

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

BOARD ORDER R7-2016-0007

**WASTE DISCHARGE REQUIREMENTS
FOR
ONE WORLD BEEF, LLC, OWNER/OPERATOR
BRAWLEY SLAUGHTERHOUSE WASTEWATER TREATMENT FACILITY
Brawley– Imperial County**

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) finds that:

1. One World Beef, LLC (OWB or Discharger), submitted an application and Report of Waste Discharge (ROWD) for Waste Discharge Requirements (WDRs), dated November 25, 2015, for proposed on-site discharges of wastes from a wastewater treatment facility (WWTF) that services a beef slaughterhouse and processing facility (Facility). The Facility is located at 57 Shank Road, Brawley, CA 92227, in Imperial County, as shown in Attachment A, incorporated herein and made part of this Board Order by reference.
2. The Discharger has entered into a Purchase and Sales Agreement (Agreement) to buy the Facility from National Beef California, LP (NBC). NBC is a wholly-owned subsidiary of National Beef Packing Company, LLC (headquartered in Kansas City, Missouri), which in turn is a subsidiary of Leucadia National Corporation. The Facility is expected to be sold presently to OWB pursuant to the Agreement.
3. The WWTF consists of primary screens, two Dissolved Air Flotation (DAF) units, an anaerobic digester (Pond 1), an intermediate dissolved air flotation unit, an aerobic activated sludge pond (Pond 2), a clarifier, a polishing pond (Pond 3), which consists of a clarifier (Ponds 3A/B) and diversion pond (Pond 3C), a suspended air flotation (SAF) unit, and a belt filter press for dewatering solids. All three ponds are unlined. The WWTF also includes an unlined storm water pond onsite that is not considered part of the WWTF. Attachment B, incorporated herein and made part of this Board Order by reference, shows the flow diagram for the WWTF.
4. NBC closed the Facility and ceased operations in May 2014. While NBC operated the Facility (6/2/2006 through 5/23/2014), the Facility generated approximately 0.590 to 1.655 million gallons per day (mg d) of industrial wastewater that was discharged (1) to areal groundwater through the three unlined ponds and (2) from the WWTF into the city of Brawley municipal wastewater collection system for further treatment and disposal at the city of Brawley Wastewater Treatment Plant (Brawley WWTP). However, only approximately 0.012 mgd were discharged to groundwater through the unlined ponds. The discharge into the Brawley wastewater collection system took place at a point identified as "Discharge Point No. 1," which is immediately southwest of Pond 3.

5. The Brawley WWTP is a “publicly owned treatment works” (POTW), as defined in 40 CFR Section 403.3. The POTW consists of the WWTP and associated sewage collection system and infrastructure, which provide sewage collection and treatment services to city residents, and commercial and industrial businesses in Brawley.
6. The discharge from the Brawley WWTP is governed by WDRs Order R7-2015-0004 (National Pollutant Discharge Elimination System Permit No. CA0104523) and Cease and Desist Order R7-2008-0008, as amended by Special Board Orders R7-2008-0069 and R7-2010-0003. The Brawley WWTP discharges its effluent via Discharge Point 001 into the New River, which is tributary to the Salton Sea. The New River and the Salton Sea are waters of the United States.
7. The Brawley WWTP has treatment capacity for 5.9 mgd and consists of three Biolac® activated sludge treatment units equipped with diffusers, three secondary clarifiers, an activated sludge pumping station, a UV disinfection structure, a sludge thickening unit, a sludge holding tank, a centrifuge sludge dewatering unit, and a solar greenhouse sludge drying structure.
8. Federal pretreatment regulations promulgated by the United States Environmental Protection Agency (USEPA) pursuant to Section 307 of the Clean Water Act (CWA) (33 U.S.C. § 1317) require that any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 mgd and receiving pollutants from Industrial Users,¹ which may Pass Through or Interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards, establish a POTW Pretreatment Program [40 CFR 403.8(a)]. The Brawley WWTP meets these criteria and thus, was required to establish and implement a formal Pretreatment Program to properly handle, treat and dispose of pollutants from Industrial Users (IUs), which Pass Through or Interfere with the operation of the POTW. The Pretreatment Program is also needed to protect the integrity of the POTW and safety of POTW personnel and other personnel who work on the sewage collection system [40 CFR 403.5, *National Pretreatment Standards: Prohibited discharges*]. Cease and Desist Order R7-2007-0008, in substantive part, also requires Brawley to develop and fully implement a Pretreatment Program.
9. In December 2013, Brawley submitted a final Pretreatment Program for Colorado River Basin Water Board approval (Pretreatment Program Submission). The Board approved Brawley’s proposed Pretreatment Program Submission at its March 20, 2014 public meeting.

¹ Capitalized terms are defined in the U.S. Environmental Protection Agency pretreatment regulations, which are set forth in 40 CFR Part 403.

OWB’s Proposed Facility Operational and WWTF Improvements Program

10. Based on NBC performance data for the WWTF, the ROWD describes the projected wastewater characteristics as shown in Table 1, below:

Table 1: Projected Discharge Characteristics					
Constituent	Units	Monthly Averages			
		Raw Wastewater	DAF Effluent	Pond 1 Effluent	Final WWTF Effluent
Biochemical Oxygen Demand	mg/L	6000	5200	1500	<100
Total Organic Carbon	mg/L	2600	1700	150	<100
Total Suspended Solids	mg/L	3000	2200	750	50
Total Dissolved Solids	mg/L	2100	2100	2100	2100
Total Kjeldahl Nitrogen	mg/L	150	150	150	<50
Ammonia	mg/L	120	120	120	30
Oil & Grease	mg/L	750	750	50	<20
Alkalinity	mg/L	500	500	500	500

11. The Discharger proposes to resume operations at the Facility in February 2016. The Facility operations that generate wastewater for the WWTF are: (a) Beef Harvesting (Kill Floor), (b) Fabrication, where carcasses are broken down into wholesale beef cuts, (c) Beef grinding (to produce ground beef), (d) Cleaning and Sanitation of production areas, (e) Utilities (boilers, heaters, cooling towers), (f) Cattle pens, and (g) Sanitary Services for employees, personnel, and visitors. Even though the Facility has a rendering plant, the Discharger is not proposing to operate the plant at this time. The Discharger may operate it once it increases production, which may require monitoring requirements to be administratively revised. Also, the Facility conducts salt hiding operations in a closed loop system (i.e., it will not generate wastewater for the WWTF).
12. Under its proposal, the Discharger will discharge the resulting mix of treated wastewaters from its operations (as listed in Finding 11 (a)-(g)) at two locations: (1) into the three unlined ponds, sequentially, and (2) from the WWTF into the city of Brawley POTW. This Order regulates the proposed discharge to the unlined ponds. The discharge from the final pond to the city of Brawley WWTP is regulated by the city of Brawley pursuant to its approved wastewater Pretreatment Program.

13. While in operation, NBC undertook WWTF improvements and made operation and maintenance changes such that the discharge from its WWTF into the City POTW was meeting the City's pretreatment limitations during the last year and half it operated the facility. Moreover, the City's new WWTP, which went online in the July 2012, had significant more treatment capacity than its previous WWTP and thus was able to handle the discharge from NBC and comply with our NPDES Permit.
14. The Discharger proposes to implement a phased approach to ramp up operations at the Facility. During the start-up phase, it proposes to process 100 to 200 head of cattle per day. Ultimately, the Discharger expects to process up to 1,600 head of cattle per day. To address water quality concerns and ensure compliance with the Brawley Pretreatment Program, the Discharger also proposes to make improvements to the WWTF before and after starting operations. Table 2, below, shows the proposed improvement program, time schedule for implementation, and projected amount of wastewater to be generated by each phase:

Table 2: OWB's Proposed WWTF Discharges and Improvements			
Phase	Proposed WWTF Improvements	Month/Year	Wastewater¹ Flow Rate (gpd)
Phase 1	Replace rotary drum screens, replace wastewater pumps, overhaul DAF units, replace aeration system in Pond 2. Implement biological denitrification via baffle system, mixing and recirculation, and pH and dissolved oxygen monitoring.	Dec 2015-Jun 2016	200,000
Phase 2	Increase aeration requirements for Pond system	Jul 2016-Jun 2017	400,000
Phase 3	Overhaul biogas utilization system; bypass pumping for denitrification slip stream.	Jul 2017-Jun 2018	750,000
Phase 4	Replace sheet pile clarifier and SAF with new optimized clarifier.	Jul 2018-Jun 2021	1,000,000
Phase 5	Clean close Pond 1, Engineering Alternative, refurbish Pond 1, or construct new anaerobic lagoon with internal mixing and sludge withdrawal system. Reuse or separate lined evaporation. Segregation of wastewater.	Jul 2018-Jun 2021	1,300,000
¹ Discharge of wastewater is expected to commence in February 2016.			

Hydrogeologic Conditions

15. The average annual precipitation in the Imperial Valley is about 3 inches per year. The average annual evapotranspiration rate is about 71 inches per year.
16. Soil units represented in the location of the slaughterhouse are the Imperial-Glenbar–silty clay and Imperial–silty clay to sandy silt. The shallow hydrogeologic profile includes surficial confining silty clay over sandy clayey silt, with an upper confined/semi-confined aquifer. The surficial confining unit consists of very stiff clay extending from 0 to 20 feet. Below that, at 20-25 feet below ground surface (bgs), is a medium-dense sandy clayey silt. The local upper aquifer is approximately 9-21 feet bgs.
17. Surface waters in the area of the site consist of the Imperial Irrigation District (IID) irrigation canals, surface drains, and tile drains (Imperial Valley Drains). Agricultural subsurface drainage water, which enters tile drains and open drains near the site, serves as a source of freshwater replenishment to the Salton Sea. The IID’s Oakley Canal borders the slaughterhouse on the east.
18. There are no domestic or municipal wells within 500 feet of the WWTF. Groundwater flow in the area is to the northwest toward the Salton Sea.
19. Water supply to the Facility from the city of Brawley has a TDS concentration of approximately 850 mg/L.
20. On June 27, 2013, pursuant to Section 13267 of the California Water Code (CWC), the Colorado River Basin Water Board issued a Technical Order against NBC. In relevant part the Order required NBC to conduct a groundwater investigation to determine whether the discharge to the unlined ponds adversely impacted groundwater and, if so, the extent of that impact. The Technical Order also required NBC to properly characterize its wastewater for regulatory purposes.
21. In response to the Technical Order, NBC installed eleven on-site groundwater monitoring wells. It submitted the results of its groundwater investigation and wastewater characterization in a report titled “Groundwater Study Wastewater Pre-treatment System,” dated September 27, 2013, prepared by its consultant, HR Green. Colorado River Basin Water Board staff reviewed the report and found that the wastewater discharged to the unlined ponds caused concentrations of BOD and Nitrate to increase in areal groundwater when compared to background concentrations, albeit the increase appears to be confined to the immediate vicinity of the ponds.
22. Based on the groundwater investigation and wastewater characterization, the Colorado River Basin Water Board notified NBC by letter, dated January 31, 2014, that Pond 1 will be regulated pursuant to Title 27 of the California Code of Regulations (CCR), and that Ponds 2 and 3 will be regulated under Division 7, Chapter 4, Article 4 (commencing with Section 13260) of the CWC. The letter also noted that Ponds 2 and 3 do not require a liner at this time, but recommended compaction of existing clay materials at the next regularly scheduled maintenance following installment of the proposed new Pond 1. Further, the letter explained that all three ponds must be included in the groundwater monitoring

program. Finally, the letter requested NBC to provide additional technical specifications for the proposed upgrades and improvements to the ponds so that WDRs could be drafted for all three ponds in one Board Order.

Basin Plan, Beneficial Uses, and Regulatory Considerations

23. The Water Quality Control Plan for the Colorado River Basin (hereinafter Basin Plan), which was adopted on November 17, 1993, and amended on November 16, 2012, designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan (including amendments adopted by the Colorado River Basin Water Board to date). In addition, State Water Resources Control Board (State Water Board) Resolution 88-63 requires that, with certain exceptions, all nine Regional Water Boards assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in their Basin Plans.
24. The proposed discharge from the Facility to the unlined ponds is within the Imperial Hydrologic Unit, whose beneficial uses are designated as:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
25. First-encountered groundwater beneath the site is not currently used for municipal purposes because of its relatively high salt concentrations.
26. The beneficial uses of waters in the Imperial Valley Drains are:
 - a. Fresh Water replenishment of Salton Sea (FRSH)
 - b. Non-contact Water Recreation (REC II)
 - c. Warm Water Habitat (WARM)
 - d. Wildlife Habitat (WILD)
 - e. Preservation of Endangered or Threatened Species (END)
27. CWC Section 13267 authorizes Regional Water Boards to require technical and monitoring reports. This Order requires submittal of technical reports and establishes a Monitoring and Reporting Program (MRP) to implement federal and state requirements and ensure compliance with this Order.
28. This Order establishes WDRs pursuant to Division 7, Chapter 4, Article 4, of the CWC for discharges that are not subject to regulation under CWA Section 402 (33 U.S.C. Section 1342).
29. Pursuant to CWC Section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.
30. The discharge authorized by this Board Order, except for discharges of residual sludge and solid waste, are exempt from the solid waste requirements of Title 27, CCR, Section 20005 et seq. (Title 27). This exemption is based on Section 20090(b) of Title 27, which provides that discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leachfields, are not subject to Title 27 requirements if the following exemption conditions are met:

- a. The applicable Regional Water Board has issued WDRs, reclamation requirements, or waived such issuance;
- b. The discharge is in compliance with the applicable water quality control plan; and
- c. The wastewater does not need to be managed according to Chapter 11, Division 4.5, Title 22, CCR as a hazardous waste.

The discharge satisfies these conditions. The discharge will be regulated by these WDRs; the WDRs will ensure the discharge is in compliance with the Basin Plan; and the discharge is not a hazardous waste.

31. State policy promotes the use of recycled water to the maximum extent in order to supplement existing surface and ground water supplies to help meet water needs (CWC sections 13510-13512). One of the primary conditions on the use of recycled water is protection of public health (CWC sections 13521, 13522, 13550(a)(3)).
32. The ROWD states that the Discharger would eventually like to reuse treated wastewater from the WWTF on irrigated farmland. The Discharger owns 40 acres of farmland and reports that its land could be irrigated with the treated wastewater. This Order does not cover that proposed discharge. The Discharger would have to submit a separate ROWD for that proposed discharge should it want to pursue that discharge proposal and obtain WDRs for that discharge before it is allowed to discharge to irrigated farmland.
33. Federal regulations for storm water discharges were promulgated by the U.S. Environmental Protection Agency on November 16, 1990, (40 CFR Parts 122, 123, and 124) to implement the CWA's storm water program set forth in CWA section 402(p) (33 U.S.C. § 1342(p)). In pertinent part, the regulations require specific categories of facilities that discharge storm water associated with industrial activity to "waters of the United States" to obtain NPDES permits and to require control of such pollutant discharges using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent and reduce pollutants and any more stringent controls necessary to meet water quality standards. The Facility is presently filling a Notice of Intent for coverage under the State Water Resources Control Board General Permit for Storm Water Discharges Associated with Industrial Activities Order 2014-0057-DWQ (NPDES No. CAS000001).

Groundwater Degradation

34. State Water Board Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (Resolution 68-16) requires a regional water board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than as described in plans and policies (e.g., violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.

35. Groundwater in the area of the discharge is too saline for municipal use. Colorado River Basin Water Board staff finds that groundwater near the site is not and cannot reasonably be expected to be a source of municipal or domestic supply. Consequently, effluent limitations that would be protective of a municipal beneficial use as prescribed in Title 22, CCR, for nitrogen, pathogens and TDS are not necessary for this discharge.

CEQA, Public Participation, and Other Considerations

36. In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and implementing Guidelines (CCR, Title 14, Section 15000 et seq.), Imperial County Planning Department (ICPD), acting as the Lead Agency, adopted a Negative Declaration for the Brawley Beef Company facility, the predecessor of NBC, the CEQA project proposed in 2000. ICPD filed a Notice of Determination (NOD) regarding the Negative Declaration with the Clerk of the Imperial County Board of Supervisors on September 22, 2000. Brawley Beef then commenced operations in late 2001. In 2006, ICPD prepared a Revised Airport Land Use Compatibility Plan (Plan). In relevant part, the draft Plan (State Clearinghouse Number 1996011033) addressed NBC's proposed expansion of the Brawley Beef facility when it acquired Brawley Beef in June 2006. ICPD determined that a Conditional Use Permit (CUP) for the NBC facility mitigated any potential environmental impacts associated with that proposed expansion. The OWB Facility will be using the same or similar wastewater treatment equipment and processes that NBC used, or will be refurbishing some of the equipment. Moreover, the expected discharge volume will be considerably less, at least initially, than NBC's discharge, as described in Table 2, above, but in no event will it exceed NBC's maximum discharge volume of 1.7 mgd. The expected discharge at full operational capacity will be only 1.3 mgd. Therefore, in accordance with Section 15301, Chapter 3, Title 14, CCR, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of CEQA. Colorado River Basin Water Board staff concludes that compliance with these WDRs will prevent any significant adverse impacts to water quality.
37. The Discharger has requested the Colorado River Basin Water Board provide it with a time schedule order to implement the WWTF improvements and bring its discharge into full compliance with this Board Order and applicable laws and regulations, including Title 27, as applicable.
38. Imperial County has a 21.2% unemployment rate (April 2015), which is among the highest unemployment rates in California. The reopening of the Facility for operational purposes is expected to create up to 600 jobs. County data show that for every job created at a packing plant, 7 jobs are created externally. When NBC closed the Facility, packing, local cattle feeders incurred an additional \$10,000,000 in freight costs to ship cattle out of state or further distances in state to be slaughtered. The reopening of the Facility is a benefit to the State. Concurrent with the adoption of these WDRs, the Colorado River Basin Water Board is considering adoption of a Time Schedule Order (TSO) to grant the Discharger's request for time to phase in WWTF improvements and bring its discharge into compliance with this Order and Title 27.
39. The Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.

40. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, the Discharger shall comply with the following:

A. Discharge Prohibitions

1. Discharge of waste classified as “hazardous”, as defined in Title 23, CCR, Section 2521(a), or “designated”, as defined in CWC Section 13173, is prohibited, unless exempted in accordance with Finding 30.
2. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the CWC.
3. The Discharger shall not cause degradation of any water supply in accordance with State Water Resources Control Board Resolution 68-16.
4. Onsite discharge of wastewater at a location other than to the Ponds is prohibited.
5. The discharge of any wastewater from the facility to any surface waters or surface drainage courses is prohibited.
6. The Discharger shall not process waste in excess of the design treatment capacity of the WWTF.
7. Bypass or overflow of untreated or partially treated waste is prohibited, except as provided in Provisions E.21, below.

B. Effluent Limitations

1. The Monthly average daily discharge into WWTF’s ponds shall not exceed the following limits:

Phase	Month/Year	Wastewater Flow Rate (gpd)
Phase 1	Dec 2015-Jun 2016	200,000*
Phase 2	Jul 2016-Jun 2017	400,000
Phase 3	Jul 2017-Jun 2018	750,000
Phase 4	Jul 2018-Jun 2021	1,000,000
Phase 5	Jul 2018-Jun 2021	1,300,000

* Discharge of wastewater is expected to commence in February 2016

2. Discharge to the ponds and effluent from the WWTF shall not have a pH below 6.0 or above 9.0.
3. The ponds shall be maintained so they will be kept in aerobic conditions. The dissolved oxygen content in the upper zone (one foot) of Ponds 2 and 3 shall not be less than 1.0 mg/L.

C. Discharge Specifications

1. A minimum depth of two (2) feet of freeboard shall be maintained at all times in the ponds.
2. All treatment, storage, and disposal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
3. The ponds shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, ancillary inflow, and infiltration. 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.
4. The ponds shall be managed to prevent breeding of mosquitoes, in particular:
 - a. An erosion control program should assure 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.
5. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
6. Objectionable odors originating at this WWTF shall not be perceivable beyond the limits of the WWTF.
7. The Discharger shall not discharge wastes in excess of the design treatment capacity of the WWTF.

D. Groundwater Limitations

1. Discharge from the ponds shall not cause groundwater to contain waste constituents in concentrations statistically greater than background water quality.
2. Discharge from the ponds shall not cause groundwater to contain constituents in excess of California Maximum Contaminant Levels (MCLs), as set forth in Title 22, Section 64426.1 for bacteriological constituents; Section 64431 for inorganic chemicals; Section 64432.1 for nitrates; and Section 64444 for organic chemicals.

3. Discharge from the ponds shall not cause groundwater to acquire taste, odor, toxicity, or color that creates nuisance or impairs beneficial use.

E. Provisions

1. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (CWC, § 13000 et seq.), and grounds for enforcement action.
2. The Discharger shall comply with Monitoring and Reporting Program (MRP) R7-2016-0007, and future revisions thereto, as specified by the Colorado River Basin Water Board's Executive Officer.
3. Standby, power generating facilities shall be available to operate the plant during a commercial power failure.
4. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the Facility inoperable.
5. **By February 28, 2016**, the Discharger shall submit a technical report in the form of a proposed work plan to fully and properly characterize the wastewater generated by the Facility and discharged to the unlined ponds. The work plan shall at a minimum describe the proposed constituents to be monitored, sampling frequency, sample type(s), sampling locations, analytical methods, a time schedule for implementation, and quality control and quality assurance procedures to ensure the data collected are representative of the discharge to the unlined ponds. Implementation of proposed work plan shall be subject to the prior approval of the Executive Officer.
6. The WWTF shall be supervised and operated by persons possessing the necessary expertise in the operation and maintenance of industrial wastewater treatment facilities. **By February 15, 2016**, the Discharger shall submit to the Colorado River Basin Water Board a technical report in the form of a letter, which identifies: (1) the person(s) responsible for supervising the operation and maintenance (O&M) of the WWTF and their qualifications to do so, (2) all other the personnel involved in the O&M of the WWTF, their qualifications, and level of responsibility.
7. **By March 15, 2016**, the Discharger shall submit a technical report consisting of an interim proposed groundwater monitoring program to monitor the discharge from the ponds. The proposed program shall contain at a minimum (a) a sufficient number of upgradient and downgradient groundwater monitoring wells to monitor potential groundwater impacts from disposal operations; (b) a proposed list of constituents to be monitored, monitoring frequency, and reporting frequency; (c) the technical rationale/justification for the proposed program; and (d) a proposed schedule for implementing the program.
8. In accordance with California 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 California registered professionals (i.e., civil engineer, engineering geologist, geologist, etc.) competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain work plans, 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 Discharger shall contain a statement of qualifications of the responsible licensed professional(s) as well as the professional's signature and/or stamp of the seal. Additionally, all field activities are to be conducted under the direct supervision of one or more of these professionals.

9. All technical reports required in conjunction with this Order are required pursuant to Section 13267 of the CWC, and shall include a statement by the Discharger, or an authorized representative of the Discharger, certifying under penalty of perjury under the laws of the state of California, that the reports were prepared under his or her supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluated the information submitted, and that based on his or her inquiry of the person or persons who manage the system, the information submitted is, to the best of his or her knowledge and belief, true, complete, and accurate.
10. The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment and control, installed or used by the Discharger to achieve compliance with this Board Order. Proper operation and maintenance includes effective performance, adequate process controls, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities/systems when necessary to achieve compliance with this Board Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspections and maintenance shall be retained, and made available to the Colorado River Basin Water Board's Executive Officer on request.
11. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
12. The Discharger shall allow the Colorado River Basin Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, records kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the CWC, any substances or parameters at this location.
13. Disposal of oil and grease, biosolids, screenings, and other solids collected from liquid wastes shall be pursuant to Title 27, and the review and approval of the Colorado River Basin Water Board's Executive Officer.
14. Sludge use and disposal shall comply with Federal and State laws and regulations, including permitting requirements, and technical standards in 40 CFR Part 257.

15. **By August 15, 2016**, the Discharger shall provide a technical report in the form of a work plan that addresses the proposed treatment, handling and disposal of sludge from the WWTF in a manner that is consistent with all State and Federal laws and regulations, including 40 CFR Part 257. The report is subject to the approval of the Colorado River Basin Water Board Executive Officer.
16. The Discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), and the destination in accordance with the MRP of this Board Order. Sludge that is stockpiled at the treatment facility shall be sampled and analyzed for those constituents listed in the sludge monitoring section of the MRP of this Board Order and as required by Title 40, Code of Federal Regulations, Part 257. The results of the analyses shall be submitted to the Colorado River Basin Water Board as part of the MRP.
17. Prior to implementing a modification that results in a material change in the quality or quantity of wastewater treated or discharged, or a material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Colorado River Basin Water Board, and obtain revised requirements.
18. Prior to a change in ownership or management of WWTF, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Colorado River Basin Water Board.
19. The Discharger shall report orally, any noncompliance that may endanger human health or the environment. The noncompliance shall be reported immediately to the Colorado River Basin Water Board's Executive Officer, and the Office of Emergency Services as soon as:
 - a. The Discharger has knowledge of the discharge,
 - b. Notification is possible, and
 - c. Notification will not substantially impede cleanup or other emergency measures.

During non-business hours, the Discharger shall leave a message on the Colorado River Basin Water Board's office voice recorder at (760) 346-7491. A written report shall also be provided within five (5) business days of the time the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall report all intentional or unintentional spills in excess of one thousand (1,000) gallons occurring within the facility or collection system to the Colorado River Basin Water Board office in accordance with the above time limits.

20. The Discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the Discharger's next scheduled Self-monitoring Report (SMR) or earlier if requested by the Colorado River Basin Water Board's Executive Officer, or if required by an applicable standard for sludge use and disposal.

21. By-pass (i.e., the intentional diversion of waste streams from any portion of the treatment facilities, except diversions designed to meet variable effluent limits) is prohibited. The Colorado River Basin Water Board may take enforcement action against the Discharger for by-pass unless:
 - a. By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to be inoperable, or substantial and permanent loss of natural resources reasonably expected to occur in the absence of a by-pass. Severe property damage does not mean economic loss caused by delays in production; and

There were no feasible alternatives to by-pass, such as the use of auxiliary treatment facilities or retention of untreated waste. This condition is not satisfied if adequate back-up equipment was not installed to prevent by-pass occurring during equipment downtime, or preventive maintenance.
 - b. By-pass is:
 - I. Required for essential maintenance to assure efficient operation; and
 - II. Neither effluent nor receiving water limitations are exceeded; and
 - III. The Discharger notifies the Regional Water Board ten (10) days in advance.
22. In the event of an unanticipated by-pass, the Discharger shall immediately report the incident to the Colorado River Basin Water Board. During non-business hours, the Discharger shall leave a message on the Colorado River Basin Water Board's office voice recorder. A written report shall be provided within five (5) business days the Discharger is aware of the incident. The written report shall include a description of the by-pass, any noncompliance, the cause, period of noncompliance, anticipated time to achieve full compliance, and steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance.
23. The Colorado River Basin Water Board reserves its right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to CWC Sections 13323, 13268, and 13350, a TSO issued pursuant to CWC Section 13308, or referral to the California Attorney General for recovery of judicial civil liability.

E. Limitations

1. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
2. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations.

3. This Board Order may be modified, rescinded, or reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission or reissuance, or notification of planned changes or anticipated noncompliance, does not stay any Board Order condition. Causes for modification include a change in land application plans, or sludge use or disposal practices, and adoption of new regulations by the State Water Board or Colorado River Basin Water Board (including revisions to the Basin Plan), or Federal government.

I, Jose L. Angel, Interim Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on January 14, 2016.

Ordered By: Jose L. Angel
JOSE L. ANGEL, P.E.
Interim Executive Officer
1/14/2016
Date

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

MONITORING AND REPORTING PROGRAM R7-2016-0007

FOR

ONE WORLD BEEF, LLP, OWNER/OPERATOR
BRAWLEY SLAUGHTERHOUSE WASTEWATER TREATMENT FACILITY
Brawley– Imperial County

Location of Wastewater Treatment Facilities and Discharges:
T13S, R14E, Sections 27 and 28, SBB&M

A. General Monitoring Provisions

1. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Colorado River Basin Water Board's Executive Officer, all analyses shall be conducted by a laboratory certified by the State Water Board's Division of Drinking Water. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.
2. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. In the event that continuous monitoring equipment is out of service for period greater than 24-hours, the Discharger shall obtain representative grab samples each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. The Discharger shall report the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.
3. Samples shall be collected at the location specified in the WDRs. If no location is specified, sampling shall be conducted at the most representative sampling point available.
4. Given the monitoring frequency prescribed by MRP R7-2016-0007, if only one sample is available for a given reporting period, compliance with monthly average, or weekly average Discharge Specifications, will be determined from that sample.
5. The Discharger shall comply with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

- b. The Discharger shall retain records of all monitoring information, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least 5 years from the date of the sample, measurement, report or application. Records of monitoring information shall include:
 - i. The date, exact place, and time of sampling or measurements.
 - ii. The individual(s) who performed the sampling or measurements.
 - iii. The date(s) analyses were performed.
 - iv. The individual(s) who performed the analyses.
 - v. The analytical techniques or methods used; and
 - vi. The results of such analyses.
- 6. If the facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Colorado River Basin Water Board indicating that there has been no activity during the required reporting period.

B. Pond Monitoring

- 1. Discharge into the WWTF's Pond 1 (DAF effluent) shall be monitored for the following constituents and according to the following schedule:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow (Total Plant influent)	mgd ¹	Flow Measurement	Daily ²	Monthly
20°C BOD ₅ ³	mg/L ⁴	Grab	Weekly	Monthly
Total Suspended Solids	mg/L	Grab	Weekly	Monthly
Total Dissolved Solids	mg/L	Grab	Weekly	Monthly
Total Nitrogen	mg/L	Grab	Weekly	Monthly
Ammonia (NH ₃) as N	mg/L	Grab	Weekly	Monthly
pH	pH Units	Grab	Weekly	Monthly
Oil and Grease	mg/L	Grab	Monthly	Monthly
¹ Million Gallons-Per-Day ² Reported for each day with average monthly flow calculated ³ Biochemical Oxygen Demand ⁴ Milligrams per Liter				

Discharge from Pond 1 into Ponds 2 and 3 shall be monitored for the following constituents and according to the following schedule:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Total Nitrogen	mg/L	Grab	Monthly	Monthly
Ammonia (NH ₃) as N	mg/L	Grab	Monthly	Monthly
Oil and Grease ¹	mg/L	Grab	Monthly	Monthly
pH	pH Units	Grab	Daily	Monthly
Dissolved Oxygen	mg/L	Grab	Daily	Monthly
¹ Only applicable to Pond 2.				

C. Water Supply to the Community

1. The domestic water supply shall be monitored according to the following schedule:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly

D. Sludge Monitoring

1. The Discharger shall report annually on the quantity, location and method of disposal of all sludge and similar solid materials being produced at the WWTF. If no sludge is disposed of during the year being reported, the Discharger shall state "No Sludge Removed" in the annual monitoring report. Sludge that is generated at the WWTF shall be sampled and analyzed for the following prior to disposal:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Arsenic	mg/kg ¹	Composite	Annually	Annually
Cadmium	mg/kg	Composite	Annually	Annually
Copper	mg/kg	Composite	Annually	Annually
Lead	mg/kg	Composite	Annually	Annually
Mercury	mg/kg	Composite	Annually	Annually
Molybdenum	mg/kg	Composite	Annually	Annually
Nickel	mg/kg	Composite	Annually	Annually
Selenium	mg/kg	Composite	Annually	Annually
Zinc	mg/kg	Composite	Annually	Annually
Fecal Coliform	MPN/gram ²	Composite	Annually	Annually
¹ Milligrams per kilogram				
² Most Probable Number per gram				

E. Reporting

1. The Discharger shall inspect and document any operation/maintenance problems by inspecting each unit process. In addition, calibration of flow meters and equipment shall be performed in a timely manner and documented. Operation and Maintenance reports shall be submitted to the Colorado River Basin Water Board office annually.
2. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with WDRs. Where appropriate, the Discharger shall include supporting calculations (e.g., for monthly averages).
3. The results of any analysis taken, more frequently than required at the locations specified in this MRP shall be reported to the Colorado River Basin Water Board.
4. SMRs shall be certified under penalty of perjury (WDR Provisions E.9) to be true and correct, and shall contain the required information at the frequency designated in this MRP.
5. Each Report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations".
6. The SMR, and other information requested by the Colorado River Basin Water Board, shall be signed by a principal executive officer or ranking elected official.
7. A duly authorized representative of the Discharger may sign the documents if:
 - a. The authorization is made in writing by the person described above;
 - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
 - c. The written authorization is submitted to the Colorado River Basin Water Board's Executive Officer.
8. The Discharger shall report any failure in the facility (wastewater treatment plant, and collection and disposal systems). The incident shall be reported immediately to the Colorado River Basin Water Board's Executive Officer as soon as:
 - a. The Discharger has knowledge of the discharge,
 - b. Notification is possible, and
 - c. Notification will not substantially impede cleanup or other emergency measures.Results of analyses performed shall be provided within 15 days of sample collection.

9. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs, discuss corrective actions taken or planned and the proposed time schedule of corrective actions. Identified violations should include a description of the requirement that was violated and a description of the violation.
10. Daily, weekly, and monthly monitoring shall be included in the monthly monitoring report. Monthly monitoring reports shall be submitted to the Colorado River Basin Water Board by the following month. Quarterly monitoring reports shall be submitted by February 1st, May 1st, August 1st, and November 1st. Annual monitoring reports shall be submitted to the Colorado River Basin Water Board by February 1st of the following year.
11. The Discharger shall submit monitoring reports to:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring, Suite 100
Palm Desert, CA 92260

Ordered By:

Jose L. Angel, P.E.
JOSE L. ANGEL
Interim Executive Officer

1/14/2016

Date

Attachment A – Facility Location Map



One World Beef, LLC, Brawley Slaughterhouse
WDRs Order R7-2016-0007
Facility Location: T13S, R14E, Sections 27 and 28, SBB&M
57 Shank Road, Brawley, CA 92227, in Imperial County

