

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2003-0024

REVISED WASTE DISCHARGE REQUIREMENTS
For
AKF DEVELOPMENT LLC
FOR
POST-CLOSURE OF
FORMER SPRECKELS COMPANY MANTECA SUGAR PLANT LIME PONDS
SAN JOAQUIN COUNTY

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

1. AKF LLC formerly Atherton Kirk Development Company, (hereafter Discharger) owns the Former Speckels Company Manteca Sugar Plant in San Joaquin County. The Former Manteca Sugar Plant has been decommissioned and the site is currently undergoing redevelopment.
2. The Former Spreckels Sugar Manteca Plant covers over 350 acres at the intersection of Highways 99 and 120 in portions of Sections 3 and 4, T2S, R7E, MDB&M, as shown on Attachments A and B, which are incorporated herein and made part of this Order. The property consists of Assessors Parcel Nos. 221-140-01, 221-180-04, 243-210-56, 243-210-56, 243-210-64, and 243-210-65.
3. The Former Spreckels Sugar Manteca Plant is currently regulated under Waste Discharge Requirements (WDRs) Order No. 97-204 for closure of lime ponds that contained designated waste. New WDRs are being proposed because the lime ponds have been closed and the facility is now in post-closure period. This revised Order prescribes post-closure requirements and revises the Monitoring and Reporting Program.
4. Lime ponds on the site contained approximately 348,900 cubic yards of spent lime left from operation of the sugar plant. The spent lime was classified as a designated waste as defined in Division 2 of Title 27, California Code of Regulations in previous WDRs. Additionally, storage of lime in the ponds caused downgradient groundwater to be degraded with elevated concentrations of bicarbonate and total dissolved solids. WDR Order No. 97-204 required removal of the spent lime, closure of the ponds, and evaluation of groundwater impacts.
5. The Discharger submitted a Closure Report on 8 March 2002 documenting the removal of designated waste and closure of the lime ponds. Confirmation sampling indicated that a 'hot spot' of contaminated soil had been left and staff required removal and re-closure of the 'hot spot' area. On 2 August 2002 the discharger submitted a report that the 'hot spot' area had been removed and the pond area completely closed.

6. The lime ponds were closed by over excavation of the pond area to remove all lime and approximately two feet of underlying soil. The pond area was subsequently graded to shed water. Spent lime was removed from the site for off-site use or used on-site as a soil amendment, which was an approved mix of spent lime, native soil and tare material. Confirmation samples were collected from the pond area and at areas that accepted the spent lime soil mix.

Waste Description

7. The sugar plant ceased operation in 1995, has been decommissioned, and the site no longer produces industrial wastewater. In previous WDRs, the spent lime remaining in unlined ponds was classified as Designated Waste. All remaining spent lime was removed and the ponds clean closed in August 2002. There is no designated waste remaining at this site.

Corrective Action

8. Discharge of wastewater to unlined lime ponds impacted groundwater quality at the site. Concentrations of Total Dissolved Solids, Bicarbonate, Chloride, Calcium, Sodium and Specific Conductance are elevated above background levels in groundwater. The selected corrective action is to remove the source of contamination by clean closing the ponds. Groundwater monitoring will continue to determine if corrective actions achieve water quality goals.

CEQA and Other Considerations

9. The action to revise WDRs for the facility is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), in accordance with Title 14, CCR, Section 15301.
10. This Order implements the Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition.
11. The Board has notified the Discharger and interested agencies and persons of its intention to revise the WDRs for this facility.
12. In a public hearing, the Board heard and considered all comments pertaining to this facility and discharge.
13. Any person affected by this action of the Regional Board may petition the State Water Resources Control Board to review the action in accordance with Sections 2050 through 2068, Title 23, California Code of Regulations. The petition must be received by the State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento,

California 95812, within 30 days of the date of issuance of this Order. Copies of the laws and regulations applicable to the filing of a petition are available on the Internet at http://www.swrcb.ca.gov/water_laws/index.html and will be provided on request.

IT IS HEREBY ORDERED that Order No. 97-204 be rescinded and that the AKF Development LLC, and their agents, successors and assignees, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of 'hazardous' wastes as defined in Title 27 to any onsite pond is prohibited.
2. The discharge of 'designated' wastes as defined in Title 27 to any onsite pond is prohibited.
3. The offsite discharge of liquid or solid wastes, except for discharges to an authorized disposal facility, or for use in a beneficial application that is not a threat to water quality is prohibited.
4. The discharge of wastes to surface waters or surface water drainage courses without WDRs that allow such discharge is prohibited.

B. FACILITY SPECIFICATIONS

1. Each facility groundwater monitoring well shall be locked to prevent unauthorized access and shall be equipped with a watertight well cap at the top of the well casing to prevent surface water infiltration in the event that the well is submerged during irrigation.

C. PROVISIONS

1. The Discharger shall comply with attached Monitoring and Reporting Program No. R5-2003-0024 and the Standard Provisions and Reporting Requirements dated August 1997, which are incorporated into and made part of this Order.
2. The Discharger shall submit all reports required by this Order pursuant to Section 13267 of the California Water Code. The Discharger or persons employed by the Discharger shall comply with all notice and reporting requirements of the state Department of Water Resources with regard to the construction, alteration, destruction, or abandonment of all monitoring wells used for compliance with this Order or with MRP No. R5-2003-0024,

as required by Section 13750 through 13755 of the California Water Code.

3. The Discharger may be required to submit other technical reports as directed by the Executive Officer.
4. In the event of any change in control or ownership of land or waste discharge facilities presently described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this office.
5. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
6. The Board will review this Order periodically and will revise requirements when necessary.
7. A copy of this Order shall be kept at the facility for reference.

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

I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 31 January 2003.

THOMAS R. PINKOS, Executive Officer

RDA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2003-0024

FOR
AKC DEVELOPMENT LLC
FORMER SPRECKELS SUGAR COMPANY MANTECA PLANT
SAN JOAQUIN COUNTY

The Discharger shall submit reports required by this Monitoring and Reporting Program (MRP) and the Standard Provisions and Reporting Requirements dated August 1997 pursuant to Section 13267 of the California Water Code. Failure to submit the required reports can result in the imposition of civil monetary liability. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

GROUNDWATER MONITORING

The Discharger shall sample groundwater at background groundwater wells: MW-3r and MW-5; and at groundwater monitoring wells MWP-1r, -2r, -6r, -25, -26, and -27. The Discharger shall collect samples from the groundwater wells as specified in Table 1. Sample collection shall follow standard EPA protocol.

TABLE 1 - GROUNDWATER MONITORING PROGRAM		
<u>Parameter</u>	<u>Units</u>	<u>Frequency</u>
Field Parameters		
Groundwater Elevation	Feet (100ths), MSL	Semi-Annually
Specific Conductance	µmhos/cm	Semi-Annually
pH	Number	Semi-Annually
Turbidity	Turbidity Units	Semi-Annually
Monitoring Parameters		
Bicarbonate as CaCO ₃	mg/l	Semi-Annually
Calcium	mg/l	Semi-Annually
Chloride	mg/l	Semi-Annually
Nitrate-N	mg/l	Semi-Annually
Hardness as CaCO ₃	mg/l	Semi-Annually
Potassium	mg/l	Semi-Annually
Sodium	mg/l	Semi-Annually
Sulfate	mg/l	Semi-Annually
Total Dissolved Solids	mg/l	Semi-Annually

The Discharger shall measure the water level in each monitoring well (in feet and hundredths, MSL) and determine groundwater gradient and direction at least semi-annually, including the times of expected highest and lowest water level elevations for the respective groundwater body. Groundwater elevations shall be measured for a given groundwater body within a period of time short enough to avoid temporal

groundwater flow variations which could preclude accurate determination of groundwater gradient and direction.

WATER QUALITY PROTECTION STANDARD

The Water Quality Protection Standard (Standard) shall consist of the following elements:

1. Constituents of Concern and Concentration Limits;
3. Monitoring Points (groundwater and surface water);
4. Point of Compliance; and
5. Compliance Period.

Each of these is described as follows:

1. Constituents of Concern and Concentration Limits

The Constituents of Concern are the monitor parameters listed in Table 1 above.

The discharger submitted a Revised Proposed Water Quality Protection Standard on 28 February 2002. Groundwater Concentration Limits were calculated from historical data collected at MW-5 (a background well) using tolerance factors for a normal data population. These MRPs adopt the discharger's proposed Concentration Limits for all constituents. The Constituents of Concern and Concentration Limits are listed in the following table:

CONCENTRATION LIMITS

<u>Constituent of Concern</u>	<u>Upper Tolerance Limit</u> (mg/l)
Total Dissolved Solids	1644
Bicarbonate	988
Chloride	289
Nitrate as N	52.6
Sulfate	153.5
Specific Conductance	2639
Calcium	420
Sodium	150

On an annual basis, Concentration Limits shall be revised for all Constituents of Concern for which there is sufficient data from the background Monitoring Point (MW-5), beginning with the **2003 Annual Report**.

If the Discharger finds that the concentration of one or more Constituents of Concern have exceeded the approved Concentration Limit(s), the Discharger shall perform the tasks outlined under the heading “**RESPONSE TO A RELEASE**” located in the Standard Provisions.

2. Monitoring Points

Groundwater:

The current upgradient groundwater Monitoring Points are monitoring wells MW-5 and MW-3.

The corrective action Groundwater Monitoring Points shall be MW-1r, -2r, -6r, -25, -26, and – 27. These Groundwater Monitoring Points shall also include any monitoring wells installed after the adoption of these MRPs. Groundwater monitor well locations are shown on Attachment B. Existing wells may be replaced with new wells constructed in the same manner and in a like hydrogeologic location with respect to the former lime ponds. Prior to replacement, a work plan must be submitted to the RWQCB which details the proposed abandonment of an existing and replacement well installation. All abandonment and installation shall also be in accordance with the San Joaquin County well ordinance.

REPORTING

The Discharger shall report field and laboratory test results in semi-annual monitoring reports. The Discharger shall submit the semi-annual monitoring reports to the Board by **31 July** and **31 January**. The Discharger shall arrange the data in tabular form so that the date, the constituents, the concentrations, and the units are readily discernible. A discussion of the monitoring results shall precede the tabular summaries.

As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, all reports shall be prepared by a registered professional engineer or geologist (or their subordinate) and signed by the registered professional.

Each semi-annual report is to include the following information:

- (a) a discussion of the monitoring results and compliance with this MRP and the WDRs;
- (b) tabulated cumulative monitoring data including depth to groundwater measurements, groundwater elevations above mean sea level, groundwater analytical data, wastewater analytical data, and monthly average wastewater discharge rate in gallons per day;
- (c) a groundwater contour map prepared using groundwater elevation data that shows the hydraulic gradient, flow direction and estimated flow velocity; and
- (d) a copy of the laboratory analytical reports and chain of custody.

WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2003-0024
AKF DEVELOPMENT LLC
FORMER SPRECKELS SUGAR COMPANY MANTECA PLANT
SAN JOAQUIN COUNTY

-4-

The results of any monitoring done more frequently than required at the locations specified in the MRP shall also be reported to the Board.

The Discharger shall implement the above monitoring program on the effective date of this Order.

Ordered by: _____
THOMAS R. PINKOS, Executive Officer

31 January 2003
Date

RDA