

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ACL AND PENALTY ORDER NO. R5-2007-0138

STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY AND PENALTY
ORDER

IN THE MATTER OF

MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY

This Stipulation for Entry of Administrative Civil Liability and Penalty Order (hereafter Order or Stipulated Order) is issued to Musco Family Olive Company and the Studley Company (hereafter jointly referred to as Discharger) based on failure to comply with Time Schedule Order (TSO) No. R5-2002-0014, as revised, as issued pursuant to Sections 13267 and 13308 of the California Water Code, and Cleanup and Abatement Order Nos. 5-00-717 and R5-2002-0149. This Order is issued pursuant to California Water Code Division 7, Chapter 5, which authorizes the imposition of administrative civil liability and penalties and Government Code section 11415.60.

Whereas:

1. The Musco Family Olive Company owns and operates an olive brining and packaging facility on land (Assessor's Parcel Numbers 209-11-018, 209-11-019, 209-11-031, 209-11-032, 251-32-008, 251-32-009) leased from the Studley Company, a California limited partnership. The facility is southwest of the town of Tracy, near Patterson Pass Road in San Joaquin County, in Section 4, T3S, R4E, and Section 34 T2S, R4E, MDB&M.
2. Two separate Waste Discharge Requirements (WDRs) Orders regulate the discharge of the facility's processing wastewater to land. WDRs Order No. R5-2005-0024, adopted on 27 January 2005, regulates the Title 27 Class II surface impoundments used to store concentrated brines, and is not the subject of this Order. WDRs Order No. R5-2002-0148, adopted on 6 September 2002, regulates the discharge to land of less concentrated wastewater, and replaced WDR Order No. 97-037. Monitoring and Reporting Program (MRP) Order No. R5-2002-0148, adopted on 6 September 2002, replaced MRP No. 97-037.
3. On 17 November 2000 the Executive Officer issued Cleanup and Abatement Order (CAO) No. 5-00-717, which required the Discharger to prepare technical reports and construct wastewater treatment system improvements to comply with WDR Order No. 97-037 and MRP No. 97-037 by 1 November 2001.
4. The Discharger did not comply with CAO No. 5-00-717 and, therefore, the Regional Water Board adopted Time Schedule Order (TSO) No. R5-2002-0014 on 25 January 2002 after a public hearing. The TSO allowed an interim greater flow and increased effluent limits for dissolved inorganic solids (DIS) from April 2002 through

6 September 2002; but required control of nuisance odors; installation of groundwater monitoring wells, an evaluation of the domestic wastewater system, construction of wastewater treatment improvements, expanded cropping of land application areas, submittal of the delinquent reports required by WDRs Order No. 97-037 and CAO No. 5-00-717, submittal of the monthly status reports, and compliance with Revised MRP No. 97-037. The TSO specified civil penalties ranging from \$2,500 to \$5,000 for violations of the requirements in the TSO. On 6 June 2002, the Regional Water Board revised the terms of the time schedule by adopting TSO No. R5-2002-0014-R01. It authorized greater flow, application of wastewater as dust control in disturbed areas of the impoundment construction area, and an additional month to complete the 84 million gallon reservoir. The revision required the Discharger to provide an odor control report, evaluate the adequacy of monitoring well MW-9, and perform and submit the results of an additional groundwater monitoring event.

5. On 9 April 2002, the Executive Officer issued Administrative Civil Liability (ACL) Complaint No. R5-2002-0502 in the amount of \$150,000, which addressed civil liabilities incurred by the Discharger for failure to comply with CAO No. 5-00-717 from the date of the CAO issuance (November 2000) through issuance of TSO R5-2002-0014 (January 2002). The Discharger paid the liability in full.
6. On 6 September 2002, the Regional Water Board issued WDRs Order No. R5-2002-0148 and Cleanup and Abatement Order No. R5-2002-0149 to address continuing violations of the WDRs.
7. On 6 August 2004, the Executive Officer issued Administrative Civil Liability (ACL) Complaint No. R5-2004-0534 in the amount of \$493,500. This Complaint was based on the Discharger's violations of certain tasks required by TSO No. R5-2002-0014, as revised, from the date of issuance (25 January 2002) through 31 May 2004.
8. ACL Complaint No. R5-2004-0534 alleged that the Discharger was in violation of TSO tasks during 795 days from 1 February 2002 through 31 May 2004 as summarized below. Attachment A contains a day-by-day summary of violations that occurred during this time period that were considered in the Complaint.
9. Subsequent to the issuance of the Complaint and Discharger's objections thereto, representatives of the Discharger and the Executive Officer (collectively, the "Parties") entered into settlement negotiations because of a desire to resolve this matter and settle the allegations described herein without a formal hearing. Without the admission of liability or any fact or claim by the Discharger, or the adjudication of any claim in this matter, the Parties have requested that the Regional Water Board adopt this Order based on the stipulation set forth below.

THE PARTIES HEREBY STIPULATE AS FOLLOWS:

A. Statement of the Case

Attachment A (which is attached hereto and made part of this Order by reference) lists the TSO violations considered in issuance of the ACL Complaint. Attachment B (which is attached hereto and made part of this Order by reference) lists violations of the TSO and CAO identified by Regional Water Board staff through reviewing the Discharger's self-monitoring reports for the months of September 2002 through June 2007. These violations total more than 7,000 in number and were considered in settling this matter. Pursuant to California Water Code section 13308, the *maximum* penalty that can be imposed for the violations of TSO No. R5-2002-0014, as revised, for 1,327 violations from 25 January 2002 through 30 June 2007 totals \$3,332,500. Pursuant to California Water Code section 13350(e), the Regional Water Board may impose up to \$5,000 per day in administrative civil liability for violations of the CAO. This Order recovers the costs incurred by the staff of the Regional Water Board in evaluating the violations and preparing the Complaint and related documents. This Order imposes administrative civil liability pursuant to California Water Code section 13350 and penalties pursuant to California Water Code section 13308 in an amount less than the maximum amount specified in the TSO but is fair based on consideration of all the factors prescribed in California Water Code section 13327 and 13308.

B. Matters Not Resolved

ACL Complaint No. R5-2004-0534 did not consider potential violations of Task 16 of the TSO, which required the Discharger to submit a report showing that a liner, adequate to prevent the stored wastewater from impacting the groundwater, had been installed in the 84-MG reservoir. Additional technical information is required to evaluate and determine whether the Discharger achieved compliance with Task 16. This Stipulated Order does not address Task 16. The Regional Board reserves the right to take future action on any confirmed violations of Task 16, as appropriate. This Order also does not address alleged violations of requirements and prohibitions of discharges relevant to surface waters and surface water drainage courses set forth in those Orders and applicable waste discharge requirements or prohibitions.

C. Relevant Legal Authority

TSO No. R5-2002-0014, as revised, was issued pursuant to California Water Code section 13308(a), which states, in part: The Regional Water Board *"may issue an order establishing a time schedule and prescribing a civil penalty, which shall become due if compliance is not achieved in accordance with the time schedule"*.

California Water Code Section 13308 (c) states: *"Any person who fails to achieve compliance in accordance with the schedule established in an order issued pursuant to subdivision (a) shall be liable civilly in an amount not to exceed the amount prescribed by the order. The regional board may impose the penalty administratively in accordance with Article 2.5 (commencing with Section 13323). If the regional board imposes the*

penalty in an amount less than the amount prescribed in the order issued pursuant to subdivision (a), the regional board shall make express findings setting forth the reasons for its action based on the specific factors required to be considered pursuant to Section 13327.”

Section 13323 (a) of the CWC states: *Any executive officer of a regional board may issue a complaint to any person on whom administrative civil liability may be imposed pursuant to this article. The complaint shall allege the act or failure to act that constitutes a violation of law, the provision of law authorizing civil liability to be imposed pursuant to this article, and the proposed civil liability.*

California Water Code Section 13350(a) states, in part: *Any person who violates any . . . cleanup and abatement order hereafter issued, reissued, or amended by a regional board . . . shall be liable civilly, and remedies may be proposed, in accordance with subdivision (d) or (e).*

California Water Code section 13350(e) states, in part: *The state board or a regional board may impose civil liability administratively pursuant to Article 2.5 (commencing with Section 13323) of Chapter 5 either on a daily basis or on a gallon basis, but not both.*

(1) The civil liability on a daily basis may not exceed five thousand dollar (\$5,000) for each day the violation occurs.

Section 13327 of the CWC states: *In determining the amount of civil liability, the regional board . . . shall take into consideration the nature, circumstance, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on ability to continue in business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters as justice may require.*

D. Public Notice of Stipulated Order

Public Notice of a proposed Stipulated Order was published on 17 September 2007 initiating a 28-day period for the public to comment on the proposed Stipulated Order. Because this is a settlement between the Parties, the Regional Water Board will not conduct an evidentiary hearing on this matter.

If the Executive Officer receives significant new information that reasonably affects the propriety of entering into this Stipulated Order, the Executive Officer may unilaterally declare this Stipulated Order void. Musco agrees that it may not rescind or otherwise withdraw its approval of this Stipulated Order.

Musco covenants and agrees that it will not contest or otherwise challenge this Stipulated Order before the Regional Water Board, the State Water Resources Control Board (State Water Board), or any court. The Executive Officer likewise covenants and agrees that she will not contest or otherwise challenge this Stipulated Order before the

Regional Water Board, the State Water Board or any court, provided that she does not exercise her authority to declare the Stipulated Order to be null and void as the result of public comment.

E. Right to Petition

Any person affected by this action of the Regional Water Board may petition the State Water 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 Board within 30 days of the date of adoption of this Order by the Regional Water Board. Copies of the law and regulations applicable to filing petitions are available at and will be provided upon request.

F. Exemption from California Environmental Quality Act

Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*), in accordance with Sections 15061(b)(3) and 15321 (a)(2), of Title 14 of the California Code of Regulations.

This Stipulated Order and assessment of administrative civil liability and penalties provides for the full and final resolution of each of the alleged violations addressed by this Order.

G. Payment of Administrative Civil Liability

Musco Family Olive Company and the Studley Company shall pay an administrative civil liability/penalty in the amount of \$493,500 in accordance with California Water Code Division 7. Pursuant to Water Code section 13323(d), full payment is due within thirty days of adoption of this Order by the Regional Water Board. However, the Executive Officer shall not initiate any collection actions to collect the full payment so long as timely payments are made according to the following schedule:

<u>Date</u>	<u>Amount Due</u>
15 April 2008	\$125,000
15 October 2008	\$125,000
15 April 2009	\$125,000
15 October 2009	\$118,500

As of each of the dates above, the Discharger shall submit a check in the stated amount to the Regional Water Board. The check shall be made payable to the "*State Water Resources Control Board Waste Discharge Permit Fund*" and shall have written on it the number of this Stipulated Order. If any payment deadline is missed, the entire outstanding balance of the administrative civil liability/penalty shall become due and payable immediately.

H. Financial Assurances

Musco Family Olive Company and the Studley Company shall develop and maintain financial assurances according to the following schedule:

- a. By 31 December 2007, the Discharger shall submit a Site Closure and Maintenance Report to the Executive Officer for approval that contains:
 - i. A detailed plan for the short-term maintenance of the site, including a reasonable and complete annual cost estimate, to assure that no discharges of waste from the site occur via surface water drainages. This plan will include an inventory of the tasks needed to maintain and operate pumps and conveyance systems in the interim between the discontinuation of olive processing and the final closure of the site.
 - ii. A detailed plan for the complete closure of the site, including a reasonable and complete estimate of the cost of such closure. This plan shall include at least two alternatives for closure and one alternative of these alternatives will be directed by the Executive Officer.
 - iii. A detailed plan for post-closure maintenance and monitoring of the site, including a reasonable and complete estimate of the cost of maintaining the 84 million gallon reservoir to collect the site run-off for the design seasonal precipitation required by WDRs Order No. R5-2002-0148, Discharge Specification B.8, and the cost of necessary monitoring.
 - iv. A reasonable and complete estimate of the cost of initiating and completing corrective action for all known or reasonably foreseeable releases from the site that pose a threat to water quality.
- b. The Executive Officer will either approve the Site Closure and Maintenance Report or specify the areas of the report that are deficient. In the event of a determination of material deficiency, the Discharger shall have **45 days** from the date of written notice of the deficiencies to submit a revised report which addresses all of the deficiencies. The issuance of a notice of deficiency does not preclude the assessment of penalties for an initially deficient report.
- c. Within **60 days** after written notice of Executive Officer approval of the Site Closure and Maintenance Report, the Discharger shall submit a Financial Assurances Report to the Executive Officer for approval that contains proposed mechanisms and a time schedule to obtain financial assurances in the form of an irrevocable fund or other mechanism(s), with the Regional Water Board named as beneficiary, to ensure that funds are available to address the items (a)(i) through (iv) listed above and a time schedule for obtaining financial assurances. Due to the Discharger's admissions of past financial instability, the Executive Officer may

prohibit the Discharger from using a Financial Means Test or similar method for providing financial assurances.

- d. The Executive Officer will either approve the Financial Assurances Report or specify the areas of the report that are deficient. In the event of a determination of material deficiency, the Discharger shall have 60 days from the date of written notice of the deficiencies to submit a revised report which addresses all of the deficiencies. The issuance of a notice of deficiency does not preclude the assessment of penalties for an initially deficient report.
- e. Within **60 days** after written notice of Executive Officer's approval of the Financial Assurances Report, the Discharger shall provide proof to the Executive Officer demonstrating that the Discharger has obtained financial assurances consistent with the approved Financial Assurances Report and in accordance with the approved time schedule in the Report.
- f. The Regional Water Board intends that the Discharger update the cost estimates for financial assurances annually and maintain financial assurances until no longer required by the Regional Water Board. Continuing requirements for financial assurances will be set forth in subsequent orders of the Regional Water Board. This Order sets forth penalties contingent upon timely completion of the tasks set forth in this Order for those tasks required by the approved report up through and including 15 October 2009. Tasks set forth in the approved Financial Assurances Report that extend beyond 15 October 2009 and the annual review of the cost estimates will be set forth in a separate order of the Regional Water Board. This Stipulated Order is intended to apply only to those tasks set forth in the approved Report required up to and including 15 October 2009.

I. Stipulated Administrative Civil Liability

If Musco Family Olive Company and the Studley Company fail to comply with Section H of this Order by the specified dates, Musco Family Olive Company and the Studley Company shall be subject to stipulated administrative civil liability in the amounts as follows:

Failure to submit complete Site Closure and Maintenance Report or Financial Assurances Report by the respective due dates:

- i. \$100,000 for initial due date
- ii. \$5,000 per day for each additional day it is late or materially incomplete as determined by the Executive Officer.

Failure to demonstrate that Discharger has obtained financial assurances in the amount set forth in the approved Financial Assurances Report and in accordance with the approved time schedule:

- i. \$200,000 for missing initial due date

- ii. \$5,000 for each additional day a time schedule date for funding the financial assurances mechanism is missed (up to 15 October 2009).

If administrative civil liability becomes due and owing based on this paragraph, Musco Family Olive Company and the Studley Company shall submit a check in the stated amount to the Regional Water Board within 30 days of notice by the Executive Officer. The check shall be made payable to the "*State Water Resources Control Board Waste Discharge Permit Fund*" and shall have written on it the number of this Stipulated Order.

J. Scope of Order

Upon receipt of the administrative civil liability and penalty in the amount of \$493,500 and the full satisfaction of the requirements of Paragraph H above, including the payment of any administrative civil liability for failure to comply with the terms of this Order, This Order resolves violations alleged in ACL Complaint No. R5-2004-0534 that occurred from 25 January 2002 through 31 May 2004, as set forth in Attachment A to this Stipulated Order. This Order also resolves violations of TSO No. R5-2002-0014, as revised, that occurred from 1 June 2004 through 30 June 2007 and violations of CAO No. R5-2002-0149, as set forth in Attachment B to this Order. The resolved violations shall be referred to as "Covered Matters." The Discharger waives its right to a hearing on the resolution of the Covered Matters.

Neither this Stipulated Order nor any payment pursuant to the Order shall constitute evidence of, or be construed as, a finding, adjudication, or acknowledgment of any fact, law or liability, nor shall it be construed as an admission of violation of any law, rule or regulation. However, this Order and/or any actions or payment pursuant to the Order may constitute evidence in actions seeking compliance with this Order. This Order may be used as evidence of a prior enforcement action in any future actions by the Regional Water Board.

K. Right to Declare Order Null and Void and Withdraw the Order

This Stipulated Order is contingent on the Discharger's ability to fully satisfy all of the terms of this Order including but not limited to the financial assurance requirements set forth in Paragraph H. If the Discharger does not satisfy those requirements, the Regional Board may declare the Order null and void and withdraw this Order. In that event, the Discharger agrees that any statute of limitations period for the Covered Claims has been tolled from the date of entry of the Order until the date of withdrawal of the Order, inclusive ("Tolling Period"). This means that the Tolling Period will not be included in computing the time limited by any statute of limitations under the causes of action that may arise out of the Covered Claims, in any statute of limitations is applicable. The Tolling Period will also not be considered as part of any defense of laches or similar defense concerning timeliness of commencing a civil action against the Discharger by the Regional Board.

L. Public Review

The Parties intend that the procedure that has been adopted for the approval of the settlement by the Parties and review by the public, as reflected in this Order, will be adequate. In the event procedural objections are raised prior to this Stipulated Order becoming effective, the Parties agree to meet and confer concerning any such objections, and may agree to revise or adjust the procedure as necessary or advisable under the circumstances.

M. Procedures in the Event of that Stipulated Order Does Not Take Effect

In the event that this Stipulated Order does not take effect, i.e., the Stipulated Order is not approved by the Regional Water Board, or the Order is vacated in whole or in part by the State Water Board or a court, the Parties acknowledge that they expect to proceed to a contested evidentiary hearing before the Regional Water Board to determine whether to assess administrative civil liabilities for the underlying alleged violations, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. The Parties also agree to waive any and all objections related to their efforts to settle this matter, including, but not limited to, objections related to prejudice or bias of any of the Regional Water Board members or their advisors and any other objections that are premised in whole or in part on the fact that the Regional Water Board Members or their advisors were exposed to some of the material facts and the Parties' settlement positions, and therefore may have formed impressions or conclusions, prior to conducting the contested evidentiary hearing.

N. Authority to Enter into Stipulated Order

Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to execute this Order on behalf of and to bind the entity on whose behalf he or she executes the Order.

O. Interpretation

This Order shall not be construed against the party preparing it, but shall be construed as if the Parties jointly prepared this Order and any uncertainty and ambiguity shall not be interpreted against any one party.

P. Effect if Portion of Order is Unenforceable

If any portion of this Order is ultimately determined not to be enforceable, the entire Order shall become null and void.

Q. Modification of Order

This Order shall not be modified by any of the Parties by oral representation made before or after the execution of this Order. All modifications must be in writing and approved by the Regional Water Board.

R. Attorneys Fees and Costs

Except as otherwise provided, each party shall bear all attorneys' fees and costs arising from that party's own counsel in connection with the matters referred to herein.

S. Documents and Performance

The Discharger shall execute and deliver all documents and perform all further acts that may be reasonably necessary to effectuate the provisions of this Order.

T. Counterparts.

This Order may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

IT IS SO STIPULATED:

Original Signed by

Felix Musco
Musco Family Olive Company

Original Signed by

Nicholas Musco
Studley Company

Approved as to Form:

Original Signed by

Michael A. Campos
Stoel Rives LLP
Attorneys for Musco Family Olive Company and Studley Company

Original Signed by

Pamela C. Creedon
Executive Officer
On behalf of the Regional Water Board Enforcement Team

Approved as to Form:

Original Signed by

Frances L. McChesney, Senior Staff Counsel
Office of the Chief Counsel
State Water Resources Control Board
Attorney for Regional Water Board Enforcement Team

In adopting this Order, the Regional Water Board has considered all the factors prescribed in California Water Code section 13327 and 13308. The Regional Water Board's consideration of these factors is based upon information and comments provided by the Parties and by members of the public. An evaluation of the factors in California Water Code section 13327 that form the basis for assessing a penalty less than the maximum set forth in the TSO is contained in Attachment C to this Order (attached hereto and made a part of this Order by reference).

I, PAMELA CREEDON, 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 26 October 2007.

original signed by

PAMELA C. CREEDON, Executive Officer

Attachments:

- A: Time Schedule Order violations
- B: Violations of the WDRs and CDO from September 2002 through June 2007
- C: Consideration of Factors in CWC Section 13327 AND 13308

10/26/2007

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty Total
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	
F	2/1/2002	Not reported				0													0		\$0
S	2/2/2002	Not reported				0													0		\$0
S	2/3/2002	Not reported	TSO limit 600,000 gpd			0													0		\$0
M	2/4/2002	Not reported				0		4,324	1,764	2,560	1	\$2,500							0		\$2,500
T	2/5/2002	Not reported				0													0		\$0
W	2/6/2002	Not reported				0													0		\$0
T	2/7/2002	Not reported				0													0		\$0
F	2/8/2002	Not reported				0													0		\$0
S	2/9/2002	Not reported				0													0		\$0
S	2/10/2002	Not reported	0	0		0													0		\$0
M	2/11/2002	Not reported				0													0		\$0
T	2/12/2002	699,854				0													0		\$0
W	2/13/2002	662,393				0													0		\$0
T	2/14/2002	181,897				0		3,056	908	2,148	0								0		\$0
F	2/15/2002	199,417				0													0		\$0
S	2/16/2002	83,926				0													0		\$0
S	2/17/2002	60,937	314,737	0		0													0		\$0
M	2/18/2002	358,477				0													0		\$0
T	2/19/2002	527,135				0													0		\$0
W	2/20/2002	234,303				0													0		\$0
T	2/21/2002	328,217				0													0		\$0
F	2/22/2002	278,872				0													0		\$0
S	2/23/2002	226,524				0													0		\$0
S	2/24/2002	278,625	318,879	0		0													0		\$0
M	2/25/2002	373,254				0													0		\$0
T	2/26/2002	411,607				0													0		\$0
W	2/27/2002	498,283				0													0		\$0
T	2/28/2002	394,937				0													0		\$0
F	3/1/2002	394,937				0		3,970	1,530	2,440	0							1		\$ 2,500	\$2,500
S	3/2/2002	259,864				0												1		\$ 2,500	\$2,500
S	3/3/2002	338,419	381,614	0		0												1		\$ 2,500	\$2,500
M	3/4/2002	399,435				0												1		\$ 2,500	\$2,500
T	3/5/2002	471,082				0												1		\$ 2,500	\$2,500
W	3/6/2002	514,298				0												1		\$ 2,500	\$2,500
T	3/7/2002	528,625				0												1		\$ 2,500	\$2,500
F	3/8/2002	366,902				0		4,906	2,080	2,826	1	\$2,500						1		\$ 2,500	\$5,000
S	3/9/2002	355,835				0												1		\$ 2,500	\$2,500
S	3/10/2002	710,092	478,038	0		0												1		\$ 2,500	\$2,500
M	3/11/2002	552,690				0												1		\$ 2,500	\$2,500
T	3/12/2002	1,125,261				1	\$2,500											1		\$ 2,500	\$5,000
W	3/13/2002	1,109,991				1	\$2,500											1		\$ 2,500	\$5,000
T	3/14/2002	847,182				1	\$2,500											1		\$ 2,500	\$5,000
F	3/15/2002	933,954				1	\$2,500	4,644	2,076	2,568	1	\$2,500						1		\$ 2,500	\$7,500
S	3/16/2002	331,717				0												1		\$ 2,500	\$2,500
S	3/17/2002	959,031	837,118	1	\$2,500	1	\$2,500											1		\$ 2,500	\$7,500
M	3/18/2002	892,727				1	\$2,500											1		\$ 2,500	\$5,000
T	3/19/2002	1,091,529				1	\$2,500											1		\$ 2,500	\$5,000
W	3/20/2002	1,136,729				1	\$2,500											1		\$ 2,500	\$5,000

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty		
T	3/21/2002	972,549				1	\$2,500											1		1	\$ 2,500	\$5,000
F	3/22/2002	716,030				0												1		1	\$ 2,500	\$2,500
S	3/23/2002	314,338				0												1		1	\$ 2,500	\$2,500
S	3/24/2002	790,439	844,906	1	\$2,500	1	\$2,500											1		1	\$ 2,500	\$7,500
M	3/25/2002	768,089				1	\$2,500	5,468	2,236	3,232	1	\$2,500						1	1	2	\$ 5,000	\$10,000
T	3/26/2002	955,236				1	\$2,500											1	1	2	\$ 5,000	\$7,500
W	3/27/2002	941,333				1	\$2,500											1	1	2	\$ 5,000	\$7,500
T	3/28/2002	891,260				1	\$2,500											1	1	2	\$ 5,000	\$7,500
F	3/29/2002	608,943				0												1	1	2	\$ 5,000	\$5,000
S	3/30/2002	352,183				0												1	1	2	\$ 5,000	\$5,000
S	3/31/2002	504,092	717,305	1	\$2,500	0												1	1	2	\$ 5,000	\$7,500
M	4/1/2002	768,825				1	\$2,500											1	1	2	\$ 5,000	\$7,500
T	4/2/2002	653,626				0												1	1	2	\$ 5,000	\$5,000
W	4/3/2002	469,441				0												1	1	2	\$ 5,000	\$5,000
T	4/4/2002	686,279				0												1	1	2	\$ 5,000	\$5,000
F	4/5/2002	361,372				0		4,812	2,184	2,628	1	\$2,500						1	1	2	\$ 5,000	\$7,500
S	4/6/2002	328,379				0												1	1	2	\$ 5,000	\$5,000
S	4/7/2002	653,482	560,201	0		0												1	1	2	\$ 5,000	\$5,000
M	4/8/2002	714,360				0												1	1	2	\$ 5,000	\$5,000
T	4/9/2002	463,557				0												1	1	2	\$ 5,000	\$5,000
W	4/10/2002	642,984				0												1	1	2	\$ 5,000	\$5,000
T	4/11/2002	570,004				0												1	1	2	\$ 5,000	\$5,000
F	4/12/2002	537,346				0		7,164	1,740	5,424	1	\$2,500						1	1	2	\$ 5,000	\$7,500
S	4/13/2002	360,729				0												1	1	2	\$ 5,000	\$5,000
S	4/14/2002	504,753	541,962	0		0												1	1	2	\$ 5,000	\$5,000
M	4/15/2002	422,298				0												1	1	2	\$ 5,000	\$5,000
T	4/16/2002	583,752				0												1	1	2	\$ 5,000	\$5,000
W	4/17/2002	613,019				0												1	1	2	\$ 5,000	\$5,000
T	4/18/2002	523,513				0												1	1	2	\$ 5,000	\$5,000
F	4/19/2002	414,259				0		4,552	2,092	2,460	0							1	1	2	\$ 5,000	\$5,000
S	4/20/2002	332,499				0												1	1	2	\$ 5,000	\$5,000
S	4/21/2002	383,764	467,586	0		0												1	1	2	\$ 5,000	\$5,000
M	4/22/2002	479,993				0												1	1	2	\$ 5,000	\$5,000
T	4/23/2002	493,524				0												1	1	2	\$ 5,000	\$5,000
W	4/24/2002	545,272				0												1	1	2	\$ 5,000	\$5,000
T	4/25/2002	473,903				0												1	1	2	\$ 5,000	\$5,000
F	4/26/2002	478,544				0												1	1	2	\$ 5,000	\$5,000
S	4/27/2002	268,868				0												1	1	2	\$ 5,000	\$5,000
S	4/28/2002	316,332	436,634	0		0												1	1	2	\$ 5,000	\$5,000
M	4/29/2002	383,929				0												1	1	2	\$ 5,000	\$5,000
T	4/30/2002	497,117				0												1	1	2	\$ 5,000	\$5,000
W	5/1/2002	534,355				0												1	1	2	\$ 5,000	\$5,000
T	5/2/2002	472,902				0												1	1	2	\$ 5,000	\$5,000
F	5/3/2002	385,173				0		4,868	2,585	2,283	0							1	1	2	\$ 5,000	\$5,000
S	5/4/2002	231,483				0												1	1	2	\$ 5,000	\$5,000
S	5/5/2002	326,103	404,437	0		0												1	1	2	\$ 5,000	\$5,000
M	5/6/2002	507,141				0												1	1	2	\$ 5,000	\$5,000
T	5/7/2002	529,699				0												1	1	2	\$ 5,000	\$5,000

March SMR describes moderate to severe odors from field "Spur North" due to stagnant wastewater in irrigation lines. Discharger implements line-flushing procedures.

ATTACHMENT A

REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty		
W	5/8/2002	533,628				0												1	1	2	\$ 5,000	\$5,000
T	5/9/2002	445,540				0												1	1	2	\$ 5,000	\$5,000
F	5/10/2002	455,710				0							1	\$2,500				1	1	2	\$ 5,000	\$7,500
S	5/11/2002	699,460				0												1	1	2	\$ 5,000	\$5,000
S	5/12/2002	71,234	463,202	0		0												1	1	2	\$ 5,000	\$5,000
M	5/13/2002	521,288				0		5,020	2,046	2,974	1	\$2,500						1	1	2	\$ 5,000	\$7,500
T	5/14/2002	781,599				1	\$2,500													2	\$ 5,000	\$7,500
W	5/15/2002	446,825				0														2	\$ 5,000	\$5,000
T	5/16/2002	474,499				0														2	\$ 5,000	\$5,000
F	5/17/2002	511,011				0		4,534	2,222	2,312	0									2	\$ 5,000	\$5,000
S	5/18/2002	238,654				0												1	1	2	\$ 5,000	\$5,000
S	5/19/2002	296,050	467,132	0		0												1	1	2	\$ 5,000	\$5,000
M	5/20/2002	459,827				0												1	1	2	\$ 5,000	\$5,000
T	5/21/2002	363,232				0												1	1	2	\$ 5,000	\$5,000
W	5/22/2002	387,849				0												1	1	2	\$ 5,000	\$5,000
T	5/23/2002	315,869				0												1	1	2	\$ 5,000	\$5,000
F	5/24/2002	347,888				0		3,958	2,334	1,624	0							1	1	2	\$ 5,000	\$5,000
S	5/25/2002	125,584				0												1	1	2	\$ 5,000	\$5,000
S	5/26/2002	163,884	309,162	0		0												1	1	2	\$ 5,000	\$5,000
M	5/27/2002	180,192				0												1	1	2	\$ 5,000	\$5,000
T	5/28/2002	276,749				0												1	1	2	\$ 5,000	\$5,000
W	5/29/2002	450,197				0												1	1	2	\$ 5,000	\$5,000
T	5/30/2002	323,711				0												1	1	2	\$ 5,000	\$5,000
F	5/31/2002	227,316				0		4,884	2,276	2,608	1	\$2,500						1	1	2	\$ 5,000	\$7,500
S	6/1/2002	277,316				0												1	1	2	\$ 5,000	\$5,000
S	6/2/2002	227,316	364,438	0		0												1	1	2	\$ 5,000	\$5,000
M	6/3/2002	319,449				0												1	1	1	\$ 2,500	\$2,500
T	6/4/2002	268,818				0												1	1	1	\$ 2,500	\$2,500
W	6/5/2002	334,488				0												1	1	1	\$ 2,500	\$2,500
T	6/6/2002	1,457,810				1	\$2,500											1	1	1	\$ 2,500	\$5,000
F	6/7/2002	569,885				0		4,640	2,016	2,624	1	\$2,500						1	1	1	\$ 2,500	\$5,000
S	6/8/2002	427,278				0												1	1	1	\$ 2,500	\$2,500
S	6/9/2002	427,278	459,534	0		0												1	1	1	\$ 2,500	\$2,500
M	6/10/2002	427,278				0												1	1	1	\$ 2,500	\$2,500
T	6/11/2002	730,465				0												1	1	1	\$ 2,500	\$2,500
W	6/12/2002	947,276				0												1	1	1	\$ 2,500	\$2,500
T	6/13/2002	856,710				0												1	1	1	\$ 2,500	\$2,500
F	6/14/2002	621,013				0		4,516	1,672	2,844	1	\$2,500						1	1	1	\$ 2,500	\$5,000
S	6/15/2002	384,381				0												1	1	1	\$ 2,500	\$2,500
S	6/16/2002	218,707	597,976	0		0												1	1	1	\$ 2,500	\$2,500
M	6/17/2002	596,697				0												1	1	1	\$ 2,500	\$2,500
T	6/18/2002	447,450				0												1	1	1	\$ 2,500	\$2,500
W	6/19/2002	649,174				0												1	1	1	\$ 2,500	\$2,500
T	6/20/2002	725,925				0												1	1	1	\$ 2,500	\$2,500
F	6/21/2002	321,850				0		3,620	1,592	2,028	0							1	1	1	\$ 2,500	\$2,500
S	6/22/2002	321,850				0												1	1	1	\$ 2,500	\$2,500
S	6/23/2002	321,850	483,542	0		0												1	1	1	\$ 2,500	\$2,500
M	6/24/2002	499,646				0												1	1	1	\$ 2,500	\$2,500

Confirmed discharge of wastewater to areas without actively growing crops.

Offensive onsite odors confirmed by staff and documented in inspection report transmitted with 5/20/02 NOV. Recommend no penalty as inspection report did not state odors persisted beyond property boundary.

TSO discharge flow limits increase to 820,000 gpd 7-day average and 950,000 gpd daily maximum.

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty Total	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty		
T	6/25/2002	522,043				0												1		1	\$ 2,500	\$2,500
W	6/26/2002	602,208				0												1		1	\$ 2,500	\$2,500
T	6/27/2002	703,947				0												1		1	\$ 2,500	\$2,500
F	6/28/2002	408,571				0												1		1	\$ 2,500	\$2,500
S	6/29/2002	408,574				0												1		1	\$ 2,500	\$2,500
S	6/30/2002	408,574	507,652	0		0												1		1	\$ 2,500	\$2,500
M	7/1/2002	301,431				0												1		1	\$ 2,500	\$2,500
T	7/2/2002	692,584				0												1		1	\$ 2,500	\$2,500
W	7/3/2002	577,651				0												1		1	\$ 2,500	\$2,500
T	7/4/2002	277,719				0												1		1	\$ 2,500	\$2,500
F	7/5/2002	333,414				0												1		1	\$ 2,500	\$2,500
S	7/6/2002	423,445				0												1		1	\$ 2,500	\$2,500
S	7/7/2002	674,137	468,626	0		0												1		1	\$ 2,500	\$2,500
M	7/8/2002	882,993				0												1		1	\$ 2,500	\$2,500
T	7/9/2002	864,117				0		2,896	1,008	1,888	0							1		1	\$ 2,500	\$2,500
W	7/10/2002	925,453				0												1		1	\$ 2,500	\$2,500
T	7/11/2002	999,447				1	\$2,500											1		1	\$ 2,500	\$5,000
F	7/12/2002	672,769				0		4,572	2,188	2,384	0							1		1	\$ 2,500	\$2,500
S	7/13/2002	672,769				0												1		1	\$ 2,500	\$2,500
S	7/14/2002	672,769	812,902	0		0												1		1	\$ 2,500	\$2,500
M	7/15/2002	1,120,827				1	\$2,500											1		1	\$ 2,500	\$5,000
T	7/16/2002	930,297				0												1		1	\$ 2,500	\$2,500
W	7/17/2002	893,105				0												1		1	\$ 2,500	\$2,500
T	7/18/2002	829,169				0												1		1	\$ 2,500	\$2,500
F	7/19/2002	612,108				0		4,876	1,996	2,880	1	\$2,500						1		1	\$ 2,500	\$5,000
S	7/20/2002	612,108				0												1		1	\$ 2,500	\$2,500
S	7/21/2002	612,108	801,389	0		0												1		1	\$ 2,500	\$2,500
M	7/22/2002	526,870				0												1		1	\$ 2,500	\$2,500
T	7/23/2002	812,257				0												1		1	\$ 2,500	\$2,500
W	7/24/2002	797,612				0												1		1	\$ 2,500	\$2,500
T	7/25/2002	773,642				0												1		1	\$ 2,500	\$2,500
F	7/26/2002	767,197				0		3,860	1,760	2,100	0							1		1	\$ 2,500	\$2,500
S	7/27/2002	767,197				0												1		1	\$ 2,500	\$2,500
S	7/28/2002	767,197	744,567	0		0												1		1	\$ 2,500	\$2,500
M	7/29/2002	572,599				0												1		1	\$ 2,500	\$2,500
T	7/30/2002	775,748				0												1		1	\$ 2,500	\$2,500
W	7/31/2002	784,265				0												1		1	\$ 2,500	\$2,500
T	8/1/2002	799,139				0												1		1	\$ 2,500	\$2,500
F	8/2/2002	590,002				0												1		1	\$ 2,500	\$2,500
S	8/3/2002	590,002				0												1		1	\$ 2,500	\$2,500
S	8/4/2002	590,002	671,680	0		0												1		1	\$ 2,500	\$2,500
M	8/5/2002	914,710				0												1		1	\$ 2,500	\$2,500
T	8/6/2002	811,189				0		2,780	632	2,148	0							1		1	\$ 2,500	\$2,500
W	8/7/2002	885,139				0												1		1	\$ 2,500	\$2,500
T	8/8/2002	818,830				0												1		1	\$ 2,500	\$2,500
F	8/9/2002	645,505				0		2,720	1,496	1,224	0							1		1	\$ 2,500	\$2,500
S	8/10/2002	645,505				0												1		1	\$ 2,500	\$2,500
S	8/11/2002	645,505	766,626	0		0												1		1	\$ 2,500	\$2,500

ATTACHMENT A

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 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations				Cropping		Odors		Reporting Violations			Daily Penalty Total		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval		# Viol	Penalty
M	8/12/2002	702,125				0											1		1	\$ 2,500	\$2,500
T	8/13/2002	908,182				0											1		1	\$ 2,500	\$2,500
W	8/14/2002	819,429				0											1		1	\$ 2,500	\$2,500
T	8/15/2002	793,448				0											1		1	\$ 2,500	\$2,500
F	8/16/2002	631,762				0		3,170	1,510	1,660	0						1		1	\$ 2,500	\$2,500
S	8/17/2002	366,069				0											1		1	\$ 2,500	\$2,500
S	8/18/2002	797,422	716,920	0		0											1		1	\$ 2,500	\$2,500
M	8/19/2002	765,029				0											1		1	\$ 2,500	\$2,500
T	8/20/2002	801,859				0											1		1	\$ 2,500	\$2,500
W	8/21/2002	676,767				0											1		1	\$ 2,500	\$2,500
T	8/22/2002	779,157				0											1		1	\$ 2,500	\$2,500
F	8/23/2002	586,375				0		3,388	1,240	2,148	0						1		1	\$ 2,500	\$2,500
S	8/24/2002	390,331				0											1		1	\$ 2,500	\$2,500
S	8/25/2002	656,371	665,127	0		0											1		1	\$ 2,500	\$2,500
M	8/26/2002	751,701				0											1		1	\$ 2,500	\$2,500
T	8/27/2002	700,628				0											1		1	\$ 2,500	\$2,500
W	8/28/2002	805,912				0											1		1	\$ 2,500	\$2,500
T	8/29/2002	719,380				0											1		1	\$ 2,500	\$2,500
F	8/30/2002	640,073				0											1		1	\$ 2,500	\$2,500
S	8/31/2002	372,173	663,748	0		0											1		1	\$ 2,500	\$2,500
S	9/1/2002	747,643				0											1		1	\$ 2,500	\$2,500
M	9/2/2002	722,057				0											1		1	\$ 2,500	\$2,500
T	9/3/2002	705,688				0											1		1	\$ 2,500	\$2,500
W	9/4/2002	763,156				0											1		1	\$ 2,500	\$2,500
T	9/5/2002	761,429				0											1		1	\$ 2,500	\$2,500
F	9/6/2002	545,538				0		4,160	660	3,500	1	\$2,500					1		1	\$ 2,500	\$5,000
S	9/7/2002																1		1	\$ 2,500	\$2,500
S	9/8/2002																1		1	\$ 2,500	\$2,500
M	9/9/2002																1		1	\$ 2,500	\$2,500
T	9/10/2002																1		1	\$ 2,500	\$2,500
W	9/11/2002																1		1	\$ 2,500	\$7,500
T	9/12/2002																1		1	\$ 2,500	\$2,500
F	9/13/2002																1		1	\$ 2,500	\$2,500
S	9/14/2002																1		1	\$ 2,500	\$2,500
S	9/15/2002																1		1	\$ 2,500	\$2,500
M	9/16/2002																1		1	\$ 2,500	\$2,500
T	9/17/2002																1		1	\$ 2,500	\$2,500
W	9/18/2002																1		1	\$ 2,500	\$7,500
T	9/19/2002																1		1	\$ 2,500	\$2,500
F	9/20/2002																1		1	\$ 2,500	\$2,500
S	9/21/2002																1		1	\$ 2,500	\$2,500
S	9/22/2002																1		1	\$ 2,500	\$2,500
M	9/23/2002																1		1	\$ 2,500	\$2,500
T	9/24/2002																1		1	\$ 2,500	\$2,500
W	9/25/2002																1		1	\$ 2,500	\$2,500
T	9/26/2002																1		1	\$ 2,500	\$2,500
F	9/27/2002																1		1	\$ 2,500	\$2,500
S	9/28/2002																1		1	\$ 2,500	\$2,500

Revised WDRs adopted. TSO flow & DIS limit compliance no longer in effect after 9/6/02.

Confirmed offsite odors

Confirmed offsite odors

Confirmed offsite odors NOV issued

Discharger letter denies allegations of nuisance odor conditions; indicates intent to retain disinterested third party to ensure an impartial monitoring of odors; requests staff meet on site with consultant's odor control experts.

ATTACHMENT A

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty Total	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol		Penalty
S	9/29/2002																1		1	\$ 2,500	\$2,500
M	9/30/2002																1		1	\$ 2,500	\$2,500
T	10/1/2002																1		1	\$ 2,500	\$2,500
W	10/2/2002																1		1	\$ 2,500	\$2,500
T	10/3/2002																1		1	\$ 2,500	\$2,500
F	10/4/2002																1		1	\$ 2,500	\$2,500
S	10/5/2002																1		1	\$ 2,500	\$2,500
S	10/6/2002																1		1	\$ 2,500	\$2,500
M	10/7/2002																1		1	\$ 2,500	\$2,500
T	10/8/2002																1		1	\$ 2,500	\$2,500
W	10/9/2002												1	\$2,500		1	\$5,000	1	\$ 2,500	\$10,000	
T	10/10/2002																1		1	\$ 2,500	\$2,500
F	10/11/2002																1		1	\$ 2,500	\$2,500
S	10/12/2002																1		1	\$ 2,500	\$2,500
S	10/13/2002																1		1	\$ 2,500	\$2,500
M	10/14/2002																1		1	\$ 2,500	\$2,500
T	10/15/2002																1		1	\$ 2,500	\$2,500
W	10/16/2002																1		1	\$ 2,500	\$2,500
T	10/17/2002																1		1	\$ 2,500	\$2,500
F	10/18/2002																1		1	\$ 2,500	\$2,500
S	10/19/2002																1		1	\$ 2,500	\$2,500
S	10/20/2002																1		1	\$ 2,500	\$2,500
M	10/21/2002																1		1	\$ 2,500	\$2,500
T	10/22/2002																1		1	\$ 2,500	\$2,500
W	10/23/2002																1		1	\$ 2,500	\$2,500
T	10/24/2002																1		1	\$ 2,500	\$2,500
F	10/25/2002																1		1	\$ 2,500	\$2,500
S	10/26/2002																1		1	\$ 2,500	\$2,500
S	10/27/2002																1		1	\$ 2,500	\$2,500
M	10/28/2002																1		1	\$ 2,500	\$2,500
T	10/29/2002																1		1	\$ 2,500	\$2,500
W	10/30/2002																1		1	\$ 2,500	\$2,500
T	10/31/2002																1		1	\$ 2,500	\$2,500
F	11/1/2002																1		1	\$ 2,500	\$2,500
S	11/2/2002																1		1	\$ 2,500	\$2,500
S	11/3/2002																1		1	\$ 2,500	\$2,500
M	11/4/2002																1		1	\$ 2,500	\$2,500
T	11/5/2002																1		1	\$ 2,500	\$2,500
W	11/6/2002																1		1	\$ 2,500	\$2,500
T	11/7/2002																1		1	\$ 2,500	\$2,500
F	11/8/2002																1		1	\$ 2,500	\$2,500
S	11/9/2002																1		1	\$ 2,500	\$2,500
S	11/10/2002																1		1	\$ 2,500	\$2,500
M	11/11/2002																1		1	\$ 2,500	\$2,500
T	11/12/2002																1		1	\$ 2,500	\$2,500
W	11/13/2002																1		1	\$ 2,500	\$2,500
T	11/14/2002																1		1	\$ 2,500	\$2,500
F	11/15/2002																1		1	\$ 2,500	\$2,500

Confirmed discharge of wastewater to areas without actively growing crops

Confirmed offsite odors

NOV issued for offsite odors

Discharger letter denies allegations of ongoing nuisance odors; repeats intent to retain disinterested third party to ensure an impartial monitoring of odors.

Receive September SMR, which states, "Since we have been receiving odor complaints, we decided in September that we would only irrigate with water from the reservoir, since BOD is much lower there, and the resulting loading on the fields will be much lower. This was done specifically to attack the alleged odor issues."

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	11/16/2002																	1		1	\$ 2,500	\$2,500
S	11/17/2002																	1		1	\$ 2,500	\$2,500
M	11/18/2002																	1		1	\$ 2,500	\$2,500
T	11/19/2002																	1		1	\$ 2,500	\$2,500
W	11/20/2002																	1		1	\$ 2,500	\$2,500
T	11/21/2002																	1		1	\$ 2,500	\$2,500
F	11/22/2002																	1		1	\$ 2,500	\$2,500
S	11/23/2002																	1		1	\$ 2,500	\$2,500
S	11/24/2002																	1		1	\$ 2,500	\$2,500
M	11/25/2002																	1		1	\$ 2,500	\$2,500
T	11/26/2002																	1		1	\$ 2,500	\$2,500
W	11/27/2002																	1		1	\$ 2,500	\$2,500
T	11/28/2002																	1		1	\$ 2,500	\$2,500
F	11/29/2002																	1		1	\$ 2,500	\$2,500
S	11/30/2002																	1		1	\$ 2,500	\$2,500
S	12/1/2002																	1		1	\$ 2,500	\$2,500
M	12/2/2002																	1		1	\$ 2,500	\$2,500
T	12/3/2002																	1		1	\$ 2,500	\$2,500
W	12/4/2002																	1		1	\$ 2,500	\$2,500
T	12/5/2002																	1		1	\$ 2,500	\$2,500
F	12/6/2002																	1		1	\$ 2,500	\$2,500
S	12/7/2002																	1		1	\$ 2,500	\$2,500
S	12/8/2002																	1		1	\$ 2,500	\$2,500
M	12/9/2002																	1		1	\$ 2,500	\$2,500
T	12/10/2002																	1		1	\$ 2,500	\$2,500
W	12/11/2002																	1		1	\$ 2,500	\$2,500
T	12/12/2002																	1		1	\$ 2,500	\$2,500
F	12/13/2002																	1		1	\$ 2,500	\$2,500
S	12/14/2002																	1		1	\$ 2,500	\$2,500
S	12/15/2002																	1		1	\$ 2,500	\$2,500
M	12/16/2002																	1		1	\$ 2,500	\$2,500
T	12/17/2002																	1		1	\$ 2,500	\$2,500
W	12/18/2002																	1		1	\$ 2,500	\$2,500
T	12/19/2002																	1		1	\$ 2,500	\$2,500
F	12/20/2002																	1		1	\$ 2,500	\$2,500
S	12/21/2002																	1		1	\$ 2,500	\$2,500
S	12/22/2002																	1		1	\$ 2,500	\$2,500
M	12/23/2002																	1		1	\$ 2,500	\$2,500
T	12/24/2002																	1		1	\$ 2,500	\$2,500
W	12/25/2002																	1		1	\$ 2,500	\$2,500
T	12/26/2002																	1		1	\$ 2,500	\$2,500
F	12/27/2002																	1		1	\$ 2,500	\$2,500
S	12/28/2002																	1		1	\$ 2,500	\$2,500
S	12/29/2002																	1		1	\$ 2,500	\$2,500
M	12/30/2002																	1		1	\$ 2,500	\$2,500
T	12/31/2002																	1		1	\$ 2,500	\$2,500
W	1/1/2003																	1		1	\$ 2,500	\$2,500
T	1/2/2003																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
F	1/3/2003																	1		1	\$ 2,500	\$2,500
S	1/4/2003																	1		1	\$ 2,500	\$2,500
S	1/5/2003																	1		1	\$ 2,500	\$2,500
M	1/6/2003																	1		1	\$ 2,500	\$2,500
T	1/7/2003																	1		1	\$ 2,500	\$2,500
W	1/8/2003																	1		1	\$ 2,500	\$2,500
T	1/9/2003																	1		1	\$ 2,500	\$2,500
F	1/10/2003																	1		1	\$ 2,500	\$2,500
S	1/11/2003																	1		1	\$ 2,500	\$2,500
S	1/12/2003																	1		1	\$ 2,500	\$2,500
M	1/13/2003																	1		1	\$ 2,500	\$2,500
T	1/14/2003																	1		1	\$ 2,500	\$2,500
W	1/15/2003																	1		1	\$ 2,500	\$2,500
T	1/16/2003																	1		1	\$ 2,500	\$2,500
F	1/17/2003																	1		1	\$ 2,500	\$2,500
S	1/18/2003																	1		1	\$ 2,500	\$2,500
S	1/19/2003																	1		1	\$ 2,500	\$2,500
M	1/20/2003																	1		1	\$ 2,500	\$2,500
T	1/21/2003																	1		1	\$ 2,500	\$2,500
W	1/22/2003																	1		1	\$ 2,500	\$2,500
T	1/23/2003																	1		1	\$ 2,500	\$2,500
F	1/24/2003																	1		1	\$ 2,500	\$2,500
S	1/25/2003																	1		1	\$ 2,500	\$2,500
S	1/26/2003																	1		1	\$ 2,500	\$2,500
M	1/27/2003																	1		1	\$ 2,500	\$2,500
T	1/28/2003																	1		1	\$ 2,500	\$2,500
W	1/29/2003																	1		1	\$ 2,500	\$2,500
T	1/30/2003																	1		1	\$ 2,500	\$2,500
F	1/31/2003																	1		1	\$ 2,500	\$2,500
S	2/1/2003																	1		1	\$ 2,500	\$2,500
S	2/2/2003																	1		1	\$ 2,500	\$2,500
M	2/3/2003																	1		1	\$ 2,500	\$2,500
T	2/4/2003																	1		1	\$ 2,500	\$2,500
W	2/5/2003																	1		1	\$ 2,500	\$2,500
T	2/6/2003																	1		1	\$ 2,500	\$2,500
F	2/7/2003																	1		1	\$ 2,500	\$2,500
S	2/8/2003																	1		1	\$ 2,500	\$2,500
S	2/9/2003																	1		1	\$ 2,500	\$2,500
M	2/10/2003																	1		1	\$ 2,500	\$2,500
T	2/11/2003																	1		1	\$ 2,500	\$2,500
W	2/12/2003																	1		1	\$ 2,500	\$2,500
T	2/13/2003																	1		1	\$ 2,500	\$2,500
F	2/14/2003																	1		1	\$ 2,500	\$2,500
S	2/15/2003																	1		1	\$ 2,500	\$2,500
S	2/16/2003																	1		1	\$ 2,500	\$2,500
M	2/17/2003																	1		1	\$ 2,500	\$2,500
T	2/18/2003																	1		1	\$ 2,500	\$2,500
W	2/19/2003																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	2/20/2003																	1		1	\$ 2,500	\$2,500
F	2/21/2003																	1		1	\$ 2,500	\$2,500
S	2/22/2003																	1		1	\$ 2,500	\$2,500
S	2/23/2003																	1		1	\$ 2,500	\$2,500
M	2/24/2003																	1		1	\$ 2,500	\$2,500
T	2/25/2003																	1		1	\$ 2,500	\$2,500
W	2/26/2003																	1		1	\$ 2,500	\$2,500
T	2/27/2003																	1		1	\$ 2,500	\$2,500
F	2/28/2003																	1		1	\$ 2,500	\$2,500
S	3/1/2003																	1		1	\$ 2,500	\$2,500
S	3/2/2003																	1		1	\$ 2,500	\$2,500
M	3/3/2003																	1		1	\$ 2,500	\$2,500
T	3/4/2003																	1		1	\$ 2,500	\$2,500
W	3/5/2003																	1		1	\$ 2,500	\$2,500
T	3/6/2003																	1		1	\$ 2,500	\$2,500
F	3/7/2003																	1		1	\$ 2,500	\$2,500
S	3/8/2003																	1		1	\$ 2,500	\$2,500
S	3/9/2003																	1		1	\$ 2,500	\$2,500
M	3/10/2003																	1		1	\$ 2,500	\$2,500
T	3/11/2003																	1		1	\$ 2,500	\$2,500
W	3/12/2003																	1		1	\$ 2,500	\$2,500
T	3/13/2003																	1		1	\$ 2,500	\$2,500
F	3/14/2003																	1		1	\$ 2,500	\$2,500
S	3/15/2003																	1		1	\$ 2,500	\$2,500
S	3/16/2003																	1		1	\$ 2,500	\$2,500
M	3/17/2003																	1		1	\$ 2,500	\$2,500
T	3/18/2003																	1		1	\$ 2,500	\$2,500
W	3/19/2003																	1		1	\$ 2,500	\$2,500
T	3/20/2003																	1		1	\$ 2,500	\$2,500
F	3/21/2003																	1		1	\$ 2,500	\$2,500
S	3/22/2003																	1		1	\$ 2,500	\$2,500
S	3/23/2003																	1		1	\$ 2,500	\$2,500
M	3/24/2003																	1		1	\$ 2,500	\$2,500
T	3/25/2003																	1		1	\$ 2,500	\$2,500
W	3/26/2003																	1		1	\$ 2,500	\$2,500
T	3/27/2003																	1		1	\$ 2,500	\$2,500
F	3/28/2003																	1		1	\$ 2,500	\$2,500
S	3/29/2003																	1		1	\$ 2,500	\$2,500
S	3/30/2003																	1		1	\$ 2,500	\$2,500
M	3/31/2003																	1		1	\$ 2,500	\$2,500
T	4/1/2003																	1		1	\$ 2,500	\$2,500
W	4/2/2003																	1		1	\$ 2,500	\$2,500
T	4/3/2003																	1		1	\$ 2,500	\$2,500
F	4/4/2003																	1		1	\$ 2,500	\$2,500
S	4/5/2003																	1		1	\$ 2,500	\$2,500
S	4/6/2003																	1		1	\$ 2,500	\$2,500
M	4/7/2003																	1		1	\$ 2,500	\$2,500
T	4/8/2003																	1		1	\$ 2,500	\$2,500

Inspection report notes poor crop condition.

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
W	4/9/2003																	1		1	\$ 2,500	\$2,500
T	4/10/2003																	1		1	\$ 2,500	\$2,500
F	4/11/2003																	1		1	\$ 2,500	\$2,500
S	4/12/2003																	1		1	\$ 2,500	\$2,500
S	4/13/2003																	1		1	\$ 2,500	\$2,500
M	4/14/2003																	1		1	\$ 2,500	\$2,500
T	4/15/2003																	1		1	\$ 2,500	\$2,500
W	4/16/2003																	1		1	\$ 2,500	\$2,500
T	4/17/2003																	1		1	\$ 2,500	\$2,500
F	4/18/2003																	1		1	\$ 2,500	\$2,500
S	4/19/2003																	1		1	\$ 2,500	\$2,500
S	4/20/2003																	1		1	\$ 2,500	\$2,500
M	4/21/2003																	1		1	\$ 2,500	\$2,500
T	4/22/2003																	1		1	\$ 2,500	\$2,500
W	4/23/2003																	1		1	\$ 2,500	\$2,500
T	4/24/2003																	1		1	\$ 2,500	\$2,500
F	4/25/2003																	1		1	\$ 2,500	\$2,500
S	4/26/2003																	1		1	\$ 2,500	\$2,500
S	4/27/2003																	1		1	\$ 2,500	\$2,500
M	4/28/2003																	1		1	\$ 2,500	\$2,500
T	4/29/2003																	1		1	\$ 2,500	\$2,500
W	4/30/2003																	1		1	\$ 2,500	\$2,500
T	5/1/2003																	1		1	\$ 2,500	\$2,500
F	5/2/2003																	1		1	\$ 2,500	\$2,500
S	5/3/2003																	1		1	\$ 2,500	\$2,500
S	5/4/2003																	1		1	\$ 2,500	\$2,500
M	5/5/2003																	1		1	\$ 2,500	\$2,500
T	5/6/2003																	1		1	\$ 2,500	\$2,500
W	5/7/2003																	1		1	\$ 2,500	\$2,500
T	5/8/2003																	1		1	\$ 2,500	\$2,500
F	5/9/2003																	1		1	\$ 2,500	\$2,500
S	5/10/2003																	1		1	\$ 2,500	\$2,500
S	5/11/2003																	1		1	\$ 2,500	\$2,500
M	5/12/2003																	1		1	\$ 2,500	\$2,500
T	5/13/2003																	1		1	\$ 2,500	\$2,500
W	5/14/2003																	1		1	\$ 2,500	\$2,500
T	5/15/2003																	1		1	\$ 2,500	\$2,500
F	5/16/2003																	1		1	\$ 2,500	\$2,500
S	5/17/2003																	1		1	\$ 2,500	\$2,500
S	5/18/2003																	1		1	\$ 2,500	\$2,500
M	5/19/2003																	1		1	\$ 2,500	\$2,500
T	5/20/2003																	1		1	\$ 2,500	\$2,500
W	5/21/2003																	1		1	\$ 2,500	\$2,500
T	5/22/2003																	1		1	\$ 2,500	\$2,500
F	5/23/2003																	1		1	\$ 2,500	\$2,500
S	5/24/2003																	1		1	\$ 2,500	\$2,500
S	5/25/2003																	1		1	\$ 2,500	\$2,500
M	5/26/2003																Confirmed	1		1	\$ 2,500	\$2,500

ATTACHMENT A

REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	
T	5/27/2003																1		1	\$ 2,500	\$2,500
W	5/28/2003															offsite odors	1		1	\$ 2,500	\$2,500
T	5/29/2003																1		1	\$ 2,500	\$2,500
F	5/30/2003														1	\$5,000	1		1	\$ 2,500	\$7,500
S	5/31/2003																1		1	\$ 2,500	\$2,500
S	6/1/2003																1		1	\$ 2,500	\$2,500
M	6/2/2003																1		1	\$ 2,500	\$2,500
T	6/3/2003																1		1	\$ 2,500	\$2,500
W	6/4/2003																1		1	\$ 2,500	\$2,500
T	6/5/2003																1		1	\$ 2,500	\$2,500
F	6/6/2003																1		1	\$ 2,500	\$2,500
S	6/7/2003																1		1	\$ 2,500	\$2,500
S	6/8/2003																1		1	\$ 2,500	\$2,500
M	6/9/2003																1		1	\$ 2,500	\$2,500
T	6/10/2003																1		1	\$ 2,500	\$2,500
W	6/11/2003																1		1	\$ 2,500	\$2,500
T	6/12/2003																1		1	\$ 2,500	\$2,500
F	6/13/2003																1		1	\$ 2,500	\$2,500
S	6/14/2003																1		1	\$ 2,500	\$2,500
S	6/15/2003																1		1	\$ 2,500	\$2,500
M	6/16/2003																1		1	\$ 2,500	\$2,500
T	6/17/2003																1		1	\$ 2,500	\$2,500
W	6/18/2003																1		1	\$ 2,500	\$2,500
T	6/19/2003																1		1	\$ 2,500	\$2,500
F	6/20/2003																1		1	\$ 2,500	\$2,500
S	6/21/2003																1		1	\$ 2,500	\$2,500
S	6/22/2003																1		1	\$ 2,500	\$2,500
M	6/23/2003																1		1	\$ 2,500	\$2,500
T	6/24/2003																1		1	\$ 2,500	\$2,500
W	6/25/2003																1		1	\$ 2,500	\$2,500
T	6/26/2003																1		1	\$ 2,500	\$2,500
F	6/27/2003																1		1	\$ 2,500	\$2,500
S	6/28/2003																1		1	\$ 2,500	\$2,500
S	6/29/2003																1		1	\$ 2,500	\$2,500
M	6/30/2003																1		1	\$ 2,500	\$2,500
T	7/1/2003																1		1	\$ 2,500	\$2,500
W	7/2/2003																1		1	\$ 2,500	\$2,500
T	7/3/2003																1		1	\$ 2,500	\$2,500
F	7/4/2003																1		1	\$ 2,500	\$2,500
S	7/5/2003																1		1	\$ 2,500	\$2,500
S	7/6/2003																1		1	\$ 2,500	\$2,500
M	7/7/2003																1		1	\$ 2,500	\$2,500
T	7/8/2003																1		1	\$ 2,500	\$2,500
W	7/9/2003																1		1	\$ 2,500	\$2,500
T	7/10/2003																1		1	\$ 2,500	\$2,500
F	7/11/2003																1		1	\$ 2,500	\$2,500
S	7/12/2003																1		1	\$ 2,500	\$2,500
S	7/13/2003																1		1	\$ 2,500	\$2,500

Staff verbally notifies Discharger of confirmed offsite odors

Discharger letter acknowledges source of 'sharp, pungent odor' as stagnant wastewater in the irrigation distribution system. Attributes odor to acetic acid in olive storage solution.

Inspection report notes lack of crop growth.

Staff transmits odor log to Harpainter

NOV issued for offsite odors

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	7/14/2003																	1		1	\$ 2,500	\$2,500
T	7/15/2003																	1		1	\$ 2,500	\$2,500
W	7/16/2003																	1		1	\$ 2,500	\$2,500
T	7/17/2003																	1		1	\$ 2,500	\$2,500
F	7/18/2003																	1		1	\$ 2,500	\$2,500
S	7/19/2003																	1		1	\$ 2,500	\$2,500
S	7/20/2003																	1		1	\$ 2,500	\$2,500
M	7/21/2003																	1		1	\$ 2,500	\$2,500
T	7/22/2003																	1		1	\$ 2,500	\$2,500
W	7/23/2003																	1		1	\$ 2,500	\$2,500
T	7/24/2003																	1		1	\$ 2,500	\$2,500
F	7/25/2003																	1		1	\$ 2,500	\$2,500
S	7/26/2003																	1		1	\$ 2,500	\$2,500
S	7/27/2003																	1		1	\$ 2,500	\$2,500
M	7/28/2003																	1		1	\$ 2,500	\$2,500
T	7/29/2003																	1		1	\$ 2,500	\$2,500
W	7/30/2003																	1		1	\$ 2,500	\$2,500
T	7/31/2003																	1		1	\$ 2,500	\$2,500
F	8/1/2003																	1		1	\$ 2,500	\$2,500
S	8/2/2003																	1		1	\$ 2,500	\$2,500
S	8/3/2003																	1		1	\$ 2,500	\$2,500
M	8/4/2003																	1		1	\$ 2,500	\$2,500
T	8/5/2003																	1		1	\$ 2,500	\$2,500
W	8/6/2003																	1		1	\$ 2,500	\$2,500
T	8/7/2003																	1		1	\$ 2,500	\$2,500
F	8/8/2003																	1		1	\$ 2,500	\$2,500
S	8/9/2003																	1		1	\$ 2,500	\$2,500
S	8/10/2003																	1		1	\$ 2,500	\$2,500
M	8/11/2003																	1		1	\$ 2,500	\$2,500
T	8/12/2003																	1		1	\$ 2,500	\$2,500
W	8/13/2003																	1		1	\$ 2,500	\$2,500
T	8/14/2003																	1		1	\$ 2,500	\$2,500
F	8/15/2003																	1		1	\$ 2,500	\$2,500
S	8/16/2003																	1		1	\$ 2,500	\$2,500
S	8/17/2003																	1		1	\$ 2,500	\$2,500
M	8/18/2003																	1		1	\$ 2,500	\$2,500
T	8/19/2003																	1		1	\$ 2,500	\$2,500
W	8/20/2003																	1		1	\$ 2,500	\$2,500
T	8/21/2003																	1		1	\$ 2,500	\$2,500
F	8/22/2003																	1		1	\$ 2,500	\$2,500
S	8/23/2003																	1		1	\$ 2,500	\$2,500
S	8/24/2003																	1		1	\$ 2,500	\$2,500
M	8/25/2003																	1		1	\$ 2,500	\$2,500
T	8/26/2003																	1		1	\$ 2,500	\$2,500
W	8/27/2003																	1		1	\$ 2,500	\$2,500
T	8/28/2003																	1		1	\$ 2,500	\$2,500
F	8/29/2003																	1		1	\$ 2,500	\$2,500
S	8/30/2003																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	8/31/2003																	1		1	\$ 2,500	\$2,500
M	9/1/2003																	1		1	\$ 2,500	\$2,500
T	9/2/2003																	1		1	\$ 2,500	\$2,500
W	9/3/2003																	1		1	\$ 2,500	\$2,500
T	9/4/2003																	1		1	\$ 2,500	\$2,500
F	9/5/2003																	1		1	\$ 2,500	\$2,500
S	9/6/2003																	1		1	\$ 2,500	\$2,500
S	9/7/2003																	1		1	\$ 2,500	\$2,500
M	9/8/2003																	1		1	\$ 2,500	\$2,500
T	9/9/2003																	1		1	\$ 2,500	\$2,500
W	9/10/2003																	1		1	\$ 2,500	\$2,500
T	9/11/2003																	1		1	\$ 2,500	\$2,500
F	9/12/2003																	1		1	\$ 2,500	\$2,500
S	9/13/2003																	1		1	\$ 2,500	\$2,500
S	9/14/2003																	1		1	\$ 2,500	\$2,500
M	9/15/2003																	1		1	\$ 2,500	\$2,500
T	9/16/2003																	1		1	\$ 2,500	\$2,500
W	9/17/2003																	1		1	\$ 2,500	\$2,500
T	9/18/2003																	1		1	\$ 2,500	\$2,500
F	9/19/2003																	1		1	\$ 2,500	\$2,500
S	9/20/2003																	1		1	\$ 2,500	\$2,500
S	9/21/2003																	1		1	\$ 2,500	\$2,500
M	9/22/2003																	1		1	\$ 2,500	\$2,500
T	9/23/2003																	1		1	\$ 2,500	\$2,500
W	9/24/2003																	1		1	\$ 2,500	\$2,500
T	9/25/2003																	1		1	\$ 2,500	\$2,500
F	9/26/2003																	1		1	\$ 2,500	\$2,500
S	9/27/2003																	1		1	\$ 2,500	\$2,500
S	9/28/2003																	1		1	\$ 2,500	\$2,500
M	9/29/2003																	1		1	\$ 2,500	\$2,500
T	9/30/2003																	1		1	\$ 2,500	\$2,500
W	10/1/2003																	1		1	\$ 2,500	\$2,500
T	10/2/2003																	1		1	\$ 2,500	\$2,500
F	10/3/2003																	1		1	\$ 2,500	\$2,500
S	10/4/2003																	1		1	\$ 2,500	\$2,500
S	10/5/2003																	1		1	\$ 2,500	\$2,500
M	10/6/2003																	1		1	\$ 2,500	\$2,500
T	10/7/2003																	1		1	\$ 2,500	\$2,500
W	10/8/2003																	1		1	\$ 2,500	\$2,500
T	10/9/2003																	1		1	\$ 2,500	\$2,500
F	10/10/2003																	1		1	\$ 2,500	\$2,500
S	10/11/2003																	1		1	\$ 2,500	\$2,500
S	10/12/2003																	1		1	\$ 2,500	\$2,500
M	10/13/2003																	1		1	\$ 2,500	\$2,500
T	10/14/2003																	1		1	\$ 2,500	\$2,500
W	10/15/2003																	1		1	\$ 2,500	\$2,500
T	10/16/2003																	1		1	\$ 2,500	\$2,500
F	10/17/2003																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	10/18/2003																	1		1	\$ 2,500	\$2,500
S	10/19/2003																	1		1	\$ 2,500	\$2,500
M	10/20/2003																	1		1	\$ 2,500	\$2,500
T	10/21/2003																	1		1	\$ 2,500	\$2,500
W	10/22/2003																	1		1	\$ 2,500	\$2,500
T	10/23/2003																	1		1	\$ 2,500	\$2,500
F	10/24/2003																	1		1	\$ 2,500	\$2,500
S	10/25/2003																	1		1	\$ 2,500	\$2,500
S	10/26/2003																	1		1	\$ 2,500	\$2,500
M	10/27/2003																	1		1	\$ 2,500	\$2,500
T	10/28/2003																	1		1	\$ 2,500	\$2,500
W	10/29/2003																	1		1	\$ 2,500	\$2,500
T	10/30/2003																	1		1	\$ 2,500	\$2,500
F	10/31/2003																	1		1	\$ 2,500	\$2,500
S	11/1/2003																	1		1	\$ 2,500	\$2,500
S	11/2/2003																	1		1	\$ 2,500	\$2,500
M	11/3/2003																	1		1	\$ 2,500	\$2,500
T	11/4/2003																	1		1	\$ 2,500	\$2,500
W	11/5/2003																	1		1	\$ 2,500	\$2,500
T	11/6/2003																	1		1	\$ 2,500	\$2,500
F	11/7/2003																	1		1	\$ 2,500	\$2,500
S	11/8/2003																	1		1	\$ 2,500	\$2,500
S	11/9/2003																	1		1	\$ 2,500	\$2,500
M	11/10/2003																	1		1	\$ 2,500	\$2,500
T	11/11/2003																	1		1	\$ 2,500	\$2,500
W	11/12/2003																	1		1	\$ 2,500	\$2,500
T	11/13/2003																	1		1	\$ 2,500	\$2,500
F	11/14/2003																	1		1	\$ 2,500	\$2,500
S	11/15/2003																	1		1	\$ 2,500	\$2,500
S	11/16/2003																	1		1	\$ 2,500	\$2,500
M	11/17/2003																	1		1	\$ 2,500	\$2,500
T	11/18/2003																	1		1	\$ 2,500	\$2,500
W	11/19/2003																	1		1	\$ 2,500	\$2,500
T	11/20/2003																	1		1	\$ 2,500	\$2,500
F	11/21/2003																	1		1	\$ 2,500	\$2,500
S	11/22/2003																	1		1	\$ 2,500	\$2,500
S	11/23/2003																	1		1	\$ 2,500	\$2,500
M	11/24/2003																	1		1	\$ 2,500	\$2,500
T	11/25/2003																	1		1	\$ 2,500	\$2,500
W	11/26/2003																	1		1	\$ 2,500	\$2,500
T	11/27/2003																	1		1	\$ 2,500	\$2,500
F	11/28/2003																	1		1	\$ 2,500	\$2,500
S	11/29/2003																	1		1	\$ 2,500	\$2,500
S	11/30/2003																	1		1	\$ 2,500	\$2,500
M	12/1/2003																	1		1	\$ 2,500	\$2,500
T	12/2/2003																	1		1	\$ 2,500	\$2,500
W	12/3/2003																	1		1	\$ 2,500	\$2,500
T	12/4/2003																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
F	12/5/2003																	1		1	\$ 2,500	\$2,500
S	12/6/2003																	1		1	\$ 2,500	\$2,500
S	12/7/2003																	1		1	\$ 2,500	\$2,500
M	12/8/2003																	1		1	\$ 2,500	\$2,500
T	12/9/2003																	1		1	\$ 2,500	\$2,500
W	12/10/2003																	1		1	\$ 2,500	\$2,500
T	12/11/2003																	1		1	\$ 2,500	\$2,500
F	12/12/2003																	1		1	\$ 2,500	\$2,500
S	12/13/2003																	1		1	\$ 2,500	\$2,500
S	12/14/2003																	1		1	\$ 2,500	\$2,500
M	12/15/2003																	1		1	\$ 2,500	\$2,500
T	12/16/2003																	1		1	\$ 2,500	\$2,500
W	12/17/2003																	1		1	\$ 2,500	\$2,500
T	12/18/2003																	1		1	\$ 2,500	\$2,500
F	12/19/2003																	1		1	\$ 2,500	\$2,500
S	12/20/2003																	1		1	\$ 2,500	\$2,500
S	12/21/2003																	1		1	\$ 2,500	\$2,500
M	12/22/2003																	1		1	\$ 2,500	\$2,500
T	12/23/2003																	1		1	\$ 2,500	\$2,500
W	12/24/2003																	1		1	\$ 2,500	\$2,500
T	12/25/2003																	1		1	\$ 2,500	\$2,500
F	12/26/2003																	1		1	\$ 2,500	\$2,500
S	12/27/2003																	1		1	\$ 2,500	\$2,500
S	12/28/2003																	1		1	\$ 2,500	\$2,500
M	12/29/2003																	1		1	\$ 2,500	\$2,500
T	12/30/2003																	1		1	\$ 2,500	\$2,500
W	12/31/2003																	1		1	\$ 2,500	\$2,500
T	1/1/2004																	1		1	\$ 2,500	\$2,500
F	1/2/2004																	1		1	\$ 2,500	\$2,500
S	1/3/2004																	1		1	\$ 2,500	\$2,500
S	1/4/2004																	1		1	\$ 2,500	\$2,500
M	1/5/2004																	1		1	\$ 2,500	\$2,500
T	1/6/2004																	1		1	\$ 2,500	\$2,500
W	1/7/2004																	1		1	\$ 2,500	\$2,500
T	1/8/2004																	1		1	\$ 2,500	\$2,500
F	1/9/2004																	1		1	\$ 2,500	\$2,500
S	1/10/2004																	1		1	\$ 2,500	\$2,500
S	1/11/2004																	1		1	\$ 2,500	\$2,500
M	1/12/2004																	1		1	\$ 2,500	\$2,500
T	1/13/2004																	1		1	\$ 2,500	\$2,500
W	1/14/2004																	1		1	\$ 2,500	\$2,500
T	1/15/2004																	1		1	\$ 2,500	\$2,500
F	1/16/2004																	1		1	\$ 2,500	\$2,500
S	1/17/2004																	1		1	\$ 2,500	\$2,500
S	1/18/2004																	1		1	\$ 2,500	\$2,500
M	1/19/2004																	1		1	\$ 2,500	\$2,500
T	1/20/2004																	1		1	\$ 2,500	\$2,500
W	1/21/2004																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty Total	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty		
T	1/22/2004																	1		1	\$ 2,500	\$2,500
F	1/23/2004																	1		1	\$ 2,500	\$2,500
S	1/24/2004																	1		1	\$ 2,500	\$2,500
S	1/25/2004																	1		1	\$ 2,500	\$2,500
M	1/26/2004																	1		1	\$ 2,500	\$2,500
T	1/27/2004																	1		1	\$ 2,500	\$2,500
W	1/28/2004																	1		1	\$ 2,500	\$2,500
T	1/29/2004																	1		1	\$ 2,500	\$2,500
F	1/30/2004																	1		1	\$ 2,500	\$2,500
S	1/31/2004																	1		1	\$ 2,500	\$2,500
S	2/1/2004																	1		1	\$ 2,500	\$2,500
M	2/2/2004																	1		1	\$ 2,500	\$2,500
T	2/3/2004																	1		1	\$ 2,500	\$2,500
W	2/4/2004																	1		1	\$ 2,500	\$2,500
T	2/5/2004																	1		1	\$ 2,500	\$2,500
F	2/6/2004																	1		1	\$ 2,500	\$2,500
S	2/7/2004																	1		1	\$ 2,500	\$2,500
S	2/8/2004																	1		1	\$ 2,500	\$2,500
M	2/9/2004																	1		1	\$ 2,500	\$2,500
T	2/10/2004																	1		1	\$ 2,500	\$2,500
W	2/11/2004																	1		1	\$ 2,500	\$2,500
T	2/12/2004																	1		1	\$ 2,500	\$2,500
F	2/13/2004																	1		1	\$ 2,500	\$2,500
S	2/14/2004																	1		1	\$ 2,500	\$2,500
S	2/15/2004																	1		1	\$ 2,500	\$2,500
M	2/16/2004																	1		1	\$ 2,500	\$2,500
T	2/17/2004																	1		1	\$ 2,500	\$2,500
W	2/18/2004																	1		1	\$ 2,500	\$2,500
T	2/19/2004																	1		1	\$ 2,500	\$2,500
F	2/20/2004																	1		1	\$ 2,500	\$2,500
S	2/21/2004																	1		1	\$ 2,500	\$2,500
S	2/22/2004																	1		1	\$ 2,500	\$2,500
M	2/23/2004																	1		1	\$ 2,500	\$2,500
T	2/24/2004																	1		1	\$ 2,500	\$2,500
W	2/25/2004																	1		1	\$ 2,500	\$2,500
T	2/26/2004																	1		1	\$ 2,500	\$2,500
F	2/27/2004																	1		1	\$ 2,500	\$2,500
S	2/28/2004																	1		1	\$ 2,500	\$2,500
S	2/29/2004																	1		1	\$ 2,500	\$2,500
M	3/1/2004																	1		1	\$ 2,500	\$2,500
T	3/2/2004																	1		1	\$ 2,500	\$2,500
W	3/3/2004																	1		1	\$ 2,500	\$2,500
T	3/4/2004																	1		1	\$ 2,500	\$2,500
F	3/5/2004																	1		1	\$ 2,500	\$2,500
S	3/6/2004																	1		1	\$ 2,500	\$2,500
S	3/7/2004																	1		1	\$ 2,500	\$2,500
M	3/8/2004																	1		1	\$ 2,500	\$2,500
T	3/9/2004																	1		1	\$ 2,500	\$2,500

Receive December 2003 SMR, which states, "The only area of the monitoring and reporting program that Musco is finding to be a challenge to comply with is the required daily monitoring of [several constituents]. Workday monitoring for these constituents is not a problem. The challenge is monitoring for these on the weekends. Musco does not have the staff that is required to complete this weekend monitoring and we do not anticipate that our situation will change. This will continue to be an area that will challenge Musco."

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty Total	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty		
W	3/10/2004																	1		1	\$ 2,500	\$2,500
T	3/11/2004																	1		1	\$ 2,500	\$2,500
F	3/12/2004																	1		1	\$ 2,500	\$2,500
S	3/13/2004																	1		1	\$ 2,500	\$2,500
S	3/14/2004																	1		1	\$ 2,500	\$2,500
M	3/15/2004																	1		1	\$ 2,500	\$2,500
T	3/16/2004																	1		1	\$ 2,500	\$2,500
W	3/17/2004																	1		1	\$ 2,500	\$2,500
T	3/18/2004																	1		1	\$ 2,500	\$2,500
F	3/19/2004																	1		1	\$ 2,500	\$2,500
S	3/20/2004																	1		1	\$ 2,500	\$2,500
S	3/21/2004																	1		1	\$ 2,500	\$2,500
M	3/22/2004																	1		1	\$ 2,500	\$2,500
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T	3/25/2004																	1		1	\$ 2,500	\$2,500
F	3/26/2004																	1		1	\$ 2,500	\$2,500
S	3/27/2004																	1		1	\$ 2,500	\$2,500
S	3/28/2004																	1		1	\$ 2,500	\$2,500
M	3/29/2004																	1		1	\$ 2,500	\$2,500
T	3/30/2004																	1		1	\$ 2,500	\$2,500
W	3/31/2004																	1		1	\$ 2,500	\$2,500
T	4/1/2004																	1		1	\$ 2,500	\$2,500
F	4/2/2004																	1		1	\$ 2,500	\$2,500
S	4/3/2004																	1		1	\$ 2,500	\$2,500
S	4/4/2004																	1		1	\$ 2,500	\$2,500
M	4/5/2004																	1		1	\$ 2,500	\$2,500
T	4/6/2004																	1		1	\$ 2,500	\$2,500
W	4/7/2004																	1		1	\$ 2,500	\$2,500
T	4/8/2004																	1		1	\$ 2,500	\$2,500
F	4/9/2004																	1		1	\$ 2,500	\$2,500
S	4/10/2004																	1		1	\$ 2,500	\$2,500
S	4/11/2004																	1		1	\$ 2,500	\$2,500
M	4/12/2004																	1		1	\$ 2,500	\$2,500
T	4/13/2004																	1		1	\$ 2,500	\$2,500
W	4/14/2004																	1		1	\$ 2,500	\$2,500
T	4/15/2004																	1		1	\$ 2,500	\$2,500
F	4/16/2004																	1		1	\$ 2,500	\$2,500
S	4/17/2004																	1		1	\$ 2,500	\$2,500
S	4/18/2004																	1		1	\$ 2,500	\$2,500
M	4/19/2004																	1		1	\$ 2,500	\$2,500
T	4/20/2004																	1		1	\$ 2,500	\$2,500
W	4/21/2004																	1		1	\$ 2,500	\$2,500
T	4/22/2004																	1		1	\$ 2,500	\$2,500
F	4/23/2004																	1		1	\$ 2,500	\$2,500
S	4/24/2004																	1		1	\$ 2,500	\$2,500
S	4/25/2004																	1		1	\$ 2,500	\$2,500
M	4/26/2004																	1		1	\$ 2,500	\$2,500

Discharger resumes required weekend monitoring.

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	4/27/2004																	1		1	\$ 2,500	\$2,500
W	4/28/2004																	1		1	\$ 2,500	\$2,500
T	4/29/2004																	1		1	\$ 2,500	\$2,500
F	4/30/2004																	1		1	\$ 2,500	\$2,500
S	5/1/2004																	1		1	\$ 2,500	\$2,500
S	5/2/2004																	1		1	\$ 2,500	\$2,500
M	5/3/2004																	1		1	\$ 2,500	\$2,500
T	5/4/2004																	1		1	\$ 2,500	\$2,500
W	5/5/2004																	1		1	\$ 2,500	\$2,500
T	5/6/2004																	1		1	\$ 2,500	\$2,500
F	5/7/2004																	1		1	\$ 2,500	\$2,500
S	5/8/2004																	1		1	\$ 2,500	\$2,500
S	5/9/2004																	1		1	\$ 2,500	\$2,500
M	5/10/2004																	1		1	\$ 2,500	\$2,500
T	5/11/2004																	1		1	\$ 2,500	\$2,500
W	5/12/2004																	1		1	\$ 2,500	\$2,500
T	5/13/2004																	1		1	\$ 2,500	\$2,500
F	5/14/2004																	1		1	\$ 2,500	\$2,500
S	5/15/2004																	1		1	\$ 2,500	\$2,500
S	5/16/2004																	1		1	\$ 2,500	\$2,500
M	5/17/2004																	1		1	\$ 2,500	\$2,500
T	5/18/2004																	1		1	\$ 2,500	\$2,500
W	5/19/2004																	1		1	\$ 2,500	\$2,500
T	5/20/2004																	1		1	\$ 2,500	\$2,500
F	5/21/2004																	1		1	\$ 2,500	\$2,500
S	5/22/2004																	1		1	\$ 2,500	\$2,500
S	5/23/2004																	1		1	\$ 2,500	\$2,500
M	5/24/2004																	1		1	\$ 2,500	\$2,500
T	5/25/2004																	1		1	\$ 2,500	\$2,500
W	5/26/2004																	1		1	\$ 2,500	\$2,500
T	5/27/2004																	1		1	\$ 2,500	\$2,500
F	5/28/2004																	1		1	\$ 2,500	\$2,500
S	5/29/2004																	1		1	\$ 2,500	\$2,500
S	5/30/2004																	1		1	\$ 2,500	\$2,500
M	5/31/2004																	1		1	\$ 2,500	\$2,500
T	6/1/2004																	0		0		\$0
W	6/2/2004																	0		0		\$0
T	6/3/2004																	0		0		\$0
F	6/4/2004																	0		0		\$0
S	6/5/2004																	0		0		\$0
S	6/6/2004																	0		0		\$0
M	6/7/2004																	0		0		\$0
T	6/8/2004																	0		0		\$0
W	6/9/2004																	0		0		\$0
T	6/10/2004																	0		0		\$0
F	6/11/2004																	0		0		\$0
S	6/12/2004																	0		0		\$0
S	6/13/2004																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	6/14/2004																	0		0		\$0
T	6/15/2004																	0		0		\$0
W	6/16/2004																	0		0		\$0
T	6/17/2004																	0		0		\$0
F	6/18/2004																	0		0		\$0
S	6/19/2004																	0		0		\$0
S	6/20/2004																	0		0		\$0
M	6/21/2004																	0		0		\$0
T	6/22/2004																	0		0		\$0
W	6/23/2004																	0		0		\$0
T	6/24/2004																	0		0		\$0
F	6/25/2004																	0		0		\$0
S	6/26/2004																	0		0		\$0
S	6/27/2004																	0		0		\$0
M	6/28/2004																	0		0		\$0
T	6/29/2004																	0		0		\$0
W	6/30/2004																	0		0		\$0
T	7/1/2004																	0		0		\$0
F	7/2/2004																	0		0		\$0
S	7/3/2004																	0		0		\$0
S	7/4/2004																	0		0		\$0
M	7/5/2004																	0		0		\$0
T	7/6/2004																	0		0		\$0
W	7/7/2004																	0		0		\$0
T	7/8/2004																	0		0		\$0
F	7/9/2004																	0		0		\$0
S	7/10/2004																	0		0		\$0
S	7/11/2004																	0		0		\$0
M	7/12/2004																	0		0		\$0
T	7/13/2004																	0		0		\$0
W	7/14/2004																	0		0		\$0
T	7/15/2004																	0		0		\$0
F	7/16/2004																	0		0		\$0
S	7/17/2004																	0		0		\$0
S	7/18/2004																	0		0		\$0
M	7/19/2004																	0		0		\$0
T	7/20/2004																	0		0		\$0
W	7/21/2004																	0		0		\$0
T	7/22/2004																	0		0		\$0
F	7/23/2004																	0		0		\$0
S	7/24/2004																	0		0		\$0
S	7/25/2004																	0		0		\$0
M	7/26/2004																	0		0		\$0
T	7/27/2004																	0		0		\$0
W	7/28/2004																	0		0		\$0
T	7/29/2004																	0		0		\$0
F	7/30/2004																	0		0		\$0
S	7/31/2004																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	8/1/2004																	0		0		\$0
M	8/2/2004																	0		0		\$0
T	8/3/2004																	0		0		\$0
W	8/4/2004																	0		0		\$0
T	8/5/2004																	0		0		\$0
F	8/6/2004																	0		0		\$0
S	8/7/2004																	0		0		\$0
S	8/8/2004																	0		0		\$0
M	8/9/2004																	0		0		\$0
T	8/10/2004																	0		0		\$0
W	8/11/2004																	0		0		\$0
T	8/12/2004																	0		0		\$0
F	8/13/2004																	0		0		\$0
S	8/14/2004																	0		0		\$0
S	8/15/2004																	0		0		\$0
M	8/16/2004																	0		0		\$0
T	8/17/2004																	0		0		\$0
W	8/18/2004																	0		0		\$0
T	8/19/2004																	0		0		\$0
F	8/20/2004																	0		0		\$0
S	8/21/2004																	0		0		\$0
S	8/22/2004																	0		0		\$0
M	8/23/2004																	0		0		\$0
T	8/24/2004																	0		0		\$0
W	8/25/2004																	0		0		\$0
T	8/26/2004																	0		0		\$0
F	8/27/2004																	0		0		\$0
S	8/28/2004																	0		0		\$0
S	8/29/2004																	0		0		\$0
M	8/30/2004																	0		0		\$0
T	8/31/2004																	0		0		\$0
W	9/1/2004																	0		0		\$0
T	9/2/2004																	0		0		\$0
F	9/3/2004																	0		0		\$0
S	9/4/2004																	0		0		\$0
S	9/5/2004																	0		0		\$0
M	9/6/2004																	0		0		\$0
T	9/7/2004																	0		0		\$0
W	9/8/2004																	0		0		\$0
T	9/9/2004																	0		0		\$0
F	9/10/2004																	0		0		\$0
S	9/11/2004																	0		0		\$0
S	9/12/2004																	0		0		\$0
M	9/13/2004																	0		0		\$0
T	9/14/2004																	0		0		\$0
W	9/15/2004																	0		0		\$0
T	9/16/2004																	0		0		\$0
F	9/17/2004																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	9/18/2004																	0		0		\$0
S	9/19/2004																	0		0		\$0
M	9/20/2004																	0		0		\$0
T	9/21/2004																	0		0		\$0
W	9/22/2004																	0		0		\$0
T	9/23/2004																	0		0		\$0
F	9/24/2004																	0		0		\$0
S	9/25/2004																	0		0		\$0
S	9/26/2004																	0		0		\$0
M	9/27/2004																	0		0		\$0
T	9/28/2004																	0		0		\$0
W	9/29/2004																	0		0		\$0
T	9/30/2004																	0		0		\$0
F	10/1/2004																	0		0		\$0
S	10/2/2004																	0		0		\$0
S	10/3/2004																	0		0		\$0
M	10/4/2004																	0		0		\$0
T	10/5/2004																	0		0		\$0
W	10/6/2004																	0		0		\$0
T	10/7/2004																	0		0		\$0
F	10/8/2004																	0		0		\$0
S	10/9/2004																	0		0		\$0
S	10/10/2004																	0		0		\$0
M	10/11/2004																	0		0		\$0
T	10/12/2004																	0		0		\$0
W	10/13/2004																	0		0		\$0
T	10/14/2004																	0		0		\$0
F	10/15/2004																	0		0		\$0
S	10/16/2004																	0		0		\$0
S	10/17/2004																	0		0		\$0
M	10/18/2004																	0		0		\$0
T	10/19/2004																	0		0		\$0
W	10/20/2004																	0		0		\$0
T	10/21/2004																	0		0		\$0
F	10/22/2004																	0		0		\$0
S	10/23/2004																	0		0		\$0
S	10/24/2004																	0		0		\$0
M	10/25/2004																	0		0		\$0
T	10/26/2004																	0		0		\$0
W	10/27/2004																	0		0		\$0
T	10/28/2004																	0		0		\$0
F	10/29/2004																	0		0		\$0
S	10/30/2004																	0		0		\$0
S	10/31/2004																	0		0		\$0
M	11/1/2004																	0		0		\$0
T	11/2/2004																	0		0		\$0
W	11/3/2004																	0		0		\$0
T	11/4/2004																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
F	11/5/2004																	0		0		\$0
S	11/6/2004																	0		0		\$0
S	11/7/2004																	0		0		\$0
M	11/8/2004																	0		0		\$0
T	11/9/2004																	0		0		\$0
W	11/10/2004																	0		0		\$0
T	11/11/2004																	0		0		\$0
F	11/12/2004																	0		0		\$0
S	11/13/2004																	0		0		\$0
S	11/14/2004																	0		0		\$0
M	11/15/2004																	0		0		\$0
T	11/16/2004																	0		0		\$0
W	11/17/2004																	0		0		\$0
T	11/18/2004																	0		0		\$0
F	11/19/2004																	0		0		\$0
S	11/20/2004																	0		0		\$0
S	11/21/2004																	0		0		\$0
M	11/22/2004																	0		0		\$0
T	11/23/2004																	0		0		\$0
W	11/24/2004																	0		0		\$0
T	11/25/2004																	0		0		\$0
F	11/26/2004																	0		0		\$0
S	11/27/2004																	0		0		\$0
S	11/28/2004																	0		0		\$0
M	11/29/2004																	0		0		\$0
T	11/30/2004																	0		0		\$0
W	12/1/2004																	1		1	\$ 2,500	\$2,500
T	12/2/2004																	1		1	\$ 2,500	\$2,500
F	12/3/2004																	1		1	\$ 2,500	\$2,500
S	12/4/2004																	1		1	\$ 2,500	\$2,500
S	12/5/2004																	1		1	\$ 2,500	\$2,500
M	12/6/2004																	1		1	\$ 2,500	\$2,500
T	12/7/2004																	1		1	\$ 2,500	\$2,500
W	12/8/2004																	1		1	\$ 2,500	\$2,500
T	12/9/2004																	1		1	\$ 2,500	\$2,500
F	12/10/2004																	1		1	\$ 2,500	\$2,500
S	12/11/2004																	1		1	\$ 2,500	\$2,500
S	12/12/2004																	1		1	\$ 2,500	\$2,500
M	12/13/2004																	1		1	\$ 2,500	\$2,500
T	12/14/2004																	1		1	\$ 2,500	\$2,500
W	12/15/2004																	1		1	\$ 2,500	\$2,500
T	12/16/2004																	1		1	\$ 2,500	\$2,500
F	12/17/2004																	1		1	\$ 2,500	\$2,500
S	12/18/2004																	1		1	\$ 2,500	\$2,500
S	12/19/2004																	1		1	\$ 2,500	\$2,500
M	12/20/2004																	1		1	\$ 2,500	\$2,500
T	12/21/2004																	1		1	\$ 2,500	\$2,500
W	12/22/2004																	1		1	\$ 2,500	\$2,500

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**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	12/23/2004																	1		1	\$ 2,500	\$2,500
F	12/24/2004																	1		1	\$ 2,500	\$2,500
S	12/25/2004																	1		1	\$ 2,500	\$2,500
S	12/26/2004																	1		1	\$ 2,500	\$2,500
M	12/27/2004																	1		1	\$ 2,500	\$2,500
T	12/28/2004																	1		1	\$ 2,500	\$2,500
W	12/29/2004																	1		1	\$ 2,500	\$2,500
T	12/30/2004																	1		1	\$ 2,500	\$2,500
F	12/31/2004																	1		1	\$ 2,500	\$2,500
S	1/1/2005																	0		0		\$0
S	1/2/2005																	0		0		\$0
M	1/3/2005																	0		0		\$0
T	1/4/2005																	0		0		\$0
W	1/5/2005																	0		0		\$0
T	1/6/2005																	0		0		\$0
F	1/7/2005																	0		0		\$0
S	1/8/2005																	0		0		\$0
S	1/9/2005																	0		0		\$0
M	1/10/2005																	0		0		\$0
T	1/11/2005																	0		0		\$0
W	1/12/2005																	0		0		\$0
T	1/13/2005																	0		0		\$0
F	1/14/2005																	0		0		\$0
S	1/15/2005																	0		0		\$0
S	1/16/2005																	0		0		\$0
M	1/17/2005																	0		0		\$0
T	1/18/2005																	0		0		\$0
W	1/19/2005																	0		0		\$0
T	1/20/2005																	0		0		\$0
F	1/21/2005																	0		0		\$0
S	1/22/2005																	0		0		\$0
S	1/23/2005																	0		0		\$0
M	1/24/2005																	0		0		\$0
T	1/25/2005																	0		0		\$0
W	1/26/2005																	0		0		\$0
T	1/27/2005																	0		0		\$0
F	1/28/2005																	0		0		\$0
S	1/29/2005																	0		0		\$0
S	1/30/2005																	0		0		\$0
M	1/31/2005																	0		0		\$0
T	2/1/2005																	1		1	\$ 2,500	\$2,500
W	2/2/2005																	1		1	\$ 2,500	\$2,500
T	2/3/2005																	1		1	\$ 2,500	\$2,500
F	2/4/2005																	1		1	\$ 2,500	\$2,500
S	2/5/2005																	1		1	\$ 2,500	\$2,500
S	2/6/2005																	1		1	\$ 2,500	\$2,500
M	2/7/2005																	1		1	\$ 2,500	\$2,500
T	2/8/2005																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty Total	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty		
W	2/9/2005																	1		1	\$ 2,500	\$2,500
T	2/10/2005																	1		1	\$ 2,500	\$2,500
F	2/11/2005																	1		1	\$ 2,500	\$2,500
S	2/12/2005																	1		1	\$ 2,500	\$2,500
S	2/13/2005																	1		1	\$ 2,500	\$2,500
M	2/14/2005																	1		1	\$ 2,500	\$2,500
T	2/15/2005																	1		1	\$ 2,500	\$2,500
W	2/16/2005																	1		1	\$ 2,500	\$2,500
T	2/17/2005																	1		1	\$ 2,500	\$2,500
F	2/18/2005																	1		1	\$ 2,500	\$2,500
S	2/19/2005																	1		1	\$ 2,500	\$2,500
S	2/20/2005																	1		1	\$ 2,500	\$2,500
M	2/21/2005																	1		1	\$ 2,500	\$2,500
T	2/22/2005																	1		1	\$ 2,500	\$2,500
W	2/23/2005																	1		1	\$ 2,500	\$2,500
T	2/24/2005																	1		1	\$ 2,500	\$2,500
F	2/25/2005																	1		1	\$ 2,500	\$2,500
S	2/26/2005																	1		1	\$ 2,500	\$2,500
S	2/27/2005																	1		1	\$ 2,500	\$2,500
M	2/28/2005																	1		1	\$ 2,500	\$2,500
T	3/1/2005																	1		1	\$ 2,500	\$2,500
W	3/2/2005																	1		1	\$ 2,500	\$2,500
T	3/3/2005																	1		1	\$ 2,500	\$2,500
F	3/4/2005																	1		1	\$ 2,500	\$2,500
S	3/5/2005																	1		1	\$ 2,500	\$2,500
S	3/6/2005																	1		1	\$ 2,500	\$2,500
M	3/7/2005																	1		1	\$ 2,500	\$2,500
T	3/8/2005																	1		1	\$ 2,500	\$2,500
W	3/9/2005																	1		1	\$ 2,500	\$2,500
T	3/10/2005																	1		1	\$ 2,500	\$2,500
F	3/11/2005																	1		1	\$ 2,500	\$2,500
S	3/12/2005																	1		1	\$ 2,500	\$2,500
S	3/13/2005																	1		1	\$ 2,500	\$2,500
M	3/14/2005																	1		1	\$ 2,500	\$2,500
T	3/15/2005																	1		1	\$ 2,500	\$2,500
W	3/16/2005																	1		1	\$ 2,500	\$2,500
T	3/17/2005																	1		1	\$ 2,500	\$2,500
F	3/18/2005																	1		1	\$ 2,500	\$2,500
S	3/19/2005																	1		1	\$ 2,500	\$2,500
S	3/20/2005																	1		1	\$ 2,500	\$2,500
M	3/21/2005																	1		1	\$ 2,500	\$2,500
T	3/22/2005																	1		1	\$ 2,500	\$2,500
W	3/23/2005																	1		1	\$ 2,500	\$2,500
T	3/24/2005																	1		1	\$ 2,500	\$2,500
F	3/25/2005																	1		1	\$ 2,500	\$2,500
S	3/26/2005																	1		1	\$ 2,500	\$2,500
S	3/27/2005																	1		1	\$ 2,500	\$2,500
M	3/28/2005																	1		1	\$ 2,500	\$2,500

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**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	3/29/2005																	1		1	\$ 2,500	\$2,500
W	3/30/2005																	1		1	\$ 2,500	\$2,500
T	3/31/2005																	1		1	\$ 2,500	\$2,500
F	4/1/2005																	0		0		\$0
S	4/2/2005																	0		0		\$0
S	4/3/2005																	0		0		\$0
M	4/4/2005																	0		0		\$0
T	4/5/2005																	0		0		\$0
W	4/6/2005																	0		0		\$0
T	4/7/2005																	0		0		\$0
F	4/8/2005																	0		0		\$0
S	4/9/2005																	0		0		\$0
S	4/10/2005																	0		0		\$0
M	4/11/2005																	0		0		\$0
T	4/12/2005																	0		0		\$0
W	4/13/2005																	0		0		\$0
T	4/14/2005																	0		0		\$0
F	4/15/2005																	0		0		\$0
S	4/16/2005																	0		0		\$0
S	4/17/2005																	0		0		\$0
M	4/18/2005																	0		0		\$0
T	4/19/2005																	0		0		\$0
W	4/20/2005																	0		0		\$0
T	4/21/2005																	0		0		\$0
F	4/22/2005																	0		0		\$0
S	4/23/2005																	0		0		\$0
S	4/24/2005																	0		0		\$0
M	4/25/2005																	0		0		\$0
T	4/26/2005																	0		0		\$0
W	4/27/2005																	0		0		\$0
T	4/28/2005																	0		0		\$0
F	4/29/2005																	0		0		\$0
S	4/30/2005																	0		0		\$0
S	5/1/2005																	0		0		\$0
M	5/2/2005																	0		0		\$0
T	5/3/2005																	0		0		\$0
W	5/4/2005																	0		0		\$0
T	5/5/2005																	0		0		\$0
F	5/6/2005																	0		0		\$0
S	5/7/2005																	0		0		\$0
S	5/8/2005																	0		0		\$0
M	5/9/2005																	0		0		\$0
T	5/10/2005																	0		0		\$0
W	5/11/2005																	0		0		\$0
T	5/12/2005																	0		0		\$0
F	5/13/2005																	0		0		\$0
S	5/14/2005																	0		0		\$0
S	5/15/2005																	0		0		\$0

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	5/16/2005																	0		0		\$0
T	5/17/2005																	0		0		\$0
W	5/18/2005																	0		0		\$0
T	5/19/2005																	0		0		\$0
F	5/20/2005																	0		0		\$0
S	5/21/2005																	0		0		\$0
S	5/22/2005																	0		0		\$0
M	5/23/2005																	0		0		\$0
T	5/24/2005																	0		0		\$0
W	5/25/2005																	0		0		\$0
T	5/26/2005																	0		0		\$0
F	5/27/2005																	0		0		\$0
S	5/28/2005																	0		0		\$0
S	5/29/2005																	0		0		\$0
M	5/30/2005																	0		0		\$0
T	5/31/2005																	0		0		\$0
W	6/1/2005																	0		0		\$0
T	6/2/2005																	0		0		\$0
F	6/3/2005																	0		0		\$0
S	6/4/2005																	0		0		\$0
S	6/5/2005																	0		0		\$0
M	6/6/2005																	0		0		\$0
T	6/7/2005																	0		0		\$0
W	6/8/2005																	0		0		\$0
T	6/9/2005																	0		0		\$0
F	6/10/2005																	0		0		\$0
S	6/11/2005																	0		0		\$0
S	6/12/2005																	0		0		\$0
M	6/13/2005																	0		0		\$0
T	6/14/2005																	0		0		\$0
W	6/15/2005																	0		0		\$0
T	6/16/2005																	0		0		\$0
F	6/17/2005																	0		0		\$0
S	6/18/2005																	0		0		\$0
S	6/19/2005																	0		0		\$0
M	6/20/2005																	0		0		\$0
T	6/21/2005																	0		0		\$0
W	6/22/2005																	0		0		\$0
T	6/23/2005																	0		0		\$0
F	6/24/2005																	0		0		\$0
S	6/25/2005																	0		0		\$0
S	6/26/2005																	0		0		\$0
M	6/27/2005																	0		0		\$0
T	6/28/2005																	0		0		\$0
W	6/29/2005																	0		0		\$0
T	6/30/2005																	0		0		\$0
F	7/1/2005																	0		0		\$0
S	7/2/2005																	0		0		\$0

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	7/3/2005																	0		0		\$0
M	7/4/2005																	0		0		\$0
T	7/5/2005																	0		0		\$0
W	7/6/2005																	0		0		\$0
T	7/7/2005																	0		0		\$0
F	7/8/2005																	0		0		\$0
S	7/9/2005																	0		0		\$0
S	7/10/2005																	0		0		\$0
M	7/11/2005																	0		0		\$0
T	7/12/2005																	0		0		\$0
W	7/13/2005																	0		0		\$0
T	7/14/2005																	0		0		\$0
F	7/15/2005																	0		0		\$0
S	7/16/2005																	0		0		\$0
S	7/17/2005																	0		0		\$0
M	7/18/2005																	0		0		\$0
T	7/19/2005																	0		0		\$0
W	7/20/2005																	0		0		\$0
T	7/21/2005																	0		0		\$0
F	7/22/2005																	0		0		\$0
S	7/23/2005																	0		0		\$0
S	7/24/2005																	0		0		\$0
M	7/25/2005																	0		0		\$0
T	7/26/2005																	0		0		\$0
W	7/27/2005																	0		0		\$0
T	7/28/2005																	0		0		\$0
F	7/29/2005																	0		0		\$0
S	7/30/2005																	0		0		\$0
S	7/31/2005																	0		0		\$0
M	8/1/2005																	0		0		\$0
T	8/2/2005																	0		0		\$0
W	8/3/2005																	0		0		\$0
T	8/4/2005																	0		0		\$0
F	8/5/2005																	0		0		\$0
S	8/6/2005																	0		0		\$0
S	8/7/2005																	0		0		\$0
M	8/8/2005																	0		0		\$0
T	8/9/2005																	0		0		\$0
W	8/10/2005																	0		0		\$0
T	8/11/2005																	0		0		\$0
F	8/12/2005																	0		0		\$0
S	8/13/2005																	0		0		\$0
S	8/14/2005																	0		0		\$0
M	8/15/2005																	0		0		\$0
T	8/16/2005																	0		0		\$0
W	8/17/2005																	0		0		\$0
T	8/18/2005																	0		0		\$0
F	8/19/2005																	0		0		\$0

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	8/20/2005																	0		0		\$0
S	8/21/2005																	0		0		\$0
M	8/22/2005																	0		0		\$0
T	8/23/2005																	0		0		\$0
W	8/24/2005																	0		0		\$0
T	8/25/2005																	0		0		\$0
F	8/26/2005																	0		0		\$0
S	8/27/2005																	0		0		\$0
S	8/28/2005																	0		0		\$0
M	8/29/2005																	0		0		\$0
T	8/30/2005																	0		0		\$0
W	8/31/2005																	0		0		\$0
T	9/1/2005																	0		0		\$0
F	9/2/2005																	0		0		\$0
S	9/3/2005																	0		0		\$0
S	9/4/2005																	0		0		\$0
M	9/5/2005																	0		0		\$0
T	9/6/2005																	0		0		\$0
W	9/7/2005																	0		0		\$0
T	9/8/2005																	0		0		\$0
F	9/9/2005																	0		0		\$0
S	9/10/2005																	0		0		\$0
S	9/11/2005																	0		0		\$0
M	9/12/2005																	0		0		\$0
T	9/13/2005																	0		0		\$0
W	9/14/2005																	0		0		\$0
T	9/15/2005																	0		0		\$0
F	9/16/2005																	0		0		\$0
S	9/17/2005																	0		0		\$0
S	9/18/2005																	0		0		\$0
M	9/19/2005																	0		0		\$0
T	9/20/2005																	0		0		\$0
W	9/21/2005																	0		0		\$0
S	9/22/2005																	0		0		\$0
M	9/23/2005																	0		0		\$0
T	9/24/2005																	0		0		\$0
W	9/25/2005																	0		0		\$0
T	9/26/2005																	0		0		\$0
F	9/27/2005																	0		0		\$0
S	9/28/2005																	0		0		\$0
S	9/29/2005																	0		0		\$0
M	9/30/2005																	0		0		\$0
T	10/1/2005																	0		0		\$0
W	10/2/2005																	0		0		\$0
T	10/3/2005																	0		0		\$0
F	10/4/2005																	0		0		\$0
S	10/5/2005																	0		0		\$0
S	10/6/2005																	0		0		\$0

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	10/7/2005																	0		0		\$0
T	10/8/2005																	0		0		\$0
W	10/9/2005																	0		0		\$0
T	10/10/2005																	0		0		\$0
F	10/11/2005																	0		0		\$0
S	10/12/2005																	0		0		\$0
S	10/13/2005																	0		0		\$0
M	10/14/2005																	0		0		\$0
T	10/15/2005																	0		0		\$0
W	10/16/2005																	0		0		\$0
T	10/17/2005																	0		0		\$0
F	10/18/2005																	0		0		\$0
S	10/19/2005																	0		0		\$0
S	10/20/2005																	0		0		\$0
M	10/21/2005																	0		0		\$0
T	10/22/2005																	0		0		\$0
W	10/23/2005																	0		0		\$0
T	10/24/2005																	0		0		\$0
F	10/25/2005																	0		0		\$0
S	10/26/2005																	0		0		\$0
S	10/27/2005																	0		0		\$0
M	10/28/2005																	0		0		\$0
T	10/29/2005																	0		0		\$0
W	10/30/2005																	0		0		\$0
T	10/31/2005																	0		0		\$0
F	11/1/2005																	0		0		\$0
S	11/2/2005																	0		0		\$0
S	11/3/2005																	0		0		\$0
M	11/4/2005																	0		0		\$0
T	11/5/2005																	0		0		\$0
W	11/6/2005																	0		0		\$0
T	11/7/2005																	0		0		\$0
F	11/8/2005																	0		0		\$0
S	11/9/2005																	0		0		\$0
S	11/10/2005																	0		0		\$0
M	11/11/2005																	0		0		\$0
T	11/12/2005																	0		0		\$0
W	11/13/2005																	0		0		\$0
T	11/14/2005																	0		0		\$0
F	11/15/2005																	0		0		\$0
S	11/16/2005																	0		0		\$0
S	11/17/2005																	0		0		\$0
M	11/18/2005																	0		0		\$0
T	11/19/2005																	0		0		\$0
W	11/20/2005																	0		0		\$0
S	11/21/2005																	0		0		\$0
M	11/22/2005																	0		0		\$0
T	11/23/2005																	0		0		\$0

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
W	11/24/2005																	0		0		\$0
T	11/25/2005																	0		0		\$0
F	11/26/2005																	0		0		\$0
S	11/27/2005																	0		0		\$0
S	11/28/2005																	0		0		\$0
M	11/29/2005																	0		0		\$0
T	11/30/2005																	0		0		\$0
W	12/1/2005																	0		0		\$0
T	12/2/2005																	0		0		\$0
F	12/3/2005																	0		0		\$0
S	12/4/2005																	0		0		\$0
S	12/5/2005																	0		0		\$0
M	12/6/2005																	0		0		\$0
T	12/7/2005																	0		0		\$0
W	12/8/2005																	0		0		\$0
T	12/9/2005																	0		0		\$0
F	12/10/2005																	0		0		\$0
S	12/11/2005																	0		0		\$0
S	12/12/2005																	0		0		\$0
M	12/13/2005																	0		0		\$0
T	12/14/2005																	0		0		\$0
W	12/15/2005																	0		0		\$0
T	12/16/2005																	0		0		\$0
F	12/17/2005																	0		0		\$0
S	12/18/2005																	0		0		\$0
S	12/19/2005																	0		0		\$0
M	12/20/2005																	0		0		\$0
T	12/21/2005																	0		0		\$0
W	12/22/2005																	0		0		\$0
T	12/23/2005																	0		0		\$0
F	12/24/2005																	0		0		\$0
S	12/25/2005																	0		0		\$0
S	12/26/2005																	0		0		\$0
M	12/27/2005																	0		0		\$0
T	12/28/2005																	0		0		\$0
W	12/29/2005																	0		0		\$0
T	12/30/2005																	0		0		\$0
F	12/31/2005																	0		0		\$0
S	1/1/2006																	0		0		\$0
S	1/2/2006																	0		0		\$0
M	1/3/2006																	0		0		\$0
T	1/4/2006																	0		0		\$0
W	1/5/2006																	0		0		\$0
T	1/6/2006																	0		0		\$0
F	1/7/2006																	0		0		\$0
S	1/8/2006																	0		0		\$0
S	1/9/2006																	0		0		\$0
M	1/10/2006																	0		0		\$0

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MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	1/11/2006																	0		0		\$0
W	1/12/2006																	0		0		\$0
T	1/13/2006																	0		0		\$0
F	1/14/2006																	0		0		\$0
S	1/15/2006																	0		0		\$0
S	1/16/2006																	0		0		\$0
M	1/17/2006																	0		0		\$0
T	1/18/2006																	0		0		\$0
W	1/19/2006																	0		0		\$0
T	1/20/2006																	0		0		\$0
F	1/21/2006																	0		0		\$0
S	1/22/2006																	0		0		\$0
S	1/23/2006																	0		0		\$0
M	1/24/2006																	0		0		\$0
T	1/25/2006																	0		0		\$0
W	1/26/2006																	0		0		\$0
T	1/27/2006																	0		0		\$0
F	1/28/2006																	0		0		\$0
S	1/29/2006																	0		0		\$0
S	1/30/2006																	0		0		\$0
M	1/31/2006																	0		0		\$0
T	2/1/2006																	1		1	\$ 2,500	\$2,500
W	2/2/2006																	1		1	\$ 2,500	\$2,500
T	2/3/2006																	1		1	\$ 2,500	\$2,500
F	2/4/2006																	1		1	\$ 2,500	\$2,500
S	2/5/2006																	1		1	\$ 2,500	\$2,500
S	2/6/2006																	1		1	\$ 2,500	\$2,500
M	2/7/2006																	1		1	\$ 2,500	\$2,500
T	2/8/2006																	1		1	\$ 2,500	\$2,500
W	2/9/2006																	1		1	\$ 2,500	\$2,500
T	2/10/2006																	1		1	\$ 2,500	\$2,500
F	2/11/2006																	1		1	\$ 2,500	\$2,500
S	2/12/2006																	1		1	\$ 2,500	\$2,500
S	2/13/2006																	1		1	\$ 2,500	\$2,500
M	2/14/2006																	1		1	\$ 2,500	\$2,500
T	2/15/2006																	1		1	\$ 2,500	\$2,500
W	2/16/2006																	1		1	\$ 2,500	\$2,500
T	2/17/2006																	1		1	\$ 2,500	\$2,500
F	2/18/2006																	1		1	\$ 2,500	\$2,500
S	2/19/2006																	1		1	\$ 2,500	\$2,500
S	2/20/2006																	1		1	\$ 2,500	\$2,500
M	2/21/2006																	1		1	\$ 2,500	\$2,500
T	2/22/2006																	1		1	\$ 2,500	\$2,500
W	2/23/2006																	1		1	\$ 2,500	\$2,500
T	2/24/2006																	1		1	\$ 2,500	\$2,500
F	2/25/2006																	1		1	\$ 2,500	\$2,500
S	2/26/2006																	1		1	\$ 2,500	\$2,500
S	2/27/2006																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	2/28/2006																	1		1	\$ 2,500	\$2,500
T	3/1/2006																	0		0		\$0
W	3/2/2006																	0		0		\$0
T	3/3/2006																	0		0		\$0
F	3/4/2006																	0		0		\$0
S	3/5/2006																	0		0		\$0
S	3/6/2006																	0		0		\$0
M	3/7/2006																	0		0		\$0
T	3/8/2006																	0		0		\$0
W	3/9/2006																	0		0		\$0
T	3/10/2006																	0		0		\$0
F	3/11/2006																	0		0		\$0
S	3/12/2006																	0		0		\$0
S	3/13/2006																	0		0		\$0
M	3/14/2006																	0		0		\$0
T	3/15/2006																	0		0		\$0
W	3/16/2006																	0		0		\$0
T	3/17/2006																	0		0		\$0
F	3/18/2006																	0		0		\$0
S	3/19/2006																	0		0		\$0
S	3/20/2006																	0		0		\$0
M	3/21/2006																	0		0		\$0
T	3/22/2006																	0		0		\$0
W	3/23/2006												1	\$2,500						0		\$2,500
T	3/24/2006																			0		\$0
F	3/25/2006																	0		0		\$0
S	3/26/2006																	0		0		\$0
S	3/27/2006																	0		0		\$0
M	3/28/2006																	0		0		\$0
T	3/29/2006																	0		0		\$0
W	3/30/2006																	0		0		\$0
T	3/31/2006																	0		0		\$0
F	4/1/2006																	0		0		\$0
S	4/2/2006																	0		0		\$0
S	4/3/2006																	0		0		\$0
M	4/4/2006																	0		0		\$0
T	4/5/2006																	0		0		\$0
W	4/6/2006																	0		0		\$0
S	4/7/2006																	0		0		\$0
M	4/8/2006																	0		0		\$0
T	4/9/2006																	0		0		\$0
W	4/10/2006																	0		0		\$0
T	4/11/2006																	0		0		\$0
F	4/12/2006																	0		0		\$0
S	4/13/2006																	0		0		\$0
S	4/14/2006																	0		0		\$0
M	4/15/2006																	0		0		\$0
T	4/16/2006																	0		0		\$0

Confirmed failure to fully crop land application areas.

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
W	4/17/2006																	0		0		\$0
T	4/18/2006																	0		0		\$0
F	4/19/2006																	0		0		\$0
S	4/20/2006																	0		0		\$0
S	4/21/2006																	0		0		\$0
M	4/22/2006																	0		0		\$0
T	4/23/2006																	0		0		\$0
W	4/24/2006																	0		0		\$0
T	4/25/2006																	0		0		\$0
F	4/26/2006																	0		0		\$0
S	4/27/2006																	0		0		\$0
S	4/28/2006																	0		0		\$0
M	4/29/2006																	0		0		\$0
T	4/30/2006																	0		0		\$0
W	5/1/2006																	0		0		\$0
T	5/2/2006																	0		0		\$0
F	5/3/2006																	0		0		\$0
S	5/4/2006																	0		0		\$0
S	5/5/2006																	0		0		\$0
M	5/6/2006																	0		0		\$0
T	5/7/2006																	0		0		\$0
W	5/8/2006																	0		0		\$0
T	5/9/2006																	0		0		\$0
F	5/10/2006																	0		0		\$0
S	5/11/2006																	0		0		\$0
S	5/12/2006																	0		0		\$0
M	5/13/2006																	0		0		\$0
T	5/14/2006																	0		0		\$0
W	5/15/2006																	0		0		\$0
T	5/16/2006																	0		0		\$0
F	5/17/2006																	0		0		\$0
S	5/18/2006													1	\$2,500	Confirmed failure to fully crop land application areas.			0		0	\$2,500
S	5/19/2006																	0		0		\$0
M	5/20/2006																	0		0		\$0
T	5/21/2006																	0		0		\$0
W	5/22/2006																	0		0		\$0
T	5/23/2006																	0		0		\$0
F	5/24/2006																	0		0		\$0
S	5/25/2006																	0		0		\$0
S	5/26/2006																	0		0		\$0
M	5/27/2006																	0		0		\$0
T	5/28/2006																	0		0		\$0
W	5/29/2006																	0		0		\$0
T	5/30/2006																	0		0		\$0
F	5/31/2006																	0		0		\$0
S	6/1/2006																	0		0		\$0
S	6/2/2006																	0		0		\$0
M	6/3/2006																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	6/4/2006																	0		0		\$0
W	6/5/2006																	0		0		\$0
S	6/6/2006																	0		0		\$0
M	6/7/2006																	0		0		\$0
T	6/8/2006																	0		0		\$0
W	6/9/2006																	0		0		\$0
T	6/10/2006																	0		0		\$0
F	6/11/2006																	0		0		\$0
S	6/12/2006																	0		0		\$0
S	6/13/2006																	0		0		\$0
M	6/14/2006																	0		0		\$0
T	6/15/2006																	0		0		\$0
W	6/16/2006																	0		0		\$0
T	6/17/2006																	0		0		\$0
F	6/18/2006																	0		0		\$0
S	6/19/2006																	0		0		\$0
S	6/20/2006																	0		0		\$0
M	6/21/2006																	0		0		\$0
T	6/22/2006																	0		0		\$0
W	6/23/2006																	0		0		\$0
T	6/24/2006																	0		0		\$0
F	6/25/2006																	0		0		\$0
S	6/26/2006																	0		0		\$0
S	6/27/2006																	0		0		\$0
M	6/28/2006																	0		0		\$0
T	6/29/2006																	0		0		\$0
W	6/30/2006																	0		0		\$0
T	7/1/2006																	0		0		\$0
F	7/2/2006																	0		0		\$0
S	7/3/2006																	0		0		\$0
S	7/4/2006																	0		0		\$0
M	7/5/2006																	0		0		\$0
T	7/6/2006																	0		0		\$0
W	7/7/2006																	0		0		\$0
T	7/8/2006																	0		0		\$0
F	7/9/2006																	0		0		\$0
S	7/10/2006																	0		0		\$0
S	7/11/2006																	0		0		\$0
M	7/12/2006																	0		0		\$0
T	7/13/2006																	0		0		\$0
W	7/14/2006																	0		0		\$0
T	7/15/2006																	0		0		\$0
F	7/16/2006																	0		0		\$0
S	7/17/2006																	0		0		\$0
S	7/18/2006																	0		0		\$0
M	7/19/2006																	0		0		\$0
T	7/20/2006																	0		0		\$0
W	7/21/2006																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	7/22/2006																	0		0		\$0
F	7/23/2006																	0		0		\$0
S	7/24/2006																	0		0		\$0
S	7/25/2006																	0		0		\$0
M	7/26/2006																	0		0		\$0
T	7/27/2006																	0		0		\$0
W	7/28/2006																	0		0		\$0
T	7/29/2006																	0		0		\$0
F	7/30/2006																	0		0		\$0
S	7/31/2006																	0		0		\$0
S	8/1/2006																	0		0		\$0
M	8/2/2006																	0		0		\$0
T	8/3/2006																	0		0		\$0
W	8/4/2006																	0		0		\$0
T	8/5/2006																	0		0		\$0
F	8/6/2006																	0		0		\$0
S	8/7/2006																	0		0		\$0
S	8/8/2006																	0		0		\$0
M	8/9/2006																	0		0		\$0
T	8/10/2006																	0		0		\$0
W	8/11/2006																	0		0		\$0
T	8/12/2006																	0		0		\$0
F	8/13/2006																	0		0		\$0
S	8/14/2006																	0		0		\$0
S	8/15/2006																	0		0		\$0
M	8/16/2006																	0		0		\$0
T	8/17/2006																	0		0		\$0
W	8/18/2006																	0		0		\$0
T	8/19/2006																	0		0		\$0
F	8/20/2006																	0		0		\$0
S	8/21/2006																	0		0		\$0
S	8/22/2006																	0		0		\$0
M	8/23/2006																	0		0		\$0
T	8/24/2006																	0		0		\$0
W	8/25/2006																	0		0		\$0
T	8/26/2006																	0		0		\$0
F	8/27/2006																	0		0		\$0
S	8/28/2006																	0		0		\$0
S	8/29/2006																	0		0		\$0
M	8/30/2006																	0		0		\$0
T	8/31/2006																	0		0		\$0
W	9/1/2006																	1		1	\$ 2,500	\$2,500
T	9/2/2006																	1		1	\$ 2,500	\$2,500
F	9/3/2006																	1		1	\$ 2,500	\$2,500
S	9/4/2006																	1		1	\$ 2,500	\$2,500
S	9/5/2006																	1		1	\$ 2,500	\$2,500
M	9/6/2006																	1		1	\$ 2,500	\$2,500
T	9/7/2006																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
W	9/8/2006																	1		1	\$ 2,500	\$2,500
T	9/9/2006																	1		1	\$ 2,500	\$2,500
F	9/10/2006																	1		1	\$ 2,500	\$2,500
S	9/11/2006																	1		1	\$ 2,500	\$2,500
S	9/12/2006																	1		1	\$ 2,500	\$2,500
M	9/13/2006																	1		1	\$ 2,500	\$2,500
T	9/14/2006																	1		1	\$ 2,500	\$2,500
W	9/15/2006																	1		1	\$ 2,500	\$2,500
T	9/16/2006																	1		1	\$ 2,500	\$2,500
F	9/17/2006																	1		1	\$ 2,500	\$2,500
S	9/18/2006																	1		1	\$ 2,500	\$2,500
S	9/19/2006																	1		1	\$ 2,500	\$2,500
S	9/20/2006																	1		1	\$ 2,500	\$2,500
M	9/21/2006																	1		1	\$ 2,500	\$2,500
T	9/22/2006																	1		1	\$ 2,500	\$2,500
W	9/23/2006																	1		1	\$ 2,500	\$2,500
T	9/24/2006																	1		1	\$ 2,500	\$2,500
F	9/25/2006																	1		1	\$ 2,500	\$2,500
S	9/26/2006																	1		1	\$ 2,500	\$2,500
S	9/27/2006																	1		1	\$ 2,500	\$2,500
M	9/28/2006																	1		1	\$ 2,500	\$2,500
T	9/29/2006																	1		1	\$ 2,500	\$2,500
W	9/30/2006																	1		1	\$ 2,500	\$2,500
T	10/1/2006																	1		1	\$ 2,500	\$2,500
F	10/2/2006																	1		1	\$ 2,500	\$2,500
S	10/3/2006																	1		1	\$ 2,500	\$2,500
S	10/4/2006																	1		1	\$ 2,500	\$2,500
M	10/5/2006																	1		1	\$ 2,500	\$2,500
T	10/6/2006																	1		1	\$ 2,500	\$2,500
W	10/7/2006																	1		1	\$ 2,500	\$2,500
T	10/8/2006																	1		1	\$ 2,500	\$2,500
F	10/9/2006																	1		1	\$ 2,500	\$2,500
S	10/10/2006																	1		1	\$ 2,500	\$2,500
S	10/11/2006																	1		1	\$ 2,500	\$2,500
M	10/12/2006													1	\$2,500					1	\$ 2,500	\$5,000
T	10/13/2006																			1	\$ 2,500	\$2,500
W	10/14/2006																			1	\$ 2,500	\$2,500
T	10/15/2006																			1	\$ 2,500	\$2,500
F	10/16/2006																			1	\$ 2,500	\$2,500
S	10/17/2006																			1	\$ 2,500	\$2,500
S	10/18/2006																			1	\$ 2,500	\$2,500
M	10/19/2006																			1	\$ 2,500	\$2,500
T	10/20/2006																			1	\$ 2,500	\$2,500
W	10/21/2006																			1	\$ 2,500	\$2,500
T	10/22/2006																			1	\$ 2,500	\$2,500
F	10/23/2006																			1	\$ 2,500	\$2,500
S	10/24/2006																			1	\$ 2,500	\$2,500
S	10/25/2006																			1	\$ 2,500	\$2,500

Confirmed failure to fully crop land application areas.

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	10/26/2006																	1		1	\$ 2,500	\$2,500
T	10/27/2006																	1		1	\$ 2,500	\$2,500
W	10/28/2006																	1		1	\$ 2,500	\$2,500
T	10/29/2006																	1		1	\$ 2,500	\$2,500
F	10/30/2006																	1		1	\$ 2,500	\$2,500
S	10/31/2006																	1		1	\$ 2,500	\$2,500
S	11/1/2006																	1		1	\$ 2,500	\$2,500
M	11/2/2006																	1		1	\$ 2,500	\$2,500
T	11/3/2006																	1		1	\$ 2,500	\$2,500
W	11/4/2006																	1		1	\$ 2,500	\$2,500
T	11/5/2006																	1		1	\$ 2,500	\$2,500
F	11/6/2006																	1		1	\$ 2,500	\$2,500
S	11/7/2006																	1		1	\$ 2,500	\$2,500
S	11/8/2006																	1		1	\$ 2,500	\$2,500
M	11/9/2006																	1		1	\$ 2,500	\$2,500
T	11/10/2006																	1		1	\$ 2,500	\$2,500
W	11/11/2006																	1		1	\$ 2,500	\$2,500
T	11/12/2006																	1		1	\$ 2,500	\$2,500
F	11/13/2006																	1		1	\$ 2,500	\$2,500
S	11/14/2006																	1		1	\$ 2,500	\$2,500
S	11/15/2006																	1		1	\$ 2,500	\$2,500
M	11/16/2006																	1		1	\$ 2,500	\$2,500
T	11/17/2006																	1		1	\$ 2,500	\$2,500
W	11/18/2006																	1		1	\$ 2,500	\$2,500
T	11/19/2006																	1		1	\$ 2,500	\$2,500
F	11/20/2006																	1		1	\$ 2,500	\$2,500
S	11/21/2006																	1		1	\$ 2,500	\$2,500
S	11/22/2006																	1		1	\$ 2,500	\$2,500
M	11/23/2006																	1		1	\$ 2,500	\$2,500
T	11/24/2006																	1		1	\$ 2,500	\$2,500
W	11/25/2006																	1		1	\$ 2,500	\$2,500
T	11/26/2006																	1		1	\$ 2,500	\$2,500
F	11/27/2006																	1		1	\$ 2,500	\$2,500
S	11/28/2006																	1		1	\$ 2,500	\$2,500
S	11/29/2006																	1		1	\$ 2,500	\$2,500
M	11/30/2006																	1		1	\$ 2,500	\$2,500
T	12/1/2006																	1		1	\$ 2,500	\$2,500
W	12/2/2006																	1		1	\$ 2,500	\$2,500
T	12/3/2006																	1		1	\$ 2,500	\$2,500
F	12/4/2006																	1		1	\$ 2,500	\$2,500
S	12/5/2006																	1		1	\$ 2,500	\$2,500
S	12/6/2006																	1		1	\$ 2,500	\$2,500
M	12/7/2006																	1		1	\$ 2,500	\$2,500
T	12/8/2006																	1		1	\$ 2,500	\$2,500
W	12/9/2006																	1		1	\$ 2,500	\$2,500
T	12/10/2006																	1		1	\$ 2,500	\$2,500
F	12/11/2006																	1		1	\$ 2,500	\$2,500
S	12/12/2006																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total		
S	12/13/2006																	1		1	\$ 2,500	\$2,500	
M	12/14/2006																	1		1	\$ 2,500	\$2,500	
T	12/15/2006																	1		1	\$ 2,500	\$2,500	
W	12/16/2006																	1		1	\$ 2,500	\$2,500	
T	12/17/2006																	1		1	\$ 2,500	\$2,500	
F	12/18/2006																	1		1	\$ 2,500	\$2,500	
S	12/19/2006																	1		1	\$ 2,500	\$2,500	
S	12/20/2006																	1		1	\$ 2,500	\$2,500	
M	12/21/2006																	1		1	\$ 2,500	\$2,500	
T	12/22/2006																	1		1	\$ 2,500	\$2,500	
W	12/23/2006																	1		1	\$ 2,500	\$2,500	
S	12/24/2006																	1		1	\$ 2,500	\$2,500	
M	12/25/2006																	1		1	\$ 2,500	\$2,500	
T	12/26/2006																	1		1	\$ 2,500	\$2,500	
W	12/27/2006																	1		1	\$ 2,500	\$2,500	
T	12/28/2006																	1		1	\$ 2,500	\$2,500	
F	12/29/2006																	1		1	\$ 2,500	\$2,500	
S	12/30/2006																	1		1	\$ 2,500	\$2,500	
S	12/31/2006																	1		1	\$ 2,500	\$2,500	
M	1/1/2007																			0		\$0	
T	1/2/2007																	1		1	\$ 2,500	\$2,500	
W	1/3/2007																	1		1	\$ 2,500	\$2,500	
T	1/4/2007																	1		1	\$ 2,500	\$2,500	
F	1/5/2007																	1		1	\$ 2,500	\$2,500	
S	1/6/2007																	1		1	\$ 2,500	\$2,500	
S	1/7/2007																	1		1	\$ 2,500	\$2,500	
M	1/8/2007																	1		1	\$ 2,500	\$2,500	
T	1/9/2007																	1		1	\$ 2,500	\$2,500	
W	1/10/2007																	1		1	\$ 2,500	\$2,500	
T	1/11/2007																	1		1	\$ 2,500	\$2,500	
F	1/12/2007																	1		1	\$ 2,500	\$2,500	
S	1/13/2007																	1		1	\$ 2,500	\$2,500	
S	1/14/2007																	1		1	\$ 2,500	\$2,500	
M	1/15/2007																	1		1	\$ 2,500	\$2,500	
T	1/16/2007																	1		1	\$ 2,500	\$2,500	
W	1/17/2007																	1		1	\$ 2,500	\$2,500	
T	1/18/2007																	1		1	\$ 2,500	\$2,500	
F	1/19/2007																	1		1	\$ 2,500	\$2,500	
S	1/20/2007																	1		1	\$ 2,500	\$2,500	
S	1/21/2007																	1		1	\$ 2,500	\$2,500	
M	1/22/2007																	1		1	\$ 2,500	\$2,500	
T	1/23/2007																	1		1	\$ 2,500	\$2,500	
W	1/24/2007																	1		1	\$ 2,500	\$2,500	
T	1/25/2007																	1		1	\$ 2,500	\$2,500	
F	1/26/2007																	1		1	\$ 2,500	\$2,500	
S	1/27/2007																	1		1	\$ 2,500	\$2,500	
S	1/28/2007																	1		1	\$ 2,500	\$2,500	
M	1/29/2007																	1		1	\$ 2,500	\$2,500	

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
T	1/30/2007																	1		1	\$ 2,500	\$2,500
W	1/31/2007																	1		1	\$ 2,500	\$2,500
T	2/1/2007																	1		1	\$ 2,500	\$2,500
F	2/2/2007																	1		1	\$ 2,500	\$2,500
S	2/3/2007																	1		1	\$ 2,500	\$2,500
S	2/4/2007																	1		1	\$ 2,500	\$2,500
M	2/5/2007																	1		1	\$ 2,500	\$2,500
T	2/6/2007																	1		1	\$ 2,500	\$2,500
W	2/7/2007																	1		1	\$ 2,500	\$2,500
T	2/8/2007																	1		1	\$ 2,500	\$2,500
F	2/9/2007																	1		1	\$ 2,500	\$2,500
S	2/10/2007																	1		1	\$ 2,500	\$2,500
S	2/11/2007																	1		1	\$ 2,500	\$2,500
M	2/12/2007																	1		1	\$ 2,500	\$2,500
T	2/13/2007																	1		1	\$ 2,500	\$2,500
W	2/14/2007																	1		1	\$ 2,500	\$2,500
T	2/15/2007																	1		1	\$ 2,500	\$2,500
F	2/16/2007																	1		1	\$ 2,500	\$2,500
S	2/17/2007																	1		1	\$ 2,500	\$2,500
S	2/18/2007																	1		1	\$ 2,500	\$2,500
M	2/19/2007																	1		1	\$ 2,500	\$2,500
T	2/20/2007																	1		1	\$ 2,500	\$2,500
W	2/21/2007																	1		1	\$ 2,500	\$2,500
T	2/22/2007																	1		1	\$ 2,500	\$2,500
F	2/23/2007																	1		1	\$ 2,500	\$2,500
S	2/24/2007																	1		1	\$ 2,500	\$2,500
S	2/25/2007																	1		1	\$ 2,500	\$2,500
M	2/26/2007																	1		1	\$ 2,500	\$2,500
T	2/27/2007																	1		1	\$ 2,500	\$2,500
W	2/28/2007																	1		1	\$ 2,500	\$2,500
T	3/1/2007																	1		1	\$ 2,500	\$2,500
F	3/2/2007																	1		1	\$ 2,500	\$2,500
S	3/3/2007																	1		1	\$ 2,500	\$2,500
S	3/4/2007																	1		1	\$ 2,500	\$2,500
M	3/5/2007																	1		1	\$ 2,500	\$2,500
T	3/6/2007																	1		1	\$ 2,500	\$2,500
W	3/7/2007																	1		1	\$ 2,500	\$2,500
T	3/8/2007																	1		1	\$ 2,500	\$2,500
F	3/9/2007																	1		1	\$ 2,500	\$2,500
S	3/10/2007																	1		1	\$ 2,500	\$2,500
S	3/11/2007																	1		1	\$ 2,500	\$2,500
M	3/12/2007																	1		1	\$ 2,500	\$2,500
T	3/13/2007																	1		1	\$ 2,500	\$2,500
W	3/14/2007																	1		1	\$ 2,500	\$2,500
T	3/15/2007																	1		1	\$ 2,500	\$2,500
F	3/16/2007																	1		1	\$ 2,500	\$2,500
S	3/17/2007																	1		1	\$ 2,500	\$2,500
S	3/18/2007																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
M	3/19/2007																	1		1	\$ 2,500	\$2,500
T	3/20/2007																	1		1	\$ 2,500	\$2,500
W	3/21/2007																	1		1	\$ 2,500	\$2,500
T	3/22/2007																	1		1	\$ 2,500	\$2,500
F	3/23/2007																	1		1	\$ 2,500	\$2,500
S	3/24/2007																	1		1	\$ 2,500	\$2,500
S	3/25/2007																	1		1	\$ 2,500	\$2,500
M	3/26/2007																	1		1	\$ 2,500	\$2,500
T	3/27/2007																	1		1	\$ 2,500	\$2,500
W	3/28/2007																	1		1	\$ 2,500	\$2,500
T	3/29/2007																	1		1	\$ 2,500	\$2,500
F	3/30/2007																	1		1	\$ 2,500	\$2,500
S	3/31/2007																	1		1	\$ 2,500	\$2,500
S	4/1/2007																	1		1	\$ 2,500	\$2,500
M	4/2/2007																	1		1	\$ 2,500	\$2,500
T	4/3/2007																	1		1	\$ 2,500	\$2,500
W	4/4/2007																	1		1	\$ 2,500	\$2,500
T	4/5/2007																	1		1	\$ 2,500	\$2,500
F	4/6/2007																	1		1	\$ 2,500	\$2,500
S	4/7/2007																	1		1	\$ 2,500	\$2,500
S	4/8/2007																	1		1	\$ 2,500	\$2,500
M	4/9/2007																	1		1	\$ 2,500	\$2,500
T	4/10/2007																	1		1	\$ 2,500	\$2,500
W	4/11/2007																	1		1	\$ 2,500	\$2,500
T	4/12/2007																	1		1	\$ 2,500	\$2,500
F	4/13/2007																	1		1	\$ 2,500	\$2,500
S	4/14/2007																	1		1	\$ 2,500	\$2,500
S	4/15/2007																	1		1	\$ 2,500	\$2,500
M	4/16/2007																	1		1	\$ 2,500	\$2,500
T	4/17/2007																	1		1	\$ 2,500	\$2,500
W	4/18/2007																	1		1	\$ 2,500	\$2,500
T	4/19/2007																	1		1	\$ 2,500	\$2,500
F	4/20/2007																	1		1	\$ 2,500	\$2,500
S	4/21/2007																	1		1	\$ 2,500	\$2,500
S	4/22/2007																	1		1	\$ 2,500	\$2,500
M	4/23/2007																	1		1	\$ 2,500	\$2,500
T	4/24/2007																	1		1	\$ 2,500	\$2,500
W	4/25/2007																	1		1	\$ 2,500	\$2,500
T	4/26/2007																	1		1	\$ 2,500	\$2,500
F	4/27/2007																	1		1	\$ 2,500	\$2,500
S	4/28/2007																	1		1	\$ 2,500	\$2,500
S	4/29/2007																	1		1	\$ 2,500	\$2,500
M	4/30/2007																	1		1	\$ 2,500	\$2,500
T	5/1/2007																	0		0		\$0
W	5/2/2007																	0		0		\$0
T	5/3/2007																	0		0		\$0
F	5/4/2007																	0		0		\$0
S	5/5/2007																	0		0		\$0

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations			Daily Penalty		
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	5/6/2007																	0		0		\$0
M	5/7/2007																	0		0		\$0
T	5/8/2007																	0		0		\$0
W	5/9/2007																	0		0		\$0
T	5/10/2007																	0		0		\$0
F	5/11/2007																	0		0		\$0
S	5/12/2007																	0		0		\$0
S	5/13/2007																	0		0		\$0
M	5/14/2007																	0		0		\$0
T	5/15/2007																	0		0		\$0
W	5/16/2007																	0		0		\$0
T	5/17/2007																	0		0		\$0
F	5/18/2007																	0		0		\$0
S	5/19/2007																	0		0		\$0
S	5/20/2007																	0		0		\$0
M	5/21/2007																	0		0		\$0
T	5/22/2007																	0		0		\$0
W	5/23/2007																	0		0		\$0
T	5/24/2007																	0		0		\$0
F	5/25/2007																	0		0		\$0
S	5/26/2007																	0		0		\$0
S	5/27/2007																	0		0		\$0
M	5/28/2007																	0		0		\$0
T	5/29/2007																	0		0		\$0
W	5/30/2007																	0		0		\$0
T	5/31/2007																	0		0		\$0
F	6/1/2007																	1		1	\$ 2,500	\$2,500
S	6/2/2007																	1		1	\$ 2,500	\$2,500
S	6/3/2007																	1		1	\$ 2,500	\$2,500
M	6/4/2007																	1		1	\$ 2,500	\$2,500
T	6/5/2007																	1		1	\$ 2,500	\$2,500
W	6/6/2007																	1		1	\$ 2,500	\$2,500
T	6/7/2007																	1		1	\$ 2,500	\$2,500
F	6/8/2007																	1		1	\$ 2,500	\$2,500
S	6/9/2007																	1		1	\$ 2,500	\$2,500
S	6/10/2007																	1		1	\$ 2,500	\$2,500
M	6/11/2007																	1		1	\$ 2,500	\$2,500
T	6/12/2007																	1		1	\$ 2,500	\$2,500
W	6/13/2007																	1		1	\$ 2,500	\$2,500
T	6/14/2007																	1		1	\$ 2,500	\$2,500
F	6/15/2007																	1		1	\$ 2,500	\$2,500
S	6/16/2007																	1		1	\$ 2,500	\$2,500
S	6/17/2007																	1		1	\$ 2,500	\$2,500
M	6/18/2007																	1		1	\$ 2,500	\$2,500
T	6/19/2007																	1		1	\$ 2,500	\$2,500
W	6/20/2007																	1		1	\$ 2,500	\$2,500
T	6/21/2007																	1		1	\$ 2,500	\$2,500
F	6/22/2007																	1		1	\$ 2,500	\$2,500

ATTACHMENT A

**REVISED TSO ORDER No. R5-2002-0014-R01 COMPLIANCE SUMMARY FROM 1/25/02 - 6/30/07
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY**

day	Date	Discharge to 1MG pond (gpd)	7-day Average	7-Day Flow Rate Violations		Daily Max Flow Rate Violations		DIS Violations					Cropping		Odors		Reporting Violations				Daily Penalty	
				Viol	Penalty	Viol	Penalty	TDS	DVS	DIS	Viol	Penalty	Confirmed	Penalty	Confirmed	Penalty	MRP	Dom OWTS Eval	# Viol	Penalty	Total	
S	6/23/2007																	1		1	\$ 2,500	\$2,500
S	6/24/2007																	1		1	\$ 2,500	\$2,500
M	6/25/2007																	1		1	\$ 2,500	\$2,500
T	6/26/2007																	1		1	\$ 2,500	\$2,500
W	6/27/2007																	1		1	\$ 2,500	\$2,500
T	6/28/2007																	1		1	\$ 2,500	\$2,500
F	6/29/2007																	1		1	\$ 2,500	\$2,500
S	6/30/2007																	1		1	\$ 2,500	\$2,500
																				0		\$0
			Totals	3	\$7,500	19	\$47,500				12	\$30,000	5	\$12,500	6	\$30,000	1,212	70	1,282	\$3,205,000	\$3,332,500	
			From 2/1-6/6/02	3	\$7,500	17	\$42,500				8											
			From 6/7-9/6/02	0		2					4											
			From 3/1/02-9/1/02														185		255		\$725,000	
			From 3/1/04-5/31/04														31		31		\$230,000	
			From 2/1/02-5/31/04														823		893		\$2,352,500	
			From 6/1/04-6/30/07														299		299		\$980,000	

ATTACHMENT B
STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER
NO. R5-2007-0138
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY

Musco Family Olive Company and the Studley Company (Musco) operate an olive processing wastewater treatment and land disposal facility (facility). The facility is regulated by Waste Discharge Requirements (WDRs) Order No. R5-2002-0148 and Cleanup and Abatement Order (CAO) No. R5-2002-0149, both of which were adopted on 6 September 2002.

Cleanup and Abatement Order No. R5-2002-0149 includes Item 4, which states that “[b]y **6 September 2004**, the Discharger shall comply with all aspects of WDRs Order No. R5-2002-0148.” As detailed below, the Discharger is in violation of both WDRs Order No. R5-2002-0148 and Cleanup and Abatement Order No. R5-2002-0149.

A review of the Discharger’s self-monitoring reports submitted for the months of September 2002 through June 2007 revealed the following violations:

1. WDRs Order No. R5-2002-0148 includes Discharge Specification B.1, which requires that “[t]he monthly average flow of wastewater and stormwater from the facility to the 1-million gallon settling pond shall not exceed 800,000 gpd.” This limitation was exceeded for October 2002 with a monthly average flow of 915,833 gpd.
2. WDRs Order No. R5-2002-0148 includes Discharge Specification B.5.a, which requires that “the wastewater from 1 to 2 feet below the surface of the 1-million and 84-million gallon ponds shall maintain...[a] dissolved oxygen concentration greater than 2 mg/l”. This requirement was violated daily in the million-gallon pond for the period of review, with the exception of 15, 18, 20, and 26 September 2002; 22, 23, 24, 26, 29, 30, and 31 December 2003; 2 January 2004, 7, 8, 9, 13, 14, 15, and 16 January 2007; and the 228 days for which no results were reported (generally weekends and holidays), for a total of 1,512 violations out of possible 1,531 monitoring events.

This requirement was violated daily in the 84-million gallon reservoir 4 November 2002 through 27 August 2003, 29 August through 7 October 2003, 13 October through 9 December 2003, 5 January through 24 February 2004, 26 February through 6 June 2004, 19 and 20 June 2004, 7 and 8 July 2004, 22 through 27 July 2004, 29 and 31 July 2004, 4 August through 30 October 2004, 5 through 20 November 2004, 10 January 2005 through 8 July 2006, 10 through 21 July 2006, 24 through 28 July 2006, 31 July through 6 August 2006, 9 through 11 August 2006, 13 and 14 August 2006, 16 through 19 August 2006, 24 through 28 August 2006, and 30 August 2006, 1 through 4 September 2006, 6 through 29 September 2006, 2 to 6 October 2006, 9 through 20 October 2006, 23 through 27 October 2006, 30 October to 3 November 2006, 6 through 10 November 2006, 14 and 16 November 2006, 20 and 21 November 2006, 27 and 28 November 2006, 18 through 21 December 2006, 5 and 28 February 2007, 13 and 28 March 2007, 27 April 2007, 7 May 2007, 11 and 12 June 2007, 20 June 2007, and 25 through 29 June 2007 for a total of 1,192 violations out of a possible 1,494 monitoring events.

3. WDRs Order No. R5-2002-0148 includes Discharge Specification B.5.b, which requires that *“the wastewater from 1 to 2 feet below the surface of the 1-million and 84-million gallon ponds shall maintain...[a] dissolved sulfide concentration less than 0.1 mg/l”*.
- a. This requirement was violated in the million-gallon pond on 265 occasions, out of a possible 1,509 monitoring events, as shown in the following table:

Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)
19-Sep-2002	0.15	6-Dec-2004	0.61	18-Sep-2006	0.34
20-Sep-2002	0.18	10-Dec-2004	0.90	20-Sep-2006	0.25
23-Sep-2002	0.27	16-Dec-2004	0.17	21-Sep-2006	0.11
24-Sep-2002	0.24	17-Dec-2004	0.31	23-Sep-2006	0.60
29-Sep-2002	0.21	3-Feb-2005	0.20	25-Sep-2006	0.12
10-Oct-2002	0.37	6-Feb-2005	0.32	27-Sep-2006	0.26
16-Oct-2002	0.21	7-Feb-2005	0.18	28-Sep-2006	0.72
12-Dec-2002	0.14	8-Feb-2005	0.76	29-Sep-2006	0.42
26-Dec-2002	0.19	12-Feb-2005	0.30	2-Oct-2006	0.54
3-Jan-2003	0.12	19-Feb-2005	0.43	4-Oct-2006	0.51
13-Jan-2003	0.18	22-Feb-2005	0.28	5-Oct-2006	0.93
29-Jan-2003	0.11	23-Feb-2005	0.18	6-Oct-2006	1.10
5-Feb-2003	0.11	28-Feb-2005	0.19	11-Oct-2006	0.11
28-Apr-2003	0.13	4-Mar-2005	0.38	13-Oct-2006	1.17
16-May-2003	0.12	6-Mar-2005	1.25	15-Oct-2006	0.28
15-Jul-2003	0.21	7-Mar-2005	0.30	16-Oct-2006	0.40
21-Jul-2003	0.61	9-Mar-2005	0.19	17-Oct-2006	0.21
22-Jul-2003	0.82	13-Mar-2005	0.20	19-Oct-2006	0.41
23-Jul-2003	0.83	14-Mar-2005	0.19	20-Oct-2006	0.32
24-Jul-2003	0.74	15-Mar-2005	0.32	25-Oct-2006	0.26
25-Jul-2003	>1.5	18-Mar-2005	0.18	26-Oct-2006	0.16
28-Jul-2003	0.20	19-Mar-2005	0.48	27-Oct-2006	0.30
31-Jul-2003	0.11	20-Mar-2005	0.13	31-Oct-2006	0.21
4-Aug-2003	0.22	21-Mar-2005	0.20	2-Nov-2006	0.12
5-Aug-2003	0.21	23-Mar-2005	0.11	6-Nov-2006	0.67
8-Aug-2003	0.14	2-Apr-2005	0.15	7-Nov-2006	0.16
13-Aug-2003	0.13	3-Apr-2005	0.15	9-Nov-2006	0.34
19-Aug-2003	0.11	9-Apr-2005	0.13	10-Nov-2006	0.22
27-Aug-2003	0.56	10-Apr-2005	0.49	17-Nov-2006	0.22
28-Aug-2003	0.11	11-Apr-2005	0.41	20-Nov-2006	0.16
3-Sep-2003	0.16	17-Apr-2005	0.26	22-Nov-2006	0.63
4-Sep-2003	0.15	18-Apr-2005	0.18	8-Dec-2006	0.18
11-Sep-2003	0.14	19-Apr-2005	0.16	12-Dec-2006	1.32
19-Sep-2003	0.30	20-Apr-2005	0.11	13-Dec-2006	0.13
25-Sep-2003	0.31	6-Aug-2005	0.11	14-Dec-2006	0.23
29-Sep-2003	0.15	7-Sep-2005	0.11	16-Dec-2006	0.41
6-Oct-2003	0.15	8-May-2006	0.15	1-Feb-2007	0.96
8-Oct-2003	0.15	25-May-2006	0.21	9-Feb-2007	0.96
23-Oct-2003	0.18	3-Jun-2006	0.14	12-Feb-2007	0.80
31-Mar-2004	0.20	6-Jun-2006	0.11	13-Feb-2007	0.31

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Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)
7-Apr-2004	0.15	8-Jun-2006	0.18	15-Feb-2007	0.19
1-May-2004	0.13	18-Jun-2006	0.42	17-Feb-2007	0.12
8-May-2004	0.19	27-Jun-2006	0.19	18-Feb-2007	0.21
30-May-2004	1.32	28-Jun-2006	1.36	19-Feb-2007	0.19
5-Jun-2004	0.27	29-Jun-2006	0.54	28-Feb-2007	0.33
12-Jun-2004	0.36	30-Jun-2006	0.34	9-Mar-2007	0.31
23-Jun-2004	0.26	3-Jul-2006	0.21	13-Mar-2007	0.14
25-Jun-2004	0.61	4-Jul-2006	0.11	14-Mar-2007	0.14
29-Jun-2004	0.76	6-Jul-2006	0.20	15-Mar-2007	0.67
30-Jun-2004	1.03	7-Jul-2006	1.10	16-Mar-2007	0.63
1-Jul-2004	0.70	8-Jul-2006	0.28	17-Mar-2007	0.75
2-Jul-2004	0.85	10-Jul-2006	1.34	18-Mar-2007	0.65
5-Jul-2004	1.03	11-Jul-2006	0.34	20-Mar-2007	0.29
6-Jul-2004	0.50	13-Jul-2006	0.24	21-Mar-2007	0.38
7-Jul-2004	0.18	14-Jul-2006	0.67	22-Mar-2007	0.19
8-Jul-2004	0.16	15-Jul-2006	0.45	26-Mar-2007	0.16
9-Jul-2004	0.18	17-Jul-2006	1.33	31-Mar-2007	0.16
14-Jul-2004	0.32	18-Jul-2006	0.24	5-Apr-2007	1.00
16-Jul-2004	0.83	19-Jul-2006	0.65	11-Apr-2007	0.11
17-Jul-2004	0.55	20-Jul-2006	0.12	14-Apr-2007	0.19
18-Jul-2004	0.62	21-Jul-2006	0.37	15-Apr-2007	0.12
19-Jul-2004	1.09	24-Jul-2006	0.11	16-Apr-2007	0.15
20-Jul-2004	0.67	25-Jul-2006	0.46	20-Apr-2007	0.25
21-Jul-2004	1.27	26-Jul-2006	0.47	21-Apr-2007	0.35
22-Jul-2004	0.15	31-Jul-2006	0.43	22-Apr-2007	0.27
23-Jul-2004	0.39	1-Aug-2006	0.24	28-Apr-2007	0.87
25-Jul-2004	0.43	2-Aug-2006	0.22	29-Apr-2007	0.61
26-Jul-2004	1.17	4-Aug-2006	0.15	30-Apr-2007	0.16
27-Jul-2004	0.35	5-Aug-2006	0.79	1-May-2007	0.17
28-Jul-2004	0.85	6-Aug-2006	0.28	2-May-2007	0.21
29-Jul-2004	1.09	7-Aug-2006	0.34	3-May-2007	0.34
31-Jul-2004	1.35	9-Aug-2006	0.19	4-May-2007	0.40
1-Aug-2004	0.75	14-Aug-2006	0.76	6-May-2007	0.11
3-Aug-2004	0.25	15-Aug-2006	0.12	10-May-2007	0.13
6-Aug-2004	0.62	16-Aug-2006	0.14	13-May-2007	0.12
8-Aug-2004	0.73	22-Aug-2006	0.53	18-May-2007	0.18
12-Aug-2004	0.32	23-Aug-2006	0.34	19-May-2007	0.22
14-Aug-2004	0.42	30-Aug-2006	0.34	20-May-2007	0.19
16-Aug-2004	0.11	31-Aug-2006	0.88	21-May-2007	0.17
17-Aug-2004	0.25	1-Sep-2006	0.87	22-May-2007	0.45
20-Aug-2004	0.18	2-Sep-2006	1.38	23-May-2007	0.50
21-Aug-2004	1.1	5-Sep-2006	0.38	24-May-2007	0.16
26-Aug-2004	0.45	6-Sep-2006	0.29	25-May-2007	0.49
28-Aug-2004	0.79	8-Sep-2006	0.30	16-Jun-2007	0.15
5-Sep-2004	0.11	9-Sep-2006	1.06	17-Jun-2007	0.11
28-Sep-2004	0.13	12-Sep-2006	0.37	23-Jun-2007	0.19
9-Oct-2004	1.8	13-Sep-2006	0.52	24-Jun-2007	0.16

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Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)
7-Nov-2004	0.32	16-Sep-2006	0.18		
5-Dec-2004	0.17	17-Sep-2006	1.24		

- b. This requirement was violated in the 84-million gallon pond on 163 occasions, out of a possible 1,495 monitoring events, as shown in the following table:

Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)
6-Nov-2002	0.48	20-Feb-2003	0.61	19-Aug-2003	0.49
7-Nov-2002	1.39	21-Feb-2003	0.67	20-Aug-2003	0.39
8-Nov-2002	0.89	28-Feb-2003	0.12	21-Aug-2003	0.12
11-Nov-2002	1.06	3-Mar-2003	0.12	27-Aug-2003	0.15
12-Nov-2002	1.16	6-Mar-2003	0.17	29-Aug-2003	0.30
13-Nov-2002	0.16	7-Mar-2003	0.37	12-Sep-2003	0.12
14-Nov-2002	0.92	10-Mar-2003	0.43	16-Sep-2003	0.50
15-Nov-2002	1.19	11-Mar-2003	0.41	18-Sep-2003	0.31
18-Nov-2002	1.35	13-Mar-2003	0.21	19-Sep-2003	0.11
19-Nov-2002	0.52	14-Mar-2003	0.33	23-Sep-2003	0.30
21-Nov-2002	1.30	19-Mar-2003	0.15	25-Sep-2003	0.17
22-Nov-2002	0.96	20-Mar-2003	0.13	2-Oct-2003	0.11
25-Nov-2002	0.62	21-Mar-2003	0.18	7-Oct-2003	0.28
26-Nov-2002	0.37	24-Mar-2003	0.28	10-Oct-2003	0.11
27-Nov-2002	0.54	25-Mar-2003	0.15	20-Oct-2003	0.15
2-Dec-2002	0.81	31-Mar-2003	0.14	24-Oct-2003	0.22
3-Dec-2002	0.59	7-Apr-2003	0.12	2-Dec-2003	0.28
4-Dec-2002	0.17	10-Apr-2003	0.11	11-Dec-2003	0.28
5-Dec-2002	0.28	14-Apr-2003	0.18	17-May-2004	0.28
10-Dec-2002	0.20	15-Apr-2003	0.20	27-May-2004	0.34
11-Dec-2002	0.14	17-Apr-2003	0.18	9-Jun-2004	0.13
12-Dec-2002	0.28	18-Apr-2003	0.13	4-Jul-2004	0.15
13-Dec-2002	0.15	21-Apr-2003	0.12	5-Jul-2004	0.13
26-Dec-2002	0.64	23-Apr-2003	0.20	20-Jul-2004	0.23
27-Dec-2002	0.52	24-Apr-2003	0.15	21-Jul-2004	0.28
30-Dec-2002	0.31	25-Apr-2003	0.13	24-Jul-2004	0.62
2-Jan-2003	0.16	28-Apr-2003	0.22	29-Jul-2004	0.29
3-Jan-2003	0.21	8-May-2003	0.15	31-Jul-2004	0.37
13-Jan-2003	0.39	19-May-2003	0.21	5-Feb-2005	0.27
14-Jan-2003	0.36	20-May-2003	0.15	9-Feb-2005	0.28
15-Jan-2003	0.31	21-May-2003	0.28	5-Mar-2005	0.30
16-Jan-2003	0.21	22-May-2003	0.18	8-Mar-2005	0.31
17-Jan-2003	0.14	2-Jun-2003	0.15	18-Mar-2005	0.49
20-Jan-2003	0.81	3-Jun-2003	0.28	18-Apr-2005	0.15
21-Jan-2003	1.14	4-Jun-2003	0.14	23-Apr-2005	0.21
22-Jan-2003	1.02	9-Jun-2003	0.68	20-Jun-2006	0.13
23-Jan-2003	1.09	10-Jun-2003	0.51	5-Aug-2006	1.28
24-Jan-2003	1.08	11-Jun-2003	0.32	2-Sep-2006	0.14
27-Jan-2003	1.08	12-Jun-2003	0.38	10-Sep-2006	1.43

Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)	Date	Diss. Sulfide (mg/l)
28-Jan-2003	1.23	13-Jun-2003	0.21	16-Sep-2006	1.14
29-Jan-2003	1.13	16-Jun-2003	0.14	17-Sep-2006	1.17
30-Jan-2003	1.18	17-Jun-2003	0.11	27-Nov-2006	0.26
31-Jan-2003	1.28	18-Jun-2003	0.20	28-Nov-2006	0.11
3-Feb-2003	0.91	20-Jun-2003	0.20	29-Nov-2006	0.29
4-Feb-2003	0.86	23-Jun-2003	0.14	4-Dec-2006	0.11
5-Feb-2003	0.51	27-Jun-2003	0.12	7-Dec-2006	0.17
6-Feb-2003	0.97	9-Jul-2003	0.20	8-Dec-2006	0.35
7-Feb-2003	0.98	15-Jul-2003	0.20	11-Dec-2006	0.41
10-Feb-2003	0.17	22-Jul-2003	0.20	20-Dec-2006	0.17
11-Feb-2003	0.23	31-Jul-2003	0.20	5-Jan-2007	0.26
12-Feb-2003	0.23	4-Aug-2003	0.18	10-Jan-2007	0.16
13-Feb-2003	0.31	5-Aug-2003	0.11	11-Jan-2007	0.26
14-Feb-2003	0.19	6-Aug-2003	0.13	18-Jan-2007	0.14
18-Feb-2003	0.81	7-Aug-2003	0.15		
19-Feb-2003	0.71	13-Aug-2003	0.15		

4. WDRs Order No. R5-2002-0148 includes Discharge Specification B.5.b, which requires that *“the wastewater from 1 to 2 feet below the surface of the 1-million and 84-million gallon ponds shall maintain...[a] pH between 7.5 and 8.5 standard pH units.”*
 - a. The minimum pond pH requirement of 7.5 was violated in the million-gallon pond on 1,286 occasions, out of a possible 1,548 monitoring events. Results for pH that did not comply with the minimum requirement of 7.5 ranged from 3.5 to 7.48.
 - b. The minimum pond pH requirement of 7.5 was violated in the 84-million gallon pond on 449 occasions, out of a possible 1,493 monitoring events. Results for pH that did not comply with the minimum requirement of 7.5 ranged from 1.42 to 7.49.
 - c. The maximum pond pH requirement of 8.5 was violated in the million-gallon pond on 24 occasions, out of a possible 1,548 monitoring events. Results for pH that did not comply with the maximum requirement of 8.5 ranged from 8.55 to 11.2.
 - d. The maximum pond pH requirement of 8.5 was violated in the 84-million gallon pond on 119 occasions, out of a possible 1,493 monitoring events. Results for pH that did not comply with the maximum requirement of 8.5 ranged from 8.51 to 9.61.

5. WDRs Order No. R5-2002-0148 includes Discharge Specification B.9, which requires *“[p]ond freeboard [to] never be less than two feet in any pond as measured vertically from the water surface to the upper surface of the lowest adjacent dike or levee.”*
 - a. Based on review of the DSMRs, this requirement was violated in the million-gallon pond on 32 occasions, out of a possible 1,536 monitoring events, as shown in the following table:

Date	Freeboard (feet)	Date	Freeboard (feet)	Date	Freeboard (feet)
28-Sep-2002	1.0	15-Oct-2002	1.0	31-Oct-2002	1.0
29-Sep-2002	1.0	16-Oct-2002	1.0	19-Jul-2006	0.00
30-Sep-2002	1.5	17-Oct-2002	1.0	20-Jul-2006	0.00
1-Oct-2002	1.0	18-Oct-2002	1.0	21-Jul-2006	0.00
2-Oct-2002	1.0	20-Oct-2002	1.5	24-Jul-2006	0.00
3-Oct-2002	1.0	21-Oct-2002	1.0	25-Jul-2006	0.00
4-Oct-2002	1.0	22-Oct-2002	1.5	26-Jul-2006	0.00
8-Oct-2002	1.0	24-Oct-2002	1.5	27-Jul-2006	0.00
10-Oct-2002	1.0	25-Oct-2002	1.0	28-Jul-2006	0.00
11-Oct-2002	1.0	28-Oct-2002	1.5	31-Jul-2006	0.00
14-Oct-2002	1.0	30-Oct-2002	1.5		

When Regional Water Board staff contacted Musco staff regarding the reported July 2006 freeboard values shown in the above table, Musco staff stated (via electronic mail) that Musco did *“not have the hard copies of the raw data from when [the freeboard values] were originally recorded”*, so they did not know the exact freeboard on those days. Musco staff added that they were sure that the freeboard was greater than or equal to the required two feet on those dates, because of unspecified *“redundant automatic controls to prevent the pond from reaching the 2-foot freeboard mark.”*

- b. This requirement was violated in the 84-million gallon pond on 24 occasions, out of a possible 1,475 monitoring events, as shown in the following table:

Date	Freeboard (feet)	Date	Freeboard (feet)	Date	Freeboard (feet)
2-Apr-2006	1.8	10-Apr-2006	1.75	18-Apr-2006	1.80
3-Apr-2006	1.75	11-Apr-2006	1.75	19-Apr-2006	1.85
4-Apr-2006	1.75	12-Apr-2006	1.75	20-Apr-2006	1.85
5-Apr-2006	1.75	13-Apr-2006	1.70	21-Apr-2006	1.93
6-Apr-2006	1.75	14-Apr-2006	1.70	22-Apr-2006	1.93
7-Apr-2006	1.75	15-Apr-2006	1.70	23-Apr-2006	1.93
8-Apr-2006	1.75	16-Apr-2006	1.75	24-Apr-2006	1.95
9-Apr-2006	1.75	17-Apr-2006	1.75	25-Apr-2006	1.95

6. WDRs Order No. R5-2002-0148 includes Effluent Limitation C.2, which requires *“[t]he maximum total nitrogen loading to the LTUs [to] not exceed 480 lbs/ac-year, or if the crop uptake is lower, the nitrogen loading [to] not exceed the agronomic rate for the crop grown.”* This requirement was violated in 2003, 2004, 2005, and 2006, as shown in the following table:

Year	Field	N (lbs/ac-yr)	Year	Field	N (lbs/ac-yr)	Year	Field	N (lbs/ac-yr)
2003	95-16	516	2005	95-09	780	2006	95-09	1,236
2004	95-02	575		95-13	759		95-13	1,043
	95-06	516		95-14	615		95-14	920
	95-08	562		95-15	543		95-15	806
	95-09	780		95-16	789		95-16	1,273
	95-13	490		95-18	544		95-17	745
	95-14	510		95-20	583		95-18	1,421
	95-16	661		2006	95-02		1,156	95-19
2005	95-02	686	95-05		604		95-20	913
	95-05	519	95-06		800		North 18-1	1,186
	95-06	708	95-07		666	North 18-2	1,105	
	95-06	616	95-08	809	North 18-3	769		
	95-08	490						

In addition, the low density of the vegetation in the land application areas noted during recent inspections is of concern with respect to nitrogen uptake.

7. WDRs Order No. R5-2002-0148 includes Effluent Limitation C.3.a, which requires that the *“maximum BOD₅ loading to the LTUs shall not exceed...300 lbs/acre on any single day”*. This limitation was violated on the occasions described in the following table:

Field	Date	BOD (lbs/ac)	Field	Date	BOD (lbs/ac)	Field	Date	BOD (lbs/ac)
95-02	28-Jul-2003	578	95-06	24-Jul-2003	511	95-07	18-Aug-2003	401
	29-Jul-2003	578		25-Jul-2003	409	95-08	29-Jul-2003	409
	30-Jul-2003	596		26-Jul-2003	409		30-Jul-2003	422
	31-Jul-2003	596		27-Jul-2003	613		31-Jul-2003	422
	1-Aug-2003	398		28-Jul-2003	409		18-Aug-2003	486
	3-Aug-2003	398		29-Jul-2003	409	95-09	24-Jul-2003	1402
	10-Aug-2003	415		30-Jul-2003	422		25-Jul-2003	1246
	16-Aug-2003	344		31-Jul-2003	422		26-Jul-2003	623
	18-Aug-2003	687		18-Aug-2003	486		27-Jul-2003	1402
	19-Aug-2003	344	95-07	22-Jul-2003	956		28-Jul-2003	623
	25-Aug-2003	352		23-Jul-2003	1012		29-Jul-2003	623
	26-Aug-2003	352		24-Jul-2003	422		30-Jul-2003	643
95-05	28-Jul-2003	307		25-Jul-2003	337		31-Jul-2003	643
	29-Jul-2003	307		26-Jul-2003	337		1-Aug-2003	429
	30-Jul-2003	317		27-Jul-2003	506		3-Aug-2003	429
	31-Jul-2003	317		28-Jul-2003	337		10-Aug-2003	448
	18-Aug-2003	365		29-Jul-2003	337		16-Aug-2003	371
95-06	22-Jul-2003	1158		30-Jul-2003	348		18-Aug-2003	741
	23-Jul-2003	1227		31-Jul-2003	348		19-Aug-2003	371
95-09	25-Aug-2003	380	95-16	22-Jul-2003	564	95-20	17-Jul-2003	392
	26-Aug-2003	380		23-Jul-2003	597		18-Jul-2003	392

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Field	Date	BOD (lbs/ac)	Field	Date	BOD (lbs/ac)	Field	Date	BOD (lbs/ac)
95-13	24-Jul-2003	1066		10-Aug-2003	429		19-Jul-2003	392
	25-Jul-2003	948		16-Aug-2003	355		20-Jul-2003	392
	26-Jul-2003	474		18-Aug-2003	710		21-Jul-2003	588
	27-Jul-2003	1066		19-Aug-2003	355		22-Jul-2003	392
	10-Aug-2003	341		25-Aug-2003	364		23-Jul-2003	415
	18-Aug-2003	564		26-Aug-2003	364	55-W	30-Jul-2003	573
95-14	16-Jul-2003	417		1-Sep-2003	306		31-Jul-2003	382
	17-Jul-2003	1042		2-Sep-2003	408	SR-E	1-Aug-2003	697
	18-Jul-2003	1042	95-17	16-Jul-2003	927	Evap-E	21-Sep-2003	1235
	19-Jul-2003	625		17-Jul-2003	496		28-Jul-2003	360
	20-Jul-2003	625		18-Jul-2003	496	N-18	13-Sep-2002	451
	22-Jul-2003	417		19-Jul-2003	827		14-May-2003	339
	23-Jul-2003	441		20-Jul-2003	827		17-May-2003	339
	18-Jul-2003	525		21-Jul-2003	496		28-May-2003	334
95-15	14-Jul-2003	744		22-Jul-2003	331		26-Jun-2003	485
	16-Jul-2003	349		23-Jul-2003	350		21-Jul-2003	442
	17-Jul-2003	873		18-Aug-2003	417		22-Jul-2003	442
	18-Jul-2003	873	95-18	15-Jul-2003	1974		23-Jul-2003	702
	19-Jul-2003	524		16-Jul-2003	496		24-Jul-2003	468
	20-Jul-2003	524		17-Jul-2003	331		25-Jul-2003	351
	21-Jul-2003	524		18-Jul-2003	496		26-Jul-2003	312
	22-Jul-2003	349		19-Jul-2003	496		2-Aug-2003	322
	23-Jul-2003	370		20-Jul-2003	496		4-Aug-2003	322
	18-Aug-2003	440		21-Jul-2003	496		8-Aug-2003	599
95-16	14-Jul-2003	1201		22-Jul-2003	331		9-Aug-2003	599
	16-Jul-2003	1410		4-Aug-2003	965		10-Aug-2003	599
	17-Jul-2003	946	95-19	15-Jul-2003	1439		16-Aug-2003	371
	18-Jul-2003	946		16-Jul-2003	362		17-Aug-2003	464
	19-Jul-2003	1410		21-Jul-2003	362		21-Aug-2003	381
	20-Jul-2003	1410		4-Aug-2003	704		22-Aug-2003	508
	21-Jul-2003	846	95-20	16-Jul-2003	588		24-Aug-2003	508

8. WDRs Order No. R5-2002-0148 includes Effluent Limitation C.3.b, which requires that the "maximum BOD₅ loading to the LTUs shall not exceed...100 lbs/acre·day as a 7-day average". This limitation was violated on the occasions described in the following table:

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
13-Sep-02	N-18	150	22-Jul-03	N-18	147	16-Aug-03	95-07	129
14-Sep-02	N-18	138	23-Jul-03	95-06	341	16-Aug-03	95-08	157
15-Sep-02	95-06	104	23-Jul-03	95-07	281	16-Aug-03	95-09	239
15-Sep-02	N-18	145	23-Jul-03	95-14	599	16-Aug-03	95-13	198
16-Sep-02	95-05	109	23-Jul-03	95-15	577	16-Aug-03	95-15	126
16-Sep-02	95-06	146	23-Jul-03	95-16	931	16-Aug-03	95-16	178
16-Sep-02	95-09	113	23-Jul-03	95-17	547	16-Aug-03	N-18	189
16-Sep-02	95-16	103	23-Jul-03	95-18	378	17-Aug-03	95-02	187

ATTACHMENT B
 STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
16-Sep-02	N-18	163	23-Jul-03	95-19	224	17-Aug-03	95-06	150
17-Sep-02	95-02	121	23-Jul-03	95-19	424	17-Aug-03	95-07	109
17-Sep-02	95-03	101	23-Jul-03	N-18	248	17-Aug-03	95-08	132
17-Sep-02	95-05	141	24-Jul-03	95-06	414	17-Aug-03	95-09	202
17-Sep-02	95-06	188	24-Jul-03	95-07	341	17-Aug-03	95-13	169
17-Sep-02	95-09	137	24-Jul-03	95-09	200	17-Aug-03	95-15	104
17-Sep-02	95-16	126	24-Jul-03	95-13	152	17-Aug-03	95-16	117
17-Sep-02	N-18	168	24-Jul-03	95-14	450	17-Aug-03	N-18	170
18-Sep-02	95-02	133	24-Jul-03	95-15	452	18-Aug-03	95-02	265
18-Sep-02	95-03	101	24-Jul-03	95-16	810	18-Aug-03	95-03	103
18-Sep-02	95-05	141	24-Jul-03	95-17	476	18-Aug-03	95-05	141
18-Sep-02	95-06	188	24-Jul-03	95-18	331	18-Aug-03	95-06	205
18-Sep-02	95-09	125	24-Jul-03	95-19	190	18-Aug-03	95-07	155
18-Sep-02	95-16	114	24-Jul-03	95-19	368	18-Aug-03	95-08	188
18-Sep-02	N-18	197	24-Jul-03	N-18	315	18-Aug-03	95-09	286
19-Sep-02	95-02	121	25-Jul-03	95-06	472	18-Aug-03	95-13	234
19-Sep-02	95-03	101	25-Jul-03	95-07	390	18-Aug-03	95-14	169
19-Sep-02	95-05	141	25-Jul-03	95-09	378	18-Aug-03	95-15	167
19-Sep-02	95-06	188	25-Jul-03	95-13	288	18-Aug-03	95-16	218
19-Sep-02	95-09	125	25-Jul-03	95-14	301	18-Aug-03	95-17	113
19-Sep-02	95-16	114	25-Jul-03	95-15	327	18-Aug-03	N-18	159
19-Sep-02	N-18	222	25-Jul-03	95-16	689	19-Aug-03	95-02	295
20-Sep-02	95-02	158	25-Jul-03	95-17	405	19-Aug-03	95-03	113
20-Sep-02	95-03	110	25-Jul-03	95-18	260	19-Aug-03	95-04	108
20-Sep-02	95-05	165	25-Jul-03	95-19	155	19-Aug-03	95-05	156
20-Sep-02	95-06	204	25-Jul-03	95-19	312	19-Aug-03	95-06	226
20-Sep-02	95-09	139	25-Jul-03	N-18	365	19-Aug-03	95-07	172
20-Sep-02	95-16	128	26-Jul-03	95-06	531	19-Aug-03	95-08	207
20-Sep-02	N-18	185	26-Jul-03	95-07	438	19-Aug-03	95-09	318
21-Sep-02	95-03	118	26-Jul-03	95-09	467	19-Aug-03	95-13	201
21-Sep-02	95-05	177	26-Jul-03	95-13	355	19-Aug-03	95-14	169
21-Sep-02	95-06	221	26-Jul-03	95-14	212	19-Aug-03	95-15	173
21-Sep-02	95-07	103	26-Jul-03	95-15	252	19-Aug-03	95-16	228
21-Sep-02	95-08	109	26-Jul-03	95-16	488	19-Aug-03	95-17	119
21-Sep-02	95-09	152	26-Jul-03	95-17	286	19-Aug-03	95-10	109
21-Sep-02	95-14	104	26-Jul-03	95-18	189	19-Aug-03	N-18	186
21-Sep-02	95-16	140	26-Jul-03	95-19	121	20-Aug-03	95-02	270
21-Sep-02	95-02	182	26-Jul-03	95-19	255	20-Aug-03	95-03	107
21-Sep-02	EvapE	196	26-Jul-03	N-18	388	20-Aug-03	95-04	102
21-Sep-02	N-18	177	27-Jul-03	95-03	124	20-Aug-03	95-05	143
22-Sep-02	95-03	138	27-Jul-03	95-04	118	20-Aug-03	95-06	191
22-Sep-02	95-05	195	27-Jul-03	95-06	618	20-Aug-03	95-07	158
22-Sep-02	95-06	244	27-Jul-03	95-07	510	20-Aug-03	95-08	191
22-Sep-02	95-07	114	27-Jul-03	95-09	668	20-Aug-03	95-09	291
22-Sep-02	95-08	122	27-Jul-03	95-13	508	20-Aug-03	95-10	100
22-Sep-02	95-09	173	27-Jul-03	95-14	123	20-Aug-03	95-13	181
22-Sep-02	95-14	122	27-Jul-03	95-15	178	20-Aug-03	95-14	169

ATTACHMENT B
 STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
22-Sep-02	95-15	103	27-Jul-03	95-16	287	20-Aug-03	95-15	157
22-Sep-02	95-16	165	27-Jul-03	95-17	168	20-Aug-03	95-16	263
22-Sep-02	95-02	219	27-Jul-03	95-18	118	20-Aug-03	95-17	139
22-Sep-02	Evap-E	206	27-Jul-03	95-19	199	20-Aug-03	N-18	222
22-Sep-02	N-18	176	27-Jul-03	N-18	411	21-Aug-03	95-02	279
23-Sep-02	95-03	132	28-Jul-03	95-03	153	21-Aug-03	95-03	111
23-Sep-02	95-05	186	28-Jul-03	95-04	146	21-Aug-03	95-04	105
23-Sep-02	95-06	233	28-Jul-03	95-06	677	21-Aug-03	95-05	148
23-Sep-02	95-07	108	28-Jul-03	95-07	558	21-Aug-03	95-06	197
23-Sep-02	95-08	116	28-Jul-03	95-09	757	21-Aug-03	95-07	163
23-Sep-02	95-09	163	28-Jul-03	95-13	508	21-Aug-03	95-08	197
23-Sep-02	95-14	116	28-Jul-03	95-14	123	21-Aug-03	95-09	301
23-Sep-02	95-16	156	28-Jul-03	95-15	103	21-Aug-03	95-10	103
23-Sep-02	95-02	210	28-Jul-03	95-19	115	21-Aug-03	95-13	161
23-Sep-02	Evap-E	209	28-Jul-03	95-16	166	21-Aug-03	95-14	150
23-Sep-02	N-18	144	28-Jul-03	N-18	347	21-Aug-03	95-15	179
24-Sep-02	95-03	134	29-Jul-03	95-02	165	21-Aug-03	95-16	298
24-Sep-02	95-05	178	29-Jul-03	95-03	183	21-Aug-03	95-17	160
24-Sep-02	95-06	222	29-Jul-03	95-04	174	21-Aug-03	N-18	276
24-Sep-02	95-07	103	29-Jul-03	95-06	569	22-Aug-03	95-02	271
24-Sep-02	95-08	117	29-Jul-03	95-07	470	22-Aug-03	95-03	108
24-Sep-02	95-09	165	29-Jul-03	95-09	846	22-Aug-03	95-04	103
24-Sep-02	95-13	108	29-Jul-03	95-13	508	22-Aug-03	95-05	144
24-Sep-02	95-14	117	29-Jul-03	N-18	284	22-Aug-03	95-06	192
24-Sep-02	95-16	159	30-Jul-03	95-02	250	22-Aug-03	95-07	158
24-Sep-02	95-19	103	30-Jul-03	95-03	213	22-Aug-03	95-08	192
24-Sep-02	95-02	213	30-Jul-03	95-04	203	22-Aug-03	95-09	293
24-Sep-02	Evap-E	214	30-Jul-03	95-05	133	22-Aug-03	95-10	101
24-Sep-02	N-18	131	30-Jul-03	95-06	455	22-Aug-03	95-13	141
25-Sep-02	95-03	121	30-Jul-03	95-07	375	22-Aug-03	95-14	131
25-Sep-02	95-05	155	30-Jul-03	95-08	119	22-Aug-03	95-15	174
25-Sep-02	95-06	191	30-Jul-03	95-09	937	22-Aug-03	95-16	290
25-Sep-02	95-08	108	30-Jul-03	95-13	508	22-Aug-03	95-17	170
25-Sep-02	95-09	151	30-Jul-03	55-W	124	22-Aug-03	N-18	309
25-Sep-02	95-13	115	30-Jul-03	Evap-E	104	23-Aug-03	95-02	239
25-Sep-02	95-14	107	30-Jul-03	N-18	184	23-Aug-03	95-05	127
25-Sep-02	95-16	145	31-Jul-03	95-02	335	23-Aug-03	95-06	169
25-Sep-02	95-02	193	31-Jul-03	95-03	206	23-Aug-03	95-07	140
25-Sep-02	Evap-E	217	31-Jul-03	95-04	197	23-Aug-03	95-08	169
25-Sep-02	N-18	114	31-Jul-03	95-05	178	23-Aug-03	95-09	258
26-Sep-02	95-03	116	31-Jul-03	95-06	442	23-Aug-03	95-13	101
26-Sep-02	95-05	142	31-Jul-03	95-07	365	23-Aug-03	95-15	153
26-Sep-02	95-06	175	31-Jul-03	95-08	179	23-Aug-03	95-16	274
26-Sep-02	95-09	137	31-Jul-03	95-09	829	23-Aug-03	95-17	161
26-Sep-02	95-13	104	31-Jul-03	95-10	124	23-Aug-03	N-18	256
26-Sep-02	95-16	131	31-Jul-03	95-13	355	24-Aug-03	95-02	231
26-Sep-02	95-02	184	31-Jul-03	55-W	179	24-Aug-03	95-05	123

ATTACHMENT B
 STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
26-Sep-02	Evap-E	212	31-Jul-03	Evap-E	104	24-Aug-03	95-06	164
27-Sep-02	95-03	101	31-Jul-03	N-18	117	24-Aug-03	95-07	135
27-Sep-02	95-05	116	1-Aug-03	95-02	392	24-Aug-03	95-08	164
27-Sep-02	95-06	155	1-Aug-03	95-03	197	24-Aug-03	95-09	249
27-Sep-02	95-09	120	1-Aug-03	95-04	188	24-Aug-03	95-15	148
27-Sep-02	95-16	115	1-Aug-03	95-05	208	24-Aug-03	95-16	308
27-Sep-02	95-02	161	1-Aug-03	95-06	424	24-Aug-03	95-17	181
27-Sep-02	Evap-E	201	1-Aug-03	95-07	350	24-Aug-03	N-18	262
28-Sep-02	95-05	102	1-Aug-03	95-08	219	25-Aug-03	95-02	183
28-Sep-02	95-06	136	1-Aug-03	95-08	130	25-Aug-03	95-06	130
28-Sep-02	95-09	116	1-Aug-03	95-09	712	25-Aug-03	95-07	107
28-Sep-02	95-16	111	1-Aug-03	95-10	145	25-Aug-03	95-08	130
28-Sep-02	95-02	149	1-Aug-03	95-13	220	25-Aug-03	95-09	198
29-Sep-02	95-06	116	1-Aug-03	55-W	206	25-Aug-03	95-15	117
29-Sep-02	95-02	126	1-Aug-03	95-02	177	25-Aug-03	95-16	259
30-Sep-02	95-02	111	1-Aug-03	Evap-E	110	25-Aug-03	95-17	152
03-Oct-02	95-06	104	1-Aug-03	SR-E	121	25-Aug-03	N-18	299
04-Oct-02	95-06	117	2-Aug-03	95-02	392	26-Aug-03	95-02	185
04-Oct-02	95-09	101	2-Aug-03	95-02	148	26-Aug-03	95-06	131
05-Oct-02	95-06	106	2-Aug-03	95-03	168	26-Aug-03	95-07	108
07-Oct-02	95-06	109	2-Aug-03	95-04	160	26-Aug-03	95-08	131
08-Oct-02	95-06	122	2-Aug-03	95-05	208	26-Aug-03	95-09	199
08-Oct-02	95-09	105	2-Aug-03	95-06	365	26-Aug-03	95-15	118
09-Oct-02	95-06	105	2-Aug-03	95-07	301	26-Aug-03	95-16	260
14-Oct-02	N-18	110	2-Aug-03	95-08	219	26-Aug-03	95-17	125
15-Oct-02	N-18	114	2-Aug-03	95-08	130	26-Aug-03	N-18	308
16-Oct-02	N-18	140	2-Aug-03	95-09	623	27-Aug-03	95-02	206
17-Oct-02	N-18	135	2-Aug-03	95-10	145	27-Aug-03	95-05	109
18-Oct-02	N-18	110	2-Aug-03	95-13	152	27-Aug-03	95-06	146
19-Oct-02	N-18	102	2-Aug-03	55-W	219	27-Aug-03	95-07	120
27-Oct-02	55-W	116	2-Aug-03	Evap-E	110	27-Aug-03	95-08	146
28-Oct-02	55-W	114	2-Aug-03	SR-E	134	27-Aug-03	95-09	222
29-Oct-02	95-06	105	3-Aug-03	95-01	108	27-Aug-03	95-15	132
29-Oct-02	55-W	121	3-Aug-03	95-02	449	27-Aug-03	95-16	247
30-Oct-02	95-02	101	3-Aug-03	95-02	129	27-Aug-03	95-17	118
30-Oct-02	95-06	127	3-Aug-03	95-03	159	27-Aug-03	N-18	287
30-Oct-02	55-W	139	3-Aug-03	95-04	151	28-Aug-03	95-02	193
31-Oct-02	95-06	117	3-Aug-03	95-05	210	28-Aug-03	95-05	103
31-Oct-02	55-W	181	3-Aug-03	95-06	318	28-Aug-03	95-06	137
1-Nov-02	55-W	154	3-Aug-03	95-07	262	28-Aug-03	95-07	113
2-Nov-02	55-W	123	3-Aug-03	95-08	259	28-Aug-03	95-09	209
17-May-03	N-18	123	3-Aug-03	95-09	484	28-Aug-03	95-15	124
18-May-03	N-18	147	3-Aug-03	95-10	167	28-Aug-03	95-16	235
19-May-03	N-18	140	3-Aug-03	55-W	247	28-Aug-03	95-17	110
20-May-03	55-W	114	3-Aug-03	Evap-E	134	28-Aug-03	95-08	137
20-May-03	N-18	155	3-Aug-03	SR-E	134	28-Aug-03	N-18	244
21-May-03	55-W	139	4-Aug-03	95-02	395	29-Aug-03	95-02	198

ATTACHMENT B
STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
21-May-03	N-18	123	4-Aug-03	95-02	109	29-Aug-03	95-05	105
22-May-03	55-W	123	4-Aug-03	95-03	140	29-Aug-03	95-06	125
22-May-03	N-18	130	4-Aug-03	95-04	133	29-Aug-03	95-07	116
23-May-03	55-W	134	4-Aug-03	95-05	210	29-Aug-03	95-08	140
23-May-03	N-18	155	4-Aug-03	95-06	280	29-Aug-03	95-09	213
24-May-03	55-W	114	4-Aug-03	95-07	231	29-Aug-03	95-15	127
24-May-03	N-18	107	4-Aug-03	95-08	280	29-Aug-03	95-16	239
25-May-03	55-W	111	4-Aug-03	95-08	104	29-Aug-03	95-17	113
26-May-03	95-02	104	4-Aug-03	95-09	426	29-Aug-03	N-18	185
26-May-03	95-09	112	4-Aug-03	95-10	146	30-Aug-03	95-02	202
26-May-03	55-W	103	4-Aug-03	95-18	138	30-Aug-03	95-05	107
27-May-03	95-02	102	4-Aug-03	95-19	101	30-Aug-03	95-06	113
27-May-03	95-09	110	4-Aug-03	55-W	253	30-Aug-03	95-07	118
27-May-03	N-18	102	4-Aug-03	Evap-E	106	30-Aug-03	95-08	143
28-May-03	95-02	108	4-Aug-03	SR-E	134	30-Aug-03	95-09	218
28-May-03	95-09	117	5-Aug-03	95-02	341	30-Aug-03	95-15	129
28-May-03	N-18	133	5-Aug-03	95-03	121	30-Aug-03	95-16	226
29-May-03	95-02	112	5-Aug-03	95-05	181	30-Aug-03	95-17	105
29-May-03	95-09	121	5-Aug-03	95-06	241	30-Aug-03	N-18	191
29-May-03	N-18	123	5-Aug-03	95-07	199	31-Aug-03	95-02	206
30-May-03	95-02	116	5-Aug-03	95-08	241	31-Aug-03	95-06	101
30-May-03	95-09	125	5-Aug-03	95-09	368	31-Aug-03	95-07	121
30-May-03	N-18	106	5-Aug-03	95-10	126	31-Aug-03	95-08	146
31-May-03	95-02	123	5-Aug-03	95-18	155	31-Aug-03	95-09	223
31-May-03	95-09	133	5-Aug-03	95-19	113	31-Aug-03	95-15	132
31-May-03	N-18	114	5-Aug-03	55-W	266	31-Aug-03	95-16	213
01-Jun-03	95-02	130	5-Aug-03	95-04	115	31-Aug-03	95-05	110
01-Jun-03	95-09	124	5-Aug-03	SR-E	124	31-Aug-03	N-18	149
01-Jun-03	N-18	113	6-Aug-03	95-02	295	1-Sep-03	95-07	108
01-Jun-03	Spur-N	106	6-Aug-03	95-03	104	1-Sep-03	95-09	206
02-Jun-03	95-02	126	6-Aug-03	95-05	157	1-Sep-03	95-15	114
02-Jun-03	95-09	104	6-Aug-03	95-06	209	1-Sep-03	95-16	205
02-Jun-03	N-18	113	6-Aug-03	95-07	172	1-Sep-03	N-18	116
03-Jun-03	95-02	125	6-Aug-03	95-08	209	2-Sep-03	95-09	175
03-Jun-03	55-W	101	6-Aug-03	95-09	318	2-Sep-03	95-15	108
03-Jun-03	N-18	119	6-Aug-03	95-10	109	2-Sep-03	95-16	211
04-Jun-03	95-02	122	6-Aug-03	95-18	179	2-Sep-03	95-17	124
04-Jun-03	55-W	106	6-Aug-03	95-19	131	3-Sep-03	95-09	155
05-Jun-03	95-02	118	6-Aug-03	55-W	198	3-Sep-03	95-16	195
05-Jun-03	N-18	106	6-Aug-03	SR-E	142	3-Sep-03	95-17	115
10-Jun-03	N-18	105	7-Aug-03	95-02	250	4-Sep-03	95-09	134
11-Jun-03	N-18	101	7-Aug-03	95-05	132	4-Sep-03	95-16	179
13-Jun-03	N-18	110	7-Aug-03	95-07	146	4-Sep-03	95-17	105
14-Jun-03	N-18	110	7-Aug-03	95-08	177	5-Sep-03	95-09	115
15-Jun-03	N-18	110	7-Aug-03	95-09	269	5-Sep-03	95-16	167
27-Jun-03	N-18	107	7-Aug-03	95-13	111	6-Sep-03	95-16	152
28-Jun-03	N-18	120	7-Aug-03	95-18	179	7-Sep-03	95-16	138

ATTACHMENT B
 STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
29-Jun-03	N-18	151	7-Aug-03	95-19	131	8-Sep-03	95-16	104
30-Jun-03	N-18	151	7-Aug-03	55-W	144	8-Sep-05	95-02	100
30-Jun-03	SRE	133	7-Aug-03	95-06	177	8-Sep-05	95-06	127
30-Jun-03	SRW	128	7-Aug-03	N-18	135	8-Sep-05	95-07	105
1-Jul-03	N-18	189	7-Aug-03	SR-E	142	8-Sep-05	95-09	108
1-Jul-03	SpurN	108	8-Aug-03	95-02	213	8-Sep-05	95-16	104
1-Jul-03	SRE	153	8-Aug-03	95-05	113	9-Sep-05	95-02	105
1-Jul-03	SRW	148	8-Aug-03	95-06	150	9-Sep-05	95-05	104
2-Jul-03	N-18	189	8-Aug-03	95-07	124	9-Sep-05	95-06	139
2-Jul-03	SRE	150	8-Aug-03	95-08	150	9-Sep-05	95-09	113
2-Jul-03	SRW	144	8-Aug-03	95-13	128	9-Sep-05	95-16	108
3-Jul-03	N-18	120	8-Aug-03	95-18	179	9-Sep-05	95-07	115
3-Jul-03	SRE	141	8-Aug-03	95-19	131	10-Sep-05	95-05	102
3-Jul-03	SRW	120	8-Aug-03	55-W	117	10-Sep-05	95-06	136
4-Jul-03	SRE	131	8-Aug-03	95-09	229	10-Sep-05	95-07	113
4-Jul-03	SRW	110	8-Aug-03	N-18	220	10-Sep-05	95-09	106
5-Jul-03	SRE	127	9-Aug-03	95-02	232	10-Sep-05	95-16	101
5-Jul-03	SRW	106	9-Aug-03	95-05	123	11-Sep-05	95-02	115
6-Jul-03	SRE	123	9-Aug-03	95-06	164	11-Sep-05	95-05	114
6-Jul-03	SRW	103	9-Aug-03	95-07	124	11-Sep-05	95-06	152
12-Jul-03	Past	111	9-Aug-03	95-08	150	11-Sep-05	95-07	126
13-Jul-03	Past	111	9-Aug-03	95-09	229	11-Sep-05	95-09	124
14-Jul-03	95-15	106	9-Aug-03	95-13	128	11-Sep-05	95-16	119
14-Jul-03	95-16	172	9-Aug-03	95-18	179	12-Sep-05	95-02	120
14-Jul-03	Past	101	9-Aug-03	95-19	131	12-Sep-05	95-05	120
14-Jul-03	SRE	105	9-Aug-03	55-W	103	12-Sep-05	95-06	160
14-Jul-03	SRW	102	9-Aug-03	N-18	260	12-Sep-05	95-07	132
15-Jul-03	95-15	106	10-Aug-03	95-02	235	12-Sep-05	95-09	130
15-Jul-03	95-16	172	10-Aug-03	95-05	125	12-Sep-05	95-16	124
15-Jul-03	95-18	282	10-Aug-03	95-06	166	13-Sep-05	95-02	112
15-Jul-03	95-19	206	10-Aug-03	95-07	126	13-Sep-05	95-05	110
15-Jul-03	SRE	120	10-Aug-03	95-08	152	13-Sep-05	95-06	146
15-Jul-03	SRW	116	10-Aug-03	95-09	232	13-Sep-05	95-07	121
16-Jul-03	95-15	156	10-Aug-03	95-13	176	13-Sep-05	95-09	121
16-Jul-03	95-16	373	10-Aug-03	95-15	138	13-Sep-05	95-16	116
16-Jul-03	95-17	118	10-Aug-03	95-16	123	14-Sep-05	95-02	103
16-Jul-03	95-18	353	10-Aug-03	95-18	179	14-Sep-05	95-06	133
16-Jul-03	95-19	257	10-Aug-03	95-19	131	14-Sep-05	95-07	110
16-Jul-03	SRE	120	10-Aug-03	N-18	345	14-Sep-05	95-09	111
16-Jul-03	SRW	116	11-Aug-03	95-02	226	14-Sep-05	95-16	106
17-Jul-03	95-14	208	11-Aug-03	95-05	120	15-Sep-05	95-06	120
17-Jul-03	95-15	281	11-Aug-03	95-06	160	15-Sep-05	95-09	101
17-Jul-03	95-16	494	11-Aug-03	95-07	121	16-Sep-05	95-06	120
17-Jul-03	95-17	189	11-Aug-03	95-08	146	16-Sep-05	95-09	104
17-Jul-03	95-18	400	11-Aug-03	95-09	223	16-Sep-05	95-16	100
17-Jul-03	95-19	292	11-Aug-03	95-13	169	17-Sep-05	95-06	124
17-Jul-03	95-20	140	11-Aug-03	95-15	120	17-Sep-05	95-07	102

ATTACHMENT B
 STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
 MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
 SAN JOAQUIN COUNTY

Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)	Date of Seventh Day	Field	Ave. BOD (lbs/ac-day)
17-Jul-03	SRE	102	11-Aug-03	95-16	123	17-Sep-05	95-09	107
18-Jul-03	95-14	357	11-Aug-03	N-18	310	17-Sep-05	95-16	103
18-Jul-03	95-15	406	12-Aug-03	95-02	218	18-Sep-05	95-06	121
18-Jul-03	95-16	615	12-Aug-03	95-05	116	19-Sep-05	95-06	103
18-Jul-03	95-17	260	12-Aug-03	95-06	154	20-Sep-05	95-06	110
18-Jul-03	95-18	471	12-Aug-03	95-07	116	21-Sep-05	95-06	110
18-Jul-03	95-19	326	12-Aug-03	95-08	140	22-Sep-05	95-06	115
18-Jul-03	95-19	196	12-Aug-03	95-09	213	23-Sep-05	95-06	112
19-Jul-03	95-14	447	12-Aug-03	95-13	178	24-Sep-05	95-06	114
19-Jul-03	95-15	481	12-Aug-03	95-15	127	25-Sep-05	95-06	106
19-Jul-03	95-16	816	12-Aug-03	95-16	164	26-Sep-05	95-06	114
19-Jul-03	95-17	378	12-Aug-03	N-18	310	27-Sep-05	95-06	109
19-Jul-03	95-18	542	13-Aug-03	95-02	203	28-Sep-05	95-06	101
19-Jul-03	95-19	361	13-Aug-03	95-05	108	12-Oct-05	95-13	106
19-Jul-03	95-19	252	13-Aug-03	95-06	161	13-Oct-05	95-13	123
19-Jul-03	N-18	111	13-Aug-03	95-07	107	14-Oct-05	9-513	113
20-Jul-03	95-14	536	13-Aug-03	95-08	129	15-Oct-05	95-13	113
20-Jul-03	95-15	555	13-Aug-03	95-09	197	16-Oct-05	95-13	112
20-Jul-03	95-16	1017	13-Aug-03	95-13	166	17-Oct-05	95-13	127
20-Jul-03	95-17	496	13-Aug-03	95-16	164	18-Oct-05	95-13	132
20-Jul-03	95-18	613	13-Aug-03	95-15	117	19-Oct-05	95-13	137
20-Jul-03	95-19	395	13-Aug-03	N-18	310	20-Oct-05	95-07	102
20-Jul-03	95-19	308	14-Aug-03	95-02	188	20-Oct-05	95-13	131
20-Jul-03	N-18	102	14-Aug-03	95-06	150	21-Oct-05	95-07	105
21-Jul-03	95-14	536	14-Aug-03	95-08	119	21-Oct-05	95-13	138
21-Jul-03	95-15	524	14-Aug-03	95-09	181	22-Oct-05	95-07	117
21-Jul-03	95-16	967	14-Aug-03	95-13	154	22-Oct-05	95-13	164
21-Jul-03	95-18	684	14-Aug-03	95-16	123	23-Oct-05	95-07	120
21-Jul-03	95-19	447	14-Aug-03	N-18	267	23-Oct-05	95-13	168
21-Jul-03	95-19	392	15-Aug-03	95-02	192	24-Oct-05	95-07	112
21-Jul-03	95-17	567	15-Aug-03	95-05	102	24-Oct-05	95-13	149
21-Jul-03	95-19	447	15-Aug-03	95-06	154	25-Oct-05	95-13	139
21-Jul-03	N-18	125	15-Aug-03	95-07	101	26-Oct-05	95-13	119
22-Jul-03	95-06	165	15-Aug-03	95-08	122	27-Oct-05	95-13	111
22-Jul-03	95-07	137	15-Aug-03	95-09	186	28-Oct-05	95-13	101
22-Jul-03	95-14	595	15-Aug-03	95-13	158	15-Jul-06	95-16	104
22-Jul-03	95-15	574	15-Aug-03	95-16	128	15-Jul-06	95-18	104
22-Jul-03	95-16	1047	15-Aug-03	N-18	222	16-Jul-06	95-16	102
22-Jul-03	95-17	615	16-Aug-03	95-02	222	16-Jul-06	95-18	102
22-Jul-03	95-18	449	16-Aug-03	95-05	118			
22-Jul-03	95-19	276	16-Aug-03	95-06	174			

9. WDRs Order No. R5-2002-0148 includes Effluent Limitation C.4, which requires “[w]astewater discharged to the LTUs [to] not have a pH of less than 6.5 or greater than 8.5.” Since wastewater discharged to the land application areas is from the 84-million gallon pond, pH values from this pond were used in assessing compliance with Effluent Limitation C.4.

- a. The minimum pH requirement of 6.5 was violated in the 84-million gallon pond on four occasions, out of 894 days with both discharge to the LTUs and monitoring of pH in the 84-million gallon pond, as shown in the following table:

Date	pH	Discharge to LTUs (millions of gallons)	Date	pH	Discharge to LTUs (millions of gallons)
20-Mar-2003	6.47	0.288873	14-Oct-2006	6.49	0.010260
25-Mar-2003	6.28	0.260892	20-Jan-2007	5.55	0.225045

- b. The maximum pH requirement of 8.5 was violated in the 84-million gallon pond on 40 occasions, out of approximately 894 days with both discharge to the LTUs and monitoring of pH in the 84-million gallon pond, as shown in the following table:

Date	pH	Discharge to LTUs (millions of gallons)	Date	pH	Discharge to LTUs (millions of gallons)
29-Jan-2003	8.66	0.227138	15-May-2007	8.57	0.754172
29-Jun-2004	8.60	1.019056	21-May-2007	8.72	0.692872
7-Jul-2004	8.51	0.858549	22-May-2007	8.52	0.811680
13-Jul-2004	8.76	1.017497	23-May-2007	8.65	0.879183
26-Jul-2004	8.57	0.996520	24-May-2007	8.62	0.608268
29-Jul-2004	8.51	1.021561	25-May-2007	8.57	0.944749
20-Aug-2004	8.52	0.927826	26-May-2007	8.68	1.051080
3-Oct-2004	8.45	0.542143	27-May-2007	8.57	1.322146
1-Aug-2006	8.86	1.622416	28-May-2007	8.65	0.982763
5-Aug-2006	8.84	1.356837	29-May-2007	8.78	0.885090
7-Aug-2006	8.69	1.545162	30-May-2007	8.65	0.921751
9-Aug-2006	8.51	2.406292	31-May-2007	8.64	1.023146
10-Aug-2006	9.43	2.212156	1-Jun-2007	8.84	0.790193
13-Aug-2006	9.61	2.235066	2-Jun-2007	8.74	0.931403
18-Aug-2006	8.67	1.358656	3-Jun-2007	8.82	0.895366
21-Aug-2006	8.60	1.661688	4-Jun-2007	8.80	0.762507
25-Aug-2006	8.52	2.106707	5-Jun-2007	8.90	0.904671
28-Aug-2006	8.57	1.886018	7-Jun-2007	8.82	0.984979
8-May-2007	8.51	0.981971	9-Jun-2007	8.76	0.003386
14-May-2007	8.51	0.897696	10-Jun-2007	8.61	0.003386

10. WDRs Order No. R5-2002-0148 includes Land Application Area Specification D.7, which requires that “[i]rrigation with process wastewater shall not be performed within 24 hours of a forecasted storm, during a precipitation event, 24 hours after a precipitation event, or when the ground is saturated.” This requirement was violated on at least 59 occasions during the period reviewed, as shown in the following table:

Date	Precip. (in)	Precip. Hours	Irrigation Duration (hours)	Date	Precip. (in)	Precip. Hours	Irrigation Duration (hours)
27-Dec-2002	0.00	--	6.5	19-Sep-2004	0.53	0600-1100	2.25
28-Dec-2002	0.14	1300-1900	--	3-Apr-2005	0.14	1800-2300	0.5

STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER NO. R5-2007-0138
MUSCO FAMILY OLIVE COMPANY AND THE STUDLEY COMPANY
SAN JOAQUIN COUNTY

Date	Precip. (in)	Precip. Hours	Irrigation Duration (hours)	Date	Precip. (in)	Precip. Hours	Irrigation Duration (hours)
26-Feb-2003	0.13	2200-2400	4.0	4-Apr-2005	0.00	--	0.5
31-Mar-2003	0.00	--	5.0	8-Apr-2005	0.12	0800-1100	0.5
1-Apr-2003	0.03	0800-1100	--	27-Apr-2005	0.08	1200-2000	1.0
20-Aug-2003	0.00	--	4.0	28-Apr-2005	0.95	0100-1400	--
21-Aug-2003	0.01	0900-1000	6.0	29-Apr-2005	0.00	--	1.0
22-Aug-2003	0.02	0100-0200	8.0	4-May-2005	0.15	1900-2400	1.0
25-Aug-2003	0.00	--	4.0	5-May-2005	0.07	2400-0800	--
26-Aug-2003	0.04	0200-0300	4.0	7-Jun-2005	0.00	--	2.0
2-Nov-2003	0.08	2100-2300	1.0	8-Jun-2005	0.06	0400-0800	--
3-Nov-2003	0.17	2400-0200	--	16-Jun-2005	0.03	1700-1800	1.5
6-Nov-2003	0.02	2300-2400	1	17-Jun-2005	0.00	--	4.0
1-Jan-2004	0.58	1200-1300	0.5	28-Nov-2005	0.39	1800-2200	1.5
6-Jan-2004	0.13	1900-2300	0.25	29-Nov-2005	0.01	0500-0600	--
7-Jan-2004	0.05	2400-1500	--	7-Dec-2005	0.03	1700-2200	1.5
14-Jan-2004	0.01	1300-1400	0.5	17-Feb-2006	0.11	1500-1700	1.5
26-Jan-2004	0.01	2000-2100	0.5	27-Mar-2006	0.27	1500-1800	0.5
27-Jan-2004	0.04	1600-1700	--	30-Mar-2006	0.01	1800-1900	1.25
28-Jan-2004	0.00	--	0.5	31-Mar-2006	0.07	1400-1900	0.5
2-Feb-2004	0.41	1000-1500	2.0	7-Apr-2006	0.07	1500-1600	0.5
3-Feb-2004	0.19	0200-2000	--	21-Apr-2006	0.08	1400-1500	1.0
6-Feb-2004	0.03	2000-2200	1.25	21-May-2006	0.28	--	1.0
7-Feb-2004	0.00	--	3.0	22-May-2006	0.33	0100-0400	--
15-Feb-2004	0.00	--	1.5	1-Oct-2006	0.04	1500-1600	4.66
16-Feb-2004	0.24	0100-0700	--	2-Oct-2006	0.00	--	2.66
17-Feb-2004	0.20	2000-2400	1.75	4-Oct-2006	0.01	2300-2400	--
18-Feb-2004	0.21	2400-0700	--	5-Oct-2006	0.01	0100-0200	2.0
19-Feb-2004	0.00	--	1.0	26-Jan-2007	0.00	--	1.0
20-Feb-2004	0.01	2400-0100	0.5	27-Jan-2007	0.04	0100-1400	--
21-Feb-2004	0.08	1400-2100	1.0	28-Jan-2007	0.02	0100-0300	1.0
22-Feb-2004	0.25	0300-2000	--	21-Feb-2007	0.00	--	7.0
25-Mar-2004	0.04	1700-1900	3.5	22-Feb-2007	0.21	0500-0900	--
26-Mar-2004	0.00	--	3.5	26-Mar-2007	0.06	1200-1800	1.0
16-Apr-2004	0.00	--	1.0	10-Apr-2007	0.00	--	2.5
17-Apr-2004	0.04	2400-0200	2.0	11-Apr-2007	0.06	0400-0600	--
18-Apr-2004	0.07	1700-2000	1.0	13-Apr-2007	0.00	--	2.0
27-May-2004	0.06	2200-2400	1.5	14-Apr-2007	0.29	0600-2100	--
28-May-2004	0.08	2400-0600	2.3	3-May-2007	0.06	2000-2300	2.66
18-Sep-2004	0.00	--	2.0				

11. As reported in the June and July 2006 DSMRs, failure of the power supply to the continuous data logger resulted in the loss of metered million-gallon pond electrical conductivity and pH data. Failure to continuously monitor for these parameters is a violation of the Industrial Wastewater Monitoring section of Monitoring and Reporting Program (MRP) No. R5-2002-0148.

12. MRP No. R5-2002-0148 requires weekly monitoring of BOD₅, nitrates as nitrogen, total Kjeldahl nitrogen, fixed dissolved solids, total dissolved solids, sodium, and chloride on a weekly basis from the million-gallon pond. No results were reported for the million-gallon pond for these constituents for week ending 3 December 2005. Failure to monitor at the required frequency is a violation of MRP No. R5-2002-0148.
13. MRP No. R5-2002-0148 requires daily monitoring of freeboard, dissolved oxygen, dissolved sulfide, and pH for the million-gallon and 84-million gallon ponds. Results for these parameters in the million-gallon pond were not reported for 21 days in 2002, 111 days in 2003; 29 days in 2004, 37 days in 2006, and 9 days in 2007, out of 1,758 required monitoring days. Results for these parameters in the 84-million gallon pond were not reported for 23 days in 2002, 111 days in 2003; 30 days in 2004, 34 days in 2006, and 9 days in 2007, out of 1,702 required monitoring days. In addition, no million-gallon pond dissolved oxygen results were reported for 10, 11, and 14 through 18 October 2002. Failure to monitor at the required frequency is a violation of MRP No. R5-2002-0148.
14. MRP No. R5-2002-0148 requires, in the second paragraph of Land Application Area Monitoring, the following:

“By 1 October 2002, the Discharger shall install a sufficient number of meters to continuously monitor the flow out of the settling/storage ponds to the land application areas. No wastewater shall be applied without metering. If portable pumps are used to discharge wastewater to the land application area or a storage pond, additional meters shall be installed at every discharge point.”

The monthly monitoring reports reviewed state (in the Calculation Methods note to the BOD and Nitrogen Loading Log Book) that the “GPF [gallons per field] is calculated by multiplying sprinkler minutes by the sprinkler output rating at our operating pressure. For 95 acres, output is approximately 8.5 gpm, for lower acreage output is approximately 4.5 gpm [sic] Sections 95-01, 03, 05, 06, and 19 output is now 4.5 gpm”.

The Discharger’s failure to use meters to measure flow to the application areas, as confirmed during the 12 October 2006 inspection, is a violation of WDRs Order No. R5-2002-0148.

15. WDRs Order No. R5-2002-0148 includes Provision G.4, which requires compliance with *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*, dated 1 March 1991 (Standard Provisions). Standard Provision B.1 states, in part, the following:

*“In the event the discharger does not comply or will be unable to comply with any prohibition or limitation of this Order for any reason, the discharger shall notify the Board by telephone...as soon as it or its agents have knowledge of such noncompliance or potential for noncompliance, and shall confirm this notification in writing within **two***

weeks. *The written notification shall state the nature, time and cause of noncompliance, and shall include a timetable for corrective actions."*

Written and verbal notification of Regional Water Board staff regarding violations has, with the exception of the monthly monitoring report transmittal letters, generally not occurred for at least the period reviewed. Failure to notify Regional Water Board staff in accordance with Standard Provision G.4 is a violation of WDRs Order No. R5-2002-0148.

16. Cleanup and Abatement Order No. R5-2002-0149 includes interim limitations and a time schedule to comply with the TDS limitation of 2,047 mg/l contained in WDRs Order No. R5-2002-0148. Interim TDS limitations contained in the CAO were exceeded on 177 occasions, out of a possible 252 monitoring events.

Date	Interim Limit (mg/l)	TDS (mg/l)	Date	Interim Limit (mg/l)	TDS (mg/l)	Date	Interim Limit (mg/l)	TDS (mg/l)
20-Aug-2003	4,700	4,870	9-Feb-2005	2,047	3,240	2-May-2006	2,047	4,850
3-Sep-2003	4,700	5,460	14-Feb-2005	2,047	4,025	11-May-2006	2,047	4,480
11-Sep-2003	3,373	3,930	23-Feb-2005	2,047	3,101	22-May-2006	2,047	3,040
17-Sep-2003	3,373	4,200	28-Feb-2005	2,047	4,000	1-Jun-2006	2,047	2,880
24-Sep-2003	3,373	4,670	8-Mar-2005	2,047	4,540	7-Jun-2006	2,047	2,930
1-Oct-2003	3,373	3,590	14-Mar-2005	2,047	6,010	15-Jun-2006	2,047	3,680
8-Oct-2003	3,373	4,820	21-Mar-2005	2,047	4,620	20-Jun-2006	2,047	4,470
22-Oct-2003	3,373	3,570	28-Mar-2005	2,047	5,330	29-Jun-2006	2,047	3,830
5-Nov-2003	3,373	3,560	4-Apr-2005	2,047	3,390	5-Jul-2006	2,047	5,820
12-Nov-2003	3,373	4,510	11-Apr-2005	2,047	3,900	10-Jul-2006	2,047	4,300
19-Nov-2003	3,373	4,150	18-Apr-2005	2,047	3,090	19-Jul-2006	2,047	6,220
10-Dec-2003	3,373	3,865	25-Apr-2005	2,047	2,950	24-Jul-2006	2,047	3,850
22-Dec-2003	3,373	3,400	2-May-2005	2,047	4,040	2-Aug-2006	2,047	4,580
7-Jan-2004	3,373	4,650	11-May-2005	2,047	2,580	9-Aug-2006	2,047	3,990
14-Jan-2004	3,373	3,810	16-May-2005	2,047	4,310	17-Aug-2006	2,047	3,800
21-Jan-2004	3,373	5,010	23-May-2005	2,047	3,800	23-Aug-2006	2,047	5,570
29-Jan-2004	3,373	4,620	2-Jun-2005	2,047	5,800	31-Aug-2006	2,047	5,380
5-Feb-2004	3,373	4,210	8-Jun-2005	2,047	2,820	5-Sep-2006	2,047	5,060
10-Feb-2004	3,373	5,200	13-Jun-2005	2,047	3,820	13-Sep-2006	2,047	4,360
19-Feb-2004	3,373	4,750	22-Jun-2005	2,047	3,560	26-Sep-2006	2,047	3,730
4-Mar-2004	3,373	3,570	30-Jun-2005	2,047	3,670	4-Oct-2006	2,047	4,580
11-Mar-2004	3,373	3,965	7-Jul-2005	2,047	3,870	10-Oct-2006	2,047	4,520
18-Mar-2004	3,373	4,830	12-Jul-2005	2,047	4,710	19-Oct-2006	2,047	3,360
25-Mar-2004	3,373	3,800	21-Jul-2005	2,047	4,160	27-Oct-2006	2,047	4,450
8-Apr-2004	3,373	4,190	29-Jul-2005	2,047	3,740	2-Nov-2006	2,047	4,300
15-Apr-2004	3,373	4,560	5-Aug-2005	2,047	3,470	8-Nov-2006	2,047	3,310
22-Apr-2004	3,373	3,990	11-Aug-2005	2,047	2,650	15-Nov-2006	2,047	3,550
29-Apr-2004	3,373	3,510	17-Aug-2005	2,047	5,150	21-Nov-2006	2,047	4,000
6-May-2004	3,373	4,210	24-Aug-2005	2,047	3,070	29-Nov-2006	2,047	3,470
20-May-2004	3,373	4,720	31-Aug-2005	2,047	3,380	6-Dec-2006	2,047	3,090
9-Jun-2004	3,373	3,530	6-Sep-2005	2,047	4,770	13-Dec-2006	2,047	3,030
17-Jun-2004	3,373	4,545	15-Sep-2005	2,047	5,070	20-Dec-2006	2,047	2,080

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Date	Interim Limit (mg/l)	TDS (mg/l)	Date	Interim Limit (mg/l)	TDS (mg/l)	Date	Interim Limit (mg/l)	TDS (mg/l)
25-Jun-2004	3,373	4,435	23-Sep-2005	2,047	5,190	27-Dec-2006	2,047	2,600
8-Jul-2004	3,373	4,720	30-Sep-2005	2,047	3,170	4-Jan-2007	2,047	4,670
15-Jul-2004	3,373	4,750	7-Oct-2005	2,047	3,200	10-Jan-2007	2,047	3,840
23-Jul-2004	3,373	5,760	10-Oct-2005	2,047	3,870	17-Jan-2007	2,047	2,860
29-Jul-2004	3,373	6,730	17-Oct-2005	2,047	3,130	24-Jan-2007	2,047	2,610
5-Aug-2004	3,373	5,460	24-Oct-2005	2,047	3,560	31-Jan-2007	2,047	3,240
18-Aug-2004	3,373	4,670	3-Nov-2005	2,047	3,390	7-Feb-2007	2,047	2,940
8-Sep-2004	2,047	4,360	10-Nov-2005	2,047	3,360	14-Feb-2007	2,047	3,380
13-Sep-2004	2,047	3,700	17-Nov-2005	2,047	3,750	21-Feb-2007	2,047	3,390
20-Sep-2004	2,047	4,500	23-Nov-2005	2,047	2,410	28-Feb-2007	2,047	2,380
27-Sep-2004	2,047	4,650	6-Dec-2005	2,047	3,410	7-Mar-2007	2,047	2,050
4-Oct-2004	2,047	4,030	13-Dec-2005	2,047	3,390	14-Mar-2007	2,047	2,460
11-Oct-2004	2,047	4,630	12-Jan-2006	2,047	2,940	21-Mar-2007	2,047	3,240
18-Oct-2004	2,047	3,790	19-Jan-2006	2,047	2,840	28-Mar-2007	2,047	3090
26-Oct-2004	2,047	4,440	25-Jan-2006	2,047	3,360	4-Apr-2007	2,047	2,850
1-Nov-2004	2,047	3,735	31-Jan-2006	2,047	2,930	11-Apr-2007	2,047	3,920
8-Nov-2004	2,047	4,790	9-Feb-2006	2,047	4,720	18-Apr-2007	2,047	3,810
15-Nov-2004	2,047	4,430	16-Feb-2006	2,047	2,990	25-Apr-2007	2,047	3,510
22-Nov-2004	2,047	2,100	22-Feb-2006	2,047	4,260	2-May-2007	2,047	3,410
29-Nov-2004	2,047	3,950	2-Mar-2006	2,047	4,920	10-May-2007	2,047	2,740
6-Dec-2004	2,047	4,140	7-Mar-2006	2,047	3,670	16-May-2007	2,047	2,810
28-Dec-2004	2,047	2,830	16-Mar-2006	2,047	3,350	23-May-2007	2,047	3,050
3-Jan-2005	2,047	3,280	24-Mar-2006	2,047	3,550	30-May-2007	2,047	3,170
10-Jan-2005	2,047	3,270	31-Mar-2006	2,047	4,400	6-Jun-2007	2,047	2,870
17-Jan-2005	2,047	3,460	7-Apr-2006	2,047	3,310	13-Jun-2007	2,047	3,000
24-Jan-2005	2,047	3,635	20-Apr-2006	2,047	3,020	20-Jun-2007	2,047	2,710
31-Jan-2005	2,047	2,620	24-Apr-2006	2,047	3,490	27-Jun-2007	2,047	2,150

17. Cleanup and Abatement Order No. R5-2002-0149 includes interim limitations and a time schedule to comply with the sodium limitation of 597 mg/l contained in WDRs Order No. R5-2002-0148. Interim sodium limitations contained in the CAO were exceeded on 132 occasions, out of a possible 251 monitoring events.

Date	Interim Limit (mg/l)	Sodium (mg/l)	Date	Interim Limit (mg/l)	Sodium (mg/l)	Date	Interim Limit (mg/l)	Sodium (mg/l)
26-Feb-2003	739	740	27-Sep-2004	597	1,003	10-Nov-2005	597	695
7-May-2003	739	778	4-Oct-2004	597	1,188	17-Nov-2005	597	787
14-May-2003	739	837	11-Oct-2004	597	1,446	6-Dec-2005	597	878
21-May-2003	739	879	18-Oct-2004	597	1,341	13-Dec-2005	597	836
28-May-2003	739	751	26-Oct-2004	597	826	22-Feb-2006	597	820
4-Jun-2003	739	776	1-Nov-2004	597	876	7-Mar-2006	597	717
3-Sep-2003	739	794	8-Nov-2004	597	920	31-Mar-2006	597	695
17-Sep-2003	668	684	15-Nov-2004	597	1068	2-May-2006	597	700
24-Sep-2003	668	800	29-Nov-2004	597	824	11-May-2006	597	624
1-Oct-2003	668	703	10-Jan-2005	597	689	22-May-2006	597	611

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Date	Interim Limit (mg/l)	Sodium (mg/l)	Date	Interim Limit (mg/l)	Sodium (mg/l)	Date	Interim Limit (mg/l)	Sodium (mg/l)
8-Oct-2003	668	773	17-Jan-2005	597	610	20-Jun-2006	597	610
22-Oct-2003	668	674	24-Jan-2005	597	658	5-Jul-2006	597	779
29-Oct-2003	668	740	31-Jan-2005	597	780	10-Jul-2006	597	992
5-Nov-2003	668	809	9-Feb-2005	597	794	19-Jul-2006	597	733
12-Nov-2003	668	906	14-Feb-2005	597	926	24-Jul-2006	597	697
19-Nov-2003	668	859	23-Feb-2005	597	908	2-Aug-2006	597	758
7-Jan-2004	668	674	28-Feb-2005	597	680	9-Aug-2006	597	916
14-Jan-2004	668	759	8-Mar-2005	597	1,046	17-Aug-2006	597	799
21-Jan-2004	668	729	14-Mar-2005	597	1,092	23-Aug-2006	597	751
29-Jan-2004	668	739	21-Mar-2005	597	679	31-Aug-2006	597	932
5-Feb-2004	668	826	28-Mar-2005	597	1,212	5-Sep-2006	597	870
10-Feb-2004	668	1,080	4-Apr-2005	597	729	26-Sep-2006	597	913
19-Feb-2004	668	797	11-Apr-2005	597	824	4-Oct-2006	597	848
4-Mar-2004	668	690	25-Apr-2005	597	763	10-Oct-2006	597	652
11-Mar-2004	668	679	2-May-2005	597	676	19-Oct-2006	597	613
18-Mar-2004	668	702	16-May-2005	597	761	15-Nov-2006	597	883
6-May-2004	668	686	23-May-2005	597	640	21-Nov-2006	597	653
13-May-2004	668	776	2-Jun-2005	597	723	29-Nov-2006	597	773
20-May-2004	668	797	13-Jun-2005	597	748	13-Dec-2006	597	704
9-Jun-2004	668	803	22-Jun-2005	597	615	4-Jan-2007	597	779
17-Jun-2004	668	994	12-Jul-2005	597	683	10-Jan-2007	597	705
30-Jun-2004	668	813	21-Jul-2005	597	675	31-Jan-2007	597	618
8-Jul-2004	668	808	5-Aug-2005	597	653	21-Feb-2007	597	645
15-Jul-2004	668	964	11-Aug-2005	597	626	28-Mar-2007	597	677
23-Jul-2004	668	713	17-Aug-2005	597	800	4-Apr-2007	597	646
29-Jul-2004	668	1,074	6-Sep-2005	597	871	11-Apr-2007	597	858
5-Aug-2004	668	909	15-Sep-2005	597	766	18-Apr-2007	597	1,170
13-Aug-2004	668	964	23-Sep-2005	597	885	25-Apr-2007	597	789
18-Aug-2004	668	1,075	30-Sep-2005	597	614	2-May-2007	597	856
25-Aug-2004	668	930	7-Oct-2005	597	714	10-May-2007	597	603
1-Sep-2004	668	1,047	10-Oct-2005	597	797	16-May-2007	597	626
8-Sep-2004	597	893	17-Oct-2005	597	774	23-May-2007	597	662
13-Sep-2004	597	790	24-Oct-2005	597	788	30-May-2007	597	729
20-Sep-2004	597	976	3-Nov-2005	597	660	6-Jun-2007	597	644

ATTACHMENT C
STIPULATED ADMINISTRATIVE CIVIL LIABILITY AND PENALTY ORDER
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CONSIDERATION OF FACTORS IN CWC SECTION 13327 AND 13308

1. Stipulated Administrative Civil Liability (ACL) and Penalty Order No. R5-2007-0138 (ACL Order) assesses administrative civil liability and penalties for alleged violations of California Water Code section 13308 Time Schedule Order (TSO) No. R5-2002-0014, as revised, and Cleanup and Abatement Order (CAO) Nos. 5-00-717 and R5-2002-0149, including violations alleged in ACL Complaint No. R5-2004-0534 and violations of the TSO subsequent to issuance of the Complaint, as set forth in Attachments A and B to this Order. The ACL Order includes violations between 25 January 2002 and 30 June 2007. It does not address alleged violations of requirements and prohibitions relevant to surface waters and surface water drainage courses set forth in those Orders and the applicable waste discharge requirements and it does not address alleged violations of prohibitions and requirements relevant to operations of the 84 million gallon reservoir.
2. The ACL Order addresses violations of the TSO that occurred between 25 January 2002 and 30 June 2007. The maximum penalty that may be assessed for violations of the TSO is \$3,332,500 for the 1,327 violations that occurred between 25 January 2002 and 30 June 2007 that are subject to specified penalty amounts in the TSO. California Water Code section 13308 requires the Regional Water Board to consider the factors in California Water Code section 13327 in reducing the amount of the penalty below the maximum set forth in a TSO. The following information was considered in the determination to reduce the penalty below the maximum that could be assessed according to TSO.
3. The ACL Order also addresses certain violations of CAO No. 5-00-717 and CAO No. R5-2002-0149 that were not included in the TSO. These violations are not subject to specified penalty amounts in the TSO, but are subject to administrative civil liability up to \$5,000 per day pursuant to California Water Code section 13350. California Water Code section 13350 requires the Regional Water Board to consider the factors in California Water Code section 13327 in determining the appropriate amount of administrative civil liability. The following information was considered in determining the amount of liability.
4. Section 13327 of the CWC states: *In determining the amount of civil liability, the regional board ... shall take into consideration the nature, circumstance, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on ability to continue in business, any voluntary cleanup efforts undertaken, any*

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prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters as justice may require.

- a. *Nature:* As detailed in Attachments A and B, the Discharger violated CAO No. 5-00-717, CAO No. R5-2002-0148, and TSO No. R5-2002-0014, as evidenced by self-monitoring reports and facility inspections. The Discharger has violated limits for freeboard, pH, dissolved oxygen, and dissolved sulfide in the pond and reservoir. The Discharger also violated specifications for maintenance and operation of wastewater storage and disposal systems. The Discharger has violated pH, organic, and nutrient loading rates to the land treatment units. In addition, the Discharger has violated interim effluent limitations for salts, prohibitions and specifications for maintaining wastewater and stormwater on-site, provisions requiring certain studies and technical reports and monitoring and reporting requirements.
- b. *Circumstance:* Attachment B itemizes violations of CAO No. 5-00-717, and CAO No. R5-2002-0148. The circumstances are such that the violations in the million-gallon pond for dissolved oxygen, dissolved sulfide, pH, and freeboard limits could have been avoided had the Discharger replaced the pond with a closed tank at an earlier date. The violations in the 84-million gallon reservoir for dissolved oxygen could have been eliminated, and the violations in the 84-million gallon reservoir for dissolved sulfide and high pH could have been reduced, had the Discharger procured and operated sufficient functional aerators, on a temporary or permanent basis, in a timely manner. As evidenced by the significant incidental biological treatment being provided by the brush aerators that are now present in the reservoir, violations of the Effluent Limitations regarding BOD loading to the land application areas could have been avoided and high pH violations reduced, had the Discharger procured and operated sufficient functional aerators in the reservoir. Violations of Effluent Limitations for BOD, nitrogen, total dissolved solids, sodium, and chloride could have been avoided had the Discharger implemented treatment and source control measures. Violations of various Discharge Prohibitions, Discharge Specifications, and Land Application Areas Specifications could have been reduced or avoided had the Discharger implemented measures to improve its irrigation practices and reduce the salt loading to the land application areas, thereby improving percolation, reducing erosion, and minimizing solids build-up in the million-gallon pond and the 84-million gallon reservoir. Violations of the Monitoring and Reporting Program could have been avoided had the Discharger scheduled and paid for sufficient personnel to conduct monitoring at the required frequency. Alternatively, these violations could have been avoided had the Discharger chosen to contain this waste. In summary, most of the violations described in Attachment B were avoidable.

Attachment A identifies violations of the TSO. The TSO sets forth specified penalties for identified Tasks.

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- Task 1 of the TSO requires compliance with MRP No. 97-037. The violations of Task 1 concern chronic omissions of data, in particular lengthy periods of inoperable monitoring equipment (e.g., for continuously monitoring discharge flow and electrical conductivity) and entire weekends when the Discharger did not provide data to ensure compliance with monitoring requirements. The Discharger was issued an NOV on 8 May 2002 for submitting incomplete SMRs for January through March 2002. While SMR deficiencies decreased after June 2002, SMRs remained incomplete largely due to recurring and long-lasting monitoring equipment malfunctions (June, July, August, September, October 2002; January, February, March, June, July, August, and October 2003), as well as insufficient staffing to conduct weekend monitoring (October 2002 through May 2004).
- Task 1 violations after 1 March 2004 were due, in part, to failure to conduct daily monitoring of ponded wastewater (i.e., hydrogen sulfide and dissolved oxygen content and available freeboard) on weekends in March 2004. The Discharger is required to submit substantial data in its SMRs. Weekend monitoring data is a relatively small part of the overall requirement, but nonetheless serves a purpose. As the Discharger was consistently in noncompliance during the week with DO below the minimum 2 mg/L required by WDRs, the weekend monitoring did not prove critical in determining whether the Discharger was consistently in compliance.
- It is appropriate and reasonable to reduce the penalty for Task 1 violations, in part, for failure to conduct weekend monitoring, to account for the relatively low gravity of the omitted information compared to the information that the Discharger did submit. For these reasons, the maximum penalty of \$3,030,000 specified under terms of the TSO is reduced to a penalty of \$380,000.
- Task 5 of the TSO requires compliance with an effluent limit for dissolved inorganic solids or DIS, the inorganic fraction of total dissolved solids (TDS). WDRs R5-2002-0148 replaced the effluent DIS limit for limits on TDS (2,047 mg/L), sodium (597 mg/L), and chloride (601 mg/L). In its adoption of CAO No. R5-2002-0149, the Regional Water Board acknowledged the Discharger's inability to immediately comply with effluent TDS and sodium limits and established higher interim limits for TDS and sodium along with a time schedule for a phased reduction to limits in WDRs R5-2002-0148. It is not reasonable to impose the prescribed TSO penalty for an exceedance of the effluent limitation in Task 5 that did not also exceed the greater limitation in CAO No. R5-2002-0149 for TDS or sodium, or the limitation for chloride in WDRs R5-2002-0148. Eight of the 12

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exceedances of the effluent limitation in Task 5 also exceeded the revised limitations in CAO No. R5-2002-0149 (seven TDS limit exceedances and one sodium limit exceedance), and one Task 5 exceedance also exceeded the chloride limit in WDRs R5-2002-0148. The maximum penalty of \$30,000 specified under terms of the TSO is reduced to \$22,500.

- Task 8 of the TSO (submittal of a report evaluating the facility's domestic wastewater disposal system) was violated when the Discharger submitted a report on time but was determined by staff to be substantially incomplete and lacked proper technical justification. In a 19 April 2002 letter, staff notified the Discharger of the deficiencies and required a revised report be submitted by 30 May 2002. The letter did not warn that each day the report was late past the TSO due date would be considered a violation of Task 8. The next report was complete and satisfied the objective. Though the violation was completely avoidable, it had no lasting consequences. The low gravity warrants a reduction from the \$175,000 specified by the TSO. An appropriate penalty for the Task 8 violations is \$6,000.
- c. *Extent:* To date, the Discharger has accrued more than 7,000 violations of CAO No. R5-2002-0148 and TSO No. R5-2002- 0014 (September 2002 through June 2007), including violations of Discharge Prohibitions A.1, A.2, and A.3; Discharge Specifications B.1, B.4, B.5.a, B.5.b, B.5.c, B.6, and B.9; Effluent Limitations C.1, C.2, C.3.a, C.3.b., C.3.c, and C.4; Land Application Area Specifications D.1, D.2, D.7, D.9, D.12, D.13.a, D.14, and D.15.
- d. *Gravity:* Of the more than 7,000 violations described above, approximately 42% of the violations were related to noncompliance with requirements that applied to the million-gallon pond, specifically freeboard limitations and stringent pond pH, dissolved oxygen, and dissolved sulfide limitations included in the current waste discharge requirements to address nuisance odor condition. Nuisance odors have been substantially reduced and the Regional Board has not received odor complaints for nearly three years. The Discharger has recently replaced the million-gallon pond with a tank. Approximately 25% of the violations were related to non-compliance with requirements that applied to the 84 million gallon reservoir, specifically pond pH, dissolved oxygen, and dissolved sulfide limitations. The Discharger has added aerators to this reservoir. Approximately 24% of the violations were related to monitoring requirements. In general these violations are considered operational in nature and did not result in significant water quality or environmental concerns. The remaining violations were effluent limit violations, specifically related to salinity of the discharge. The impact of those violations, the impact on groundwater, and the methods for reducing salinity are still under review pursuant to Regional Water Board orders.

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- e. *Susceptibility to Cleanup or Abatement:* The violations described in Attachment B vary in terms of their effect; some are transient, while others may have long-lasting or permanent impacts. The effects of the violations may not be susceptible to cleanup, but are susceptible to abatement.
- f. *Degree of Toxicity:* The waste discharge requirements and applicable orders have included interim salinity limits. Land application of the wastewater on the property has resulted in increased soil salinity and the Discharger is in the process of growing highly salt tolerant hybrid grasses to control erosion and take up salt. The salty waste can impact beneficial uses of groundwater and can impact aquatic life in surface water if discharged. The Discharger is currently evaluating whether there are significant impacts to groundwater and is required to prevent surface water discharges of the wastewater. Based on the results of new information, the Regional Water Board will be updating waste discharge requirements.
- g. *Ability to Pay:* As the Discharger has proposed to settle for the amount required to be paid by this Order, contingent upon a payment schedule, it appears that the Discharger is able to pay the specified amount.
- h. *Effect on Ability to Continue in Business:* As the Discharger has proposed to settle for the amount required to be paid by this Order, contingent upon a payment schedule, it appears that the Discharger is able to pay the specified amount and continue in business.
- i. *Voluntary Cleanup Efforts:* The Discharger has made attempts to abate the effects of its discharge. Musco has provided information to the Regional Water Board that it has expended substantial funds to conduct numerous studies to evaluate technologies, including unsuccessful efforts to use reverse osmosis treatment; made very substantial changes in its operations to achieve compliance, including planting salt tolerant grasses to prevent erosion, implementing enhanced evaporation pilot studies, and implementing process wastewater volume reduction strategies; and has resolved nuisance odor conditions at the facility.
- j. *Prior History of Violations:* The Discharger has an extensive history of violations, as documented in Attachments A and B, WDRs Order No. R5-2002-0148, Cleanup and Abatement Orders No. 5-00-717 and No. R5-2002-0149, Time Schedule Orders No. R5-2002-0014 and R5-2002-0014-R01, and Administrative Civil Liability Complaint No. R5-2002-0502.
- k. *Degree of Culpability:* The Discharger was aware of the requirements and limitations contained within WDRs No. R5-2002-0148. As described above, most of the violations listed in Attachments A and B were avoidable had the

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Discharger expended the necessary resources to comply; therefore, the Discharger is fully culpable for these violations.

- i. *Economic Benefit:* Regional Water Board staff estimated that the economic benefit derived from the violations listed in Attachment A to be greater than \$182,500. Regional Water Board staff consulted with State Water Board staff in estimating the economic benefit derived by the Discharger for the violations described in Attachment B. In calculating the economic benefit, State Water Board staff utilized the United States Environmental Protection Agency's (U.S. EPA) BEN model and considered either treatment or containment as a reliable means of compliance, in addition to replacement of the million-gallon pond. In addition, the Discharger has avoided costs associated with monitoring of the million-gallon pond and 84-MG reservoir for 204 required days of monitoring. The initial date of noncompliance was assumed to be 6 September 2002. State Water Board staff estimated the present value of the economic benefit derived by the Discharger in failing to comply with WDRs Order No. R5-2002-0148 to be no less than the following values:

Compliance Measure	Economic Benefit
Avoidance of required monitoring	\$1,000
Replacement of million-gallon pond	\$79,000
Biological and physical wastewater treatment	\$7,100,000 to \$8,800,000
Total Estimated Economic Benefit:	\$7,180,000 to \$8,880,000

The total economic benefit derived by the Discharger for the violations listed in Attachments A and B ranges from \$7,362,500 to \$9,062,500.

The Discharger maintains that no economic benefit was realized. During the period from 25 January 2002 to 31 October 2007, the Discharger asserts that it expended over \$10 million to bring its facilities into compliance. These expenditures include a reverse osmosis pilot project, improvements to on-farm water management systems, including the 84-million gallon reservoir, planting of NyPa salt grass throughout the site, implementation of a new olive process (using less salts), construction of a 200,000-gallon tank to replace the million-gallon pond, and construction of an enhanced evaporation slab pilot project. These investments by Musco to come into compliance have been made in spite of an analysis by Industrial Economics in September 2005 that, based on the U.S.EPA BEN model (as described in the State Water Board Enforcement Policy) the Discharger did not have the ability to pay the \$493,500 penalty and stay in business at the time of the analysis.

- m. *Other Matters as Justice May Require:* The disposal of olive processing wastewater by spray irrigation to land is unique to the Discharger's operation. According to the California Department of Food and Agriculture, California is the

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largest producer of olives in the United States. There are only two olive processors in California - Musco and Bell Carter. Former olive processors in the Central Valley, including those acquired by the Discharger, disposed of olive processing wastewater to ponds that became subject to Title 27. The other major olive processor in the United States (Bell Carter) discharges to the Sacramento River and is regulated under a National Pollutant Discharge Elimination System (NPDES) permit.

In the two decades that the Discharger's land application of olive processing wastewater has been regulated by the Regional Water Board, Regional Water Board staff have conducted at least 20 site inspections. More than a dozen Notices of Violation have been issued by Regional Water Board staff since mid-2001. As described above, the Discharger has been issued two Cleanup and Abatement Orders, a CWC Section 13308 Time Schedule Order, and an Administrative Civil Liability Complaint since late 2000. In addition, a Cease and Desist Order is scheduled for consideration by the Regional Water Board on the same date as this Order. The record indicates that the Regional Water Board and its staff have clearly and consistently communicated compliance expectations and consequences to the Discharger.

SUMMARY

The ACL Order would not recover the estimated economic benefit as set forth above. The ACL Order, however, would recover a substantial penalty that is consistent with the nature of the violations and recent actions of the Discharger to achieve compliance. Most of the violations are operational in nature and did not result in environmental harm. The Discharger has addressed nuisance odor conditions, replaced a large pond with a tank, taken many steps to reduce salt and the use of water, and is continuing to evaluate methods to control salt and to evaluate impacts on the environment. The ACL Order includes not only a very substantial penalty, but requires the Discharger to obtain financial assurances to address the consequences if the Discharger were to quit operating the business. There is a history in the Central Valley Region of several olive processors causing significant environmental harm, then becoming insolvent and initiating bankruptcy proceedings, with no one left to cleanup the remaining problems. The financial assurances required by this Order would address the Regional Water Board's ongoing concern with financial stability.