as a reduction in biochemical oxygen demand (BOD₅) concentrations. The Lagoons may operate in series or in parallel.
13. Influent wastewater flow volumes to the Lagoons are summarized below.

MGY = million gallons per year
MGD = million gallons per day

Table 1. Influent Flow Volumes

Year	Total Influent Flow (MGY)	Average Daily Flow (MGD) (note 1)	Range (MGD)
2020	219	0.60	0.30 – 0.76
2021	224	0.61	0.32 – 0.78
2022	265	0.73	0.32 – 0.86
2023	280	0.77	0.23 – 1.08
2024	260	0.72	0.29 – 0.86

Note 1: The City's Industrial Pretreatment Program limits industrial wastewater flow from the Lagoons to Treatment Pond 002 to 0.85 MGD as a 7-day average; however, no one day's discharge shall exceed the discharge limit by more than 25 percent of the limit.

14. To support the development of this Order, three special purpose characterization samples were collected to characterize the influent quality of the wastewater in the Lagoons. These samples were not required under the existing MRP for Order R5-2007-0038; however, the Dischargers voluntarily provided the requested data to assist in evaluating industrial wastewater quality and were analyzed for the constituents presented on the table below.

EC = electrical conductivity
TDS = total dissolved solids
mg/L = milligrams per liter
µmhos/cm = micromhos per centimeter

Table 2. Industrial Influent Wastewater Quality

Sample Date	EC (µmhos/cm)	TDS (mg/L)	BOD (mg/L)	Nitrate (mg/L)	Sodium (mg/L)	Chloride (mg/L)
2/27/25	1,700	1,700	2,100	48	280	330
3/3/25	1,200	1,900	5,400	88	140	78
3/12/25	1,900	1,400	1,600	75	280	280
Averages	1,600	1,667	3,033	70	223	229

15. Following the active aerobic pretreatment in the Lagoons, the wastewater is transferred to unlined Treatment Pond 002, where most of the additional treatment, including clarification, is provided. Ferric chloride, phosphoric acid, and polymer are added as part of the treatment process. (Note that volumes of chemicals used as part of the treatment processes were not included in the RWD but are required to be reported as part of the annual monitoring report required by MRP Order R5-2026-XXXX.)
16. Treatment Pond 002 is divided into two sections by a floating baffle to allow for settling of solids from pretreatment and clarification of the pretreated wastewater. A rotary drum screen separates solids from the pretreated wastewater just prior to discharge to Treatment Pond 002 and four holding ponds, consisting of Holding Ponds 001, 003, 004, and 005 (Attachment B). The operation of the rotary screen is enhanced by addition of a flocculent emulsion polymer prior to screening. Solids are allowed to stabilize in a facultative mode.
17. From Treatment Pond 002, wastewater is then directed through the wastewater pond holding system, which covers approximately 52 acres. The holding ponds are unlined oxidation ponds used for equalization and storage prior to entering the main WWTP. Discharges from Treatment Pond 002 may be directed to any of the holding ponds based on operational needs. Ponds 4 and 5 were historically constructed and operated as separate ponds, but the internal separation berm is no longer present. However, the Discharger continues to refer to them as Pond 4 and Pond 5 for operational and monitoring purposes; therefore, the Order retains this naming convention for consistency.
18. The holding ponds are intended to operate as a combination of facultative Lagoons and aerobic maturation (or polishing) ponds for additional BOD₅ and nutrient removal. Activity in the holding ponds is a symbiosis of bacteria and algae in which oxygen is maintained in the upper layer while anaerobic fermentation activity occurs at the bottom.
19. Holding Pond 001 is not currently in use. Based on site visit conducted in May 2026 by Central Valley Water Board staff, Holding Pond 001 has less than two

feet of freeboard and significant vegetative overgrowth. This Order requires the Dischargers to bring this pond back into compliance (Provision I.3).

20. The only domestic wastewater discharged to the holding ponds consists of treated effluent from the main wastewater treatment system that does not meet Title 22 standards, along with decant water and anaerobic digester overflow (Attachment C). These flows are directed to the holding ponds only on an as-needed basis. Under normal operations, most treated effluent that does not meet Title 22 standards is routed to the Emergency Storage Basin (ESB), which is included in the City's NPDES permit.
21. Pond dimensions are summarized below. Each pond has a working capacity of approximately 5 feet.

Table 3. Pond Dimensions

Pond	Surface Area (acres)	Capacity (MG)	Depth (feet)
Treatment Pond 002	8	11.2	7
Holding Pond 001	8	5.9	7
Holding Pond 003	15	24.2	7
Holding Pond 004	14	20.1	7
Holding Pond 005	15	21.5	7

22. Wastewater samples are collected from each pond and the results for select constituents are summarized below. Data presented on the table are average concentrations in samples collected between 2020 and 2024. Ponds are shown in the order the wastewater currently moves through the pond system (Attachment C).
23. Water Quality Objectives (WQOs) are based on:
EC, TDS, iron, and manganese – Secondary Maximum Contaminant Level (MCL)
Nitrate as Nitrogen – Primary MCL

WQOs presented in data tables through the Order are provided solely for comparison purposes. Their inclusion is intended to offer context for evaluating constituent concentrations in the effluent or other monitoring data. However, the inclusion of WQOs in these tables does not constitute the establishment of groundwater limitations or compliance thresholds under this Order. The WQOs are not enforceable limits for treatment, but rather screening benchmarks intended to support data interpretation and inform risk evaluation. NE represents not established.

Table 4. Pond Wastewater Quality

Constituent		Treatment Pond 002	Pond 001 (note 1)	Pond 005	Pond 004	Pond 003	WQOs
EC (µmhos/cm)	Min	2,310	1,963	237	1,673	1,848	900
	Max	4,220	5,220	3,670	3,600	3,880	
	Avg	3,107	2,749	2,623	2,623	2,743	
TDS (mg/L)	Min	1,000	420	950	1,100	920	500
	Max	3,000	2,600	1,800	2,500	2,200	
	Avg	1,475	1,381	1,423	1,441	1,527	
Nitrate as N (mg/L)	Min	ND	ND	ND	ND	ND	10
	Max	8.1	30	38	39	51	
	Avg	2.4	9.5	4.6	4.2	5.8	
TKN (mg/L)	Min	5	5.7	4	3.3	4.8	NE
	Max	450	260	150	85	57	
	Avg	101	70.4	40.3	33.3	25.8	
Iron (mg/L)	Min	0.07	0.05	0.1	0.1	0.31	0.30
	Max	0.31	0.17	0.31	0.19	0.64	
	Avg	0.16	0.11	0.21	0.14	0.49	
Manganese (mg/L)	Min	0.004	0.002	0.006	0.006	0.012	0.05
	Max	0.02	0.025	0.029	0.024	0.023	
	Avg	0.008	0.009	0.013	<0.001	0.018	
Chloride (mg/L)	Min	380	300	410	410	480	250
	Max	690	460	620	630	800	
	Avg	500	404	537	533	644	
Sodium (mg/L)	Min	370	280	400	400	410	69
	Max	600	440	630	630	750	
	Avg	468	370	490	488	572	

Table Note 1. Holding Pond 001 is not currently in use.

24. Currently wastewater from Holding Pond 003 is commingled with influent domestic wastewater prior to entering the primary clarifier in the main treatment plant. Once treated, the commingled treated wastewater is discharged to Old River under an separate NPDES permit.
25. Solids removed from the Lagoons, Treatment Pond 002, and the holding ponds are placed in the asphalt lined sludge drying beds.
26. Sludge from the domestic wastewater system is thickened by dissolved air flotation, anaerobically digested, and dewatered in sludge drying beds. Decant water and overflow from the anaerobic digestion can be directed to the holding

ponds as needed. The lined drying beds cover approximately 8.2 acres. The drying beds use an underdrain system to return residual liquid to the plant pump station. The dried biosolids are disposed of in a landfill or hauled off-site for land application. Solids associated with the industrial wastewater removed from the ponds are also discharged to the lined drying beds.

27. Water balances were included in the supplemental information provided by the Dischargers for the treatment and holding ponds. Water balances were developed to determine if the holdings ponds have adequate capacity to contain the average rainfall year and the 100-year return period total annual precipitation. The results indicate that the holding ponds present adequate containment capacity for both the average rainfall year and the 100-year period of return total annual precipitation distributed monthly in accordance with mean monthly precipitation patterns under average monthly historical evaporation rates.

Site-Specific Conditions

28. Land use surrounding the Facility is generally agricultural, industrial, and residential.
29. The topography of the surrounding area is relatively flat. The nearest surface waterbodies to the Facility are Sugar Cut Slough, located along the west side of the holding ponds, and Old River, located approximately 2 miles north of the holding ponds. There are several off-site drainage ditches surrounding the Facility that are not owned or controlled by the Dischargers. The extent to which these features influence shallow groundwater flow or water quality beneath the Facility is currently unknown. Additional hydrogeologic evaluation is needed to determine whether these off-site drainage systems affect groundwater conditions beneath the Facility.
30. Precipitation and evapotranspiration data were collected from the Ripon and Manteca California Irrigation Management Information System (CIMIS) stations. The 100-year precipitation was estimated at 28.4 inches per year and the total monthly average reference evapotranspiration value is 52.8 inches.
31. The treatment and holding ponds are located in the Federal Emergency Management Agency (FEMA) AE flood zone, which is defined as an area that will be inundated by a flood event having a 1-percent chance of being equaled or exceeded in any given year. The Base Flood Elevation (BFE) for the Facility is 13 feet NAVD (FEMA Zone AE).
32. The Facility's treatment and storage/holding ponds are located in an area where the underlying sediments were influenced both by alluvial silt, clay, and sand deposits originating from the Diablo Range and the finer grained (silt and clay) flood-basin deposits of the Delta region. As a result, drillers' logs from wells in the

vicinity of the wastewater plant show alternating sands and clays with no predominance of fine- or coarse-grained deposits.

Groundwater Conditions

33. The groundwater monitoring well network consists of eight onsite shallow groundwater wells, as shown on Attachment D. Well construction details are shown below.

bgs = below ground surface
msl = mean sea level

**Table 5. Groundwater Monitoring Well Details
(as of Fourth Quarter 2024)**

Well ID	Installation Year	Top of Well (feet msl)	Depth to Groundwater (feet from Top of Well)	Groundwater Elevation (feet msl)	Screen Interval (feet bgs)
MW-1	1990	21.36	14.70	6.66	5 - 25
MW-2	1990	21.27	17.41	3.86	7.5 – 27.5
MW-3	1990	20.07	16.46	3.61	8.5 – 28.5
MW-4	1990	20.31	15.24	5.07	10.0 – 30.0
MW-5	1994	23.11	17.32	5.79	18.0 – 38.0
MW-6	2008	18.73	14.37	4.36	15 – 35
MW-7	2008	15.68	11.45	4.23	15 – 35
MW-8	2008	16.33	11.73	4.60	13.0 – 23.0

34. Groundwater flow direction at the site is primarily to the northwest and the gradient varies between 0.00055 and 0.0017 feet per foot (ft/ft). Flow gradients measured during the fourth quarter 2024 indicate that MW-1 and MW-5 are the upgradient wells for the monitoring network. However, the City no longer monitors MW-1 because MW-5 provided better characterization of background groundwater quality (as documented in the 2010 *Tracy WWTP Groundwater Quality Characterization Report*, required per Order R5-2007-0038). The direction of groundwater flow has generally been to the northwest, which is consistent with previous groundwater flow records dating back to the 1990s.
35. Historical groundwater elevations generally show no seasonal variations; however, seasonal variations may be developing in wells MW-4 through MW-8.
36. Groundwater quality data are summarized below. Average concentrations are presented for monitoring years 2020 through 2024. MW-5 is considered an upgradient well.

Table 6. Groundwater Quality

Constituent	Units	Well ID							WQOs
		MW-5	MW-2	MW-3	MW-4	MW-6	MW-7	MW-8	
EC	µmhos/cm	1,712	2,600	2,759	2,967	3,049	3,275	3,189	900
TDS	mg/L	1,083	1,517	1,640	1,725	2,115	2,145	2,195	500
Sodium	mg/L	259	427	507	318	439	640	620	69
Chloride	mg/L	216	442	483	325	384	355	320	250
Nitrate as N	mg/L	3.01	ND	0.03	22.6	11.1	18.7	15.7	10
TKN	mg/L	0.16	4	2.4	22.7	0.18	0.23	0.28	NE
Iron	mg/L	0.06	2.85	10	1.3	0.3	0.002	0.83	0.3
Manganese	mg/L	0.003	5	2.3	1.4	0.01	0.01	0.03	0.05
Arsenic	mg/L	0.008	0.05	0.05	0.03	0.004	0.01	0.01	0.01

Legal Authorities

37. This Order is adopted pursuant to Water Code section 13263, subdivision (a), which provides in pertinent part as follows:

The Central Valley Water Board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge..., with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonable required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.

Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.

38. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste. (Wat. Code, § 13263, subd. (g).)
39. This Order and its associated MRP are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides as follows:

[T]he Central Valley Water Board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste ... 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.

The reports required under this Order, as well as under the separately issued MRP, are necessary to verify and ensure compliance with these WDRs. The burden associated with such reports is reasonable relative to the need for their submission.

Basin Plan Implementation

40. Pursuant to Water Code section 13263, subdivision (a), WDRs must “implement any relevant water quality control plans and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.” These factors were considered in the development of this Order.

Beneficial Uses of Water

41. This Order implements the Central Valley Water Board’s Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan), which designates beneficial uses for surface water and groundwater and establishes WQOs necessary to preserve such beneficial uses. (See Wat. Code, § 13241 et seq.).
42. The beneficial uses of underlying groundwater as set forth in the Basin Plan are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.

Water Quality Objectives

43. The Basin Plan establishes narrative WQOs for chemical constituents, taste and odors, and toxicity in groundwater. It also sets forth a numeric objective for total coliform organisms.
44. The Basin Plan’s numeric WQO for bacteria requires that the most probable number (MPN) of coliform organisms over any seven-day period shall be less than 2.2 per 100 mL in MUN-designated groundwater.
45. The Basin Plan’s narrative WQOs for chemical constituents, at a minimum, require MUN-designated waters to meet the MCLs specified in Title 22 sections 64431, 64444, and 64449. The Central Valley Water Board may apply limits

more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

46. Quantifying a narrative WQO requires a site-specific evaluation of those constituents that have the potential to impact water quality and beneficial uses. The Basin Plan states that when compliance with a narrative objective is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations to implement the narrative objective.

CV-SALTS Salt and Nitrate Control Programs

47. On 31 May 2018, the Central Valley Water Board adopted Basin Plan amendments incorporating the Salt Control Program and Nitrate Control Program (Resolution R5-2018-0034). The Basin Plan amendments became effective on 17 January 2020. On 10 December 2020, the Central Valley Water Board adopted revision to the Basin Plan amendments with Resolution R5-2020-0057 (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf). Those revisions became effective on 10 November 2021. As the Central Valley Water Board moves forward to implement these Programs, this Order may be amended or modified to incorporate new or modified requirements necessary for their implementation. More information regarding the Salt and Nitrate Control Programs can be found on the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) web page: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).
48. Under the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements may instead be subject to requirements, as determined appropriate by the Central Valley Water Board, and participate in a basin-wide effort known as the Prioritization and Optimization Study (P&O Study) to develop a long-term salinity strategy for the Central Valley. On 20 April 2021, the Discharger submitted a Notice of Intent to comply with the Salt Control Program. The Discharger elected to participate in the P&O Study and was issued an identification number (CV-SALTS ID: 2573). The Discharger is currently in good standing with the program. To maintain existing salt discharges and minimize salinity impacts, this Order sets a **Salinity Action Level of 2,000 mg/L for TDS as a flow-weighted annual average**. The limit is based on the maximum flow weighted annual average effluent TDS concentration over the last three years and includes an approximate 18 percent contingency factor to allow for operational flexibility and water conservation efforts, and requires continued monitoring of salinity constituent in effluent and groundwater. If the discharge results in an exceedance of the Salinity Action Level, this Order includes a provision that requires the Dischargers to evaluate salinity sources and potential source control measures to decrease salinity in the discharge.

49. The Nitrate Control Program is a program for the control and permitting of nitrate discharges to groundwater and applies to all groundwater basins that are designated with the municipal and domestic supply (MUN) beneficial use. The Nitrate Control Program is a prioritized program: basins/sub-basins have been prioritized and basins within Priority 1 and 2 have been identified as having the most serious ambient water quality concerns for nitrate. Priority 1 and 2 basins have two pathways to compliance – Pathway A: the Individual Permitting Approach or Pathway B: The Management Zone Approach. For the Nitrate Control Program, the Facility is located in the Tracy subbasin of the San Joaquin Valley GW basin, which is designated as non-prioritized. Therefore, the Dischargers are not required to enroll in the Nitrate Control Program at this time.
50. As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of these WDRs. As such, this Order may be amended or modified to incorporate any newly applicable requirements to ensure that the goals of the Salt and Nitrate Control Programs are met.

Compliance with Antidegradation Policy

51. State Water Board Resolution 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Antidegradation Policy), which is incorporated as part of the Basin Plan, requires existing “high quality waters” be maintained until it has been demonstrated to the State that any change will be consistent with the maximum benefit to the people of California; will not unreasonably affect present and anticipated future beneficial uses; and will not result in water quality less than as prescribed in applicable policies. Resolution 68-16 further requires that any discharge to existing high quality waters be required to meet WDRs that will result in the best practicable treatment or control (BPTC) of the discharge necessary to assure that pollution and/or nuisance will not occur and that the highest quality consistent with the maximum benefit to the people of the state will be maintained.
52. The Antidegradation Policy applies when the Central Valley Water Board authorizes an activity that will result in discharges of waste to high-quality waters that will degrade the quality of those waters. “High-quality waters” are defined as those waters where the water quality is more than sufficient to support beneficial uses, as designated in the Basin Plans. Whether a water is a high-quality water is established on a constituent-by-constituent basis, which means that an aquifer may be considered a high-quality water with respect to one constituent, but not for others (State Water Board Order WQ 91-10). If the activity will not result in the degradation of high-quality waters, the Antidegradation Policy does not apply, and the discharger needs to demonstrate that it will use “best efforts” to control the discharge of waste. A “best efforts” approach should consider the effluent quality achieved by other similarly situated dischargers, the good faith efforts of

the discharger to limit the discharge of the constituent, and the measures necessary to achieve compliance (State Water Board Order WQ 81-5).

53. For the purposes of this Order, constituents/parameters in effluent with the potential to degrade groundwater and/or affect beneficial uses include salts (represented by EC, TDS, sodium, and chloride), TKN, nitrate as nitrogen, metals (iron, manganese, and arsenic), and total coliform.
54. A summary of wastewater quality compared to annual averages for upgradient and downgradient groundwater is presented below. As presented in the annual monitoring reports, monitoring well MW-5 is identified as an upgradient well, and downgradient wells are MW-2 to MW-4 and MW-6 to MW-8 as groundwater flow direction is generally to the northwest. NA indicates not applicable and NE represents not established.

Table 7. Antidegradation Summary

Constituent	Units	Influent to Lagoons Note 1	Effluent (flow weighted average) Note 2	Upgradient Groundwater (MW-5) Note 3	Downgradient Groundwater Note 3,4	WQO
EC	µmhos/cm	1,600	3,260	1,712	2,973	700
TDS	mg/L	1,667	1,479	1,083	1,890	500
Sodium	mg/L	223	370	259	492	69
Chloride	mg/L	229	400	216	385	250
Nitrate as N	mg/L	70	2.5	3.01	13.6	10
TKN	mg/L	NA	134.3	0.16	4.97	NE
Iron	mg/L	NA	0.18	0.06	2.5	0.3
Manganese	mg/L	NA	3.1	0.003	1.5	0.05
Arsenic	mg/L	NA	NA	0.008	0.03	0.01

Note 1: Averages from Table 2.

Note 2: Effluent presented in the table is defined as the wastewater present in Treatment Pond 002 prior to discharging to Holding Pond 005. Annual averages were calculated using data collected between 2020 and 2024.

Note 3: Averages were calculated using data collected between 2020 and 2024.

Note 4: Data from downgradient monitoring wells MWs-2, 3, 4, 6, 7, and 8 were used to calculate averages.

55. To determine compliance with the Antidegradation Policy, a conservative approach was taken in the evaluation where groundwater beneath the Facility is identified as high-quality water in regards to all constituents presented in Table 7 above. Therefore, a discussion of each constituent's characterization in the context of the Antidegradation Policy is provided below.

56. **Salinity (EC, TDS, Sodium, and Chloride).** Wastewater from cheese manufacturing is typically high in salt content and can be a significant source of salinity in groundwater.

Wastewater discharged into the Lagoons directly from the Leprino industrial wastewater line contains an average EC concentration of 1,600 $\mu\text{mhos/cm}$. As described in Findings 12 and 15, chemical additives are introduced into the Lagoons and Treatment Pond 002 to reduce organic material, remove suspended solids, manage pH, and enhance flocculation. When urea and acetic acid are added to wastewater, they participate in biological and chemical reactions that temporarily increase the number of dissolved ions in the water. EC responds to changes in ionic strength, while TDS reflects the actual mass of dissolved material. Because the added chemicals either (a) do not contribute significant mass of inorganic salts, or (b) are rapidly consumed by biological processes, EC can rise without a corresponding increase in TDS. Impacts on groundwater from salts (TDS, chloride, and sodium) are attributable to the original wastewater influent quality, which contains elevated concentrations of dissolved salts prior to any treatment. The nutrient and pH-adjustment chemicals added during treatment do not contribute measurable long-term salt loads and therefore do not increase the overall salt load to groundwater.

When comparing upgradient groundwater quality (MW-5 is identified as an upgradient well) to downgradient, concentrations of all constituents presented in Table 7 are higher in the downgradient wells. This indicates that the discharge of wastewater from the Lagoons, unlined Treatment Pond 002, the four unlined holding ponds, and potentially the sludge drying beds are impacting groundwater. It should also be noted that the concentrations of EC, TDS, sodium, and chloride in the upgradient monitoring well MW-5 exceed potential WQOs, indicating there likely other sources contributing to groundwater degradation in the area.

This Order requires the Dischargers to conduct a comprehensive groundwater evaluation to demonstrate whether the Facility is complying with the Groundwater Limitations specified in Section G (see Provisions I.2). If the evaluation concludes that the Facility is violating the Groundwater Limitations, these WDRs include a conditional compliance schedule requiring the Dischargers to implement the necessary actions by 26 February 2033.

The Discharger has elected to participate in the P&O Study under CV-SALTS; therefore, the Order sets a performance-based **Salinity Action Level of 2,000 mg/L for TDS** as a flow-weighted annual average based on historical effluent data, groundwater quality, and treatment system performance. The purpose of this limit is to ensure the Discharger is implementing appropriate performance-based measures at the Facility and is intended to prevent increases of salinity concentrations in groundwater. The **Salinity Action Level for TDS** includes an approximate 18 percent safety factor to allow for operational flexibility and water

conservation efforts and requires continued monitoring of salinity constituents in wastewater and groundwater.

57. **Total Nitrogen (Nitrate as nitrogen and TKN).** For constituents such as nitrogen, the potential for groundwater degradation depends on the quality of the wastewater and the capacity of the underlying vadose zone to facilitate key nitrogen transformation processes. Specifically, the vadose zone must support nitrification, which converts ammonia to nitrate, and denitrification, which reduces nitrate to nitrogen gas. These processes help mitigate nitrogen loading before it reaches the water table.

The average flow-weighted nitrate as nitrogen concentration in the wastewater prior to discharging to Treatment Pond 002 is less than the WQO of 10 mg/L; however, concentrations of total Kjeldahl nitrogen (TKN), the organic and reduced nitrogen fraction, are high (up to 450 mg/L). The high organic nitrogen concentrations are likely resulting in nitrification in the subsurface, causing elevated nitrate concentrations in groundwater. Groundwater monitoring data show elevated nitrate as nitrogen concentrations in downgradient wells relative to upgradient well MW5. This may be the result of groundwater becoming reoxygenated as it moves downgradient away from the pond system, which promotes nitrification and increases nitrate levels. In addition, intrawell trend analysis indicates that nitrate as nitrogen concentrations in MW4 are increasing over time; MW4 is located adjacent to unlined Treatment Pond 002, the initial receiving pond for wastewater discharged from the Lagoons.

This Order requires the Dischargers to conduct a comprehensive groundwater evaluation to demonstrate whether the Facility is complying with the Groundwater Limitations specified in Section G (see Provisions I.2). If the evaluation concludes that the Facility is violating the Groundwater Limitations, these WDRs include a conditional compliance schedule requiring the Dischargers to implement the necessary actions by 26 February 2033.

The Facility is located in a nonprioritized basin and is therefore not currently required to enroll in the Nitrate Control Program at this time.

58. **Metals.** Concentrations of iron, manganese, and arsenic in upgradient groundwater are less than concentrations in downgradient groundwater, indicating impacts to groundwater quality are from the discharge.

This Order requires the Dischargers to conduct a comprehensive groundwater evaluation to demonstrate whether the Facility is complying with the Groundwater Limitations specified in Section G (see Provisions I.2). If the evaluation concludes that the Facility is violating the Groundwater Limitations, these WDRs include a conditional compliance schedule requiring the Dischargers to implement the necessary actions to come into compliance with the Groundwater Limitations by 26 February 2033.

59. **Total Coliform.** Concentrations of total coliform greater than the WQO of 2 most probably number per 100 milliliters (MPN/100 mL) have been detected in up- and downgradient groundwater monitoring wells. Maximum annual concentrations are shown below. MW-5 is the upgradient monitoring well.

-- Indicates concentrations were less than 2 MPN/100 mL.

Table 8. Total Coliform Concentration (MPN/100 mL)

Year	Well ID						
	MW-5	MW-2	MW-3	MW-4	MW-6	MW-7	MW-8
2020	366	3	9	--	--	--	--
2021	38	2,419	56	83	--	--	--
2022	--	--	--	--	--	--	--
2023	6.3	--	--	--	--	--	--
2024	--	--	--	--	--	7	--

Although total coliform concentrations in groundwater beneath the Facility exceed the WQO, similar concentrations are present in upgradient groundwater, indicating that the source is not solely attributable to the sludge drying beds, decant water, and overflow from anaerobic digestion discharged to the holding ponds.

This Order requires the Dischargers to conduct a comprehensive groundwater evaluation to demonstrate whether the Facility is complying with the Groundwater Limitations specified in Section G (see Provisions I.2). If the evaluation concludes that the Facility is violating the Groundwater Limitations, these WDRs include a conditional compliance schedule requiring the Dischargers to implement the necessary actions to come into compliance with the Groundwater Limitations by 26 February 2033.

60. The Discharger implements, as required by this Order, the following measures, which the Central Valley Water Board has determined constitute Best Practicable Treatment and Control (BPTC). These measures will minimize the extent of water quality degradation resulting from the Facility's discharges:
- Lined and aerated Lagoons.
 - Lined sludge drying beds with supernatant return system.
 - Influent, effluent, and groundwater monitoring.
 - Industrial Pretreatment program.
 - Continued participation in and compliance with the Salt Control Program.

61. Generally, limited degradation of groundwater by some of the typical constituents of concern (e.g., salts and nitrate) released with the discharge from a municipal wastewater facility after effective source control and treatment, is consistent with maximum benefit to the people of the state. The technology, energy, water recycling, and waste management advantages of municipal utility service far exceed any benefits derived from a community otherwise reliant on numerous concentrated individual wastewater systems, and the impacts on water quality will be substantially less. The degradation will not unreasonably affect present and anticipated beneficial uses of groundwater or result in water quality less than water quality objectives.
62. The Facility contributes to the economic prosperity of the region by providing necessary services and employment for the local community; by providing incomes for numerous aligned businesses; and by providing a tax base for local and county governments.
63. Based on the foregoing, the adoption of this Order is consistent with the State Water Board's Antidegradation Policy.

California Environmental Quality Act

64. The issuance of this Order, which prescribes requirements and monitoring of waste discharges at an existing facility, with negligible or no expansion of its existing use, is exempt from the procedural requirements of the California Environmental Quality Act (CEQA) (Pub. Res. Code, § 21000 et seq.) pursuant to California Code of Regulations, title 14, section 15301. The discharges authorized under this Order are substantially within parameters established under prior WDRs, particularly with respect to character and volume of discharges.
65. To the extent that the construction of any new basins, ponds and/or surface impoundments are authorized under this Order, such features involve minor alterations to land at an existing facility, which are exempt from CEQA procedural requirements pursuant to California Code of Regulations, title 14, sections 15301 and 15304.

Other Regulatory Considerations

66. These WDRs regulate a facility that may impact a disadvantaged community and/or tribal community and includes an alternative compliance path that allows the Discharger time to come into compliance with water quality objectives (i.e., salinity and nitrate). The Discharger has selected the Alternative Permitting Approaches for the Salt and Nitrate Control Programs, which provide performance-based approaches for achieving compliance with salinity and nitrate limits through implementation of specific requirements (i.e., support facilitation and completion of the Salinity P&O Study and Nitrate Management Zone

Implementation Plans). The Central Valley Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in disadvantaged and tribal communities that may be affected by the discharges authorized by this Order. Pursuant to Water Code section 13149.2, the Central Valley Water Board reviewed readily available information and information raised to the Board by interested persons concerning anticipated water quality impacts in disadvantaged or tribal communities resulting from adoption of these WDRs. The Board also considered environmental justice concerns within the Board's authority and raised by interested persons with regard to those impacts.

67. The Central Valley Water Board anticipates that the issuance of these WDRs will result in water quality impacts within the scope of the Board's authority. Specifically, these WDRs authorize the continued discharge of wastewater with salinity concentrations above applicable water quality objectives. The Central Valley Water Board has identified the following measures available and within the scope of its authority to address the impacts of the Facility to the nearby disadvantaged communities in San Joaquin County: 1) active participation in the P&O Study and compliance with the Salt Control Program, 2) compliance with a salinity limitation, and 3) preparation and implementation of Salinity Evaluation and Minimization Plan to establish goals for potentially reducing salinity concentrations in the Facility's discharge.
68. Pursuant to Water Code section 106.3, subdivision (a), it is "the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt or establish a policy, regulation or grant criterion, (see § 106.3, subd. (b)), it nevertheless promotes the policy by requiring discharges to meet MCLs for drinking water (excluding salinity), which are designed to protect human health and ensure that water is safe for domestic use. For salinity, the Order requires compliance with the Salt Control Program. Although the Basin Plans' Exceptions Policy for Salinity allows participants in the Salt Control Program to obtain limited-term exceptions from MCLs for salinity, this Program is consistent with the Human Right to Water Policy because its overarching management goals and priorities include long-term development of sustainable management practices and, where feasible, restoration of impacted groundwater basins and sub-basins.

Threat-Complexity Rating

69. For the purposes of California Code of Regulations, title 23, section 2200, the Facility has a threat and complexity rating of 1-A as defined below:

- a. Category “1” – Those discharges of waste that could cause the long-term loss of a designated beneficial use of the receiving water. Examples of long-term loss of a beneficial use include the loss of drinking water supply, the closure of an area used for water contact recreation, or the posting of an area used for spawning or growth of aquatic resources, including shellfish and migratory fish.
- b. Category “A” –Any discharge of toxic wastes; any small volume discharge containing toxic waste; any facility having numerous discharge points and groundwater monitoring; or any Class 1 waste management unit.

Title 27 Exemption

- 70. This Order, which prescribes WDRs for discharges of industrial process water from food processing operations and treated domestic wastewater, is exempt from the prescriptive requirements of California Code of Regulations, title 27 (Title 27), section 20005 et seq. (See Title 27 section 20090, subd. (b).).

Storm Water

- 71. All storm water at the Facility is collected and directed to the Facility’s main treatment headworks for treatment and disposal under NPDES permit CA0079154 (WDRs Order R5-2022-0073). Therefore, coverage under the General Storm Water Permit is not required at this time.

Sanitary Sewer Overflows

- 72. Sanitary Sewer Overflows (SSOs), which typically consist of a mixture of domestic and commercial wastewater, often contains pathogenic organisms, toxic pollutants, nutrients, oxygen demanding compounds, oil and grease, suspended solids, and other pollutants. When an SSO results in a discharge to surface water, it can cause temporary exceedances of WQOs, pose a threat to public health, adversely affect aquatic life, and impair recreational use and aesthetic enjoyment of surface waters in the area. The most common causes for SSOs are grease blockages, root blockages, debris blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, storm or groundwater inflow/infiltration, lack of capacity, and/or contractor-caused blockages.
- 73. On 6 May 2022, the State Water Board adopted the SSO General Order, under which all public agencies that own or operate a sanitary sewer system with a total system length of more than one mile must enroll. The City is enrolled under the SSO General Order.

Groundwater Wells

74. The Department of Water Resources (DWR) sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 94-81 (December 1981). These standards, and any more stringent standards adopted by the state or county pursuant to Water Code section 13801, apply to all monitoring wells used to monitor the impacts of wastewater storage or disposal governed by this Order.
75. Statistical data analysis methods outlined in the USEPA's Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance (Unified Guidance) are appropriate for determining compliance with the Groundwater Limitations of this Order. Depending on the circumstances, other methods may also be appropriate

Scope of Order

76. This Order is strictly limited in scope to those waste discharges, activities, and processes described and expressly authorized herein.
77. Pursuant to Water Code section 13264, subdivision (a), the Dischargers are prohibited from initiating the discharge of new wastes (i.e., other than those described herein), or making material changes to the character, volume and timing of waste discharges authorized herein, without filing a new RWD per Water Code section 13260.
78. Failure to file a new RWD before initiating material changes to the character, volume, or timing of discharges authorized herein shall constitute an independent violation of these WDRs.
79. This Order is also strictly limited in applicability to those individuals and/or entities specifically designated herein as "Dischargers," subject only to the discretion to designate or substitute new parties in accordance with this Order.

Procedural Matters

80. All of the above, and the supplemental information and details in the attached Information Sheet (incorporated herein), were considered in establishing the following conditions of discharge.
81. The Dischargers, interested agencies, and interested persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order, and provided an opportunity to submit their written views and recommendations at a public hearing. (Wat. Code, § 13167.5)

82. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.
83. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

IT IS HEREBY ORDERED that WDRs Order R5-2007-0038 and MRP Order R5-2007-0038 are rescinded (except for enforcement purposes) and, pursuant to Water Code sections 13263 and 13267, the City of Tracy and the Leprino Foods Company, its agents, successors, and employees shall comply with the following:

A. Standard Provisions

1. Except as expressly provided herein, the Dischargers shall comply with the *Standard Provisions and Reporting Requirements* dated 1 March 1991 (SPRRs), which are incorporated herein.

B. Discharge Prohibitions

1. Except as expressly authorized under a separate permit, the discharge of wastes to surface waters or surface water drainage courses, including irrigation ditches outside of control of the Dischargers, is prohibited.
2. Discharge of waste classified as “hazardous,” as defined in Title 22, section 5521.1 et seq., or “designated,” as defined in Water Code section 13173, is prohibited.
3. Except as authorized pursuant to Section E.2 of the SPRRs, treatment system bypass of untreated or partially treated waste is prohibited.
4. Discharge or application of waste at a location or in a manner different from that described in the Findings is prohibited.
5. Discharge of toxic substances into any wastewater treatment system such that biological treatment mechanisms are disrupted is prohibited.
6. Waste constituents shall not be discharged or otherwise released from the Facility (including during treatment and storage activities) in a manner that results in:
 - a. Violations of the Groundwater Limitations of this Order; or
 - b. Conditions of “nuisance” or “pollution,” as defined per Water Code section 13050.

C. Conditional Discharge Prohibition

1. During Phase I of the Salt Control Program, the Discharger is prohibited from discharging salts at concentrations exceeding the salinity numeric value of 700 $\mu\text{mhos/cm}$ (calculated as a monthly average) and 900 $\mu\text{mhos/cm}$ (as an annual average) unless the Discharger is implementing the Phase I requirements of the Salt Control Program Alternative Permitting approach (i.e., full participation in the P&O Study).

D. Flow Limitations

1. Influent flow rate to the Lagoons shall not exceed 0.85 MGD as a monthly average.

E. Performance-Based Salinity Action Level

1. To comply with the Salt Control Program, the Dischargers selected the Alternative Salinity Permitting Approach (i.e., participation in the P&O Study). Therefore, these WDRs establish a performance-based **Salinity Action Level of 2,000 mg/L for TDS as a flow-weighted annual average**. As part of the Annual Monitoring report required per MRP R5-2026-XXXX, the Dischargers shall evaluate the flow-weighted annual average effluent TDS concentration (sampled from the last pond prior to entering the main treatment plant at location INF-002). If the Facility's discharge exceeds the Salinity Action Level, the Dischargers shall submit a Salinity Action Level Report by **March 1st** of the year following the exceedance of the Salinity Action Level. The Salinity Action Level Report shall, at a minimum, include the following:
 - a. An evaluation of the Discharger's salinity effluent levels. This evaluation shall discuss any changes to incoming wastewater from the Leprino Facility, any increased water conservation efforts implemented within the Facility, and any other changes to the Dischargers' operations that could have contributed to the increased salinity concentrations.
 - b. If additional time is needed to investigate the source(s) of the salinity in the Facility's discharge, a detailed work plan describing what actions the Dischargers will conduct (with completion dates) to investigate the source(s) of salinity and report the findings to the Central Valley Water Board. The findings from the investigations shall be submitted to the Central Valley Water Board no later than **October 1st** of the year following the exceedance of the Salinity Action Level.
 - c. An evaluation of the potential impacts the increased salinity concentrations could have on underlying groundwater and downgradient users. If additional time is needed for this evaluation, the

Salinity Action Level Report shall propose a submittal date (no later than **October 1st** of the year following exceedance of the Salinity Action Level).

F. Discharge Specifications

1. The discharge shall remain within the permitted waste treatment/containment structures at all times.
2. The Dischargers shall operate all systems and equipment to optimize the quality of the discharge.
3. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
4. As a means of monitoring odors, the dissolved oxygen (DO) content in the upper one foot of the Lagoons, Treatment Pond 002 and Ponds 001, 003, 004, and 005 shall not be less than 1.0 mg/L for three consecutive sample events. If DO concentrations are less than 1.0 mg/L for three consecutive sampling events and offensive odors are perceivable beyond the property limits for an entire community or neighborhood, or considerable number of persons, the Dischargers shall report the findings to the Central Valley Water Board in writing within 10 days and shall include a specific plan to resolve the odors within 30 days.
5. The Dischargers shall design, construct, operate, and maintain all ponds and lagoons sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. The operating freeboard in any pond shall never be less than two feet (measured vertically from the lowest possible point of overflow). As a means of management and to discern compliance with this requirement, the Dischargers shall install and maintain in each pond a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.
6. Wastewater treatment, storage, and infiltration ponds or structures shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
7. All ponds shall be managed to prevent breeding of mosquitoes. Specifically:

- a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
 - d. The Dischargers shall consult and coordinate with the local Mosquito Abatement District to minimize the potential for mosquito breeding as needed to supplement the above measures.
8. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer.
 9. The Dischargers shall monitor sediment accumulation in the ponds at least every three years beginning in **2027** and shall periodically remove sediment from the ponds as necessary to maintain adequate storage capacity.
 10. Storage of solids in areas not equipped with means to prevent storm water infiltration, or a paved leachate collection system is prohibited.
 11. Objectionable odors shall not be perceivable beyond the limits of the property where the waste is generated, treated, and/or discharged at an intensity that creates or threatens to create nuisance conditions that affect an entire community or neighborhood, or any considerable number of persons.

G. Groundwater Limitations

Discharge of waste from any portion of the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or natural background groundwater quality, whichever is greater:

1. Constituents in concentrations that exceed either the Primary or Secondary MCLs established in California Code of Regulations, title 22, sections 64431, 64444, and 64449, excluding salinity provided the Discharger complies with Salt Control Program requirements (see Conditional Prohibitions C.1).
2. Taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses.

3. A most probable number (MPN) of 2.2/100 ml or more of total coliform organisms (TCO) over any seven-day period.

These WDRs require the Dischargers to demonstrate that the Facility's operations and discharge(s) are not violating these requirements by preparing and submitting a Groundwater Quality Evaluation and Protection Work Plan (Work Plan) and a Groundwater Quality Evaluation and Protection Final Completion Report (Final Report) (see Provision I.2). If the Final Report, due on 26 February 2030, concludes that the Facility's discharge(s) have violated the groundwater limitations specified in this section, these WDRs require the Dischargers to achieve full compliance with the Groundwater Limitations within three years of submitting the Final Report (i.e., **by 26 February 2033**).

H. Solids and Biosolids Storage and Disposal Specifications

For the purposes of this Order "sludge" means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes; "solid waste" refers to grit and screenings generated during preliminary treatment; "residual sludge" means sludge that will not be subject to further treatment at the Facility; and "biosolids" refers to sludge that has been treated and tested and shown to be capable of being beneficially used as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities pursuant to federal and state regulations.

1. Solid waste and residual sludge shall be removed from screens, sumps, ponds, and clarifiers as needed to ensure optimal plant operation, prevent nuisance conditions, and maintain adequate treatment and storage capacity.
2. Any handling and storage of residual sludge, solid waste, and biosolids at the Facility shall be controlled and contained in a manner that minimizes supernatant formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate the groundwater limitations of this Order.
3. Residual sludge, biosolids and solid waste shall be disposed of in a manner consistent with Title 27 requirements. Removal for further treatment, disposal, or reuse at disposal sites (i.e., landfills, composting sites, soil amendment sites) operated in accordance with valid waste discharge requirements issued by a California Regional Water Quality Control Board will satisfy this specification.
4. Storage of residual sludge/solids/biosolids must be temporary (i.e. for the shortest period practicable) and shall be controlled and contained in a manner that minimizes supernatant formation in masses or concentrations that violate or threaten to violate the Groundwater Limitations of this Order.

5. Biosolids storage facilities shall be designed and maintained to prevent washout or inundation from a storm or flood with a return frequency of 100 years.
6. This Order does not authorize or regulate the use of biosolids for agricultural, horticultural, silvicultural, or reclamation as site soil amendments.
7. Any proposed change in solids use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change

I. Provisions

1. The Discharger shall comply with the separately issued **MRP R5-2026-00XX** and any subsequent revisions thereto. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.
2. **Groundwater Limitations Evaluation and Conditional Compliance Schedule.** As described in Findings 53 through 59, the Dischargers must implement the following tasks within the specified time limits to demonstrate compliance with Groundwater Limitations specified in Section G. Documents required under the Provisions shall be submitted as described in MRP R5-2026-XXXX.
 - a. **By 31 August 2027**, the Discharger shall submit a *Groundwater Quality Evaluation and Protection Work Plan* (Work Plan) prepared by a qualified professional in support of the subsequent *Groundwater Quality Evaluation and Protection Final Report* (Final Report). The purpose of the Work Plan and Report is to evaluate the overall groundwater impacts from the Facility, including but not limited to the Pretreatment Lagoons; unlined Treatment Pond 002; Holdings Ponds 001, 003, 004, and 005; the sludge drying beds, and the Emergency Storage Basin. The evaluation shall also assess long-term containment options capable of achieving compliance with the Groundwater Limitations (Section G) specified in these WDRs, if such measures are determined to be necessary. The Work Plan shall include at a minimum:
 - i. **An assessment of the applicability and adequacy of the existing groundwater monitoring network.**
The assessment shall evaluate whether the number, location, depth, screened intervals, and construction of existing monitoring wells are sufficient to characterize groundwater flow conditions, detect potential impacts from each potential source area, monitor changes in groundwater quality over time, and evaluate the effectiveness of implemented measures. The Work Plan shall

identify any deficiencies in the current monitoring network and propose modifications or additions as necessary.

ii. **A plan for conducting a groundwater impact assessment.**

The Work Plan shall include a detailed approach for evaluating existing and potential future effects of lagoon and pond operations and sludge drying bed activities on underlying groundwater quality, including the condition of the liners in the Lagoons. The Final Report shall delineate existing groundwater impacts (plumes), characterize trends in nitrate, salinity, iron, manganese, arsenic, and other constituents of concern, and compare observed concentrations to applicable water quality objectives.

iii. **A plan for evaluating potential impacts to nearby groundwater supply and domestic drinking water wells.**

The Work Plan shall describe how the Dischargers will identify all drinking water supply wells within a reasonable radius of the Facility (as determined and justified by the Dischargers); assess the vulnerability of each well based on construction, depth, pumping rates, and hydrogeologic conditions; and determine whether continued pond operations pose a risk of causing or contributing to exceedances of drinking water standards.

iv. **A plan for providing a detailed summary and accounting of current wastewater and pond operations.**

The Work Plan shall describe how the Dischargers will conduct a comprehensive description of current wastewater and pond management practices, including hydraulic, nutrient, and organic loading rates, solids handling procedures, and factors contributing to nitrogen, salinity, and organic loading to groundwater.

v. **An evaluation of feasible operational, management, and long term containment measures capable of reducing percolation of pollutants to groundwater.**

The Work Plan shall describe how the Dischargers will assess both operational and structural control measures that could be implemented at the Facility to minimize nitrate, salinity, dissolved metals, and organic loading to groundwater. The evaluation shall consider measures such as improved solids handling practices, load balancing among ponds, enhanced aeration or mixing, hydraulic loading reductions, and other practices shown to reduce percolation of pollutants. The assessment shall also evaluate feasible long-term containment options, including installation of or repairing engineered liners, as well as alternative treatment systems, and the potential installation of a leak detection system for

the Lagoons. The evaluation shall address each option's effectiveness in mitigating percolation, ability to achieve compliance with Basin Plan water quality objectives, technical feasibility, implementation timeframe, and relative cost.

The Final Report shall identify the preferred long-term containment alternative, if determined necessary, and include a proposed implementation schedule. If the Discharger proposes to continue operating unlined ponds, the Plan shall contain a technical demonstration that such operation will not cause or contribute to exceedances of water quality objectives or further groundwater degradation.

b. **Groundwater Quality Evaluation and Protection Final Report.**

By **31 August 2030**, the Discharger shall submit a *Groundwater Quality Evaluation and Protection Final Report* (Final Report), prepared by a qualified professional. The Final Report shall present the results of the Groundwater Quality Evaluation and Protection Work Plan and provide a comprehensive evaluation of underlying groundwater conditions associated with the Facility operations.

The Final Report shall also include conclusions, supported by evidence, demonstrating whether the Facility's operations have polluted underlying groundwater (i.e., caused an exceedance of a water quality objective), and, if so, the extent of the impact. If the Final Report concludes that current Facility operations are violating the Groundwater Limitations specified in Section G, it shall identify the proposed long-term containment measures and provide a proposed time schedule (**no longer than three years**) to appropriately mitigate the Facility's impacts on underlying groundwater.

The Dischargers shall fully implement the proposed measures within three years of submitting the Final Report (i.e., by 31 August 2033).

If the Final Report proposes material changes to the character, location, and/or volume of the Facility's existing discharge(s), the Dischargers shall submit a revised Report of Waste Discharge at least 140 days prior to making the proposed changes.

- c. By **31 August 2034**, if Facility upgrades and changes were made based on the Final Report, the Dischargers shall submit a *Construction Completion Report* that documents any improvements that were made and provides final construction details.
- d. By **31 August 2039**, if Facility upgrades and changes were made based on the Final Report, the Dischargers shall submit a *Groundwater Quality*

Progress Report documenting the current groundwater quality and evaluating whether improvements in groundwater quality have occurred following implementation of the selected containment and operational measures.

3. **By 1 April 2028**, the Dischargers shall submit written documentation demonstrating that Holding Pond 001 complies with all applicable pond requirements of this Order, including maintenance of required freeboard, berm and embankment integrity, vector control, vegetation management, and general operation and maintenance standards. These requirements apply regardless of whether the pond is actively operated or kept offline. If the Dischargers choose to permanently remove Holding Pond 001 from service, they shall submit a new RWD to request revision of these WDRs.
4. **At least 180 days** prior to any solids removal from the Lagoons, Treatment Pond 002, and the holding ponds, the Discharger shall submit a *Solids Cleanout Plan*. The plan shall specifically describe the removal, drying, and disposal of the residual solids from the industrial wastewater treatment system, measures to be used to control runoff or percolate from the solids as they are drying, and a schedule that shows when solids are removed from the site prior to the onset of the rainy season (1 October).
5. The Dischargers shall comply with the applicable provisions of the Salt and Nitrate Control Programs adopted in Resolution R5-2018-0034 (as revised per Resolution R5-2020-0057) to address ongoing salt and nitrate accumulation in the Central Valley developed as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative.
6. In accordance with Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Dischargers shall bear the professional's signature and stamp.
7. The Dischargers shall submit the technical reports and work plans required by this Order and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Dischargers shall proceed with all work required by the foregoing provisions by the due dates specified.

8. The Dischargers shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Dischargers shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Dischargers shall state the reasons for such noncompliance and provide an estimate of the date when the Dischargers will be in compliance. The Dischargers shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
9. A discharger whose waste flows have been increasing, or are projected to increase, shall estimate when flows will reach the hydraulic and treatment capacity of its treatment, collection, and disposal facilities. The projections shall be made, based on the previous three year's average dry weather flows, peak flows, and total annual flows as appropriate and be included as part of the annual report. When a projection shows that the capacity of any part of the system may be exceeded within four years, the Dischargers shall notify the Central Valley Water Board.
10. The Dischargers shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.
11. The Dischargers shall comply with Monitoring and Reporting Program Order **R5-2026-00XX**, and any revisions thereto as ordered by the Executive Officer. The submittal dates of Dischargers self-monitoring reports shall be no later than the submittal date specified in the MRP.
12. The Dischargers shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Dischargers to achieve compliance with the conditions of this Order. Proper operation and maintenance include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Dischargers when the operation is necessary to achieve compliance with the conditions of this Order.
13. As described in the SPRRs, the Dischargers shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.
14. In the event that the Dischargers reports toxic chemical release data to the State Emergency Response Commission (SERC) pursuant to section 313 of

the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11023), the Dischargers shall also report the same information to the Central Valley Water Board within 15 days of the report to the SERC.

15. At least 90 days prior to termination or expiration of any lease, contract, or agreement involving disposal or off-site reuse of effluent, used to justify the capacity authorized herein and assure compliance with this Order, the Dischargers shall notify the Central Valley Water Board in writing of the situation and of what measures have been taken or are being taken to assure full compliance with this Order.
16. In the event of any change in control or ownership of the facility, the Dischargers must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
17. To assume operation as Dischargers under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of SPRRs Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.
18. In order to rescind WDRs that are no longer necessary because the discharge to land permitted under this Order has ceased, the Dischargers must contact the Central Valley Water Board's Compliance and Enforcement Unit to coordinate appropriate wastewater treatment system closure requirements.
19. A copy of this Order including the MRP, Information Sheet, Attachments, and SPRRs shall be kept at the Facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.

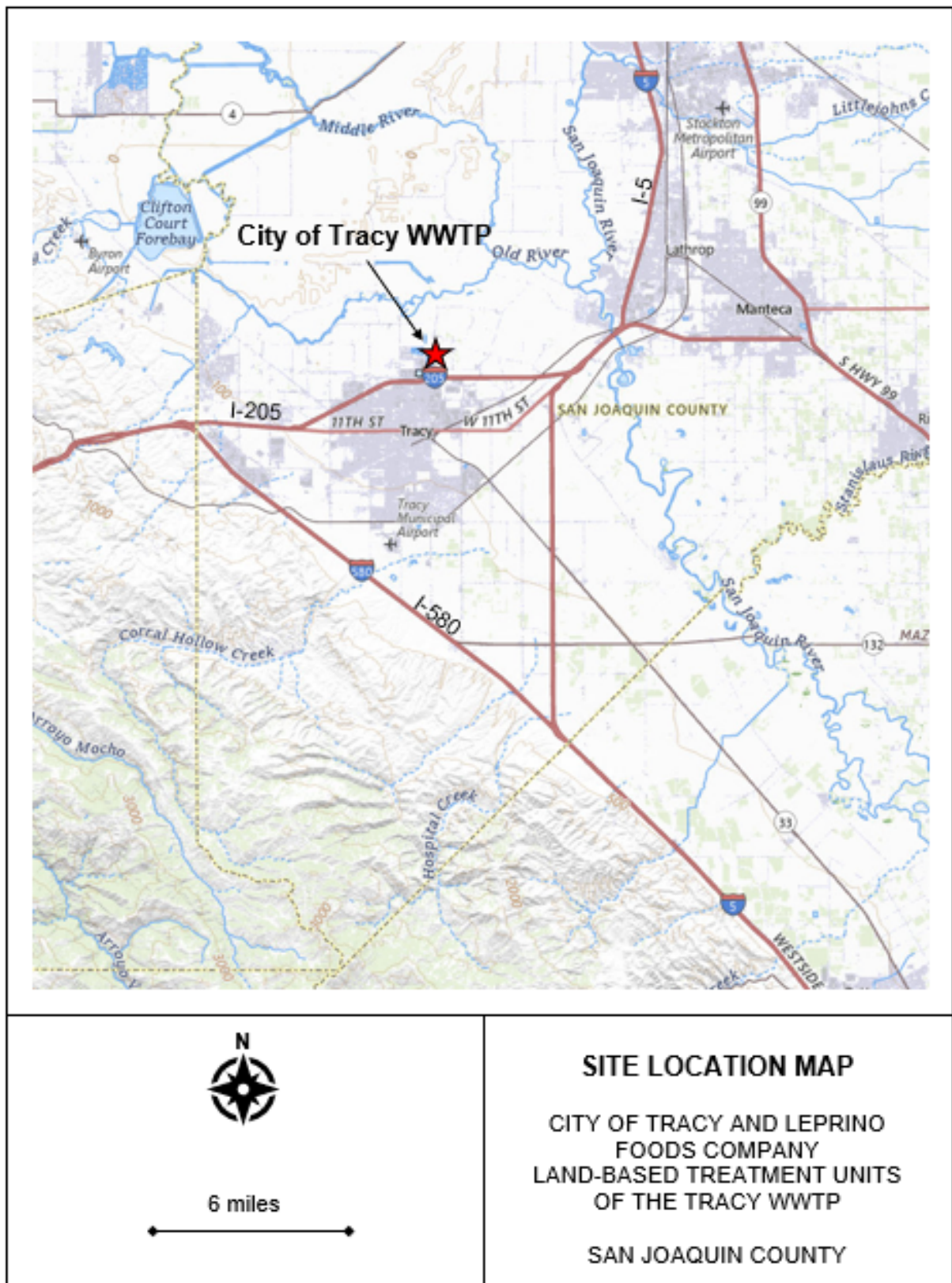
ENFORCEMENT

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, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of administrative civil liability of up to \$10,000 per violation per day 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.

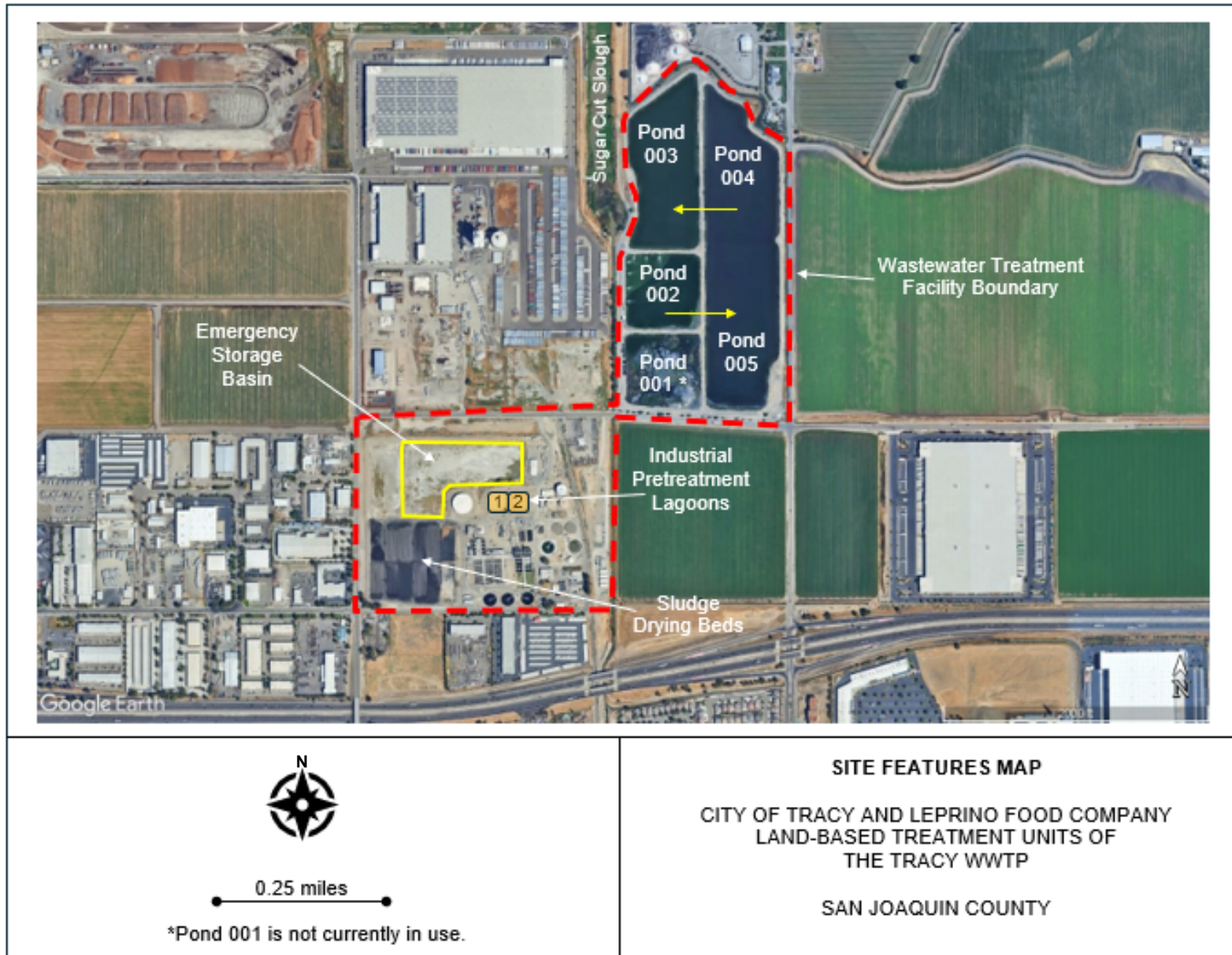
ADMINISTRATIVE REVIEW

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board for administrative review in accordance with Water Code section 13320, and California Code of Regulations, title 23, section 2050 et seq. To be timely, the State Water Board must receive the petition by 5:00 pm on the 30th day after the date of this Order, except that if the 30th day falls on a Saturday, Sunday or State Holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the internet at the State Water Boards' Public Notices [Petitions for Water Quality webpage](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will be provided upon request.

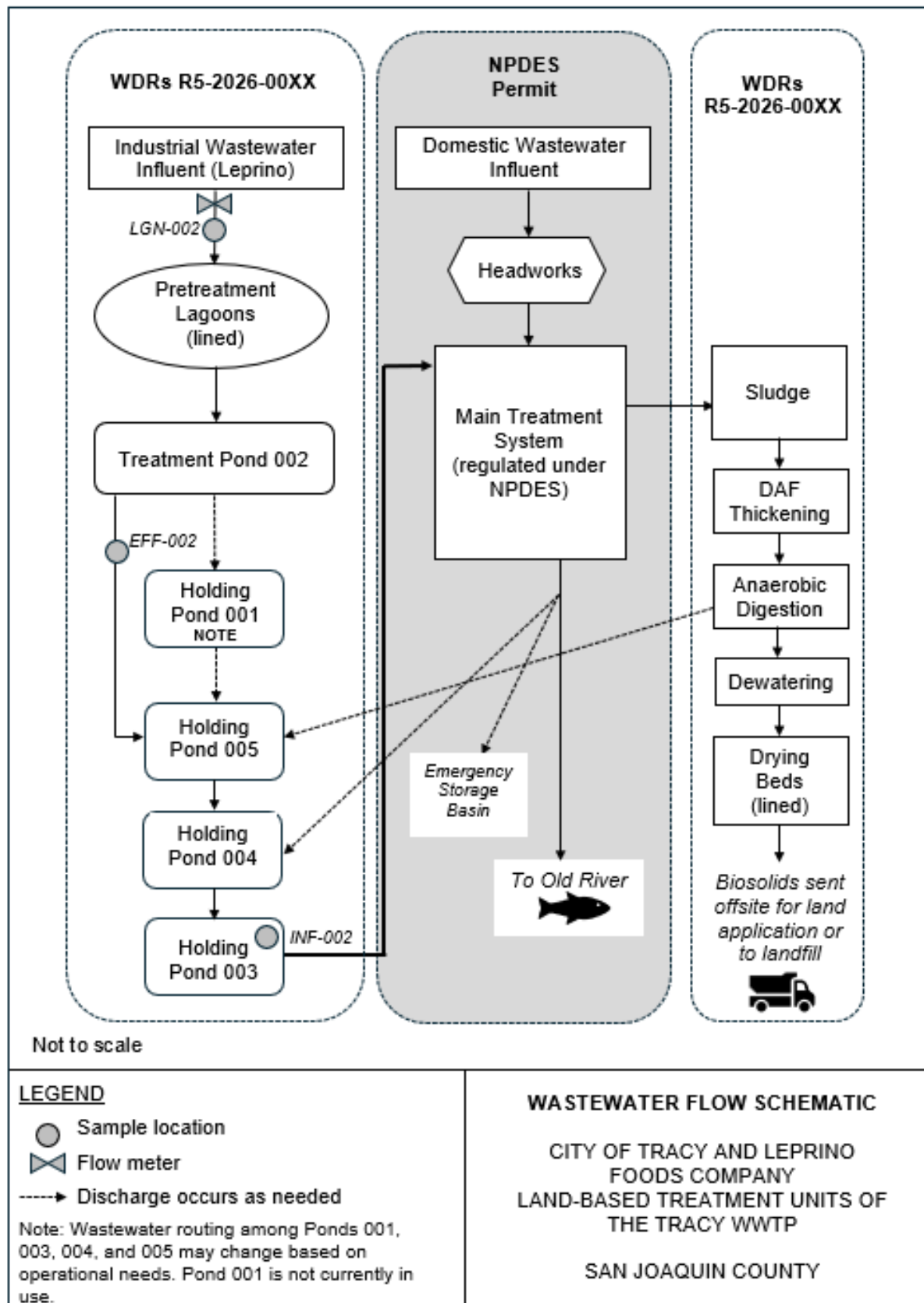
ATTACHMENT A – SITE LOCATION MAP



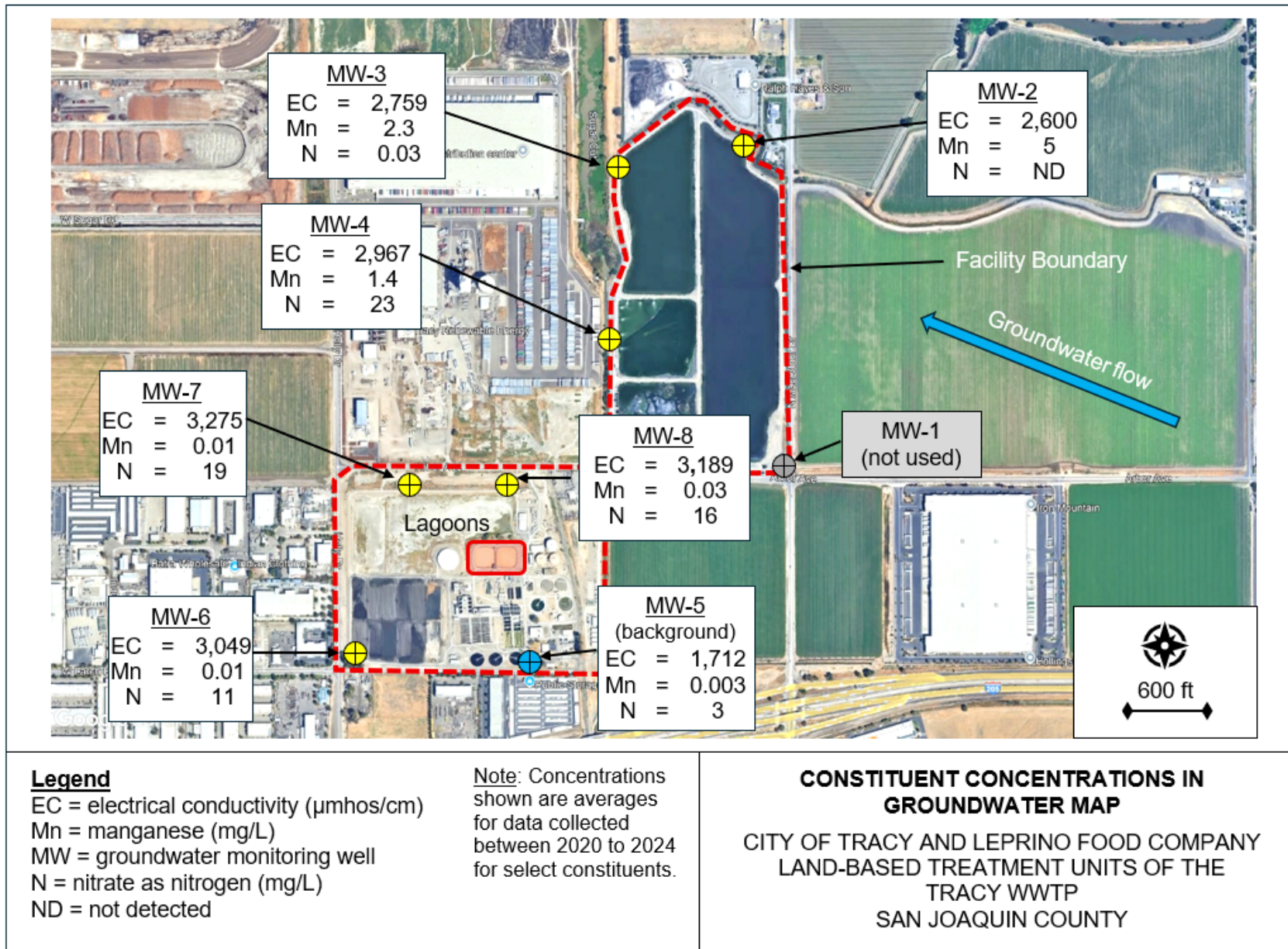
ATTACHMENT B – SITE FEATURES MAP



ATTACHMENT C – WASTEWATER FLOW SCHEMATIC



ATTACHMENT D – CONSTITUENT CONCENTRATIONS IN GROUNDWATER MAP



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

WASTE DISCHARGE REQUIREMENTS ORDER R5-2026-00XX
FOR
CITY OF TRACY AND LEPRINO FOOD COMPANY
LAND-BASED TREATMENT UNITS OF THE TRACY WWTP
SAN JOAQUIN COUNTY

INFORMATION SHEET

Facility and Discharge Description

The Facility is composed of a main treatment system and an industrial treatment system. The main treatment system and discharge of treated disinfected effluent to surface water (Old River) are regulated separately under NPDES No. CA0079154 (WDRs Order R5-2022-0073).

The industrial treatment system, consisting of two pretreatment units (referred to as Lagoons), a treatment pond (Treatment Pond 002), and four storage/holding ponds (Holding Ponds 001, 003, 004, and 005), is owned by the City of Tracy. Leprino Foods Company (Leprino) operates and leases the Lagoons and Treatment Pond 002, which are regulated under an industrial pretreatment permit issued by the City of Tracy. These WDRs regulate the Lagoons, holding ponds 001 to 005, and the sludge drying beds.

The City of Tracy and Leprino Food Company are collectively referred to as Dischargers and are responsible for compliance with these WDRs.

Wastewater from Leprino Food Company enters the Facility and is discharged into two lined above grade Lagoons. Wastewater is treated and the discharged from the Lagoons to unlined Treatment Pond 002 for additional treatment. Treatment Pond 002 also receives decant water and overflow from the anaerobic digestion, which are allowed to stabilize in a facultative mode. From Treatment Pond 002, wastewater is directed through four Holding Ponds (001, 003, 004, and 005) prior to commingling with influent domestic wastewater and sent to the main treatment system for final treatment and surface water discharge.

Wastewater contains high concentrations of salts and nitrate, which are impacting groundwater beneath the Facility. To address groundwater concerns, these WDRs include a Groundwater Limitations and Conditional Compliance Schedule. The purpose of the compliance schedule is to evaluate the causes of the current groundwater impacts and to identify practical measures the Dischargers can implement to minimize additional impacts and ensure the long-term protection of groundwater quality.

Groundwater Limit Compliance Language

Groundwater limitations establish that the release of waste constituents from any portion of the Facility shall not cause or contribute to the exceedance of water quality objectives in the receiving water. If the Facility's discharge contains waste at a level greater than a water quality objective but the groundwater receiving the waste remains below the water quality objective, the limitation would not be violated. However, if the same discharge contains waste at a level greater than the water quality objective and causes the receiving water to exceed a water quality objective, the groundwater limitation would be violated. Similarly, if the same discharge contains waste above the water quality objective and the receiving water is above the objective, the Facility's discharge would be contributing to an exceedance of the water quality objective and would be violating the receiving water limitation, if the receiving water natural background concentration is less than the water quality objective.

Where natural background conditions exceed the water quality objective, compliance would be evaluated considering the established natural background concentration instead of the water quality objective. Only discharges causing or contributing to the exceedance of the water quality objective or natural background concentration (if greater than the water quality objective) in the groundwater would be in violation of the limitation.

The Basin Plan contains the following in Section 3 Water Quality Objectives:

"The objectives contained in this plan, and any State or Federally promulgated objectives applicable to the basins covered by the plan, are intended to govern the levels of constituents and characteristics in the main water mass unless otherwise designated..."

Any analysis of the above factors to determine exceedances of groundwater limitations would consider this and other guidance from the Basin Plan (e.g., hydrogeologic and background characterization studies, regional groundwater flow and dilution, operation of the facility's groundwater interceptor ditch system, etc.).

Monitoring Requirements

Section 13267 of the California Water Code authorizes the Central Valley Water Board to require monitoring and technical reports as necessary to investigate the impact of waste discharges on waters of the State. Water Code Section 13268 authorizes assessment of civil administrative liability where appropriate. The Order includes influent, effluent, lagoon, treatment pond, holding pond, and sludge drying bed monitoring requirements. This monitoring is necessary to characterize the discharge and evaluate compliance with the requirements and specifications in the Order.

Salt and Nitrate Control Programs Regulatory Considerations

The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at

its 31 May 2018 Board Meeting (Resolution R5-2018-0034). The Basin Plan amendments became effective on 17 January 2020 and were revised by the Central Valley Water Board in 2020 with Resolution R5-2020-0057 (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf). The revisions to the Basin Plan amendments became effective on 10 November 2021.

Under the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements may instead be subject to performance-based requirements, as determined appropriate by the Central Valley Water Board, and participate in a basin-wide effort known as the Prioritization and Optimization Study (P&O Study) to develop a long-term salinity strategy for the Central Valley. The Dischargers were issued an identification number for the Salt Control Program (CV-SALTS ID 2573), elected to participate in the P&O Study (Alternative Approach), and is currently in good standing with the program. To maintain existing salt discharges and minimize salinity impacts this Order sets a Salinity Action Level for TDS of 2,000 mg/L. The limit is based on the maximum flow weighted annual average effluent TDS concentration over the last three years and includes an approximate 18 percent contingency factor to allow for operational flexibility and water conservation efforts.

For the Nitrate Control Program, Facility falls under Groundwater Basin 5-22.15 (San Joaquin Valley Tracy, Basin No 5-22) which is in a non-prioritized basin as is therefore not required to enroll in the Nitrate Control Program at this time.

Reopener

The conditions of discharge in the Order were developed based on currently available technical information and applicable water quality laws, regulations, policies, and plans, and are intended to assure conformance with them. The Order sets limitations based on the information provided thus far. If applicable laws and regulations change, or once new information is obtained that will change the overall discharge and its potential to impact groundwater, it may be appropriate to reopen the Order.

Legal Effect of Rescission of Prior WDRs or Orders on Existing Violations

The Central Valley Water Board's rescission of prior waste discharge requirements and/or monitoring and reporting orders does not extinguish any violations that may have occurred during the time those waste discharge requirements or orders were in effect. The Central Valley Water Board reserves the right to take enforcement actions to address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded waste discharge requirements or orders as allowed by law.