

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2004-0018

REVISED WASTE DISCHARGE REQUIREMENTS
For
M&L COMMODITIES,
FORMERLY SOUTHWEST HIDE COMPANY
FOR
CORRECTIVE ACTION AND POST-CLOSURE OF
SOUTHWEST HIDE WASTEWATER PONDS
SAN JOAQUIN COUNTY

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

1. M&L Commodities formerly Southwest Hide Company, (hereafter Discharger) owns the former Southwest Hide facility at 11651 Palm Lane, Manteca in San Joaquin County. Wastewater ponds at the former Southwest Hide facility have been clean closed and the site is undergoing redevelopment.
2. The Southwest Hide facility is a 28.45 acre property adjacent to the western side of Highway 99, at the east end of Palm Lane, two miles southeast of the City of Manteca in San Joaquin County. The Assessor's Parcel Number is 243-24-041. The facility location is shown on Attachment A, which is incorporated herein and made a part of this Order.
3. The site had several previous operations before Southwest Hide that may have contributed to the soil and groundwater degradation. The Roma Winery operated at the site from 1910 to 1938. The Schenley Distillery produced brandy and high proof alcohol at the site between 1938 and 1948. A second winery operated at the site from 1948 to 1959. A chicken farm operated on the site from 1961 to 1968. In 1972 a metal framing company leased the grounds and sublet it to a worm farmer and a steel company till 1976. From 1976 till 1978 an unrelated hide processing company occupied the site. No information exists concerning the disposal practices or amounts of waste produced by these previous operations.
4. From 1979 to 1992 Southwest Hide Company operated a hide processing facility at the site.
5. The Southwest Hide facility produced a maximum of 275,000 gallons of brine wastes annually from the hide curing process. The brine was discharged to two surface impoundments, shown on Attachment B, which is incorporated herein and made a part of this Order. The two surface impoundments were constructed in 1979 in compliance with regulations in affect at that time. The impoundments did not meet current regulatory standards. They were constructed with flexible membrane liners and had a total capacity of 1.55 million gallons.

6. The Discharger has discontinued processing hides and discharging brine wastes to the surface impoundments in 1992. In 1993 the ponds were emptied and all residual waste, liner materials, and contaminated soils were discharged to an appropriate off-site facility. Concentrations of salty soil from the soil berms used to construct the ponds were left in place.
7. On 28 September 1998 Southwest Hide Company submitted a Remedial Investigation/Feasibility Study (RI/FS), on 2 November 1999 an addendum to the RI/FS to remediate the degraded soil and groundwater at the site and on 18 December 2002 a report proposing soil excavation. The final remedial action involved removal of the remaining contaminated soil hot spots, grading the pond source area to shed water and paving this area with asphalt. In the event that the remedial action fails to reduce the extent of salt in groundwater a contingency plan to implement an active groundwater pump and treat system is proposed.
8. On 12 May 2003 the discharger submitted a report documenting removal and disposal of remaining contaminated soil, grading and establishing drainage in the pond area, and installation of a new water supply well. An asphalt cover will be installed in the area of greatest soil contamination.
9. Elevated concentrations of TDS and chloride in groundwater occur immediately downgradient of the impoundments. However, the discharger asserts that the surface impoundments did not leak based on evidence presented in reports dated 1 September 1999 and 1 March 2002. Regional Board staff found the evidence to be inconclusive and believes the data indicates the ponds have caused at least some of the groundwater degradation. Groundwater degradation may also have been caused by several previous operations at this site. The discharger as current owner of the site is responsible for remediation of degraded groundwater.

WASTES AND THEIR CLASSIFICATION

10. 'Designated waste' is defined in California Water Code, §13173, as a nonhazardous waste which consists of, or contains pollutants which, under ambient environmental conditions at the waste management unit, could be released at concentrations in excess of applicable water quality standards, or which could cause degradation of waters of the state.
11. The Discharger has ceased discharge of liquid wastes and closed the Class II surface impoundments. These liquid wastes were classified in previous Waste Discharge Requirements as 'designated liquid wastes'. Solid wastes buried on site and subsequently

removed were classified as 'designated solid wastes' in previous Waste Discharge Requirements.

DESCRIPTION OF THE SITE

12. Land within 1000 feet of the facility is used for agricultural and commercial purposes.
13. Background ground water quality is characterized by total dissolved solids (TDS) and chlorides of approximately 200 and 18 mg/l, respectively.
14. In the eastern portion of the site, groundwater flows to the east with a hydraulic gradient less than 1 ft/mi. In the western portion of the site, the groundwater flows to the west with a hydraulic gradient of 0.04 ft/ft. In the northern portion of the site, groundwater flows to the northeast with a hydraulic gradient of 0.07 ft/ft.
15. Static groundwater level in the shallow aquifer is approximately 10 to 15 feet below the present ground surface.
16. Ground water monitoring results show that saline water has leached from the site soils. The pollutant plume direction is influenced by nearby irrigation. Monitoring wells have measured values for Total Dissolved Solids at concentrations greater than 4000 mg/l, which exceeds background concentrations and the drinking water standard of 500 mg/l.
17. Soils onsite are alluvial with layers of clays, silts, sands and gravels of moderate permeability providing hydraulic continuity with ground water.
18. The beneficial uses of ground water are domestic, municipal, agricultural and industrial supply.
19. The facility receives an average of 12 inches of precipitation per year.
20. The facility is not within a 100-year floodplain.
21. Surface drainage is to the Stanislaus River.
22. The beneficial uses of these surface waters are domestic, municipal, agricultural, and industrial supply; ground water recharge; fresh water replenishment; and preservation and enhancement of fish, wildlife and other aquatic resources.

CORRECTIVE ACTION

23. Previous activities at the Southwest Hide site have degraded groundwater quality. Concentrations of Total Dissolved Solids, Chloride, and Specific Conductance are elevated above background levels in groundwater.
24. The discharger has submitted a Remedial investigation/Feasibility Study for remediation of contaminated groundwater. The selected corrective action is to remove the source of contamination by clean closing the ponds, grading the site to shed storm water and install an asphalt cover over the source of contamination. Groundwater monitoring will continue to determine if corrective actions achieve water quality goals.
25. Active groundwater remediation will be triggered under the following conditions: If one or more Corrective Action Groundwater Monitoring Point (MW-5, -8, -9, -10, -12, -14, -16, -17, -18, and -21) exceed trigger concentrations the well or wells will be retested to confirm the exceedance. If the exceedance is confirmed the impacted well or wells will go to quarterly monitoring for at least one year. If sample results exceed trigger concentrations for two consecutive monitoring events or show a general pattern of increasing concentrations the discharger shall submit a focused feasibility study within 120 days. The focused feasibility study shall recommend an appropriate active groundwater remediation program. An active remediation program will be implemented within 60 days of approval by the Executive Officer.

CEQA AND OTHER CONSIDERATIONS

26. 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.
29. This Order implements the Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition.
30. Section 13267(b) of California Water Code provides that: "In conducting an investigation specified in subdivision (a), the Regional Board may require that any person who has discharged, discharges, or is suspected of discharging, or who proposed to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who had discharged, discharges, or is suspected of discharging, or who proposed to discharge waste outside of its region that could affect the quality of the waters of the state within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the board requires. The burden, including costs of these reports, shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The monitoring and reporting program required by this Order and the attached "Monitoring and

Reporting Program No. R5-2004-0018" are necessary to assure compliance with these waste discharge requirements. The Discharger operates the facility that discharges the waste subject to this Order.

PROCEDURAL REQUIREMENTS

31. The Board notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this closure, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
32. The Board, in a public meeting, heard and considered all comments pertaining to the closure.
33. Any person adversely affected by this action of the Regional Board may petition the SWRCB to review the action. The petition must be received by the State Board Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date the action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.

IT IS HEREBY ORDERED, pursuant to Sections 13263 and 13267 of the California Water Code, that Order No. 92-077 is rescinded, and that the M&L Commodities, its agents, successors, and assigns, 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.

C. PROVISIONS

1. The Discharger shall comply with attached Monitoring and Reporting Program No. R5-2004-0018 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. R5-2004-0018, 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 shall implement the contingency plan described in the 2 November 1999 Addendum to Remedial Investigation/Feasibility Studies, if existing remedial actions are not effective in reducing the extent of groundwater contamination.
6. The Discharger shall demonstrate financial responsibility for initiating and completing corrective action of all known or reasonably foreseeable releases, and shall submit a report for financial assurances by **April 30th each year** for Executive Officer review and approval. The assurances of financial responsibility shall name the Regional Board as beneficiary and shall provide that funds for corrective action shall be available to the Regional Board upon the issuance of any order under California Water Code, Division 7, Chapter 5. The Discharger shall adjust the cost annually to account for inflation and any changes in facility design, construction, or operation.
7. The Discharger shall demonstrate financial responsibility for closure and post-closure maintenance, and shall submit a report of financial assurances by **April 30th each year**

for Executive Officer review and approval. The assurances of financial responsibility shall provide that funds for closure and post-closure maintenance shall be available to the Regional Board upon the issuance of any order under California Water Code, Division 7, Chapter 5. The Discharger shall adjust the cost annually to account for inflation and any changes in facility design, construction, or operation.

8. The Discharger shall comply with the reporting requirements specified in this Order, in Monitoring and Reporting Program Order No. R5-2004-0018 and in the Standard Provisions and Reporting Requirements dated September 2003.
9. The Discharger shall complete the tasks outlined below in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
a. Submit a written report of regular visual inspections of the asphalt cover for evidence of ponding, cracks, excess drying or other damage to asphalt. The report should note any repairs undertaken to maintain the integrity of the asphalt cover.	Annually
b. Submit proposed trigger concentrations to evaluate progress of Remedial Actions.	1 May 2004
c. Evaluate the trigger conditions for the contingency plan as described in the 2 November 1999 Addendum to Remedial Investigation/Feasibility Studies.	Semi-Annually
d. Submit an annual review of Financial Assurance for initiating and completing corrective action. (see Provision C.6.)	30 April each year
10. The Board will review this Order periodically and will revise requirements when necessary.	
11. A copy of this Order shall be kept at the facility for reference.	

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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 30 January 2004.

Original signed by

THOMAS R. PINKOS, Executive Officer

RDA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2004-0018

For

M&L COMMODITIES

FORMERLY SOUTHWEST HIDE COMPANY

FOR

CORRECTIVE ACTION AND POST-CLOSURE OF

SOUTHWEST HIDE WASTEWATER PONDS

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 well: MW-4 and -5; and at groundwater monitoring wells MW -7, -8, -15, -16, -17, -19R, and -21. Monitor wells not currently part of the monitoring program and not used for water supply should be abandoned in compliance with requirements of the San Joaquin County Environmental Health Department. 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
Monitoring Parameters		
Calcium	mg/l	Semi-Annually
Chloride	mg/l	Semi-Annually
Nitrate-N	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 may request a reevaluation of and reduction in the Constituents of Concern after completion of one year of monitoring.

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. Corrective Action Evaluation.

Each of these is described as follows:

CONSTITUENTS OF CONCERN AND CONCENTRATION LIMITS

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

Groundwater Concentration Limits were calculated from historic data collected at MW-4 (a background well) using tolerance factors for a normal data population. Groundwater has already been contaminated at the Southwest Hide site and these Concentration Limits based on background will be used as a cleanup goal. These Concentration Limits are listed in the following table:

Concentration Limits

<u>Constituent of Concern</u>	<u>Upper Tolerance Limit</u>
Total Dissolved Solids	415 mg/l
Chloride	47 mg/l
Specific Conductance	1397 umhos
pH	8.83

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-4), beginning with the **2004 Second Semi-Annual Report**.

MONITORING POINTS

Groundwater:

The current upgradient groundwater Monitoring Points are monitoring wells MW-4, and -5.

Corrective Action Groundwater Monitoring Points shall be MW-7, -8, -15, -17, -19R, and 21. Corrective Action Monitoring Points will be used to determine effectiveness of the corrective action.

SEMI ANNUAL EVALUATION OF CORRECTIVE ACTION EFFECTIVENESS

A semi-annual evaluation of the effectiveness of the corrective action for this facility and response if pollution in groundwater aerial extent expands, the concentrations increases and/or there is no downward trend in the constituents. Semi-Annual evaluation shall be based on the following:

1. A determination whether the pollution plume has expanded in aerial extent. This evaluation shall be based on the plume aerial extent as of 1 January 2004.
2. A determination if any trigger Constituent of Concern concentrations have been exceeded. Trigger concentrations will be calculated for each individual Corrective Action Monitoring Point based on historical data before 1 January 2004, using the appropriate tolerance factors. These Trigger Concentrations shall be submitted to Board staff for concurrence. Proposed trigger concentrations will be submitted within 90 days of adoption of this Order. Individual trigger concentrations will be calculated for each Corrective Action Groundwater Monitoring Point (intra-well concentration limits). New trigger concentrations shall be established annually if downward trends occurring and submitted with the first semiannual monitoring report.
3. A determination whether the plume individual constituent concentrations are decreasing.

RESPONSE TO SEMI-ANNUAL EVALUATION OF CORRECTIVE ACTION

This section is required response if in Semi-Annual Evaluation the pollution plume has expanded, a constituent(s) has exceed trigger concentration or the plume individual concentrations are not decreasing.

1. If the plume has migrated beyond the 1 January 2004 configuration, then the discharger shall submit a focused feasibility study to implement active remediation within 120 days.
2. If one or more of the Corrective Action Monitoring Points contain concentrations exceeding the trigger concentrations these monitoring points will be retested to confirm the detection per the Standard Provisions. If the detection is confirmed the impacted monitoring point(s) will go to quarterly monitoring for at least one year. If after one year of quarterly sampling concentrations have returned to below the trigger concentration then the impacted monitoring

point(s) may return to semi-annual monitoring. If sample results exceed trigger concentrations for two consecutive monitoring events or show a general pattern of increasing concentrations the discharger shall submit a focused feasibility study to implement active remediation within 120 days.

3. If Corrective Action Monitoring Points fail to demonstrate a general pattern of decreasing concentrations (indicating a failure to remediate groundwater) within two years of adoption of this Order the Board staff may ask the discharger to submit a focused feasibility study to implement active remediation.

FACILITY MONITORING

The discharger shall conduct an annual visual inspection of the asphalt cover for evidence of ponding, cracks, and excess drying of the pavement surface. Any areas of subgrade failure existing pavement will be removed, the subgrade repaired and the asphalt replaced with the same design mix as original construction. Any shrinkage cracks will be repaired with a liquid asphalt joint sealant or if necessary a slurry seal will be applied. If excessive drying of the pavement occurs either a fog seal or a slurry seal will be applied. Observations from the annual inspections and reports of recommended or completed repairs will be attached to a regular scheduled monitoring report.

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;
- (d) semi-annual evaluation of corrective action effectiveness and any response; and
- (e) a copy of the laboratory analytical reports and chain of custody.

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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: Original signed by
THOMAS R. PINKOS, Executive Officer
30 January 2004
Date

RDA

INFORMATION SHEET

ORDER NO. R5-2004-0018
REVISED WASTE DISCHARGE REQUIREMENTS
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SOUTHWEST HIDE WASTE WATER PONDS
SAN JOAQUIN, COUNTY

M&L Commodities, formerly Southwest Hide Company owns the Southwest Hide site, a former hide processing facility. This facility was located at 11651 Palm Land, Manteca San Joaquin County.

Southwest Hide facility discharged a maximum of 275,000 gallons of brine wastes annually into two surface impoundments. The brine waste has previously been classified as designated liquid waste. The surface impoundments were lined but the construction standards did not comply with current regulatory standards for Class II waste management units. The hide processing facility and likely previous operations at this site contaminated underlying soils and groundwater with elevated concentrations of chloride and TDS.

The hide processing facility ceased operations in 1992; and in 1993 the ponds were emptied and residual wastes, liner materials, and contaminated soils were discharged to an appropriate off-site facility. The remaining berms contained salt contaminated soils and underlying groundwater also contained elevated salt concentrations. In 1998 the discharger submitted a Remedial Investigation/Feasibility Study (RI/FS) to cleanup degraded soil and groundwater. The remedial action involved removal of remaining contaminated soils, grading and paving the pond area. The Discharger has removed the contaminated soils and discharged them at an appropriate facility; and graded and compacted the pond area. In the spring of 2004 the Discharger will pave the pond area with asphalt paving. These proposed Waste Discharge Requirements require post-closure maintenance of the paved area, continued monitoring of groundwater and establish conditions that will trigger active remediation of groundwater if water quality continues to degrade.