

TENTATIVE
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

WASTE DISCHARGE REQUIREMENTS ORDER R5-2021-XXXX
FOR
THOMAS ALEXANDER
CALIFORNIA CONCENTRATES COMPANY
SAN JOAQUIN COUNTY

INFORMATION SHEET

Background

Thomas Alexander (Discharger) owns the California Concentrates Company (the Facility), located at 18678 N. Highway 99 in Acampo, San Joaquin County. The Facility is an existing food processing facility that was established in 1935. The Facility processes grapes and malted barley juice for juice and malt extract to produce wine concentrates and balsamic vinegars. The Facility may also store wine for other facilities.

Wastewater Generation and Disposal

Wastewater from the Facility consists of process wastewater and site storm water runoff. Wastes from vinegar production operations, which occurs in a separate building, are segregated from other waste streams, contained in a dedicated tank, and disposed of offsite at a permitted facility. All other wastewater is collected on-site and treated through treatment ponds with effluent disposal in percolation ponds.

Wastewater treatment system consists of a collection system (piping, manholes, and valves), screen, aerated treatment ponds, and percolation/evaporation ponds. Prior to wastewater discharging to the treatment ponds, pH levels are adjusted as needed by an automated system. Wastewater is treated in three aerated unlined treatment ponds (T-1, T-2, and T-3) operated in series. T-3 and T-2 are the main treatment ponds and T-1 is used only as needed for additional treatment. Wastewater is then discharged to three percolation ponds (P-1, P-2, and P-3). P-2 and P-3 are main ponds and P-1 is used only as needed. All solids are hauled offsite.

Groundwater Considerations

Three shallow groundwater monitoring wells (MW-3, MW-4, and MW-5) were installed in 2001. In MW-3 (upgradient well), groundwater concentration trends using data collected between July 2013 and January 2020 show stable concentrations over time, with the exception of electrical conductivity (EC) concentrations up to 277 $\mu\text{mhos/cm}$. However, EC concentrations are less than the Secondary Contaminant Level of 700 $\mu\text{mhos/cm}$. MW-3 is influenced by the better-quality water from the Mokelumne River and may not represent changes in shallow groundwater quality with respect to discharges to land from the Facility.

In MW-4 and MW-5 (downgradient wells), stable concentration trends were observed for nitrate, EC, pH, TDS, and sodium. Iron and manganese concentrations exceed Water

Quality Objectives (WQOs) in the wastewater effluent and groundwater; however, groundwater samples have only been analyzed for these constituents since 2019. Additional data are needed to further evaluate potential groundwater impacts from the iron and manganese in effluent.

Antidegradation

Based on effluent quality, EC, BOD, FDS, iron, manganese, and sodium have the potential to impact groundwater. As a result of the CAO, the Discharger has made several changes to Facility operations and the wastewater treatment system to improve effluent quality. Additional time is needed to monitor the effectiveness of these changes and to determine if impacts to groundwater have been reduced.

This Order sets an effluent limit for nitrate as nitrogen and FDS and groundwater limits for EC, TDS, nitrate as nitrogen, sodium, iron, and manganese.

Compliance History

The Facility has received several odor complaints over the last few years and were issued Cleanup and Abatement Order (CAO) R5-2019-0700 on 20 February 2019. The CAO required the Discharger to cease discharging vinegar wastewater into the treatment, which was a violation of the existing WDRs. In addition, the Discharger was required to submit several compliance and work plans that evaluated the treatment disposal systems and identify areas where system improvements could be made. Central Valley Water Board staff has determined that the Discharger has met all the requirements of the CAO and that additional time is necessary to determine if improvements implemented by the Discharger are sufficient to mitigate odor issues and potential impacts to groundwater.

Discharge Prohibitions, Effluent Limitations, Discharge Specifications, and Provisions

The Order limits the monthly average daily flow rate of 50,000 gpd and an annual total flow limit of 7.5 MG. An annual flow weighted FDS and nitrate as nitrogen concentrations have been set and a cycle average BOD loading limit of 100 lbs/ac/day.

This Order requires the Discharger to submit a *Groundwater Limitation Compliance Assessment Plan*.

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 effluent, percolation pond, solids, groundwater, and water supply 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

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the waters and soils of the Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution No. 2019-0057 conditionally approving the Central Valley Water Board Basin Plan amendments and directing the Central Valley Water Board to make targeted revisions to the Basin Plan amendments within one year from the approval of the Basin Plan amendments by the Office of Administrative Law. The Office of Administrative Law (OAL) approved the Basin Plan amendments on 15 January 2020. (OAL Matter No. 2019-1203-03).

Pursuant to the Basin Plan amendments, dischargers will receive a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments (17 January 2020). Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting). The level of participation required of dischargers whose discharges do not meet stringent salinity requirements will vary based on factors such as the amount of salinity in the discharge, local conditions, and type of discharge. For the Nitrate Control Program, the Facility falls within Groundwater Sub-Basin 5-22.07 (San Joaquin Valley Delta Mendota Basin), a priority 2 Basin. Notices to Comply for Priority 2 Basins will be issued within two to four years after the effective date of the Nitrate Control Program. The CV-SALTS initiative will result in regulatory changes that will be implemented through conditional prohibitions and modifications to many WDRs regionwide, including the WDRs that regulate discharges from the Facility. [More information regarding the CV-SALTS regulatory planning process](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) can be found at the following link:
https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/

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

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address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded waste discharge requirements or orders as allowed by law.