REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN REGION
PUBLIC HEARING SCHEDULED FOR JANUARY 11-12, 2012

TRANSMITTAL OF WRITTEN MATERIALS FOR CONSIDERATION OF CEASE AND DESIST ORDER NO. R6V-2012-(PROPOSED)

FOR

GREEN VALLEY FOODS PRODUCTS, INC. AND HECTOR HUERTA, GREEN VALLEY FOODS PRODUCTS, INC. CHEESE PRODUCTION FACILITY, SAN BERNARDINO COUNTY

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2. Lisa Scoralle, P.G., Engineering Geologist, Regional Water Quality Control Board, Lahontan Region

3. Patrice Copeland, P.G., Senior Engineering Geologist, Regional Water Quality Control Board, Lahontan Region

4. Scott C. Ferguson, P.E., Senior Water Resource Control Engineer, Chief - Enforcement and Special Projects Unit, Regional Water Quality Control Board, Lahontan Region

5. Charles L. Curtis, P.E., Supervising Water Resource Control Engineer, Manager - Cleanup and Enforcement Division, Regional Water Quality Control Board, Lahontan Region

6. Lauri Kemper, P.E., Assistant Executive Officer, Regional Water Quality Control Board, Lahontan Region

7. Dennis Draeger, Assessor-Recorder-County Clerk, San Bernardino County

SECTION II

SUMMARY OF TESTIMONY

SUMMARY OF TESTIMONY OF BRIANNA BERGEN, LISA SCORALLE, PATRICE COPELAND, SCOTT C. FERGUSON, CHARLES L. CURTIS, AND LAURI KEMPER

- Hector Huerta and Green Valley Foods Products Inc. operate a cheese production facility (Facility);
- The Facility discharges waste to land;
- The Facility's waste discharge is subject to waste discharge requirements prescribed by Board Order No. R6V-2010-0019;
- Evidence supporting violations of Board Order No. R6V-2010-0019 (failure to construct surface impoundment and associated systems/structures, and failure to discharge Facility waste to surface impoundment);
- Legal authority for the Water Board to adopt the proposed cease and desist order for violation of waste discharge requirements; and
- Recommendation to the Water Board.

SUMMARY OF TESTIMONY OF DENNIS DRAEGER, SAN BERNARDINO COUNTY ASSESSOR-RECORDER-COUNTY CLERK

- Authenticate copies of San Bernardino County records obtained from San Bernardino County Assessor-Recorder-County Clerk Internet Site (http://www.co.san-bernardino.ca.us/assessor/).

SECTION III

LIST OF EXHIBITS

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2	Water Board Inspection Report for April 4, 2011 Inspection
3	Water Board Inspection Report for April 5, 2011 Inspection
4	Water Board Inspection Report for April 6, 2011 Inspection
5	Water Board Inspection Report for July 11, 2011 Inspection
6	Water Board Inspection Report for July 22, 2011 Inspection
7	Water Board Inspection Report for August 26, 2011 Inspection
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10	Letter from Green Valley Foods (John Driscoll) to Water Board, dated June 24, 2011
11	April 6, 2007 Report of Waste Discharge
12	Water Board CD with 3 videos a) Green Valley Foods unauthorized Facility waste discharge, April 6, 2011 b) Green Valley Foods unauthorized Facility waste discharge, July 22, 2011 c) Green Valley Foods unauthorized Facility waste discharge, August 26, 2011

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SECTION IV

EXHIBITS

EXHIBIT NO. 1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2010-0019
WDID NO. 6B360704003

WASTE DISCHARGE REQUIREMENTS
FOR

GREEN VALLEY FOODS PRODUCTS, INC., AND HECTOR HUERTA
CHEESE PROCESSING FACILITY,
CLASS II SURFACE IMPOUNDMENT

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Water Board), finds that:

1. Report of Waste Discharge

   Green Valley Foods Products, Inc., (Green Valley Foods) has discharged wastes for over ten years without filing a Report of Waste Discharge to the Water Board. After receiving a request from the Water Board, Green Valley Foods submitted an initial permit application/Report of Waste Discharge (RWD) on April 6, 2007. Water Board staff reviewed the RWD and notified Green Valley Foods that it was incomplete. A series of submittals by Green Valley Foods and responses by Water Board staff were exchanged between April 2007 and July 2009; however, the RWD remains incomplete because the submitted design of the Surface Impoundment is insufficient to contain the proposed discharge. The Water Board is imposing these waste discharge requirements pursuant to Water Code Section 13263(d).

2. Discharger

   Hector Huerta, landowner, and Green Valley Foods, is hereafter referred to as the "Discharger." The Discharger owns and operates a cheese manufacturing plant that processes milk (both liquid and solid) into rounds of Mexican style hard cheese called Cotija.

3. Facility

   The cheese manufacturing plant consists of two parcels located at 25660 and 25684 Community Drive in Barstow (Assessor's Parcel Numbers 0497-221-13-0-000 and 0497-221-14-0-000, respectively), as shown on Attachment A, which is made a part of this Order. Parcel 0497-221-13-0-000 is currently used for wastewater disposal to land. Parcel 0497-221-14-0-000 contains the food processing operations, unpaved access roads, employee parking, four residential houses, and the domestic water supply well that provides the water to both the cheese manufacturing plant and the residences. The Discharger reports that the cheese manufacturing plant has been in operation for over ten years. Operations of the cheese manufacturing plant results in the discharge of up to 10,000 gallons of wastewater per day to the

currently vacant parcel. The Discharger has proposed to discontinue this practice and restrict wastewater discharge to one Surface Impoundment. For the purposes of this Order, the Surface Impoundment, the cheese manufacturing plant, and related piping and appurtenances will be referred to herein as the Facility. Land use within 1,000 feet of the Facility includes residential, dairy, and agriculture.

4. Enforcement History

On December 10, 2007, the Executive Officer ordered the Discharger to submit Technical Reports pursuant to California Water Code (CWC), section 13267 to determine if discharges from the Facility have polluted or threaten to pollute groundwater. The groundwater data submitted in response to this Order indicate that the Discharger's current discharge practice has likely caused or contributed to groundwater pollution with respect to iron, nitrates, specific conductance, total dissolved solids (TDS), and volatile organic compounds (VOCs).

5. Order History

These are new Waste Discharge Requirements (WDRs) for the Facility.

6. Reason for Action

The Discharger's wastewater discharge to land is not currently regulated by WDRs. The disposal of wastewater to land surface and percolation to groundwater at the volume and concentration reported in the RWD has likely caused groundwater quality to exceed water quality objectives (WQOs). The continued operation of the Facility must be protective of groundwater quality and beneficial uses. To that end, the Water Board is requiring the Discharger to contain Facility wastewater in a lined Class II Surface Impoundment in accordance with California Code of Regulations (CCR), title 27, section 20210.

7. Wastewater Characterization

Wastewater discharged from the Facility consists of water and cleaning solution used for cleaning the cheese-making equipment and the rinsate from the milk delivery truck discharge spigots. Currently, the solids washed off of the equipment, the water and cleaning solution used to clean the equipment, and the rinsate from the milk delivery truck discharge spigots are commingled in an underground storage tank, pumped to a nearby vacant parcel, and discharged to the ground.

Wastewater from the Facility was sampled by Water Board staff on February 9, 2007. Two samples were collected: one of the effluent flowing from the discharge pipe, and one of the wastewater that had ponded at the discharge location. The Discharger collected an additional wastewater sample from the Facility on December 18, 2008. Analytical results from this sampling event were provided to Water Board

staff on February 2, 2009. The analytical results of all sampling efforts are presented in Table 1.

8. Waste Classification

Based on the analytical results presented in Table 1, the discharge from the Facility is classified as a designated waste. Designated waste is defined in CWC, section 13173, subdivision (b) as "nonhazardous waste that consists of, or contains, pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan." Continued discharge of waste at these concentrations, specifically chloride, total and fecal coliform, fluoride, iron, pH, specific conductance, total dissolved solids, and volatile organic compounds, without containment or treatment will continue to violate water quality objectives for the receiving water.

9. Waste Management Unit Classification

The discharge from this Facility must be fully contained in a Class II waste management unit, as defined in CCR, title 27, section 20250. Residual solids are to be removed from the Surface Impoundment as part of routine maintenance. Any solids collected from the discharge must be disposed at a Class II waste management unit.

10. Description of Surface Impoundment

CCR, title 27, section 20210 requires that a Class II Surface Impoundment be designed to completely contain the waste. The Surface Impoundment must be: (a) double-lined with a no less than $1x10^{-6}$ cm/sec permeability, (b) equipped with a leachate collection and removal system (LCRS), (c) able to contain the additional volume of water from a 1,000-year, 24-hour storm event, in addition to the maximum design volume, while maintaining two feet of freeboard, (d) able to withstand seismic shaking from a maximum credible earthquake, and (e) installed, tested, and inspected in accordance with an accepted Construction Quality Assurance Plan.

Table 1 – Wastewater Discharge Sample Results

Constituent	Units	Ponded Effluent Concentration, 2/6/2007	Effluent Discharge Pipe Concentration, 2/9/2007	Discharge Concentration, 12/18/2008	MCL
Ammonia – Nitrogen	mg/L	85	24	6.1	NE
Barium	µg/L	130	160	110	1,000
BOD (Biological Oxygen Demand)	mg/L	12,000	>2,500	2,200	NE
Calcium	mg/L	210	220	120	NE
COD (Chemical Oxygen Demand)	mg/L	15,000	26,000	3,900	NE
Chloride	mg/L	**6,600**	**2,600**	**1,500**	250
Coliform, Fecal	MPN/ 100 ml	**>1,600**	NA	NA	1.1MPN /100ml[2]
Coliform, Total	MPN/ 100 ml	**>1,600**	**Present**[1]	NA	1.1MPN /100ml[2]
Fluoride	mg/L	**400**	**180**	0.4	2
Hardness	mg/L	700	670	410	NE
Iron	µg/L	**3,900**	**2,000**	170	300
Kjeldahl Nitrogen	mg/L	290	140	76	NE
Magnesium	mg/L	41	30	23	NE
Manganese	µg/L	15	<50	13	50
Nitrate (As N)	mg/L	3.0	4.1	0.8	10
Orthophosphate Phosphorous	mg/L	260	220	19	NE
pH	units	**3.96**	**4.49**	7.0	6.5-8.5[2]
Potassium	mg/L	440	320	110	NE
Sodium	mg/L	3,800	1,900	970	NE
Specific Conductance	µmhos/ cm	**18,000**	**10,000**	**5,700**	900
Sulfate	mg/L	**260**	230	190	250
TDS (Total Dissolved Solids)	mg/L	**18,000**	**9,800**	**5,100**	500; 1,000; 1,500
Total Phosphorous	mg/L	130	82	29	NE
TSS (Total Suspended Solids)	mg/L	490	720	160	NE
Zinc	µg/L	240	130	27	5,000
Volatile Organic Compounds:					
3&4-Methylphenol	µg/L	<10	15		NE
Acetone	µg/L	4,200	63	150	NE
Bis(2-ethylhexyl)- phthalate	µg/L	**17**	<10	NA	2
Bromodichloromethane	µg/L	<5	1	<5.0	80
Chloroform	µg/L	34	16	<5.0	80

Notes: Bolded values Indicate an exceedance of the State maximum contaminant level.

1 Indicates total coliform was detected in the sample.

2 Per the Water Quality Control Plan, Lahontan Region (Basin Plan).

MCL = Maximum contaminant level.
µg/L = Micrograms per liter.
mg/L = Milligrams per liter.
MPN/100 ml = Most probably number per 100 milliliters.
NA = Not analyzed.
NE = MCL not established for this constituent.

11. Engineered Alternative to the Prescriptive Standard for the Surface Impoundment

CCR, title 27, includes prescriptive standards for waste management unit construction and also allows for engineered alternatives to such standards. CCR, title 27, section 20080, subdivisions (b) and (c), require that alternatives shall only be approved where the Discharger demonstrates that: (a) the construction of prescriptive standard is not feasible because it is unreasonably and unnecessarily burdensome and will cost substantially more than alternatives which meet the criteria, or is impractical and will not promote attainment of applicable performance standards; and (b) there is a specific engineered alternative that is consistent with the performance goal of the prescriptive standard and affords equivalent protection against water quality impairment.

The Discharger has proposed an engineered alternative to the prescriptive standard for the Surface Impoundment. However, the proposed design does not provide equivalent protection against water quality impairment because the proposed design is not large enough to contain the volume of the proposed discharge and the proposed design does not include a leachate collection and removal system, as required by CCR, title 27, for Class II Surface Impoundments. The Water Board rejects the Discharger's proposal for an engineered alternative and requires the Discharger to submit a proposed design for the Surface Impoundment that meets the requirements of CCR, title 27.

12. Action Leakage Rate

An action leakage rate (ALR) is based on design dimensions and specifications of a Surface Impoundment, and a 1992 United States Environmental Protection Agency (USEPA) guidance document, *Action Leakage Rates for Leak Detection Systems, Supplemental Background Document for the Final Double Liners and Leak Detection Systems Rule for Hazardous Waste Landfills, Waste Piles, and Surface Impoundments.* An industry standard ALR of no more than 20 gallons/day/acre through the upper liner of the double-lined Surface Impoundment into a leachate collection sump must be included in the Surface Impoundment Design Plans for this Facility.

This Order requires the Discharger to immediately take steps to locate and repair leak(s) in the liner system and notify the Water Board if the ALR is exceeded and to cease discharge and submit a time schedule for installation of a new liner if repairs do not result in a leakage rate less than the ALR.

13. Climate

Precipitation in the area of the Facility is less than five inches annually. The average surface evaporation rate is approximately 80 inches annually according to the United

States Department of Agriculture (USDA) Soil Conservation Service. The area typically has hot summers and mild winters. The Western Regional Climate Center, Barstow station, reports an average summer high of 109.6 degrees Fahrenheit and an average winter high of 64.2 degrees Fahrenheit.

14. Site Topography

The topography of the site is gently sloping downward to the east, with an elevation of 2,178 feet above mean sea level in the west and 2,175 feet above mean sea level in the east.

15. Site Geology

Surficial soils at the Facility are sandy soils. The soils in the vicinity of the current wastewater discharge to land are indurated (cemented) to an unknown depth, likely due to salt-cementation when liquids evaporate and leave residual salt in soil pore spaces. Subsurface soils are poorly sorted, fine- to coarse-grained sand to sandy gravel, with some cobble layers.

The Lenwood-Lockhart fault zone, Lenwood Section, is approximately two miles south of the facility and is the closest Holocene fault. Dextral slip is between 0.2 and 1.0 millimeters per year (mm/yr), but can occur at greater values when triggered by other seismic events.

16. Site Hydrogeology and Hydrology

The Facility site is located approximately ¾ mile north of the Mojave River, but the site is not located within a 100-year floodplain of the river. Groundwater beneath the Facility is encountered at approximately 65 feet below ground surface.

17. Groundwater Quality

The Discharger has been discharging wastewater to ground for over a decade. The Discharger conducted an investigation to determine if discharges from the Facility have polluted or threaten to pollute groundwater. As part of that investigation, five monitoring wells were installed in and around the current area of discharge. The groundwater data submitted as a result of that investigation indicate that the Discharger's current practice has likely caused or contributed to groundwater pollution with respect to iron, nitrates, specific conductance, total dissolved solids (TDS), and volatile organic compounds (VOCs). Sampling results from this groundwater investigation are presented in Table 2. Due to a limited data set, the extent of the Discharger's contribution to groundwater pollution has not yet been fully determined. Groundwater flow velocity has not yet been determined at this site. Regional groundwater flow direction is believed to be influenced by the nearby

Mojave River, but is overall to the east-southeast. However, it is evident that the groundwater in the vicinity of the Facility has been negatively impacted.

Because the current discharge is essentially upgradient of the proposed Surface Impoundment location, additional monitoring wells will need to be installed to adequately characterize the background water quality upgradient of the proposed Surface Impoundment.

Table 2. Groundwater Investigation Results

	Units	MW-1	MW-2	MW-3	MW-4	MW-5	MCL
Screen Interval	ft bgs	60-80	60-80	60-80	60-80	60-80	
Depth to Water	ft	61.65	60.52	63.50	62.10	64.28	
Alkalinity, Total	mg/L	280	120	260	220	180	NE
Ammonia – Nitrogen	mg/L	0.11	<0.1	<0.1	<0.1	<0.1	NE
Barium	µg/L	180	<100	130	150	110	1000
Bicarbonate	mg/L	340	150	320	270	220	NE
BOD (Biological Oxygen Demand)	mg/L	<5	<5	<5	<5	<5	NE
COD (Chemical Oxygen Demand)	mg/L	17	13	24	28	13	NE
Chloride	mg/L	200	65	**250**	150	170	250
Coliform, Fecal	MPN/ 100 ml	<2	27	8	23	<2	1.1MPN/ 100ml[1]
Coliform, Total	MPN/ 100 ml	<2	27	8	9000	130	1.1MPN/ 100ml[1]
Fluoride	mg/L	0.6	0.7	0.7	0.5	0.6	2
Iron	µg/L	**7400**	**3600**	**1400**	**2800**	**2400**	300
Manganese	µg/L	**230**	**81**	**59**	**68**	**79**	50
Nitrate (As N)	mg/L	**22**	3.2	**13**	**12**	5.0	10
Kjeldahl Nitrogen	mg/L	<0.1	<0.1	<0.1	<0.1	0.11	NE
Total Nitrogen	mg/L	22	3.2	13	12	5.1	NE
Orthophosphate Phosphorous	mg/L	<0.1	<0.1	<0.1	<0.1	<0.1	NE
pH	units	7	7.6	7.4	7.4	7.2	6.5-8.5[1]
Total Phosphorous	mg/L	0.18	0.13	0.06	0.06	0.12	NE
Potassium	mg/L	6.2	3.5	5.7	5.1	4.5	NE
Sodium	mg/L	170	100	200	140	140	NE
Specific Conductance	umhos /cm	**1800**	**770**	**1900**	**1400**	**1300**	900
TDS (Total Dissolved Solids)	mg/L	**1100**	460	**1200**	**1100**	**790**	500; 1,000; 1,500
TSS (Total Suspended Solids)	mg/L	100	80	49	53	85	NE
Zinc	µg/L	23	16	10	<10	<10	5000

Table 2. Groundwater Investigation Results (continued)

	Units	MW-1	MW-2	MW-3	MW-4	MW-5	MCL
Screen Interval	ft bgs	60-80	60-80	60-80	60-80	60-80	
Depth to Water	ft	61.65	60.52	63.50	62.10	64.28	
Volatile Organic Compounds (VOCs):							
Acetone	µg/L	<5	<5	11	12	6.6	NE
Bromodichloro methane	µg/L	2.7	0.58	1.1	1.6	1	80
Bromoform	µg/L	<0.5	<0.5	<0.5	0.53	<0.5	80
Chloroform	µg/L	17	3.3	3.5	12	5.1	80
Dibromochloro methane	µg/L	1.1	0.5	0.78	0.79	0.73	80

Notes:
Bolded values indicate an exceedance of the MCL.
1 = Per the Water Quality Control Plan, Lahontan Region (Basin Plan).
µg/L =Mmicrograms per liter.
mg/L = Milligrams per liter.
MCL = Maximum contaminant level.
NA = Not applicable.
NE = MCL not established for this constituent.

Groundwater in the vicinity of the Facility is used primarily for domestic and agricultural uses. Water Board staff sampled the domestic groundwater supply well at the Facility on February 9, 2007. This well supplies potable water to four residences on the Facility property and to the cheese manufacturing plant. Private domestic wells, located south of the Facility and Community Boulevard that supply the residences to the southeast (SE) and south (S) of the Facility, were sampled on February 7, 2007, and February 14, 2008. The domestic groundwater supply well at the Facility was sampled again on December 18, 2008. Results of groundwater samples collected from the Facility domestic supply well and other domestic supply wells in the vicinity are presented in Table 3, Groundwater Quality Results, below.

Table 3 – Groundwater Quality Results

Date Sampled		2/9/2007	2/7/2007	2/14/2008	12/18/2008	
Constituent	Units	Facility Domestic Supply Well Concentration[1]	Private Domestic Supply Well (Southeast) Concentration[1]	Private Domestic Supply Well (South) Concentration[1]	Facility Domestic Supply Well Concentration[1]	MCL
Alkalinity, Total	mg/L	180	150	150	NA	NE
Ammonia - Nitrogen	mg/L	<0.1	<0.1	<0.5	<0.1	NE
Antimony	µg/L	<50	<50	<6	NA	6
Arsenic	µg/L	<5	<5	<2	NA	10
Barium	µg/L	140	80	<100	110	1,000
Beryllium	µg/L	<5	<5	<1	NA	4
Bicarbonate	mg/L	180	150	180	NA	NE
BOD	mg/L	<5	<5	<5	<3	NE
Cadmium	µg/L	<10	<10	<1	NA	5
Calcium	mg/L	120	87	59	100	NE
Carbonate	mg/L	<5	<5	<5	NA	NE
COD	mg/L	<7	<7	23	38	NE
Chloride	mg/L	120	100	76	120	250
Cobalt	µg/L	<20	<20	<10	NA	NE
Coliform, Fecal	MPN/100 mL	NA	<2	<2	<1	1.1MPN/100ml[2]
Coliform, Total	MPN/100 mL	Absent	<2	<2	<1	1.1MPN/100ml[2]
Chromium	µg/L	<20	<20	<10	NA	50
Copper	µg/L	<20	<20	<50	NA	1,300
Fluoride	mg/L	0.35	0.62	0.45	0.5	2
Hardness	mg/L	390	290	190	330	NE
Heterotrophic Plate Count	CFU/mL	NA	NA	NA	7.0	NE
Hydroxide	mg/L	<5	<5	<5	NA	NE
Iron	mg/L	<0.1	0.24	<0.1	<0.05	0.3
Lead	µg/L	<5	<5	<5	NA	15
Magnesium	mg/L	22	16	9.8	18	NE
Manganese	µg/L	<10	<10	<10	<10	50
Mercury	µg/L	<0.2	<0.2	<1	NA	2
Methylene Blue Active Substance (MBAS)	mg/L	<0.1	<0.1	<0.1	NA	500

Table 3 – Groundwater Quality Results (continued)

Date Sampled		2/9/2007	2/7/2007	2/14/2008	12/18/2008	
Constituent	**Units**	**Facility Domestic Supply Well Concentration[1]**	**Private Domestic Supply Well (Southeast) Concentration[1]**	**Private Domestic Supply Well (South) Concentration[1]**	**Facility Domestic Supply Well Concentration[1]**	**MCL**
Molybdenum	µg/L	<20	<20	<10	NA	NE
Nickel	µg/L	<20	<20	<10	NA	100
Nitrate (As N)	mg/L	6.4	3.6	0.7	1.0	10
Nitrite as N	mg/L	<0.4	<0.4	<400	NA	1
Kjeldahl Nitrogen	mg/L	0.26	0.26	<1	<0.1	NE
Ortho Phosphate Phosphorous	mg/L	<0.15	<0.15	NA	0.065	NE
pH	units	7.04	7.26	7.6	7.3	6.5-8.5[2]
Total Phosphorous	mg/L	<0.05	0.061	0.22	0.09	NE
Potassium	mg/L	4.5	3.9	3.0	3.7	NE
Selenium	µg/L	<5	<5	<5	NA	50
Silver	µg/L	<10	<10	<10	NA	100
Sodium	mg/L	100	120	100	87	NE
Specific Conductance	µmhos/cm	**1100**	**1100**	800	**1100**	900
Sulfate	mg/L	200	210	140	200	250
Thallium	µg/L	<10	<10	<1	NA	2
Total Dissolved Solids (TDS)	mg/L	**700**	**660**	**520**	**730**	500; 1,000; 1,500
Total Suspended Solids (TSS)	mg/L	<5	<5	<2	<5	NE
Vanadium	µg/L	<20	<20	8.4	NA	NE
Zinc	mg/L	0.022	<0.020	<0.050	0.011	5.0
Semi Volatile Organic Compounds (SVOCs):						
Bis (2-ethylhexyl) phthalate	µg/L	**24**	<10	<10	NA	2
Di-n-butyl phthalate	µg/L	<10	10	<10	NA	NE

Notes: Bolded values indicate an exceedance of the State maximum contaminant level (MCL).

1 = Depths of the screen intervals are not known.

2 = Per the Water Quality Control Plan, Lahontan Region (Basin Plan).

CFU/mL = Colony forming unit per milliliter.
MCL = Maximum contaminant level.
µg/L = Micrograms per liter.
mg/L = Milligrams per liter.
µmhos/cm = Micromhos per centimeter.
MPN/100 ml = Most probably number per 100 milliliters.
NA = Not analyzed.
NE = MCL not established for this constituent.

18. Authorized Disposal Site

The only authorized disposal location is the Surface Impoundment. The Discharger must design a Surface Impoundment that complies with the requirements of a Class II Waste Management Unit, per CCR, title 27, section 20310.

19. Water Sources

The Facility has an on-site water well and the Discharger intends to use this water supply both for the Facility and for domestic use. The water quality sampling results from this well are presented in Table 3.

20. Water Quality Protection Standard

The Water Quality Protection Standard (WQPS) consists of constituents of concern (including monitoring parameters), concentration limits, Monitoring Points, and the Point of Compliance. The standard applies over the active life of the Surface Impoundment, closure period, and the compliance period. The constituents of concern, Monitoring Points, and Point of Compliance are described in Monitoring and Reporting Program (MRP) No. R6V-2010-0019, which is attached to and made part of this Order. This Order includes a time schedule for the Discharger to propose concentration limits (WQPS) for all constituents of concern.

21. Technical and Monitoring Reports

The Discharger must submit technical and monitoring reports in compliance with this Order as described in MRP No. R6V-2010-0019. The fact that the Discharger is discharging wastes that has affected and may continue to affect groundwater quality and is subject to waste discharge requirements issued by the Lahontan Water Board supports the requirement that the Discharger submit technical and monitoring reports in compliance with this Order.

22. Statistical Methods

Statistical analysis of monitoring data is necessary for the earliest possible detection of a measurably significant evidence of a release of waste from the Facility. CCR, title 27, section 20415, requires statistical data analyses to determine a "measurably significant" evidence of a release from the Unit. MRP No. R6V-2010-0019 includes methods for statistical analyses. The monitoring parameters listed in this Order are believed to be the best indicators of a release from the Facility.

23. Land Uses

The land uses in the surrounding area are predominantly agricultural, dairy, and residential. There are several domestic and agricultural wells within 1,000 feet of the Facility. The nearest residence is located approximately 650 feet southeast of the southeastern boundary of the facility.

24. Protection From Storm Events

The Discharger must provide information to demonstrate that the Surface Impoundment is designed to contain the additional volume of water from a 1,000-year, 24-hour storm event, in addition to the maximum design volume, while maintaining two feet of freeboard, per CCR, title 27, section 20320, Table 4.1.

25. Receiving Waters

The receiving waters are the surface waters of the Middle Mojave Hydrologic Area of the Mojave Hydrologic Unit (DWR designation 628.30) and the groundwaters of the Middle Mojave River Valley Groundwater Basin (DWR designation 6-41).

26. Lahontan Basin Plan

The Water Board adopted a *Water Quality Control Plan for the Lahontan Region* (Basin Plan) which became effective on March 31, 1995. This Order implements the Basin Plan.

27. Beneficial Surface Water Uses

The present and potential designated beneficial uses of the surface waters of the Middle Mojave Hydrologic Area (DWR Unit No. 628.30) of the Mojave Hydrologic Unit as set forth and defined in the Basin Plan are:

a. (MUN) - Municipal and Domestic Supply;
b. (AGR) - Agricultural Supply;
c. (GWR) – Groundwater Recharge;
d. (POW) – Hydropower Generation;
e. (REC-1) – Water Contact Recreation;
f. (REC-2) – Noncontact Water Recreation;
g. (WARM) – Warm Freshwater Habitat;
h. (COLD) – Cold Freshwater Habitat; and
i. (WILD) – Wildlife Habitat.

28. Beneficial Groundwater Uses

The present and potential designated beneficial uses of the groundwater in the Middle Mojave River Valley Groundwater Basin (DWR designation 6-41), as set forth in the Basin Plan, are:

a. (MUN) - Municipal and Domestic Supply;
b. (AGR) - Agricultural Supply;
c. (IND) - Industrial Service Supply;
d. (FRSH) - Freshwater Replenishment; and
e. (AQUA) – Aquaculture.

29. Other Considerations and Requirements for Discharge

Pursuant to California Water Code, section 13241, the requirements of this Order take into consideration:

a. Past, present, and probable future beneficial uses of water.

This Order identifies existing groundwater quality, and past, present, and probable future beneficial uses of water, as described in finding numbers 17, 27 and 28, respectively. Provided discharge is contained pursuant to CCR, title 27, section 20250, the proposed discharge will not adversely affect present or probable future beneficial uses of groundwater.

b. Environmental characteristics of the hydrographic unit under consideration, including the quality of groundwater available thereto.

Finding number 17 describes the environmental characteristics and quality of groundwater available. The requirements of this Order will require control measures to prevent future effects on groundwater quality and may result in actual improvement to groundwater.

c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area.

The requirements of this Order, including the lining of the Surface Impoundment, are protective of groundwater quality. Potential discharges upgradient include dairies and agriculture. The Water Board will use its authority, potential enforcement actions, and these waste discharge requirements to ensure protection of water quality from the discharge. The requirements of this Order will prevent future discharges of nitrate, total dissolved solids, and volatile organic compounds (VOCs) to groundwater and, thus, will prevent further degradation of groundwater.

d. Economic considerations

Water quality objectives established in the Basin Plan for the Middle Mojave River Valley Groundwater Basin do not subject the Discharger to economic disadvantage as compared to other similar discharges in the Region. This Order will require the Discharger to submit plans compliant with the requirements of CCR, title 27, and is reasonable.

e. The need for developing housing within the region.

The Discharger is not responsible for developing housing within the region. This Order provides for capacity to collect, store, and evaporate wastewater in the Surface Impoundment.

f. The need to develop and use recycled water.

There is no identified opportunity to use recycled water for the purposes of food processing.

30. Constituents of Concern

The Constituents of Concern (COCs) consist of total and fecal coliforms, iron, nitrite/nitrate as nitrogen, total dissolved solids, and volatile organic compounds.

31. Detection Monitoring Program

The Discharger must comply with the detection monitoring program (DMP) provisions of CCR, title 27, section 20420, with respect to groundwater, unsaturated zone monitoring, and in accordance with Monitoring and Reporting Program No. R6V-2010-0019. All monitoring must be conducted in accordance with a Sampling and Analysis Plan, which includes quality assurance/quality control standards, that is acceptable to the Water Board's Executive Officer.

32. Evaluation Monitoring Program

An evaluation monitoring program (EMP) may be required, pursuant to CCR, title 27, section 20425, in order to evaluate evidence of a release if detection monitoring and/or verification procedures indicate evidence of a release. If there is evidence of a release, based on the data collected, the Discharger must submit an engineering feasibility study for corrective action pursuant to CCR, title 27, section 20420, subdivision (k)(6), and must conduct a COC scan meeting CCR, title 27, subdivision (k)(1), and must submit a Report of Waste Discharge amendment, under CCR, title 27, section 20420, subdivision (k)(5), that proposes suitable revisions to MRP No. R6V-2010-0019 to establish an EMP meeting CCR, title 27, section 20425, and that

includes the justification for any extension beyond the 90 days allowed prior to making the submittals required under paragraphs (b), (c), and (d) of that section in response to the release.

33. Corrective Action Program

A corrective action program (CAP) to remediate released wastes from the Surface Impoundment may be required pursuant to CCR, title 27, sections 20385 and 20430, if results of an EMP prove the presence of a release from the Surface Impoundment.

34. Surface Impoundment Closure Specifications

At closure of the Surface Impoundment, all residual wastes, including liquids, sludges, precipitates, settled solids, liner materials, and adjacent natural geologic materials contaminated by wastes must be completely removed and discharged to a facility permitted to receive such wastes. If, after reasonable attempts to remove contaminated natural geologic materials, the Discharger demonstrates that removal of all remaining contamination is infeasible, the Surface Impoundment must be closed as a landfill pursuant to requirements contained in CCR, title 27, section 21400.

35. Closure of the Surface Impoundment

The Discharger has not submitted a preliminary closure plan for the Surface Impoundment. This Order requires the Discharger to submit a preliminary closure plan for the Surface Impoundment.

36. Known or Reasonably Foreseeable Release from the Surface Impoundment

The Discharger has not submitted a corrective action estimate to address a known or reasonably foreseeable release, including a workup of the total likely maximum cost of remediating a reasonably foreseeable release, pursuant to CCR, title 27, section 20390, subdivision (b). In addition, the analysis must include a proposed corrective action financial assurance mechanism (to cover the estimated corrective action cost) meeting CCR, title 27, sections 22220 through 22222 and 22225 *et seq.* This Order will require the Discharger to submit a corrective action estimate for a known or reasonably foreseeable release.

If there is measurably significant evidence of a release, the Discharger must submit an engineering feasibility study for corrective action pursuant to CCR, title 27, section 20420, subdivision (k)(6) and must conduct a COC scan meeting the requirements of CCR, title 27, section 20420, subdivision (k)(1). The Discharger must also submit an amended Report of Waste Discharge pursuant to CCR, title 27, section 20420, subdivision (k)(5), that proposes suitable revisions to the MRP to establish an EMP meeting CCR, title 27, section 20425. If necessary, the amended Report of Waste

Discharge must include the justification for any extension beyond the 90 days allowed prior to making the submittals required under CCR, title 27, section 20425, subdivisions (b), (c), and (d).

37. Financial Assurance

The Discharger has not submitted sureties for closure of the Surface Impoundment, nor for a corrective action estimate to address a known or reasonably foreseeable release from the Surface Impoundment. This Order will require the Discharger to provide adequate financial assurance for closure of the Surface Impoundment and a corrective action estimate for a known or reasonably foreseeable release from the Surface Impoundment.

38. California Environmental Quality Act

This project is subject to the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.) in accordance with CCR, title 14, section 15378. The County of San Bernardino is the CEQA Lead Agency for this project under the CEQA Guidelines.

An initial study for this site was conducted in March 2010 to recognize the existing facility and to construct a Class II Surface Impoundment by the County of San Bernardino, in accordance with the provisions of CEQA. Based on the initial study, the County prepared a Mitigated Negative Declaration (State Clearinghouse Number 2010031058) and certified it on May 11, 2010.

The Water Board, acting as a CEQA Responsible Agency in compliance with CCR, title 14, section 15096, subdivision (g)(2), evaluated the potentially significant impacts to water quality identified in the initial study/MND. The Water Board has determined that additional mitigation measures are necessary to prevent potentially significant water quality impacts and nuisance conditions as a result of wastewater discharge to the Surface Impoundment. Mitigation measures include designing and constructing lined facilities in accordance with CCR, title 27 for a Class II Surface Impoundment to contain the wastewater. This Order also requires a groundwater and unsaturated zone monitoring program that includes a water quality protection standard. The Water Board finds these mitigation measures, and the monitoring of the effectiveness of the mitigation measures, as specified in this Order, are adequate to reduce water quality impacts to less than significant.

39. Notification of Interested Parties

The Water Board notified the Discharger and all known interested agencies and persons of its intent to adopt WDRs for this Facility.

40. Consideration of Interested Parties

The Lahontan Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger must comply with the following:

I. RECEIVING WATER LIMITATION

The Discharger shall not cause the existing water quality to be degraded. Under no circumstances shall the Discharger cause the presence of the following substances or conditions in surface waters or groundwaters of the Middle Mojave Hydrologic Area and Middle Mojave River Valley Groundwater Basin.

A. Bacteria – Waters designated as MUN, the medium concentration of coliform organisms, over any seven-day period, must be less than 1.1 MPN/100ml.

B. Chemical Constituents – Waters designated as MUN must not contain concentrations of chemical constituents in excess of the MCL or Secondary MCL (SMCL) based upon drinking water standards specified in the following provisions of CCR, title 22: Table 64431-A of Section 64431 (Inorganic Chemicals), Table 64431-B of Section 64431 (Fluoride), Table 64444-A of Section 64444 (Organic Chemicals), Table 64449-A of Section 64449 (SMCLs – Consumer Acceptance Limits), and Table 64449-B of Section 64449 (SMCLs – Consumer Acceptance Ranges). This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

Waters designated as AGR must not contain concentrations of chemical constituents that adversely affect the water for beneficial uses (e.g. agricultural purposes).

Waters must not contain concentrations of chemical constituents that adversely affect the water for beneficial uses.

C. Radioactivity – Waters designated as MUN must not contain concentrations of radionuclides in excess of limits specified in CCR, title 22, section 64442, Table 64442, and section 64443, Table 64443, including future changes as the changes take effect.

D. Taste and Odors – Waters must not contain taste or odor-producing substances in concentrations that cause a nuisance or that adversely affect beneficial uses. For waters designated as MUN, at a minimum, concentrations must not exceed adopted SMCLs specified in Table

64449-A of section 64449 (SMCLs – Consumer Acceptance Limits) and Table 64449-B of section 64449 (SMCLs – Consumer Acceptance Ranges) of CCR, title 22, including future changes as the changes take effect.

E. Color – Waters must not contain color-producing substances from tracers in concentrations that cause a nuisance or that adversely affect beneficial uses.

F. Toxic Substances – Any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause a detrimental physiological response in humans, plants, animals, or aquatic life is prohibited.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. Following **March 30, 2011**, no discharge must occur outside of the Surface Impoundment.

2. The discharge must not cause or threaten to cause a condition of pollution or nuisance as defined in California Water Code, section 13050.

3. There must be no discharge, bypass, or diversion of wastewater from the collection, conveyance, or disposal facilities to adjacent land areas or surface waters.

4. Surface drainage within the Surface Impoundment must be contained in the Surface Impoundment. No water contained within the Surface Impoundment is to be discharged outside the Surface Impoundment. The Discharger must maintain a Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Program and Reporting Requirements in accordance with State Water Resources Control Board Order No. 97-03-DWQ, and future state-wide general industrial stormwater permits.

5. All facilities used for the collection, conveyance, or disposal of waste must be adequately protected against overflow, washout, inundation, structural damage, or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 1,000 years (CCR, title 27, section 20320, Table 4.1).

6. The discharge of hazardous waste to the Surface Impoundments or generation of hazardous waste due to evaporation in the Surface Impoundments is prohibited.

7. The discharge of solid wastes, leachate, wastewater, or any other deleterious materials to the waters of the Middle Mojave Hydrologic Area and Middle Mojave River Valley Groundwater Basin is prohibited.

8. The discharge of waste, except to the authorized Surface Impoundment, is prohibited.

9. The discharge of waste, as defined in CWC, section 13050, subdivision (d), that causes a violation of any narrative water quality objective contained in the Basin Plan, including the Nondegradation Objective, is prohibited.

10. Where any numeric or narrative water quality objective contained in the Basin Plan is already being violated, the discharge of waste that causes further degradation or pollution is prohibited.

11. The discharge must not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil, or other geologic materials outside of the Surface Impoundment if such waste constituents could migrate to waters of the State – in either liquid or gaseous phase – and cause a condition of nuisance, degradation, contamination, or pollution.

12. Per CCR, title 27, section 20240, subdivision (c), all new surface impoundments must be designed, constructed, and operated to ensure that wastes will be a minimum of five feet above the highest anticipated elevation of underlying groundwater.

13. The integrity of the proposed Surface Impoundment must be maintained throughout the life of the Facility and must not be diminished as a result of any maintenance operation.

14. Discharge of non-hazardous solid waste, as defined in CCR, title 27, section 20220, to the Surface Impoundment is prohibited.

15. The Discharger must maintain in good working order any facility, control system, or monitoring device installed to achieve compliance with these waste discharge requirements.

16. At closure, the Surface Impoundment must be closed in accordance with a Final Closure Plan approved by the Water Board Executive Officer.

17. The Discharger must at all times maintain adequate and viable financial assurances acceptable to the Water Board Executive Officer for costs associated with closure and corrective action for all known or reasonably foreseeable releases.

18. Wind speed and direction will be checked and logged just prior to removing solids from the Surface Impoundment or performing other activities that could generate dust that creates a nuisance as defined in California Water Code section 13050. Activities at the Facility that could generate dust that would create a nuisance must not be performed if wind speeds are in excess of 25 miles per hour.

B. Surface Impoundment

1. The Surface Impoundment freeboard, the vertical distance between the liquid surface elevation and the lowest part of the pond dike or the invert of an overflow structure, must be a minimum of two feet at all times, as specified in CCR, title 27, section 20375.

2. All lined facilities must be effectively sealed to prevent the exfiltration of liquids. For this project, "effectively sealed" facilities are Class II waste management units that are designed and constructed to meet the requirements of CCR, title 27, sections 20310, 20320, and 20330.

3. The design plan must include a requirement for UV damage prevention (treatment or replacement) for the uppermost liner.

4. Best Management Practices, good housekeeping measures, and other measures implemented, including but not limited to treating with an odor-neutralizing agent, will be implemented to minimize the release of objectionable odors. If meteorological conditions cause objectionable off-site odors, the Discharger must immediately take operational steps to mitigate the cause of such odors.

C. Leachate Collection and Removal System

A leachate collection and removal system (LCRS) is required to be constructed per CCR, title 27, section 20340.

1. The LCRS must be placed between the inner and outer liner of the Surface Impoundment.

2. The depth of the leachate in each leachate collection sump must be kept at the minimum depth needed to ensure efficient sump dewatering pump operation.

3. The LCRS must be operated to function without clogging throughout the life of the project.

4. The LCRS must be tested at least once annually to demonstrate proper operation.

5. Should any measurable daily volume of leakage above the action leakage rate be detected, the liner must be repaired.

6. Any leachate collected in the LCRS must be returned to the Surface Impoundment or disposed of properly at a Class II Waste Management Unit.

D. Detection Monitoring Program

The Discharger must maintain a DMP as required in CCR, title 27, sections 20385, subdivision (a)(1) and section 20420.

E. Evaluation Monitoring Program

The Discharger must establish an EMP whenever there is evidence of a release from the Surface Impoundment as required by CCR, title 27, section 20385, subdivision (a)(2) or (3). The Discharger must maintain the EMP as long as there is measurably significant evidence of a release from the Surface Impoundment as required in CCR, title 27, section 20425. The EMP must be utilized to delineate within 90 days of initiating an EMP the nature and extent of the release, as well as to develop, propose, and support corrective action measures to be implemented in a CAP.

F. Corrective Action Program

The Discharger must institute a CAP as required in CCR, title 27, section 20430, following completion of the EMP, in response to a measurably significant evidence of a release.

III. WATER QUALITY MONITORING AND RESPONSE PROGRAMS

A. Water Quality Protection Standard

1. The Discharger must submit a report of waste discharge to the Water Board at least 140 days before initiating discharge to the Surface Impoundment any new constituents of concern. Before a new discharge commences, the Discharger must estimate the concentration for such constituents within the wastewater stream and submit written statistical method(s) in order to detect a release of such constituents.

2. At any given time, the concentration limit for each monitoring parameter and constituent of concern must be equal to the background data set of that constituent. The background data set for each monitoring point/constituent pair should be comprised of at least eight data points, collected quarterly.

3. If the Discharger or Water Board Executive Officer determines that concentration limits were or are exceeded, the Discharger may immediately institute verification procedures upon such determination as specified below or submit an amended RWD within 90 days of such determination in order to establish an evaluation monitoring program. In the event of a release, unless the amended RWD (proposing an EMP) proposes and substantiates a longer period, the Discharger will only have 90 days, once the Water Board authorizes the initiation of the EMP, to complete the delineation, develop a suite of proposed corrective action measures, and submit a proposed corrective action program (CAP) for adoption by the Water Board.

4. Monitoring Wells and/or unsaturated zone samples must be used to obtain background data and to detect a release from the Facility.

B. Statistical Methods

1. The Discharger must use approved statistical data analysis methods to evaluate Point of Compliance data in order to determine measurably significant evidence of a release from the Surface Impoundment. Approved methods may include an intrawell statistical analysis approach. Viable methods include, but are not limited to, a parametric upper prediction limit, a gamma upper prediction limit, and a Shewhart Cumulative Sum (CUSUM) control chart, including a pass 1-of-3 retesting approach. Viable statistical methods, including the retesting approach, must include those

which can meet or beat United States Environmental Protection Agency's (U.S. EPA's) Reference Power Curve.

2. The Discharger must determine, within 45 days after completion of sampling, whether there is measurably significant evidence of a release from the Surface Impoundment at each Monitoring Point. The analysis must consider all monitoring parameters. The Executive Officer may make an independent finding that there is measurably significant evidence of a release or physical evidence of a release.

3. If there is measurably significant evidence of a release, the Discharger must immediately notify the Water Board by certified mail (see notification procedures contained in MRP No. R6V-2010-0019. Subsequently, the Discharger may immediately initiate verification procedures as specified in section III.D., "Verification Procedures," whenever there is a determination by the Discharger or Executive Officer that there is measurably significant evidence of a release.

4. If the Discharger does not use verification procedures to evaluate evidence of a release, and there is confirmation that there is measurably significant evidence of a release, then the Discharger is required to submit, within 90 days of such a confirmation, an amended RWD in order to establish evaluation monitoring (see subsection II.C, entitled "Evaluation Monitoring Program") or make a demonstration to the Water Board that there is a source other than the Surface Impoundment that caused evidence of a release (see notification procedures contained in MRP No. R6V-2010-0019, section IV.G., "Unscheduled Reports to be Filed With the Water Board").

C. Physical Evidence of a Release

The Discharger must determine whether there is physical evidence of a release from the Surface Impoundment. Physical evidence may include unexplained volumetric changes in the Surface Impoundment, unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, visible signs of pipeline rupture, unexplained water table mounding beneath or adjacent to the Facility, concentration of constituents of concern in soil gas, which may pose a threat to groundwater quality, or any other change to the environment that could reasonably be expected to be the result of a release from the Surface Impoundment (see notification procedures

contained in MRP No. R6V-2010-0019, section IV.G., "Unscheduled Reports to be Filed With the Water Board").

D. Verification Procedures

1. The Discharger must immediately initiate verification procedures, as specified below, whenever there is a determination by the Discharger or Executive Officer that there is evidence of a release. If the Discharger declines the opportunity to conduct verification procedures, the Discharger must submit a technical report, as described in section III.E., below, under the heading Technical Report Without Verification Procedures.

2. The verification procedure must only be performed for the constituent(s) that has shown a measurably significant evidence of a release and must be performed for those Monitoring Points at which a release is indicated.

3. The Discharger must conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event, must conduct a discrete retest in which only data obtained from the resampling event must be analyzed to verify evidence of a release, or must propose a pass 1-of-3 retesting approach using quarterly samples, as an engineered alternative.

4. The Discharger must report to the Water Board, by certified mail, the results of the verification procedure, as well as all concentration data collected for use in the retest, within seven days of the last laboratory analysis.

5. If the Discharger or Executive Officer verify evidence of a release, the Discharger is required to submit a technical report pursuant to CWC, section 13267, subdivision (b), within 90 days of such a determination that there is, or was, a release. The report must propose an evaluation monitoring program (see subsection II.E., entitled "Evaluation Monitoring Program"), or make a demonstration to the Water Board that there is a source other than the Surface Impoundment that caused evidence of a release [see notification procedures contained in MRP No. R6V-2010-0019, section IV.G., "Unscheduled Reports to be Filed With the Water Board"].

E. Technical Report Without Verification Procedures

If the Discharger chooses not to initiate verification procedures after there has been a determination made for evidence of a release, a technical report must be submitted pursuant to CWC, section 13267, subdivision (b). The report must propose an evaluation monitoring program or attempt to demonstrate that the release did not originate from the Surface Impoundment.

F. Monitoring and Reporting

1. Pursuant to CWC, section 13267, subdivision (b), the Discharger must comply with Monitoring and Reporting Program No. R6V-2010-0019 as specified by the Water Board Executive Officer. The Monitoring and Reporting Program may be modified by the Water Board Executive Officer.

2. The Discharger must comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the Monitoring and Reporting Program.

IV. PROVISIONS

A. Standard Provisions

The Discharger must comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment C, which is made part of this Order.

B. Claim of Copyright or Other Protection

Any and all reports and other documents submitted to the Lahontan Water Board pursuant to this request will need to be copied for some or all of the following reasons: (1) normal internal use of the document, including staff copies, record copies, copies for Board members and agenda packets, (2) any further proceedings of the Lahontan Water Board and the State Water Board, (3) any court proceeding that may involve the document, and (4) any copies requested by members of the public pursuant to the Public Records Act or other legal proceeding.

If the Discharger or its contractor(s) claims any copyright or other protection, the submittal must include a notice, and the notice will accompany all documents copied for the reasons stated above. If

copyright protection for a submitted document is claimed, failure to expressly grant permission for the copying stated above will render the document unusable for the Lahontan Water Board's purposes and will result in the document being returned to the Discharger as if the task had not been completed.

C. Action Leakage Rate

If leachate generation in an LCRS of the Surface Impoundment exceeds, or is equal to, the required action leakage rate (ALR) of 20 gallons/day/acre, the Discharger must immediately take steps to locate and repair leak(s) in the liner system and comply with the notice of evidence response to exceeding the ALR requirements presented in section IV.G., Unscheduled Reports to be Filed With the Water Board, of MRP No. R6V-2010-0019. If repairs do not result in a leakage rate less than the required ALR, the Discharger must immediately cease the discharge of waste, including leachate, to the Surface Impoundment and notify the Water Board. The notification shall include a timetable for remedial action to repair the upper liner of the Surface Impoundment or action necessary to reduce leachate production.

D. Closure Plan

The preliminary closure plans must be updated if there is a substantial change in operations or costs for closure. By **October 30, 2011 and yearly thereafter,** as part of the required annual report, a report must be submitted to the Water Board indicating conformance with existing operations. Pursuant to CCR, title 27, section 21780, a final closure plan shall be submitted two years prior to the anticipated date of closure for any or all parts of the Facility. The final plan must be prepared by or under the supervision of either a California registered civil engineer or a certified engineering geologist.

E. Modifications to the Surface Impoundment

If the Discharger intends to expand the Facility or the capacity of the Surface Impoundments, a new Report of Waste Discharge must be filed **no later than 140 days prior** to the anticipated change, containing a detailed plan for Facility expansion. This plan must include, but is not limited to, a time schedule for studies, design, and other steps needed to provide additional capacity, and must be done in accordance with an accepted construction quality control plan.

V. TIME SCHEDULE

A. Effective Dates for General Requirements and Prohibitions

Section II, Requirements and Prohibitions, A. General, numbers 2, 7, 9, 10, 15, and 18 are **effective immediately**. Section II, Requirements and Prohibitions, A. General, numbers 1, 3, 4, 5, 6, 8, 11, 12, 13, 14, 16, and 17 are effective on **April 1, 2011**.

B. Submittal of Plans

1. Surface Impoundment Design Plans

No later than **December 30, 2010**, the Discharger must submit design plans for the Surface Impoundment in accordance with the requirements of CCR, title 27, sections 20310 and 20320, including a leachate collection and removal system, unsaturated zone monitoring system, and monitoring well locations, to be accepted by the Water Board's Executive Officer.

2. Work Plan for Surface Impoundment Construction

No later than **December 30, 2010**, the Discharger must submit a work plan to construct the Surface Impoundment, leachate collection and removal system, unsaturated zone monitoring system, and monitoring wells, to be accepted by the Water Board's Executive Officer.

3. Odor Control Plan

No later than **January 30, 2011**, the Discharger must submit an Odor Control Plan for the Surface Impoundment, to be accepted by the Water Board's Executive Officer. The Odor Control Plan must identify the potential sources and causes of the odors, provide a narrative description of the best management practices (BMPs) and other measures that will be implemented to treat and neutralize odors, and provide a detailed description of all odor monitoring and inspecting activities including the requirements of MRP No. R6V-2010-0019, section II.C.2 and section IV.D.6. In addition, the plan must discuss how the Discharger will address public complaints regarding odors.

4. Monitoring and Reporting Plan and Sampling and Analysis Plan

No later than **January 30, 2011**, the Discharger must submit a Monitoring and Reporting Plan and a Sampling and Analysis Plan, to be accepted by the Water Board's Executive Officer, including procedures for sampling the Surface Impoundments, the leachate collection and removal system, and the monitoring wells.

5. Detection Monitoring Plan

No later than **January 30, 2011**, the Discharger must submit a Detection Monitoring Plan, to be accepted by the Water Board's Executive Officer, proposing Monitoring Parameters and procedures for responding to a release, per CCR, title 27, section 20420.

6. Closure Plan and Cost Estimate

No later than **January 30, 2011**, the Discharger must submit a closure plan, to be accepted by the Water Board's Executive Officer, indicating procedures for clean closure of the Surface Impoundment, pursuant to CCR, title 27, section 21400, as well as detailed cost estimates for closure, per CCR, title 27, section 21090.

C. Known or Reasonably Foreseeable Release Plan and Financial Assurance Instrument

By **January 30, 2011**, the Discharger must submit a plan for addressing a known or reasonably foreseeable release from the Surface Impoundment in accordance with the requirements in CCR, title 27, sections 20380, subdivision (b) and 22222. The known or reasonably foreseeable release plan must include a cost estimate to implement the plan and a proposed financial assurance instrument meeting CCR, title 27, sections 22220 to 22222 and 22225 *et seq.* to be acceptable by the Executive Officer. The known or reasonably foreseeable release plan and cost estimate to implement the plan must be prepared by, or under the supervision of, a California registered professional geologist or a California registered professional engineer.

D. Financial Assurance Documents

By **January 30, 2011, and yearly thereafter** with the annual report, the Discharger must submit Instruments of Financial Assurance acceptable to the Water Board Executive Officer and adequate to cover the costs of

closure and a reasonably foreseeable release from the Facility. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved closure plan, or other unforeseen events.

E. Completion of Construction

1. The Surface Impoundment and associated monitoring systems must be installed, per the accepted plans, no later than **March 30, 2011**.

2. No later than **April 30, 2011**, the Discharger must submit a technical report discussing the installation of the monitoring system. The report shall summarize all work activities associated with the installation of the monitoring system. The report must be certified by a registered civil engineer or a registered professional geologist. It must contain sufficient information to verify that construction was in accordance with State and/or County well standards.

F. Final Construction Quality Assurance Report

Following the completion of construction of the lined Surface Impoundment, the final documentation required in CCR, title 27, section 20324, subdivision (d)(1)(C), must be submitted to the Water Board for review and acceptance. This report must be submitted to the Water Board by **April 30, 2011** after completion of construction activities. The report must be certified by a registered civil engineer or a certified engineering geologist. It must contain sufficient information and test results to verify that construction was in accordance with the design plans and specifications and with the prescriptive standards and performance goals of CCR, title 27.

G. Water Quality Protection Standard

No later than **April 30, 2013**, the Discharger must propose for acceptance by the Water Board staff a list of monitoring parameters and constituents of concern for the aquifer, including a data analysis method, and a Water Quality Protection Standard, which includes concentration limits that define background water quality for all constituents of concern and for each Point of Compliance. The report must be certified by a registered civil engineer or a registered professional geologist.

The table below is a summary of all plans to be submitted:

Plan	Due Date
Design Plan for Surface Impoundment	December 30, 2010
Work Plan for Surface Impoundment Construction	December 30, 2010
Odor Control Plan	January 30, 2011
Monitoring and Reporting Plan	January 30, 2011
Sampling and Analysis Plan	January 30, 2011
Detection Monitoring Plan	January 30, 2011
Closure Plan and Cost Estimate	January 30, 2011
Known or Reasonably Foreseeable Release Plan and Financial Assurance Instrument	January 30, 2011
Monitoring System Installation Report	April 30, 2011
Final Construction Quality Assurance Report	April 30, 2011
Water Quality Protection Standard	April 30, 2013

I, HAROLD J. SINGER, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Board, Lahontan Region, on May 13, 2010.

HAROLD J. SINGER
EXECUTIVE OFFICER

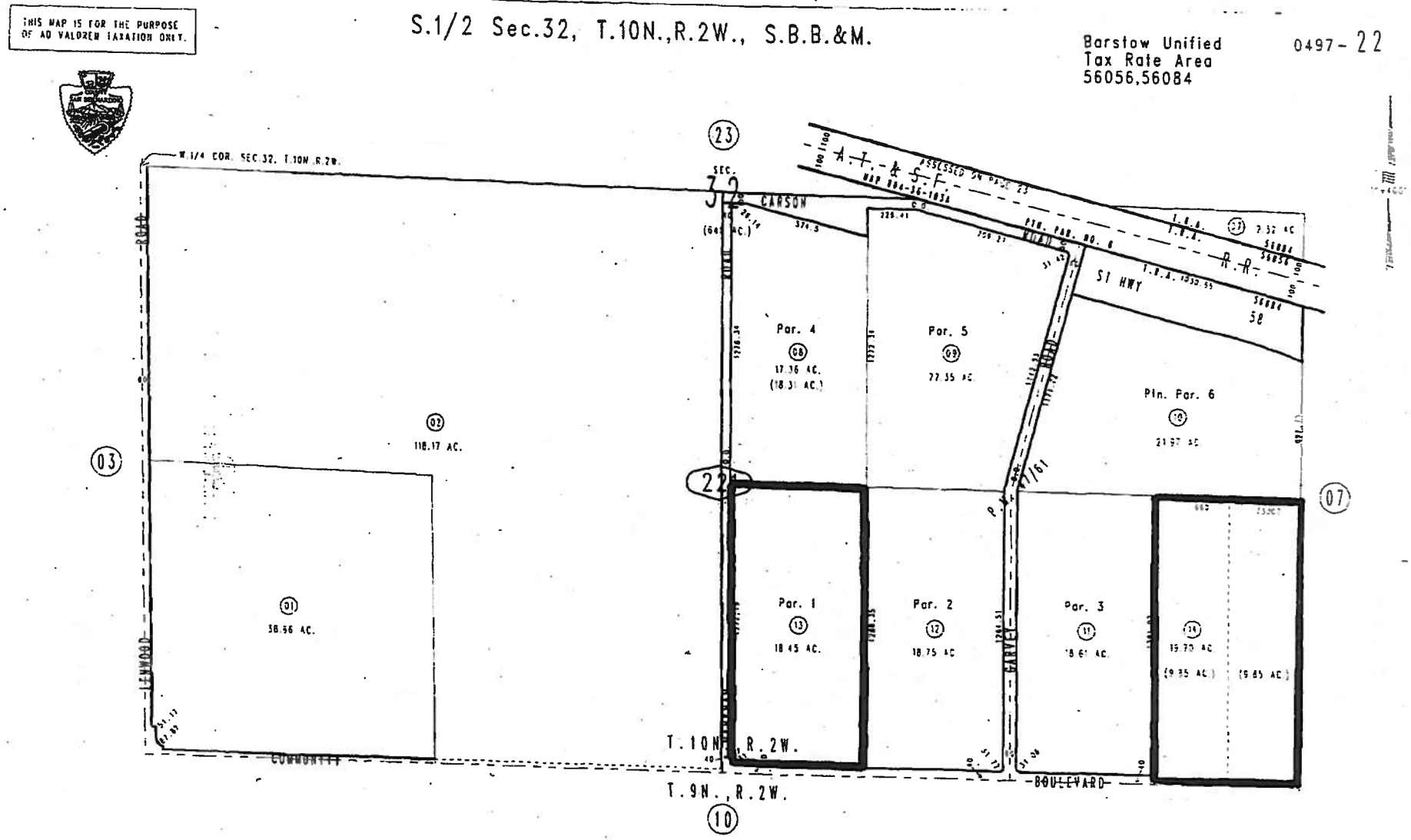
Attachments: A. General Location Map
B. Plot Plan
C. Standard Provisions for Waste Discharge Requirements

BO2010/GreenValleyFoods/Proposed/R6V-2010-0019 GVF

GREEN VALLEY FOODS PRODUCTS, INC., AND HECTOR HUERTA
CHEESE PROCESSING FACILITY
San Bernardino County

ATTACHMENT A
Location Map

BOARD ORDER NO.
R6V-2010-0019
WDID NO. 6B360704003



February 2004

Parcel Map No. 4977, P.M. 47/61

Assessor's Map
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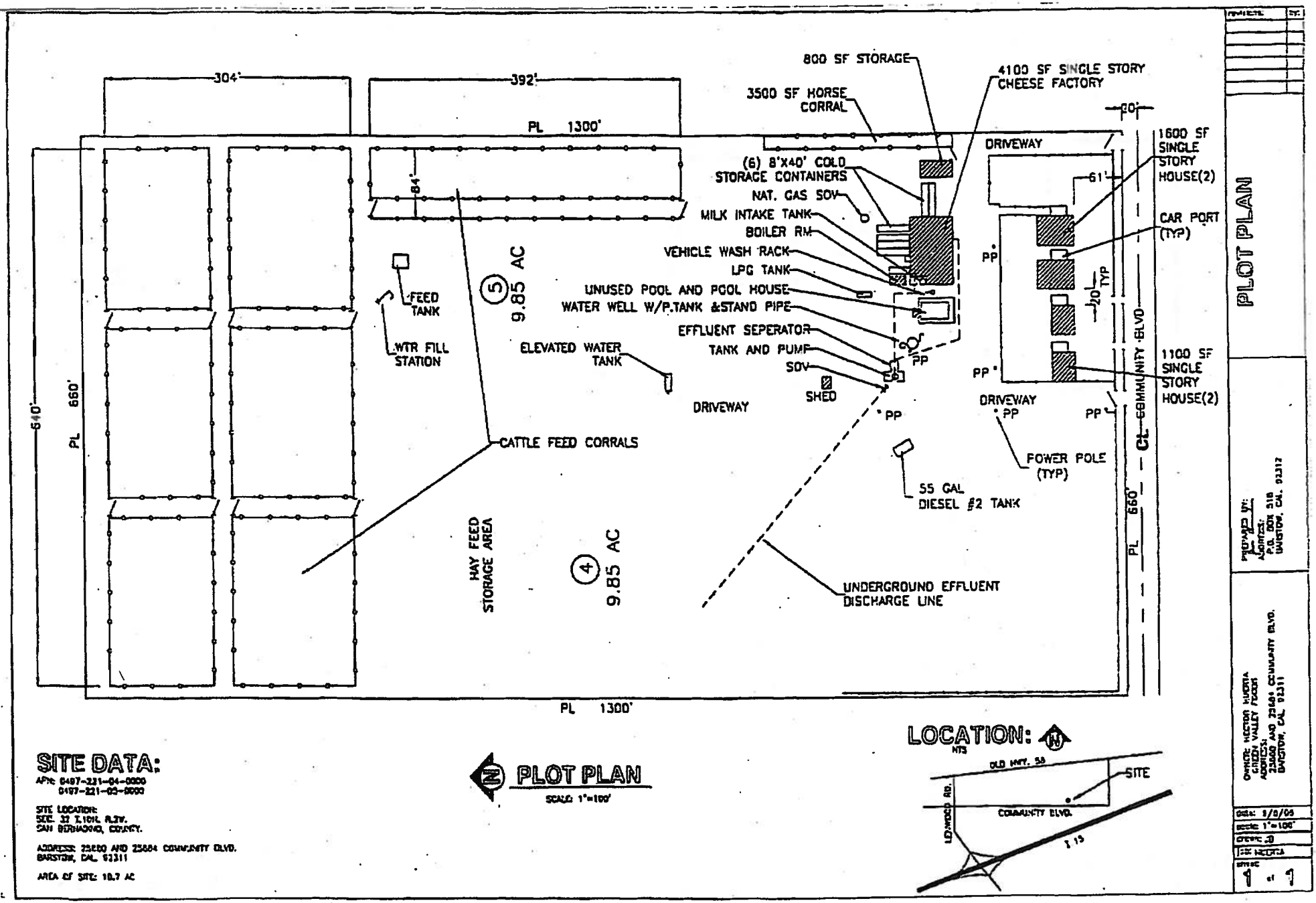
San Bernardino County

CDO-51



SITE DATA:

APN: 0497-221-04-0000
0497-221-03-0000

SITE LOCATION:
SEC. 32 T.10N. R.3W.
SAN BERNARDINO COUNTY.

ADDRESS: 25600 AND 25684 COMMUNITY BLVD.
BARSTOW, CA. 92311

AREA OF SITE: 10.7 AC

PLOT PLAN

SCALE: 1"=100'

LOCATION:

NTS

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The Discharger shall permit Regional Board staff:

a. to enter upon premises in which an effluent source is located or in which any required records are kept;

b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements (WDRs);

c. to inspect monitoring equipment or records; and

d. to sample any discharge.

2. Reporting Requirements

a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.

b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.

c. The Owners/Discharger of property subject to WDRs shall be considered to have a continuing responsibility for ensuring compliance with applicable WDRs in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the WDRs shall be reported to the Regional Board. Notification of applicable WDRs shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.

d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing, and correct that information.

e. Reports required by the WDRs, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars ($1,000) for each day of violation.

f. If the Discharger becomes aware that their WDRs (or permit) are no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their WDRs (or permit) be rescinded.

3. Right to Revise WDRs

The Regional Board reserves the privilege of changing all or any portion of the WDRs upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the WDRs may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and re-issuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the WDRs which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the WDRs. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the WDRs.

7. Waste Discharge Requirement Actions

The WDRs may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and re-issuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the WDRs conditions.

8. Property Rights

The WDRs do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the WDRs including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the WDRs shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the WDRs are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.

b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

MONITORING AND REPORTING PROGRAM NO. R6V-2010-0019
WDID NO. 6B360704003

FOR
GREEN VALLEY FOODS PRODUCTS, INC., AND HECTOR HUERTA,
CHEESE PROCESSING FACILITY,
CLASS II SURFACE IMPOUNDMENT

San Bernardino County

I. WATER QUALITY PROTECTION STANDARD

A Water Quality Protection Standard (WQPS) is required by California Code of Regulations (CCR), title 27, to assure the earliest possible detection of a release from the Surface Impoundment to the underlying soil, surface water, and/or groundwater. The WQPS shall consist of all constituents of concern, the concentration limit for each constituent of concern, the point of compliance, and all water quality monitoring points.

The Water Board Executive Officer shall review and approve the WQPS, or any modification thereto, for each monitored medium.

The WQPS shall:

a. Identify all distinct bodies of groundwater that could be affected in the event of a release from the Surface impoundment. This list shall include all groundwater bearing zones.

b. Include a map showing the monitoring points and background monitoring points for the detection monitoring program. The map shall show the surface trace of the Surface Impoundment's point of compliance (along the downgradient boundary of the Unit), in accordance with CCR, title 27, section 20405.

c. Evaluate the perennial direction(s) of groundwater movement within the groundwater bearing zones.

If subsequent sampling of the background monitoring point(s) indicates significant water quality changes due to either seasonal fluctuations or other reasons unrelated to waste management activities at the site, the Discharger may request modification of the WQPS concentration limits to provide season-specific concentration limits (background data sets) for each constituent of concern at each monitoring point.

II. MONITORING

The Discharger must comply with the Detection Monitoring Program (DMP) monitoring provisions contained in California Code of Regulations (CCR), title 27, sections 20385 through 20430. The Discharger must also monitor the wastewater flow, wastewater effluent quality, the Surface Impoundment wastewater, and the Surface Impoundment. In addition to satisfying the monitoring requirements of CCR, title 27, the Discharger must also perform the following monitoring:

A. Wastewater Flow Monitoring

The Discharger must measure and record the following:

1. The volume of flow, in gallons per day of wastewater flow to the Surface Impoundment;

2. The maximum daily flow rate in gallons per day to the Surface Impoundment; and,

3. The cumulative total of wastewater flow to the Surface Impoundment, in gallons per month; and

4. Yearly, calibrate the wastewater flow meters.

B. Wastewater Monitoring

All wastewater samples collected under this Monitoring and Reporting Program (MRP) must be analyzed to determine the concentrations of constituents of concern and monitoring parameters described in Table 1, Attachment A, which is made part of this MRP. All samples, with the exception of field parameters, are to be analyzed by a California state-certified laboratory.

Quarterly, the Discharger must collect a liquid composite grab sample of wastewater from within the Surface Impoundment. A minimum of three grab samples from the Surface Impoundment must be collected from at a depth of one foot, opposite the inlet, in a quiescent surface area and composited into one sample by the laboratory. The samples must be analyzed to determine the concentrations of constituents of concern and monitoring parameters described in Table 1 (Attachment A). Data must be collected in accordance with the accepted discharge plan for waste discharged to the Surface Impoundment.

C. Surface Impoundment Monitoring

1. Dikes and Liners

a. Weekly, the integrity of the Surface Impoundment dikes and liners must be inspected. Should the inspection indicate that any unauthorized discharge has occurred, or may occur, the Water Board must be notified within 24 hours, followed by confirmation in writing.

b. Weekly, measure and record the freeboard, as measured from the top of the lowest part of the dike to the wastewater surface in the Surface Impoundment. If the Surface Impoundment is dry, indicate that it is dry in the monitoring report.

2. Odor Monitoring

The Discharger must implement the approved Odor Control Plan for the Surface Impoundments. Daily, the Discharger must inspect the Surface Impoundment for nuisance odors and document these inspections. Documentation shall include a description of any odors detected. Odor control measures such as the addition of any chemicals to control odors must be documented daily in a permanent log book kept on site.

3. Leachate Collection and Recovery System

The Discharger must conduct the following inspections and testing of the leachate collection and recovery system (LCRS):

a. Weekly, visual inspections for liquid in the leakage detection sumps must be conducted. The results of these inspections must be recorded in a permanent log book kept onsite.

i. Any volume of liquid pumped out of the leakage detection sumps must be recorded along with date, time, and discharge location, in a permanent log book kept onsite.

ii. Upon detection of leachate in a previously dry LCRS (defined here as an event), the Discharger shall immediately collect a grab sample of the leachate and shall sample and analyze the grab samples of the leachate for the constituents of concern and monitoring

parameters identified in Table 1 (Attachment A) during each sampling event.

b. If liquid is detected in a collection sump in a volume that exceeds the action leakage rate (20 gallons per acre per day), the Water Board must be notified within 24 hours and a sample must be collected and analyzed for the constituents of concern and monitoring parameters identified in Table 1 (Attachment A).

c. Annually, each LCRS shall be tested to demonstrate proper operation. The results of the testing shall be submitted in the annual monitoring reports. The annual report shall include a description of the method used to test each LCRS.

4. Sludge Monitoring

Annually, in the last quarter of each year, two (2) representative grab samples of the bottom sludge of the Surface Impoundment, if present, must be collected, and analyzed for the following constituents:

Parameter	Units	Method
Title 22 metals	mg/L	CCR, title 22, section 66261.24, subdivision (a)(2)(A), Table II, list of inorganic persistent and bioaccumulative toxic substances and their soluble threshold limit concentration (STLC) and total threshold limit concentration (TTLC) values.

5. Dust Control

During solids removal activities and Surface Impoundment construction activities, the air must be monitored. Any activities that generate dust that creates a nuisance must cease when wind speeds exceed 25 miles per hour.

D. Detection Monitoring

Monitoring of the groundwater and unsaturated zone must be conducted in accordance with the Detection Monitoring Program (DMP) to provide the best assurance of the early detection of any new releases from the

Surface Impoundment. A Monitoring and Reporting Plan and Sampling and Analysis Plan must be submitted 60 days prior to the installation of unsaturated zone monitoring probes and groundwater monitoring wells. No discharge may occur prior to the Water Board Executive Officer's acceptance of these plans. All samples, with the exception of field parameters, are to be analyzed by a California state-certified laboratory. Monitoring must be completed as follows:

1. Unsaturated Zone Monitoring

Quarterly, the Discharger must monitor the unsaturated zone beneath the Surface Impoundment, and all soil-pore liquid samples collected under this MRP must be analyzed to determine the concentrations of constituents of concern and monitoring parameters described in Table 1 (Attachment A). If moisture content is detected above 30 percent by volume, field verification testing must be performed, and the Discharger must notify the Water Board and report physical evidence of a release (see notification procedures in Section IV.G., "Unscheduled Reports to be Filed With the Water Board").

a. Monitoring Points

The unsaturated zone monitoring program will consist of a system of probes to adequately monitor the vadose zone beneath the Surface Impoundment. A work plan to install the unsaturated zone monitoring probes must be submitted for acceptance by the Water Board Executive Officer by **December 30, 2010.**

b. Monitoring Parameters and Constituents of Concern

The monitoring parameters and constituents of concern (COCs) for unsaturated zone monitoring are those listed in this MRP, Table 1 (Attachment A).

c. Concentration Limits

The concentration limits for all man-made constituents in soil-pore liquids shall be the method detection limit. The Discharger must, as part of the WQPS, establish concentration limits that define background concentrations for all monitoring parameters and constituents of concern.

d. Calibration Documentation

Annually, the Discharger must submit documentation of instrument calibration and performance checks. Performance checks must be a comparison of quarterly results of the unsaturated zone monitoring network testing with earlier tests made under comparable conditions to verify proper operation of equipment.

2. Groundwater Monitoring

a. Monitoring Points

The Point of Compliance, as defined in CCR, title 27, section 20405, subdivision (a), is "a vertical surface located at the hydraulically downgradient limit of the Unit that extends through the uppermost aquifer underlying the Unit." Groundwater monitoring wells must be installed at monitoring points upgradient of the Surface Impoundment and along the Point of Compliance as part of the DMP. The groundwater monitoring program will consist of a system of wells to adequately monitor groundwater beneath the Facility, per CCR, title 27, section 20415. A workplan to install the background and Point of Compliance groundwater monitoring wells must be submitted for acceptance by the Executive Officer by **December 30, 2010**.

b. Monitoring Parameters

Groundwater samples must be collected from each groundwater monitoring well installed as part of the DMP and submitted for laboratory analyses quarterly for the analytes total and fecal coliform, iron, nitrate/nitrite as nitrogen, total dissolved solids (TDS), pH, and volatile organic compounds, as specified in Table 1 (Attachment A).

c. Constituents of Concern

Groundwater samples must be collected and submitted for laboratory analyses at all monitoring points once every five years for all monitoring parameters and COCs listed in Appendix I and II of 40 CFR, Part 258.

d. Concentration Limits

The Discharger needs to collect background water quality data for the monitoring parameters and constituents of concern listed in Table 1 (Attachment A). These data must be reported to the Water Board Executive Officer by **April 30, 2013,** in the required WQPS. The Discharger must collect at least eight quarters of groundwater quality data to determine background concentration limits for the monitoring parameters and constituents of concern. The Discharger must submit a complete water quality protection standard, which includes concentration limits that define background water quality for all monitoring parameters and constituents of concern, and the Point of Compliance monitoring points.

For any constituent that is naturally occurring at this site, its concentration limit at a given monitoring point is the average of the suite of at least eight background monitoring points collected pursuant to this subsection.

The concentration limits for each man-made organic constituent that is not proven to have originated from a source other than the Facility is the laboratory detection limit for that constituent.

e. Depth to Groundwater

Quarterly, prior to sampling and purging, the Discharger must measure and record the depth below the ground surface and elevation above mean sea level of the static groundwater surface in the groundwater monitoring wells. The Discharger shall use these measurements, which shall be accurate to the nearest 0.01 foot, to determine and prepare a groundwater surface map and groundwater flow direction, pursuant to section II.D.2.g., "Aquifer Characteristics."

f. Groundwater Purging

Quarterly, the Discharger must collect samples from each groundwater monitoring well. The wells must be purged of at least three well volumes until the temperature, electrical conductivity, and the pH of extracted well water have stabilized to within +/- five (5) percent. Samples must be

collected and analyzed using U.S. EPA methods. The samples must be analyzed to determine the concentrations of constituents of concern described in Table 1 (Attachment A). Groundwater must also be measured for:

i. Electrical conductivity (Ec) (in micromhos per centimeter [umhos/cm] units),

ii. pH (in pH units),

iii. Temperature (in either degrees Fahrenheit or degrees Centigrade), and

iv. Turbidity (in nephelometric turbidity units [NTUs]).

g. Aquifer Characteristics

Quarterly, the Discharger must calculate, record, and report the groundwater gradient, the direction of the gradient, and the velocity of groundwater flow. Quarterly, the groundwater potentiometric surface must be illustrated on an 8.5" x 11" or an 11" x 17" copy of a site plan, showing the locations of the Facility, Surface Impoundment, the point of compliance, and monitoring wells, as well as the parameters listed below in the Table – Aquifer Characteristics.

Table – Aquifer Characteristics

Parameter	Units
Depth to Groundwater	Feet below ground surface
Static Water Level	Feet above mean sea level
Slope of Groundwater Gradient	Feet/Feet
Direction of Groundwater Gradient	Degrees from True North
Velocity of Groundwater Flow	Feet/Year

h. Quarterly, the Discharger must graph time-series plots of the analytical results from the unsaturated zone monitoring and groundwater monitoring at each monitoring point to show any trends in constituent concentrations through time. Time-series plots must also include, as horizontal lines, the constituents' maximum contaminant level (MCL) (if an MCL has been established), and the WQPS concentration limit.

i. Annually, sampling and monitoring data collected in association with any monitoring wells constructed for

groundwater monitoring of the Surface Impoundment must be reported in the annual report in tabular and graphical form. Each table must summarize the historical and most recently detected constituent concentrations for all wells sampled, and compare these data to both the WQPS and the Maximum Contaminant Level (MCL) established for each monitoring parameter/COC. Each such graph must be plotted using raw data, and at a scale appropriate to show trends or variations in water quality. For graphs showing the trends of similar constituents, the scale must be the same.

E. Operation and Maintenance

A brief summary of any operational problems and maintenance activities must be submitted to the Water Board with each monitoring report for the Discharger's operations. This summary must discuss:

1. Any modifications, additions, or major maintenance to the wastewater conveyance system, odor treatment, or disposal facilities.

2. Any major problems occurring in the wastewater conveyance system, odor treatment, or disposal facilities.

3. The calibration of any wastewater flow measuring devices.

III. DATA ANALYSIS

All data analyses methods (statistical and non-statistical) must meet the requirements of the California Code of Regulations, title 27, sections 20415, subdivisions (e)(8) and (9).

A. Statistical Data Analysis Method

In order to determine if any new releases have occurred from the Surface Impoundment, evaluation of data will be conducted using statistical methods. The Discharger must propose, in the Water Quality Protection Standard, the statistical test to use for comparing detection monitoring well groundwater data to background monitoring well groundwater data.

B. Non-statistical Data Analysis Method

In order to determine if any new releases have occurred from the Surface Impoundment, evaluation of data will be conducted using non-statistical methods. Non-statistical analysis shall be as follows:

1. Physical Evidence

Physical evidence can include vegetation loss, soil discoloration, or groundwater mounding. Each quarterly report shall comment on these physical elements.

2. Time-Series Plots

Quarterly, the Discharger shall graph time-series plots of the historical and most recent analytical results from the unsaturated zone monitoring and groundwater monitoring to show any trends in constituent concentrations through time. Time series plots must include applicable MCL or WQPS established for each respective constituent.

IV. REPORTING REQUIREMENTS

The Discharger must comply with the following reporting requirements:

A. General Provisions

The Discharger must comply with Attachment B, "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made a part of this MRP.

B. Violations

If monitoring data indicate violation of WDRs, the Discharger must provide information indicating the cause of violation(s) and action taken or planned to bring the discharge into compliance.

C. Failure to Furnish Reports

Any person failing or refusing to furnish technical or monitoring reports or falsifying any information provided therein is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars ($1,000) for each day of violation under section 13268 of the California Water Code.

D. Quarterly Reports

Monitoring reports, including the preceding information, must be submitted to the Water Board on the **30th day of the month following each quarter**, per the following schedule:

Sampling and Reporting Frequency	Quarterly Period	Report Date Due
Quarterly	January 1 – March 31	**April 30**
Quarterly	April 1 – June 30	**July 30**
Quarterly	July 1 – September 30	**October 30**
Quarterly	October 1 – December 31	**January 30**

Each quarterly report must include the following:

1. Results of sampling and laboratory analyses for each groundwater and unsaturated zone monitoring point, including statistical limits for each monitoring parameter and an identification of each sample that exceeds its respective statistical limit at any given monitoring point;

2. A description and graphical presentation of the velocity and direction of groundwater flow under/around the Surface Impoundment, based upon water-level elevations taken during the collection of the water quality data submitted in the report;

3. A map and/or aerial photograph showing the locations of observation stations, monitoring points, and background monitoring points, and the Point of Compliance along the downgradient boundary of the Facility;

4. The Surface Impoundment monitoring, flow monitoring, effluent monitoring, and an evaluation of the effectiveness of the leachate monitoring and control facilities, and the runoff/runon control facilities;

5. Data collected in accordance with the approved Monitoring and Reporting Plan and Sampling and Analysis Plan for unsaturated zone monitoring probes and groundwater monitoring wells;

6. A description of any odor problems detected and any odor mitigation measures implemented to control odors in the Surface Impoundment, including any chemical additives by name and volume of chemical added.

7. A letter transmitting the essential points of each report must accompany each report. The letter must include a discussion of any violations found since the last report was submitted and must describe actions taken or planned for correcting those violations; and,

8. If the Discharger has previously submitted a detailed time schedule for correcting violations, a reference to the correspondence transmitting this schedule will be satisfactory. If no violations have occurred since the last submittal, this must be stated in the letter of transmittal.

E. Annual Monitoring Report

Annual Monitoring Reports must be submitted to the Water Board no later than **April 30** of each year. The annual report can be combined with the monitoring report for the last reporting period of that year. If so, the report must include (for the last reporting period) the information under Section IV.D. and the following information:

1. Results of groundwater sampling analysis of the COCs, including statistical limits for each groundwater monitoring point;

2. Time series data plots of the past three years of groundwater, soil gas, and soil moisture analysis. Time-series plots must also include appropriate MCL or WQPS established for each respective constituent;

3. A map showing the groundwater elevation isocontours and monitoring points.

4. Graphical and tabular data for the monitoring data obtained for the previous calendar year (January – December). Each table must summarize the historical and most recent detected constituents concentrations for all wells sampled, and compare these data to

both the WQPS and MCL established for each monitoring parameter/COC. Each such graph must be plotted using raw data, and at a scale appropriate to show trends or variations in water quality. For graphs showing trends of similar constituents, the scale must be the same.

5. Calibration methods and any flow discrepancies of the wastewater flow meters after calibration is performed. Copies of calibration worksheets or other such documentation that calibration of wastewater flow meters was performed must be provided.

6. The compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the discharge requirements.

7. Evidence that adequate financial assurance for closure and corrective action for all known or reasonably foreseeable releases is still in effect. Evidence may include a copy of the renewed financial instrument or a copy of the receipt for payment of the financial instrument. Evidence of adequate financial assurance must be signed by the Corporate Officer.

8. Evidence that the financial assurance amount is adequate or increase the amount of financial assurance by an appropriate amount if necessary, due to inflation, a change in the approved closure plan, or other unforeseen events.

9. The Discharger must review the preliminary closure plan, post-closure maintenance plan, and corrective action plan for all known or reasonably foreseeable releases annually to determine if significant changes in the operation of the Facility warrant an update to any of these plans. Changes to these plans must be submitted to the Water Board in the annual report.

F. Five-Year Constituent of Concern Monitoring Program

Pursuant to CCR, title 27, section 20420, subdivision (g), every five years the Discharger must sample for COCs with successive direct monitoring efforts being carried out alternatively during January 1 through June 30 of one five-year sampling event and July 1 through December 31 of the next five-year sampling event, and every fifth year, thereafter. The first five-year COC sampling event must take place during the first **January 1 through June 30 period of discharge to the Surface Impoundments** and reported no later than 45 days following the monitoring period.

G. Unscheduled Reports to be Filed With the Water Board

The following reports must be submitted to the Water Board as specified below:

1. Release from the Surface Impoundment

The Discharger must perform the procedures contained in this subsection whenever there is evidence of a release from the Surface Impoundment.

a. Physical or Measurably Significant Evidence of a Release from the Surface Impoundment

The Discharger must immediately notify the Water Board verbally whenever a determination is made that there is physical or measurably significant evidence of a release from the Surface Impoundment. This verbal notification must be followed by written notification via certified mail within seven days of such determination. Upon such notification, the Discharger may initiate verification procedures or demonstrate that another source other than the Surface Impoundment caused evidence of a release (see below).

The notification must include the following information:

i. Surface Impoundment that may have released or be releasing;

ii. General information including the date, time, location, and cause of the release;

iii. An estimate of the flow rate and volume of waste involved;

iv. A procedure for collecting samples and description of laboratory tests to be conducted;

v. Identification of any water bearing media affected or threatened;

vi. A summary of proposed actions; and

vii. For a measurably significant evidence of a release – the monitoring parameters and/or COCs that are involved in the measurably significant evidence of a release from the Surface Impoundment; or

viii. For physical evidence of a release – physical factors that indicate physical evidence of a release.

b. Other Source That May Cause Evidence of a Release From the Surface Impoundment

The Discharger may make a demonstration that a source other than the Surface Impoundment caused evidence of a release. For this case, the Discharger must notify the Water Board of the intention to make this demonstration. The notification must be sent to the Water Board by certified mail within seven days of determining physical or measurably significant evidence of a release.

2. Exceeding the Action Leakage Rate

Exceeding the Action Leakage Rate in Section IV.C of this Board Order is an Adverse Condition. The Discharger must immediately notify the Water Board verbally within 24 hours whenever a determination is made that leakage into the LCRS exceeds the Action Leakage Rate (20 gallons per acre per day). This verbal notification must be followed by written notification via certified mail within 7 days of such determination. This written notification must be followed by a technical report via certified mail within 30 days of such determination. The technical report must describe the actions taken to abate the Adverse Condition and must describe any proposed future actions to abate the Adverse Condition.

3. Evaluation Monitoring

The Discharger must, within 90 days of verifying a release, submit a technical report pursuant to California Water Code (CWC) section 13267, subdivision (b), proposing an Evaluation Monitoring Program (EMP). If the Discharger decides not to conduct verification procedures, or decides not to make a demonstration that a source other than the Surface Impoundment is responsible for the release, the release will be considered verified.

The Discharger must, within 90 days of determining a "measurably significant" evidence of a release, submit to the Water Board an amended report of waste discharge to establish an evaluation monitoring program meeting the provisions of CCR, title 27, section 20420, subdivision (k)(5) and section 20425. The report must include the following information:

a. COC Concentrations – the maximum concentration of each COC at each Monitoring Point as determined during the most recent COC sampling event [i.e., under CCR, title 27, section 20420, subdivision (g) or (k)(1)]. Any COC that exceeds its background limit is to be retested at that monitoring point. Should the results of the retest verify that the COC is above the background limit, then that COC will then become a monitoring parameter at all monitoring points;

b. Proposed Monitoring System Changes – any proposed changes to the water quality monitoring systems at the Surface Impoundment necessary to meet the provisions of CCR, title 27, section 20425;

c. Proposed Monitoring Changes – any proposed additions or changes to the monitoring frequency, sampling and analytical procedures or methods, or statistical methods used at the Facility necessary to meet the provisions of CCR, title 27, section 20425; and

d. Proposed Delineation Approach – a detailed description of the measures to be taken by the Discharger to assess the nature and extent of the release from the Surface Impoundment.

4. Engineering Feasibility Study Report

The Discharger must, within 180 days of verifying any release, submit a Technical Report discussing conclusions and recommendations from the DMP and the EMP. The report must include an Engineering Feasibility Study along with a proposed corrective action program (CAP) [CCR, title 27, section 20420, subdivision (k)(6)].

H. Technical Reports

Pursuant to California Water Code, section 13267, subdivision (b):

1. By **April 30, 2011**, the Discharger must submit a technical report discussing the installation of the monitoring system. The report shall summarize all work activities associated with the installation of the monitoring system. The report must be certified by a registered civil engineer or a registered professional geologist. It must contain sufficient information to verify that construction was in accordance with State and/or County well standards.

   The California Department of Water Resources (DWR) has established standards for the construction and destruction of groundwater wells, as described in *California Well Standards, Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 74-81* (December 1981). These standards, and any more stringent standards adopted by the state or county, pursuant to CWC, section 13801, apply to all monitoring wells.

2. By **April 30, 2013**, the Discharger must submit for acceptance by the Water Board Executive Officer a proposed data analysis method and a Water Quality Protection Standard with proposed constituent concentration limits established from collection of at least eight data points from an appropriate background data source for each monitoring parameter and COC and at each monitoring point in each monitored medium. The report must be certified by a registered civil engineer or a registered professional geologist.

Ordered by: _____ Dated: **May 13, 2010**
HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments: A. Table 1, Monitoring Parameters and Constituents of Concern
B. General Provisions for Monitoring and Reporting, September 1, 1994

BB/rp BO2010/GreenValleyFoods/Proposed/R6V-2010-0019 MRP GVF

Table 1
Monitoring Parameters and Constituents of Concern

Parameter	Units	Monitoring and Reporting Frequency
Constituents of Concern		
Coliform, Fecal	MPN/100 ml	Quarterly
Coliform, Total	MPN/100 ml	Quarterly
Iron	mg/L	Quarterly
Nitrate/Nitrite as Nitrogen	mg/L	Quarterly
Total Dissolved Solids (TDS)	mg/L	Quarterly
Volatile Organic Compounds (VOCs)	ug/L	Quarterly
Monitoring Parameters		
Ammonia as Nitrogen	mg/L	Annually
Arsenic	mg/L	Annually
Barium	mg/L	Annually
Bicarbonate	mg/L	Annually
Biochemical Oxygen Demand (BOD)	mg/L	Annually
Boron	mg/L	Annually
Cadmium	mg/L	Annually
Calcium	mg/L	Annually
Carbonate	mg/L	Annually
Chemical Oxygen Demand (COD)	mg/L	Annually
Chloride	mg/L	Annually
Chromium, Total	mg/L	Annually
Copper	mg/L	Annually
Fluoride	mg/L	Annually
Hardness as CaCO3	mg/L	Annually
Kjeldahl Nitrogen, Total	mg/L	Annually
Lead	mg/L	Annually
Magnesium	mg/L	Annually
Manganese	mg/L	Annually
Nickel	mg/L	Annually
Odors	mg/L	Annually
Orthophosphate Phosphorous	mg/L	Annually
Phosphorous, Total	mg/L	Annually
Potassium	mg/L	Annually
Sodium	mg/L	Annually
Sulfate	mg/L	Annually
Total Suspended Solids (TSS)	mg/L	Annually
Zinc	mg/L	Annually
Semi-volatile Organic Compounds (SVOCs)	ug/L	Annually

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

GENERAL PROVISIONS
FOR MONITORING AND REPORTING

1. SAMPLING AND ANALYSIS

a. All analyses shall be performed in accordance with the current edition(s) of the following documents:

i. Standard Methods for the Examination of Water and Wastewater

ii. Methods for Chemical Analysis of Water and Wastes, EPA

b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board Executive Officer. Specific methods of analysis must be identified on each laboratory report.

c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The methods used shall also be reported. If methods other than EPA-approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.

d. The Discharger shall establish chain-of-custody procedures to insure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage, and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.

e. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall insure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.

f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.

g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal the discharge period, or 24 hours, whichever period is shorter.

2. OPERATIONAL REQUIREMENTS

a. Sample Results

Pursuant to California Water Code Section 13267(b), the Discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses were performed; sample collector's name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

3. REPORTING

a. For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and shall submit a timetable for correction.

b. Pursuant to California Water Code Section 13267(b), all sampling and analytical results shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

c. The Discharger shall provide a brief summary of any operational problems and maintenance activities to the Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.

d. Monitoring reports shall be signed by:

i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;

ii. In the case of a partnership, by a general partner;

iii. In the case of a sole proprietorship,by the proprietor; or

iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

e. Monitoring reports are to include the following:

i. Name and telephone number of individual who can answer questions about the report.

ii. The Monitoring and Reporting Program Number.

iii. WDID Number.

f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.

4. NONCOMPLIANCE

Under Section 13268 of the Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars ($1,000) for each day of violation under Section 13268 of the Water Code.

x:PROVISONS WDRS

file: general pro mrp

EXHIBIT NO. 2

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: April 4, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Christina Velasquez	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 9:45 a.m. Weather is clear, cool, windy, and sunny. No precipitation. The Discharger was not actively discharging to the adjacent west field from the southern discharge pipe. However, discharge was ponded in the area of monitoring wells MW-3 and MW-4, and had a strong smell. There was a small pond associated with the recent discharge, and a large area of wetting. No sprinklers noted at time of inspection. Animal tracks were noted, and a jack rabbit was noted during the inspection, but no other animals were noted at the time of the site inspection. Not many flies or birds were present. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 10:05.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment
Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend follow up inspection to ensure discharge is occurring following deadline date in Board Order.

FIGURES AND PHOTOGRAPHS

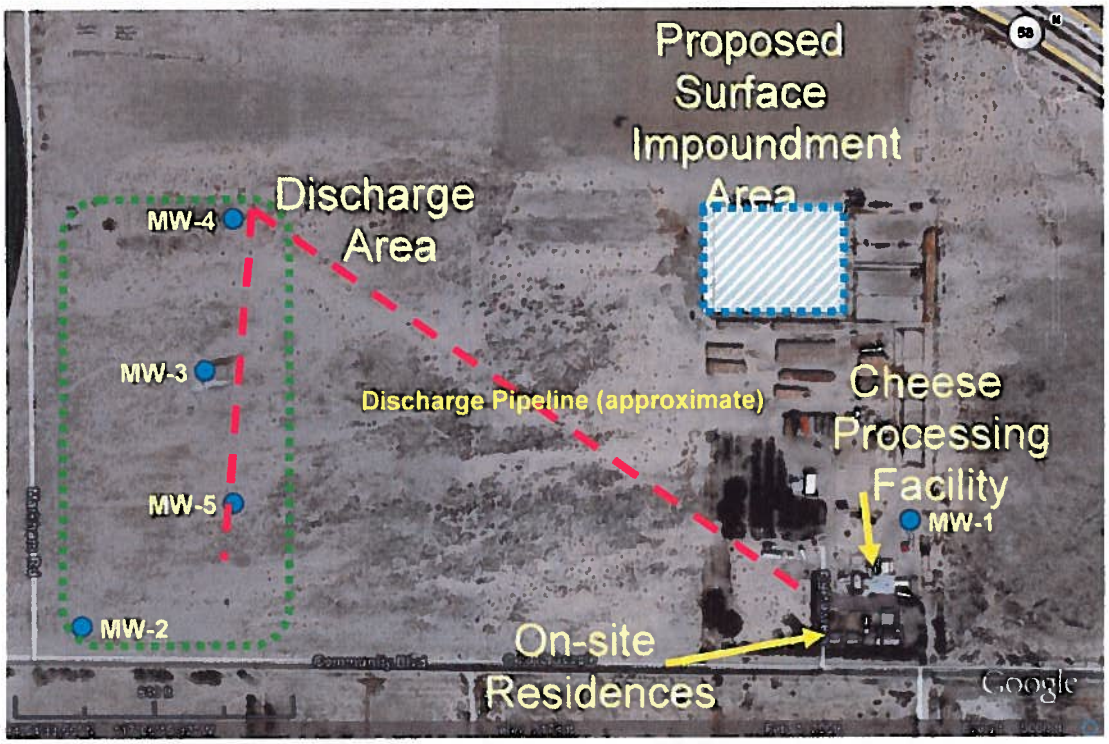
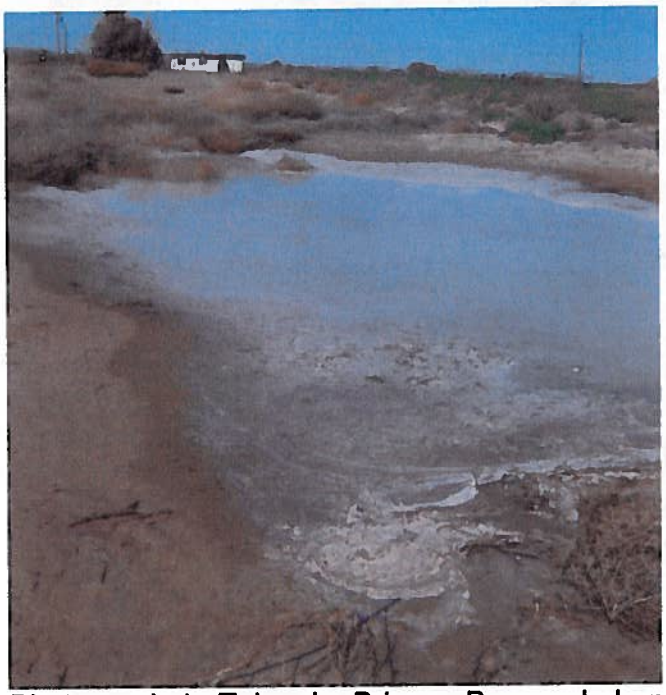


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.

Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 4, 2011. The photograph is taken standing south of monitoring well MW-3, looking north-northeast. Effluent has ponded in the area surrounding a pipe in the background.

Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 4, 2010. The photograph is a closer view of the pipe and ponded effluent noted in Photograph 1.

Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 4, 2011. The photograph shows monitoring well MW-4 in the foreground, with an area of ponded discharge in the background. The photograph is taken standing south of the monitoring well, looking approximately north.



Photograph 4. Taken by Brianna Bergen, Lahontan RWQCB staff, on March 26, 2010. The photograph is a closer view of the area of recent discharge, as described in Photograph 3, standing west of the ponded area, looking approximately east.

EXHIBIT NO. 3

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: April 5, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 6:00 a.m. Weather is clear, cool, and calm. No precipitation. The Discharger was not actively discharging to the adjacent west field. It did not appear that additional effluent had been discharged from the previous inspection the prior day. However, discharge was still ponded in the area of monitoring wells MW-3 and MW-4, and had a strong smell. No sprinklers noted at time of inspection. Animal tracks were noted, but no animals were noted at the time of the site inspection. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 6:45.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment
Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend follow up inspection to ensure discharge is occurring following deadline date in Board Order.

FIGURES AND PHOTOGRAPHS

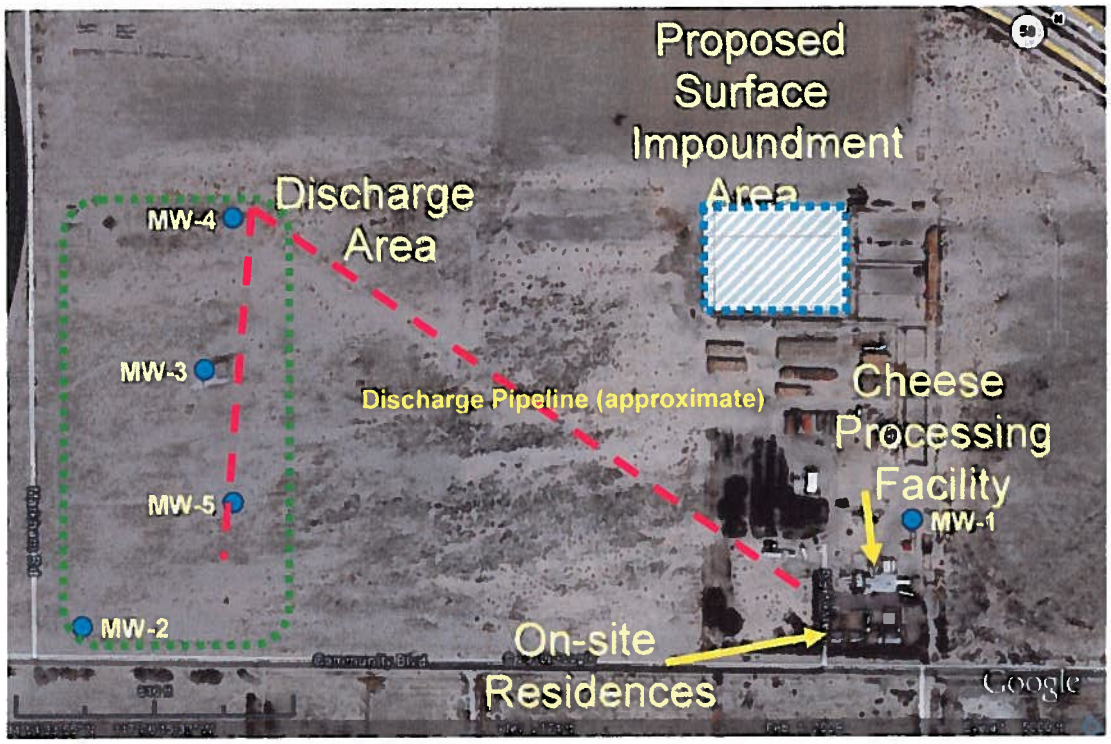
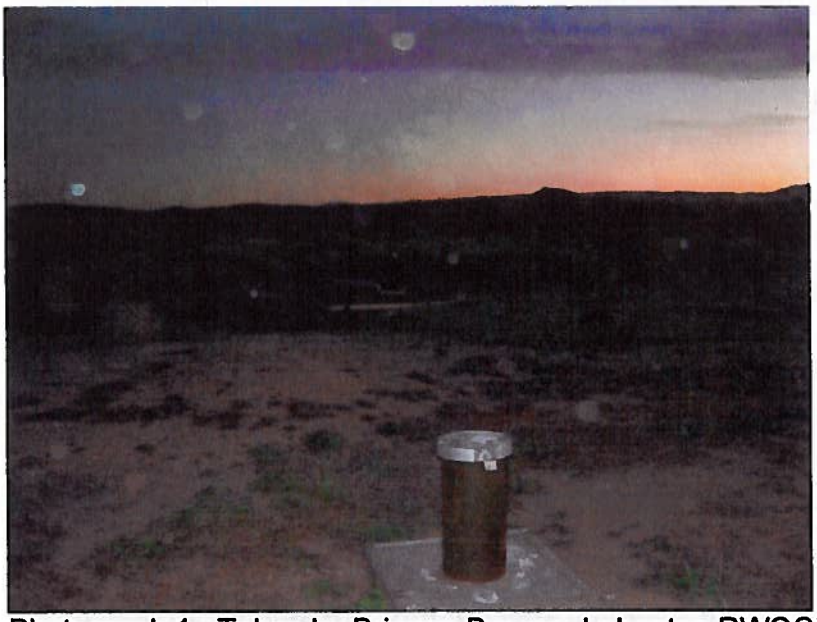
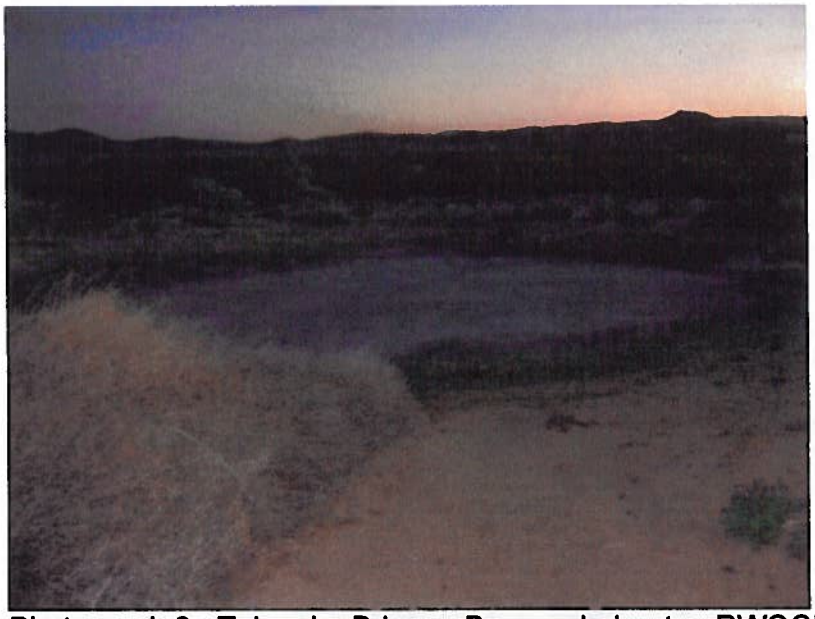


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.



Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 5, 2011. The photograph is taken standing south of monitoring well MW-3, looking approximately northeast. Effluent has ponded in the area surrounding a pipe in the background; however, the area of ponding is less than noted on prior day.

Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 5, 2010. The photograph is a closer view of the pipe and ponded effluent noted in Photograph 1.



Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 5, 2011. The photograph is taken standing north of monitoring well MW-4, looking approximately northeast at an area of discharge.

EXHIBIT NO. 4

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: April 6, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Christina Velasquez	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 9:25 a.m. Weather is overcast, cool, and slightly breezy. No precipitation. The Discharger started actively discharging to the adjacent west field north of monitoring well MW-3 upon arrival. Flow from the pipe lasted approximately two minutes. It did appear that additional effluent had been discharged just prior to my arrival. Additional fresh discharge was noted ponded in the area of monitoring well MW-4, and had a strong smell. No sprinklers noted at time of inspection. Animal tracks were noted, and a jackrabbit was observed, but no other animals were noted at the time of the site inspection. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 9:35.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment
Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend enforcement action to cease discharge to ground.

FIGURES AND PHOTOGRAPHS

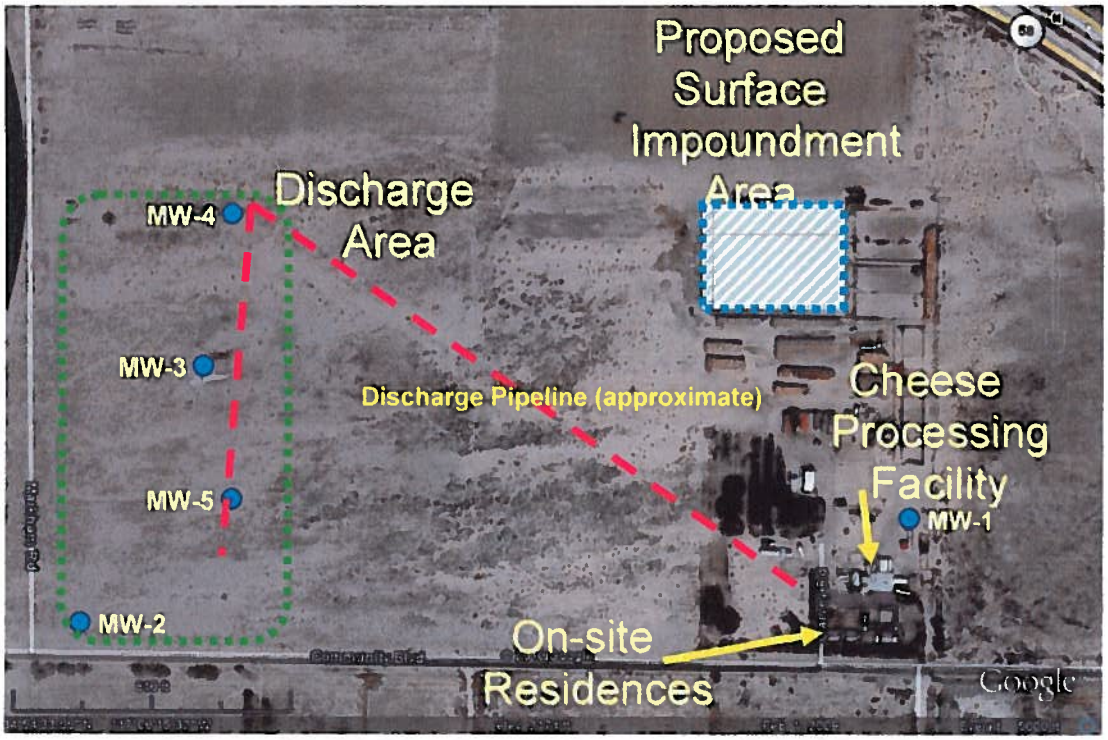
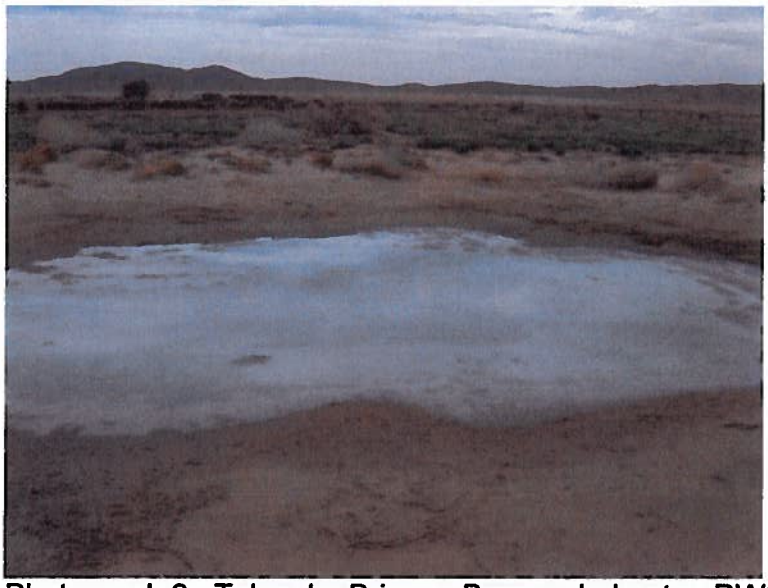


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.

Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 6, 2011. The photograph is taken standing north of monitoring well MW-3, looking approximately northeast. Effluent is flowing from pipe onto ground.



Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 6, 2010. The photograph is taken standing north of MW-4, looking approximately north. Fresh effluent has ponded in this area.

Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on April 6, 2011. The photograph is a close up of the discharge northwest of MW-4. Soapy suds are noted in the discharge.

EXHIBIT NO. 5

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: July 11, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Randall Morlan	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 9:15 a.m. Weather is clear, warm, and sunny. No precipitation. The Discharger was not actively discharging to the adjacent west field from the southern discharge pipe. However, discharge was ponded in an area between monitoring wells MW-3 and MW-4, and had a strong smell. There was a large pond associated with the recent discharge, and a large area of wetting to the south near MW-3. No sprinklers noted at time of inspection. Animal tracks were noted, and ground squirrels were noted during the inspection, but no other animals were noted at the time of the site inspection. Not many flies or birds were present. Unmarked 55-gallon drums located adjacent to MW-3 and MW-4, but not near MW-5 or MW-2. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 9:30.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment

Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend follow up inspection to observe and document unauthorized discharges from the facility following the March 31, 2011 compliance date.

FIGURES AND PHOTOGRAPHS

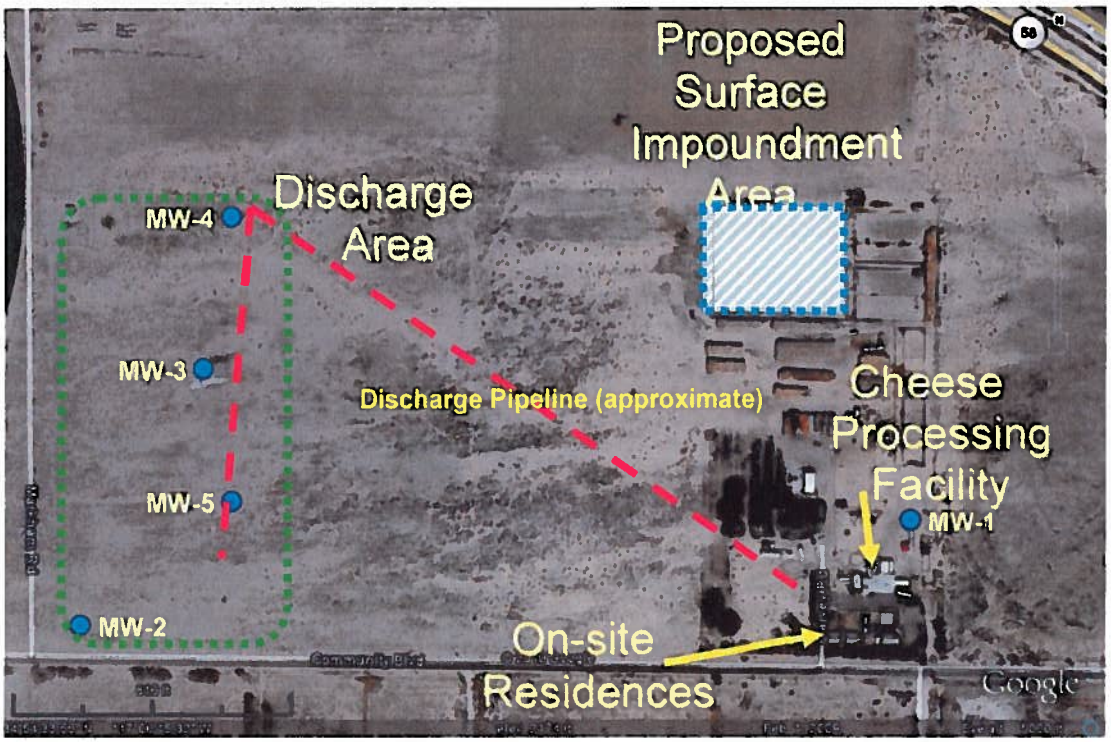


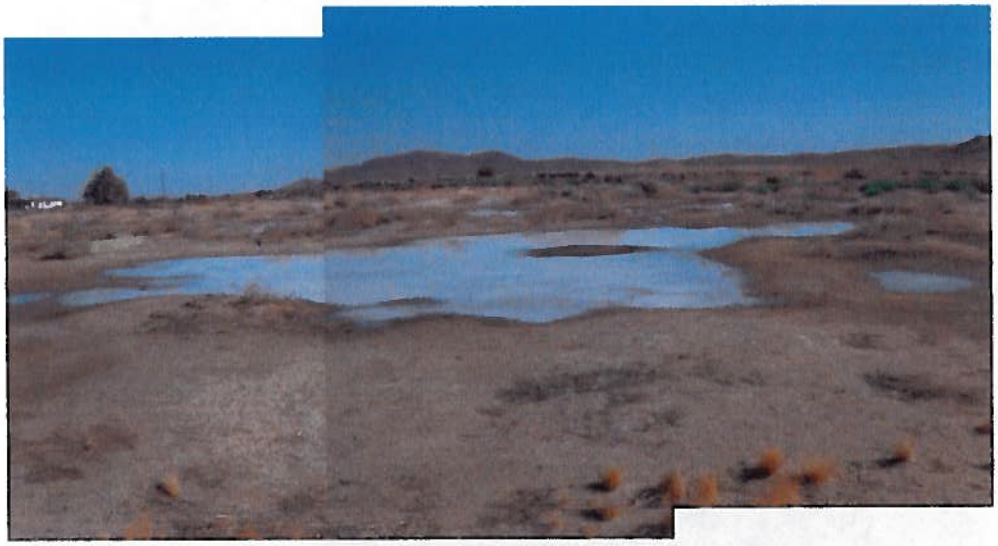
Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.

Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. The photograph is taken standing south of monitoring well MW-3, looking north-northeast. A 55-gallon unmarked drum is immediately to the west of the well.

Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. The photograph is a view of ponded effluent south of MW-3, standing south of MW-3, looking approximately southeast.

Photograph 3a. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This photograph is of ponded effluent north of MW-3, looking approximately northeast.

Photograph 3b. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This photograph is taken standing in the same location as Photograph 3a, looking at the same area of ponding, looking approximately northwest. The dark spot in the ponded effluent in the right hand side of the picture is the same dark spot seen in the center of Photograph 3a.



Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This is a combination panorama of Photographs 3a and 3b.

Photograph 4a. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This photograph shows an area of ponding between MW-3 and MW-4, standing north of the ponded effluent, looking approximately southeast.

Photograph 4b. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This photograph is taken in the same location as Photograph 4b, looking approximately south-southeast.

Photograph 4c. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This photograph is taken in the same location as Photographs 4a and 4b, looking approximately south.

Photograph 4. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. This is a compilation panorama of Photographs 4a, 4b, and 4c.

Photograph 5. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. The photograph is standing south of MW-4, looking approximately north. A 55-gallon unmarked drum is adjacent to MW-4.

Photograph 6. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 11, 2011. The photograph is a closer view of the 55-gallon drum adjacent to MW-4.

EXHIBIT NO. 6

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: July 22, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Keith Rivera	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 9:05 a.m. Weather is clear, sunny, warm, and breezy. No precipitation. Evidence of discharge noted upon arrival at the discharge field to the west of the Facility. Ponded effluent was visible on the ground north of monitoring well MW-3. The Discharger started actively discharging to the north of monitoring well MW-3 upon arrival. Flow from the pipe lasted approximately three minutes. Video was taken of the discharge. No discharge was noted in the area of monitoring well MW-4. No sprinklers noted at time of inspection. Animal tracks were noted, and several birds, ground squirrels, and lizards were observed. Strong odor noted. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 9:20.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment
Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend enforcement action to cease discharge to ground.

FIGURES AND PHOTOGRAPHS

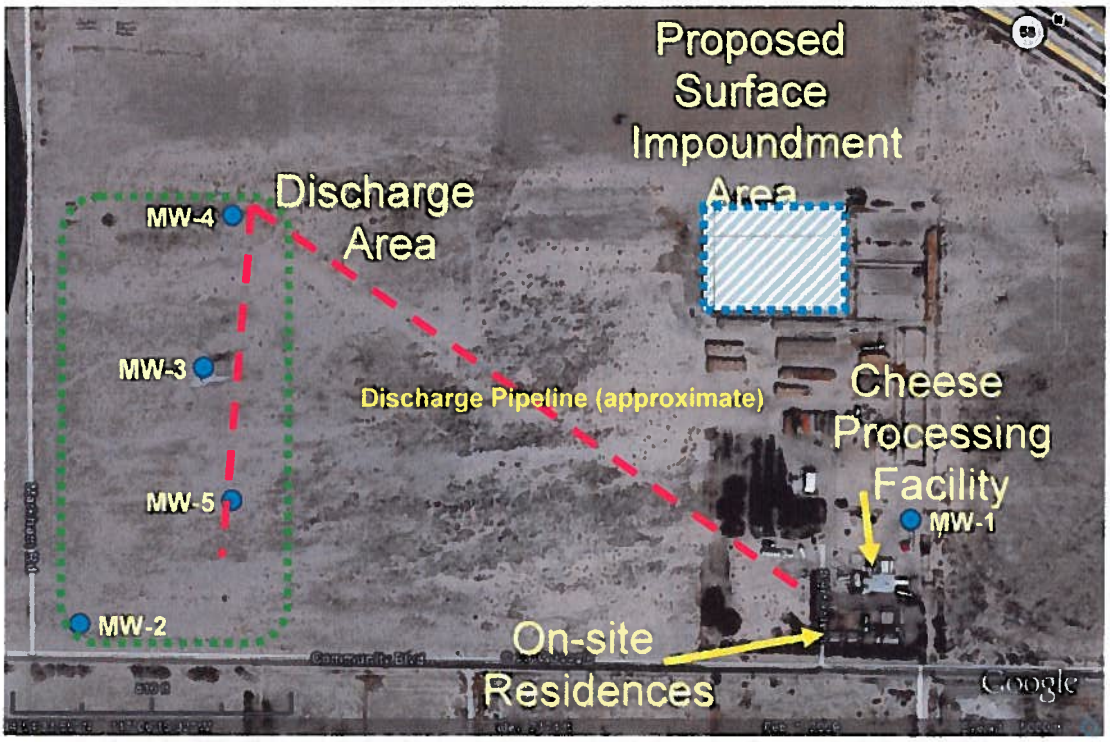
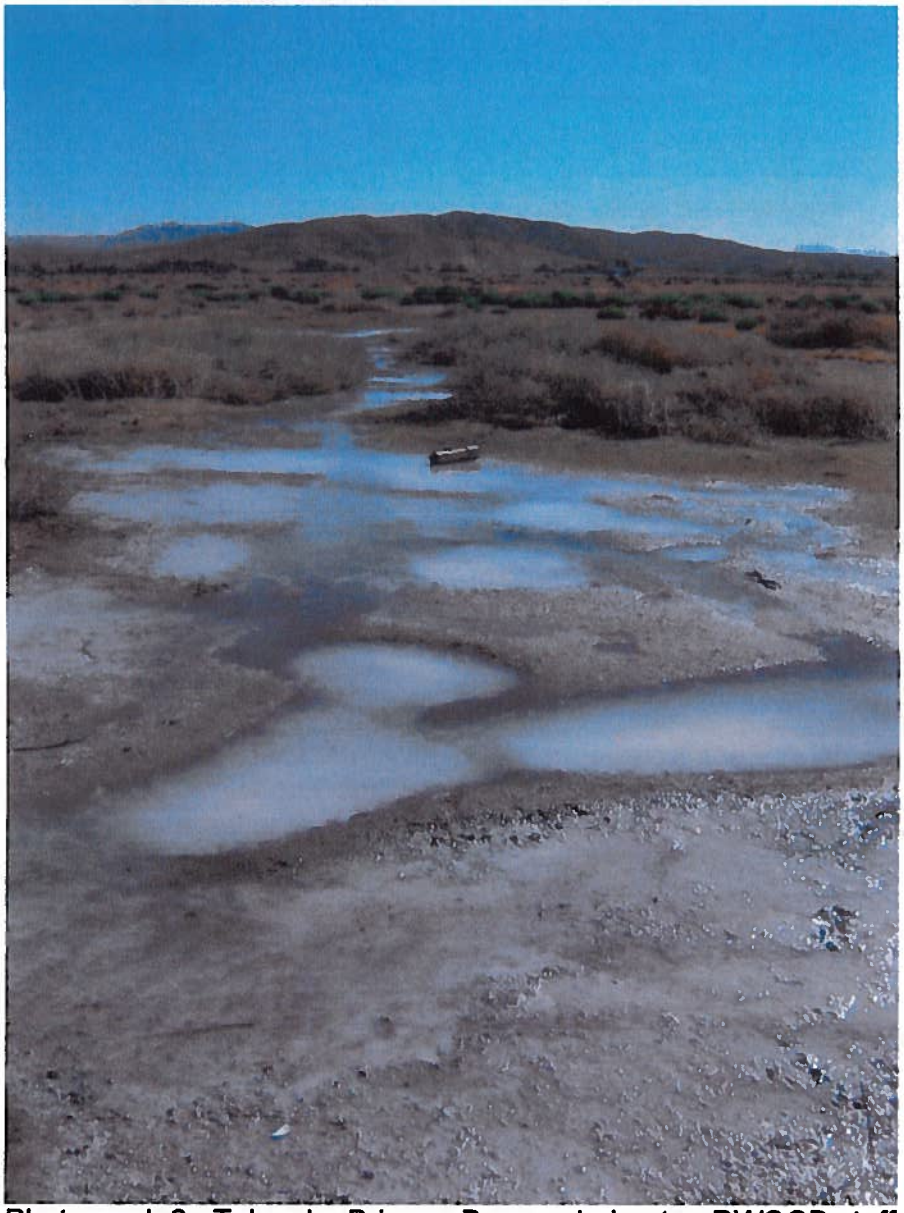


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.

Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 22, 2011. The photograph is taken standing northwest of monitoring well MW-3, looking approximately southeast. The photograph is of the discharge area upon arrival at the site. Effluent is noted ponded on the ground.



Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 22, 2011. The photograph is taken standing north of MW-3, looking approximately north-northeast. Effluent is noted ponded on the ground upon arrival at the discharge location.

Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on July 22, 2011. The photograph is standing northeast of MW-3, looking southwest. The effluent pipe is approximately 10 feet to the north (to the right) of MW-3.

EXHIBIT NO. 7

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: August 26, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Randall Morlan	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 9:10 a.m. Weather is clear, sunny with some scattered clouds, and hot. No precipitation. Evidence of discharge noted upon arrival at the discharge field to the west of the Facility. Ponded effluent was visible on the ground south of monitoring well MW-3. The Discharger started actively discharging to the south of monitoring well MW-3 shortly after arrival. Flow from the pipe lasted approximately three minutes. Video was taken of the discharge. No discharge was noted in the area of monitoring well MW-4. No sprinklers noted at time of inspection. Animal tracks were noted, and several birds, ground squirrels, and lizards were observed. Strong odor noted. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 9:25.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment

Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend enforcement action to cease discharge to ground.

FIGURES AND PHOTOGRAPHS

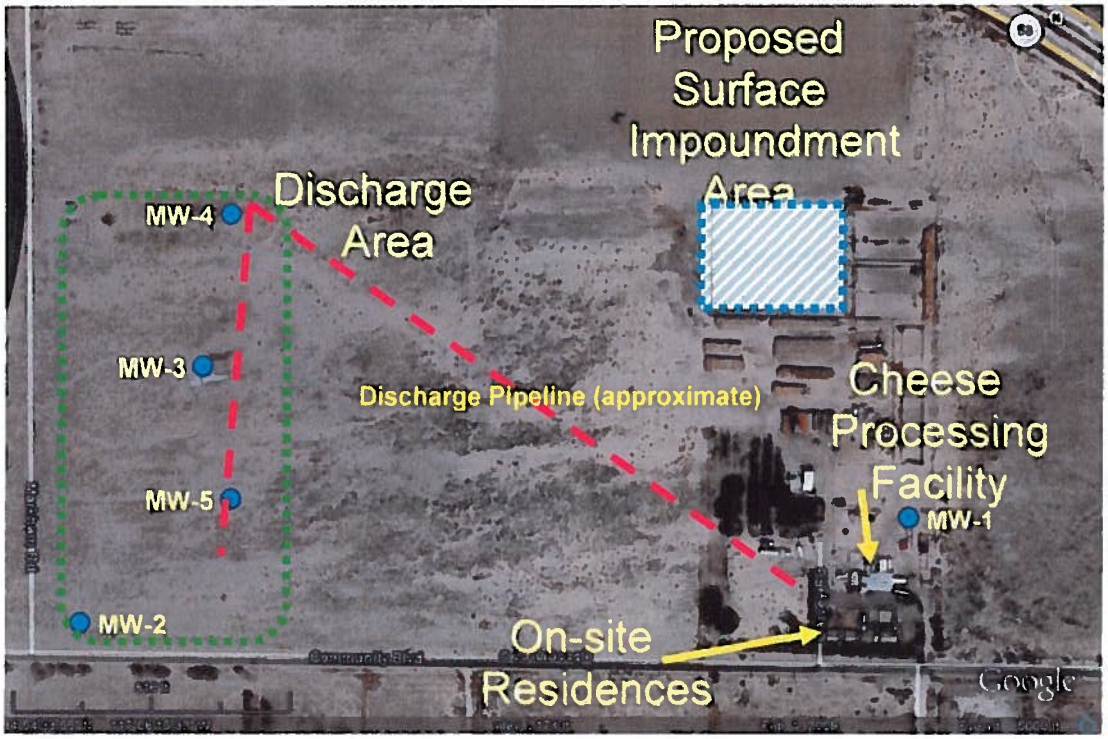
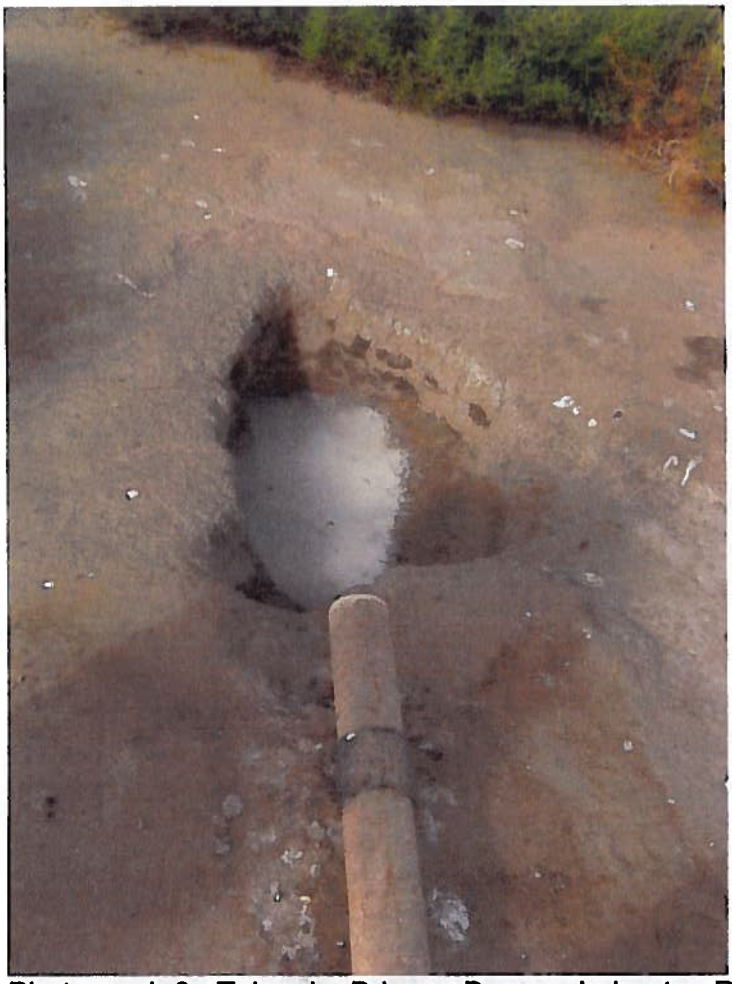


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.

Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on August 26, 2011. The photograph is taken standing south of monitoring well MW-3, looking approximately southwest. The photograph is of the discharge area upon arrival at the site. Effluent is noted ponded on the ground.

Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on August 26, 2011. The photograph is taken standing south of MW-3, looking approximately southeast. Effluent is noted ponded on the ground upon arrival at the discharge location.



Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on August 26, 2011. The photograph is standing north of MW-3, looking southwest. The effluent pipe shown is approximately 10 feet to the north (to the right) of MW-3. A small amount of effluent is ponded.

EXHIBIT NO. 8

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: October 28, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Patrice Copeland	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 4:45 p.m. Weather is clear, sunny with some scattered clouds, and mild. No precipitation. Evidence of discharge noted upon arrival at the discharge field to the west of the Facility. Ponded effluent was visible on the ground north of monitoring well MW-3. Animal tracks were noted, and many flies were observed. Strong odor noted. No sampling conducted. Depart site at 4:55.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment

Standard Provisions for Waste Discharge Requirements:
Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC

RECOMMENDED ACTIONS

Recommend enforcement action to cease discharge to ground.

FIGURES AND PHOTOGRAPHS

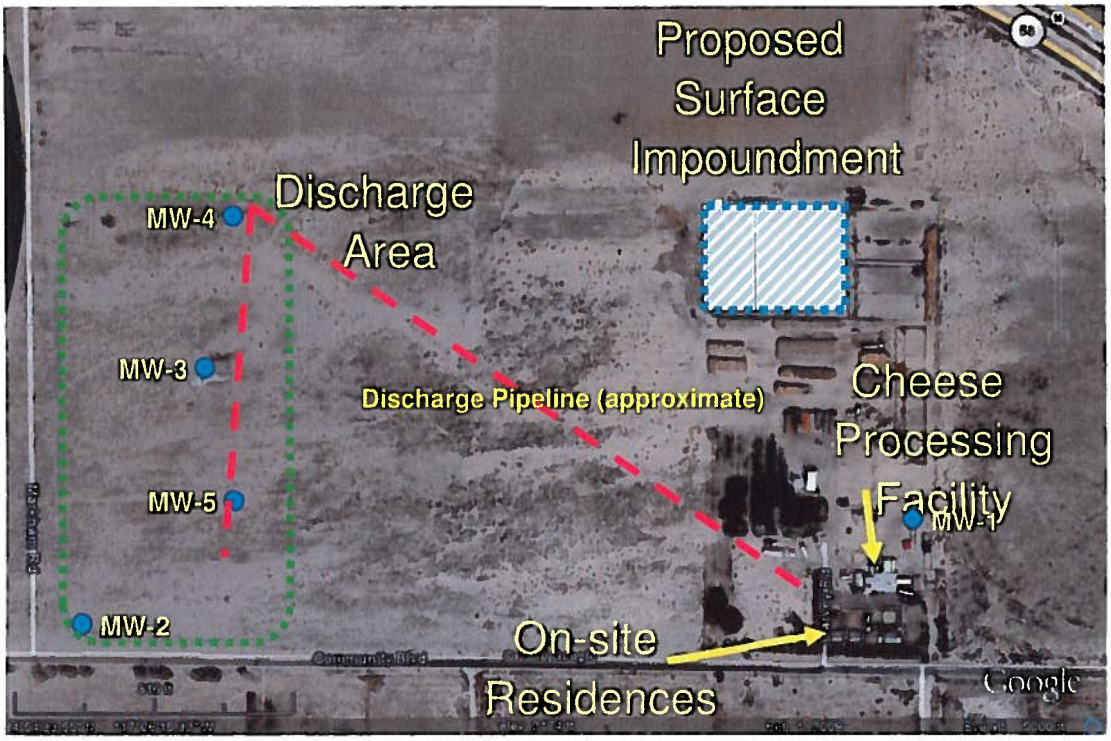
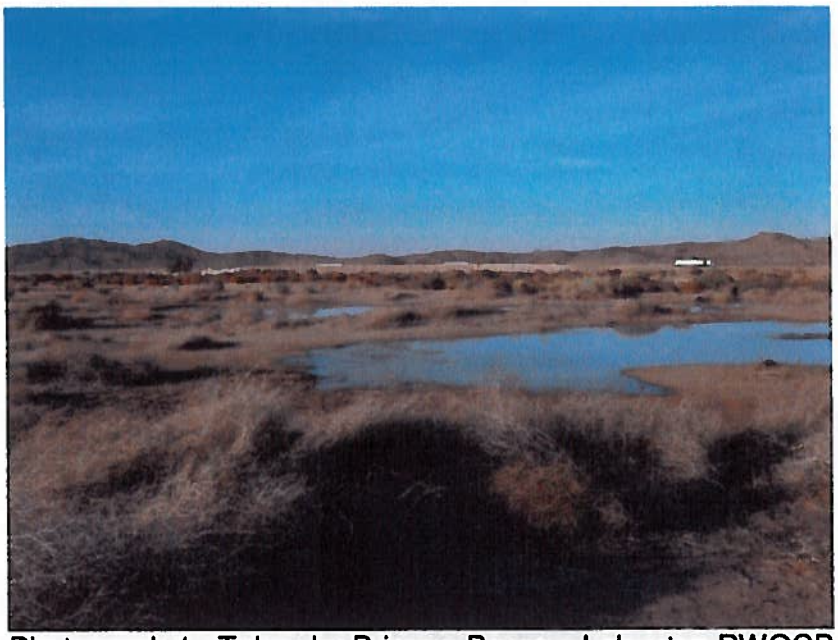
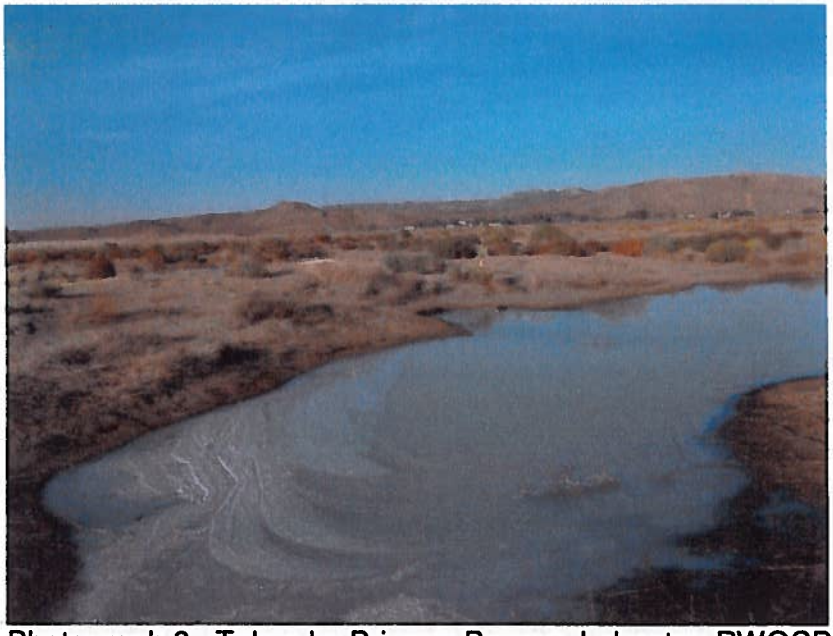


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.



Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on October 28, 2011. The photograph is taken standing north of monitoring well MW-3, looking approximately north. The photograph is of the discharge area upon arrival at the site. Effluent is noted ponded on the ground.

Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on October 28, 2011. The photograph is taken standing north of MW-3, looking approximately northeast. Effluent is noted ponded on the ground upon arrival at the discharge location.



Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on October 28, 2011. The photograph is standing north of MW-3, north of Photograph 1, looking approximately northeast. Effluent is noted ponded on the ground.

EXHIBIT NO. 9

FACILITY INSPECTION REPORT
GREEN VALLEY FOODS

WDID No.	6B360704003
Board Order No.	R6V-2010-0019
Status Code:	Active
Permit Type:	WDR
Facility Site Name:	Green Valley Foods
Facility Location:	25684 Community Blvd. Barstow, CA 92311
Site Contact:	
Site Phone Number:	
Facility Size:	20 Acres
SIC Code:	

Date of Inspection: November 8, 2011

	Name	Agency
Inspectors:	Brianna Bergen	Lahontan RWQCB
	Randall Morlan	Lahontan RWQCB

	Name	Title
Facility Personnel:	None	

Type of Inspection: Compliance

OBSERVATIONS

Arrive on site at 11:00 a.m. Weather is clear, sunny with some scattered clouds, and mild. No precipitation. No discharge or ponding noted upon arrival at the discharge field to the west of the Facility. Darker areas were visible in areas of previous ponding in the vicinity of monitoring well MW-3. Animal tracks were noted, and flies were observed. Strong odor noted. Rabbits, birds, and a dog were present on site. No sampling conducted. No construction has commenced for the proposed surface impoundment. Depart site at 11:15.

VIOLATIONS

Board Order No. R6V-2010-0019:
Section II.A.1. - Discharge noted on the ground following March 30, 2011
Section II.A.8. - prohibits discharge outside of the Surface Impoundment
Section V.E.1. - requires the Surface Impoundment and associated monitoring systems be installed; however, no construction has commenced

Standard Provisions for Waste Discharge Requirements:

Number 2.a. - pursuant to CWC section 13267, subdivision (b), the Discharger shall notify the Regional Board by telephone when there is an adverse condition
Number 4 - failure to comply with the WDRs may constitute a violation of the CWC
Number 6 - the Discharger must properly operate and maintain all facilities used for treatment and control to achieve compliance with the WDRs

RECOMMENDED ACTIONS

Recommend enforcement action to cease discharge to ground.

FIGURES AND PHOTOGRAPHS

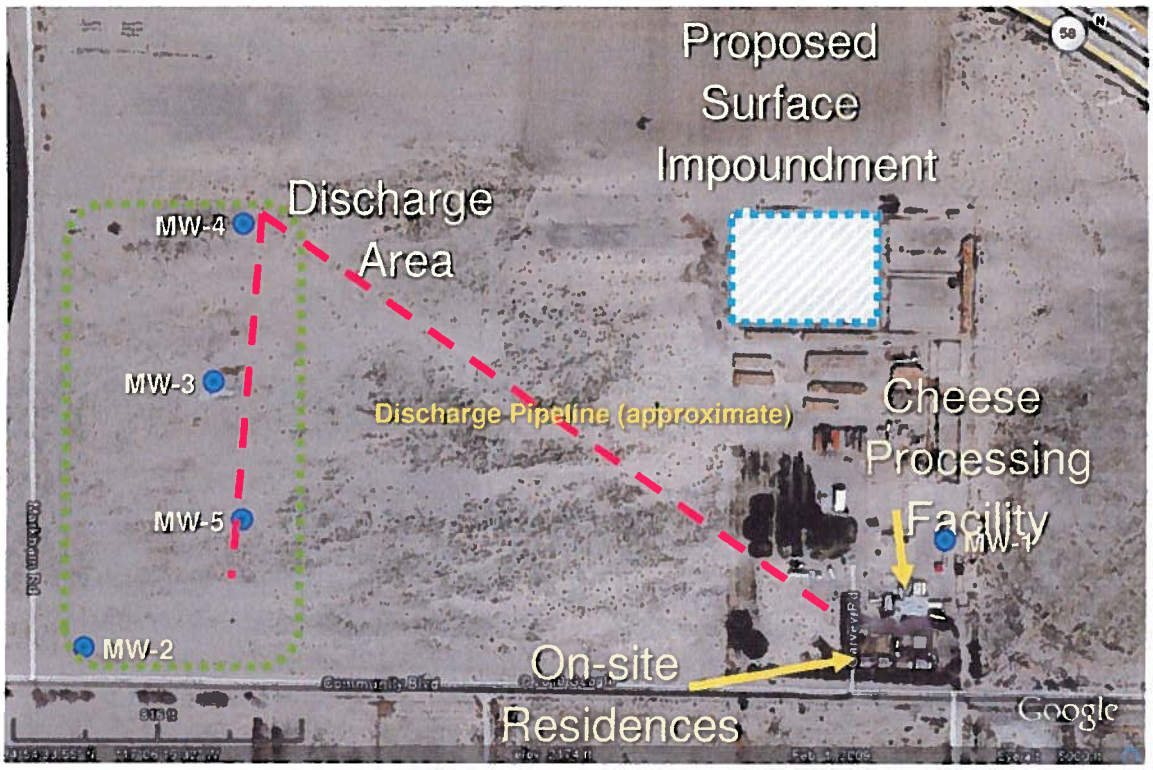
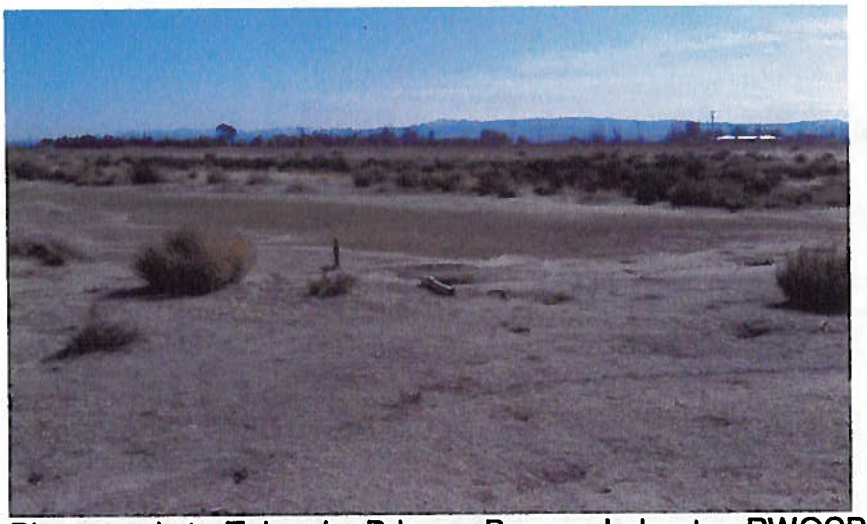
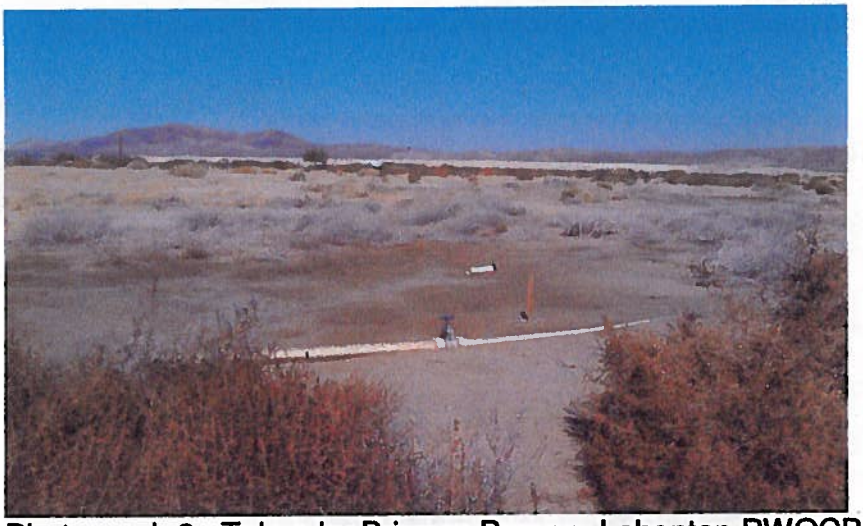


Figure 1. This figure shows the location of Green Valley Foods' Cheese Processing Facility, the location of the proposed Surface Impoundment, which has not been constructed, and the location of the discharge area on a parcel to the west of the Green Valley Foods facility.



Photograph 1. Taken by Brianna Bergen, Lahontan RWQCB staff, on November 8, 2011. The photograph is taken standing south of monitoring well MW-3, looking approximately southeast. The photograph is of the discharge area upon arrival at the site. Darker areas are noted from previous discharge to the ground.



Photograph 2. Taken by Brianna Bergen, Lahontan RWQCB staff, on November 8, 2011. The photograph is taken standing north of MW-3, looking approximately north. The photograph is of the discharge area upon arrival at the site. Darker areas are noted from previous discharge to the ground.

Photograph 3. Taken by Brianna Bergen, Lahontan RWQCB staff, on November 8, 2011. The photograph is standing north of MW-3, looking approximately northeast. The photograph is of the discharge area upon arrival at the site. Darker areas are noted from previous discharge to the ground. The light spot in the middle of the discharge area appears to be remnants of solids from the discharge. This is the same area as noted in Photograph 3 in the October 28, 2011 inspection.

Photograph 4. Taken by Brianna Bergen, Lahontan RWQCB staff, on November 8, 2011. The photograph is standing south of MW-4, looking approximately north.

Photograph 5. Taken by Randall Morlan, Lahontan RWQCB staff, on November 8, 2011. The photograph is standing north of the Facility, looking approximately south. No construction has commenced on the proposed surface impoundment.

EXHIBIT NO. 10

GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, CA 92311

June 24, 2011

Certified Mail No.: 70110110000223150699
Lauri Kemper, P.E.
Assistant Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392

Dear Ms. Kemper:

RE: NOTICE OF VIOLATION RESPONSE AND INITIAL SUBMISSION OF PROPOSED ALTERNATIVE TO AN ONSITE SURFACE IMPOUNDMENT POND

BACKGROUND – The California Regional Water Quality Control Board, Lahontan Region (Water Board) issued Board Order No. R6V-2010-0019, Waste Discharge Requirements for Green Valley Foods Cheese Processing Facility (Board Order) on May 13, 2010. The Board Order, Section V.B.1 required Green Valley Foods to submit Design Plans for the proposed Surface Impoundment no later than December 30, 2010. Water Board Notice of Violation states that Green Valley Foods is in violation of the Board Order.

INITIAL SUBMISSION OF PROPOSED WATER RECYCLING ALTERNATIVE - In our prior response letter dated February 15, 2011, we stated several reasons why we have been plagued by delays in the process of submitting plans for various elements of the Surface Impoundment Construction order.

After significant analysis of the process of building the proposed pond and the management and costs associated with its operations, we have a "Greener" plan to safely and effectively use the effluent from our cheese plant to irrigate non-food crops for our livestock farm. Our plan is to work with environmental engineers to dilute the waste water discharge to irrigate a large parcel of land that has an existing stand of 150 acres of alfalfa just west of the cheese plant.

In an effort to further the agricultural needs of the local area and promote a more conscientious use of dwindling irrigation water supplies for the good of the area and to respond to your notice of violation, we have enlisted the environmental engineering services of LGC Inland to assist us with an alternative waste water recycling plan to safely utilitize our plant's waste water discharge for agricultural irrigation to a non-food crop. Enclosed is a Project Memorandum from LGC Inland dated June 17, 2011, which details our work plan to reevaluate the waste water discharge issue over the next 90 to 120 days to determine a safe alternative plan to meet the water recycling objectives of the State of California. Our plan is to formally submit our plan findings to the California Regional Water Quality Control Board.

We are certain that we can successfully match the concerns of the State with regards to water quality and conservation objectives to a safe and effective use of our cheese plant effluent for agronomic purposes.

If you have any questions or concerns, please feel free to contact my office at 951-695-4732.

Sincerely,

GREEN VALLEY FOODS

John Driscoll
Project Manager

Encl.

LGC Geotechnical Environmental MaterialsTesting

PROJECT MEMORANDUM

Date: June 24, 2011

To: *CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD*
LAHONTAN REGION
14440 Civic Drive, Suite 200
Victorville, California 92392

From: Mark C. Bergmann/Robert L. Gregorek, II

Subject: ***Response to the Notice of Violation Issued May 31, 2011 and Presentation of a Proposed Alternative Site Modification in Lieu of Onsite Surface Impoundment, for the Cheese Processing Facility, Located in the Unincorporated Area of Barstow, San Bernardino County, California***

Reference: ***In the Matter of Violation of Board Order No. R6V-2010-0019, Waste Discharge Requirements, Green Valley Foods, San Bernardino County, WDID NO. 6B360704003***

Introduction

LGC Inland, Inc. (LGC) has prepared this response to the notice of violation presented on May 31, 2011 and prepared a proposed alternative site modification in lieu of onsite surface impoundment, for the cheese processing facility, located in the Unincorporated Area of Barstow, San Bernardino County, California. It is the intent of this letter to request a delay in the processing of an enforcement work plan to construct a surface impoundment system. Additionally, we respectfully request a reprieve in the amount of 90-120 calendar days to conduct a series of engineering, geological, and hydro-geological analysis, a series of sampling onsite and laboratory testing, and technical reporting at the facility. The purpose of our additional time for completion of our current scope of work will allow for an alternative site modification to be analyzed, engineered, and tested for incorporation of the effluent to be recycled as modified irrigation water at 1/100 or (1%) by volume of the current generated volume.

Background Information

Green Valley Foods (GVF) is located at 25684 Community Boulevard, in the Unincorporated Area of Barstow, San Bernardino County, California. The Green Valley Foods facility is a cheese manufacturing plant managed by Mr. Hector Huerta. Mr. Huerta settled in the Barstow area approximately twenty-five years ago. He has effectively run an ethnic artisan cheese making business on his property, supporting the local area economy with manufacturing jobs and community involvement for many years. Four years ago the California Regional Water Quality Control Board – Lahontan Region, Victorville Office made a visit to the cheese making plant in response to an odor complaint, and, thereafter initiated a series of water tests, resulting in a board order requiring Green Valley Foods to construct a Surface

Impoundment waste water disposal system, without consideration of alternative methods of waste water disposal.

Current Violation

In our review of the violation dated May 31, 2011, we understand that the Board Order on May 13, 2010, Section V.B.1, required Green Valley Foods to submit design plans for the surface impoundment and in Section V.B.2 required Green Valley Foods submit a work plan for the surface impoundment construction no later than December 30, 2010. In review, a notice of violation was issued for failure to submit these plans on January 26, 2011. Driscoll and Associates submitted a response to the January 26, 2011 violation notice on February 15, 2011 and the Board has identified that they are preparing a separate letter in response to it.

Proposed Alternative

Although designs of a surface impoundment system and previous meetings have formed the framework in the direction of surface impoundment, it is the opinion of LGC that an alternative solution, consisting of an environmentally friendly, non-resource consuming engineered system is attainable. From a review of the California Water Plan Update 2005 – South Lahontan Hydrologic Region, Volume 3, Chapter 10, Regional Reports, we understand that the Los Angeles County Sanitation District No. 14, in the Antelope Valley region of Los Angeles County, has been irrigating 680 acres of alfalfa with municipal effluent water for the past 14 years (as of 2005). This treated water comes from the Lancaster water reclamation plant.

Green Valley Foods is presenting a parallel model. Our proposed solution combines the acquisition of the adjacent property to the west of the present discharge area, which is occupied by an existing pivot covering approximately 5.2-million square feet of a 150-acre parcel. Mr. Hector Huerta of Green Valley Foods is presently involved with the purchase and acquisition of the adjacent acreage. Throughout the due diligence period of the adjacent parcel, Mr. Huerta has become aware that a well with a modest output of 1300-1500 gallons per minute (gpm) is located onsite and provides the water for the property's existing onsite irrigation system. As previously stated above, our model proposes to eliminate 99 percen of the cheese plant effluent and convert that into an aqueous solution of water to effluent.

We propose to evaluate optional effluent treatments to accept the effluent through a pipeline that will be connected directly to the cheese plant. Our proposal will demonstrate an effective method to mix and provide a solution of water and effluent at a ratio of 100:1. Once fully mixed, the water will be conveyed to the pivot and maintain the alfalfa field presently onsite. The alfalfa will be branded for agrarian uses only and supply Mr. Huerta's cattle, presently located offsite, and surplus to the community as a viable source of feed for local farm livestock.

Through natural environmental processes, evaporation of the aqueous effluent, the transpiration of the solution being applied from the plants, and the demand of alfalfa, being estimated at 12-gallon per minute per acre, it is expected that approximately 50 percent or more of the aqueous solution will be activated. The balance of the aqueous solution will be transmitted through the predominantly sandy soil into the subsurface and eventually groundwater below.

Based upon our previous studies, LGC has determined that water test results have not impacted the groundwater beneath the discharge area. Furthermore, the California Regional Water Quality Control

Board – Lahontan Region, Victorville Office, in a response dated April 14, 2010 to Mr. Huerta, regarding comments on *'Tentative Waste Discharge Requirements for Green Valley Foods Cheese Processing Facility, Class II Surface Impoundment, San Bernardino County'*. Comment 9: "Section 4, Discharger does not concur with CWQCB Statements", the following was entered into the record:

> *"Subsequent to an Order by the Executive Officer for the Discharger to submit Technical Reports, Discharger's submission was rejected for various reasons, however, the Groundwater Test Results, Figure 1, that accompanied the report are not in dispute and do not support staff's finding that Discharger's current discharge practice has caused or contributed to groundwater pollution."*

It is the opinion of LGC that the presented solution represents a viable alternative that assists in the promotion of the environmental design process and eliminates the need for an onsite surface impoundment system.

Scope of Technical Reporting

In order to present the alternative of the alfalfa pivot discharge field we propose to begin a bi-weekly water sampling program study the effluent coming from the plant and prepare a technical report for the adjacent field identifying the proposed mixing facility, the effective area required to discharge the diluted solution upon, and determine the amount of water to effluent to be mixed onsite and applied in the field.

The scope of work identified will require a minimum of 90 to 120 days for evaluation purposes, sampling, and technical reporting. LGC expects completion of the evaluation and reporting around October 15, 2011 and will be prepared to present the proposed alternative at the next board meeting. In our vision, we propose to address environmental concerns and develop an effective land treatment of the cheese plant effluent.

All work will be performed under the direct supervision of Mr. Robert L. Gregorek, II and Mark C. Bergmann, Certified Engineering Geologist (CEG Registration No. 1257 and No. 1348), which includes all field work and office staff work.

Closure

The opportunity to present this information is greatly appreciated. We look forward to completing our field work, sampling, technical reporting, and official submittal to the board. Should you have any questions regarding the content of this report, or should you require additional information, please do not hesitate to contact this office at your earliest convenience.

LGC INLAND, INC.

Respectfully,

CERTIFIED ENGINEERING GEOLOGIST
MARK C. BERGMANN
No. 1348
EXP. 10/31/12
STATE OF CALIFORNIA

Mark C. Bergmann, CEG 1348
President / Principal Geologist

Reviewed By

Robert L. Gregorek II, CEG 1257
Geologic Operations Manager

EXHIBIT NO. 11

GREEN VALLEY FOODS

25684 Community Boulevard
Barstow, California 92311

April 6, 2007

John Steude
Engineering Geologist
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
Lahontan Region
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

Dear John:

IN RE: Order to Submit a Report of Waste Discharge (ROWD)
Dated March 5, 2007

Thank you for all of your assistance in helping us prepare our ROWD. I am confident that you and I will continue to work together until we have been issued a permit.

As you know, in the beginning Mr. Huerta was inclined to go with a water treatment system. It took three weeks to find out a system would cost more than $300,000 to install plus $80,000 in annual maintenance.

This past week we have settled on an evaporative surface impoundment which was suggested by Rick Aguayo, District Conservationist and Robert Miller, Area Engineer, both with the NRCS. They are assisting us with the design and engineering of our system.

I know that some parts of our ROWD will lack the technical information or data the Board may require. Please call me and we will endeavor to immediately satisfy your request.

Sincerely,

GREEN VALLEY FOODS

John Stamford
Project Manager

RECEIVED: APR 0 9 2007			
DATE	ROUTING	ACTION	INITIAL
	JES		

A - ACTION
I - INFO
C - COMMENT

R - RETAIN
F - FILE

GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

April 6, 2007

Certified Mail No.: 70062150000008292910
Harold J. Singer
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
Lahontan Region
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

Dear Mr. Singer:

IN RE: Order to Submit a Report of Waste Discharge
Dated March 5, 2007

Pursuant to your request, please find enclosed our completed Form 200 with all of its attachments. If there is anything missing or incomplete, please advise us by telephone, fax, email or US Mail so that we can correct any discrepancy immediately. You will find us extremely cooperative.

Contacts:

John Driscoll	John Stamford
General Manager	Project Manager
Tel: (951) 695-4732	Tel: (951) 695-4732
Fax: (951) 695-4737	Fax: (951) 695-4737
Cell: (909) 615-4722	Cell: (951) 212-6121

Sincerely,

GREEN VALLEY FOODS

John Driscoll
General Manager

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

I. FACILITY INFORMATION

A. Facility:

Name: GREEN VALLEY FOODS			
Address: 25684 COMMUNITY BOULEVARD			
City: BARSTOW	County: S BERNARDIN	State: CA	Zip Code: 92311
Contact Person: HECTOR HUERTA, PRES		Telephone Number: 800-635-7508	

B. Facility Owner:

Name: HECTOR HUERTA			Owner Type (Check One) 1. [✓] Individual 2. [ ] Corporation 3. [ ] Governmental Agency 4. [ ] Partnership 5. [ ] Other:
Address: 25684 COMMUNITY BOULEVARD			
City: BARSTOW	State: CA	Zip Code: 92311	
Contact Person: HECTOR HUERTA		Telephone Number: 760-253-4960	Federal Tax ID: 20-3107990

C. Facility Operator (The agency or business, not the person):

Name: HECTOR HUERTA, dba GREEN VALLEY FOODS			Operator Type (Check One) 1. [✓] Individual 2. [ ] Corporation 3. [ ] Governmental Agency 4. [ ] Partnership 5. [ ] Other:
Address: 25684 COMMUNITY BOULEVARD			
City: BARSTOW	State: CA	Zip Code: 92311	
Contact Person: HECTOR HUERTA		Telephone Number: 800-635-7508	

D. Owner of the Land:

Name: HECTOR HUERTA			Owner Type (Check One) 1. [✓] Individual 2. [ ] Corporation 3. [ ] Governmental Agency 4. [ ] Partnership 5. [ ] Other:
Address: 25684 COMMUNITY BOULEVARD			
City: BARSTOW	State: CA	Zip Code: 92311	
Contact Person: HECTOR HUERTA		Telephone Number: 760-253-4960	

E. Address Where Legal Notice May Be Served:

Address: 25684 COMMUNITY BOULEVARD		
City: BARSTOW	State: CA	Zip Code: 92311
Contact Person: HECTOR HUERTA		Telephone Number: 760-253-4960

F. Billing Address:

Address: 25684 COMMUNITY BOULEVARD		
City: BARSTOW	State: CA	Zip Code: 92311
Contact Person: HECTOR HUERTA		Telephone Number: 760-253-4960

Form 200(6/97)

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

II. TYPE OF DISCHARGE

Check Type of Discharge(s) Described in this Application (A or B):

☑ A. WASTE DISCHARGE TO LAND ☐ B. WASTE DISCHARGE TO SURFACE WATER

Check all that apply:

- ☐ Domestic/Municipal Wastewater Treatment and Disposal
- ☐ Cooling Water
- ☐ Mining
- ☐ Waste Pile
- ☐ Wastewater Reclamation
- ☐ Other, please describe: _____
- ☐ Animal Waste Solids
- ☐ Land Treatment Unit
- ☐ Dredge Material Disposal
- ☑ Surface Impoundment
- ☐ Industrial Process Wastewater
- ☐ Animal or Aquacultural Wastewater
- ☐ Biosolids/Residual
- ☐ Hazardous Waste (see instructions)
- ☐ Landfill (see instructions)
- ☐ Storm Water

III. LOCATION OF THE FACILITY

Describe the physical location of the facility.

1. Assessor's Parcel Number(s)	2. Latitude	3. Longitude
Facility: 049722104 & 0497221040E	**Facility:** N34.90689	**Facility:** W117.100325
Discharge Point:	**Discharge Point:**	**Discharge Point:**

IV. REASON FOR FILING

- ☑ New Discharge or Facility
- ☐ Change in Design or Operation
- ☐ Change in Quantity/Type of Discharge
- ☐ Changes in Ownership/Operator (see instructions)
- ☐ Waste Discharge Requirements Update or NPDES Permit Reissuance
- ☐ Other: _____

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Name of Lead Agency: California Regional Water Quality Control Board, Lahontan Region

Has a public agency determined that the proposed project is exempt from CEQA? ☐ Yes ☑ No

If Yes, state the basis for the exemption and the name of the agency supplying the exemption on the line below.

Basis for Exemption/Agency: _____

Has a "Notice of Determination" been filed under CEQA? ☐ Yes ☑ No

If Yes, enclose a copy of the CEQA document, Environmental Impact Report, or Negative Declaration. If no, identify the expected type of CEQA document and expected date of completion.

Expected CEQA Documents:

☐ EIR ☐ Negative Declaration

Expected CEQA Completion Date: TBA

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

VI. OTHER REQUIRED INFORMATION

Please provide a COMPLETE characterization of your discharge. A complete characterization includes, but is not limited to, design and actual flows, a list of constituents and the discharge concentration of each constituent, a list of other appropriate waste discharge characteristics, a description and schematic drawing of all treatment processes, a description of any Best Management Practices (BMPs) used, and a description of disposal methods.

Also include a site map showing the location of the facility and, if you are submitting this application for an NPDES permit, identify the surface water to which you propose to discharge. Please try to limit your maps to a scale of 1:24,000 (7.5' USGS Quadrangle) or a street map, if more appropriate.

VII. OTHER

Attach additional sheets to explain any responses which need clarification. List attachments with titles and dates below:

Enclosure 2 - General information: Property Boundaries, Maps, Climatology, Ownership Statement
Enclosure 3 - Information; Cheese Processing Operations, Waste Characteristics, ROWD
Enclosure 4 - Animal Feeding Operations

You will be notified by a representative of the RWQCB within 30 days of receipt of your application. The notice will state if your application is complete or if there is additional information you must submit to complete your Application/Report of Waste Discharge, pursuant to Division 7, Section 13260 of the California Water Code.

VIII. CERTIFICATION

"I certify under penalty of law that this document, including all attachments and supplemental information, were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name: John Driscoll, CPA for Hector S Huerta

Title: Acting General Manager

Signature: John P. Driscoll, CPA

Date: April 6, 2007

NOTE: John Driscoll, CPA by Power of Attorney is signing on behalf of Hector S. Huerta. An identical Form has been mailed to Mr. Huerta for his signature and it will be forwarded to RWQCB for substitution upon its receipt.

FOR OFFICE USE ONLY

Date Form 200 Received:	Letter to Discharger:	Fee Amount Received:	Check #:

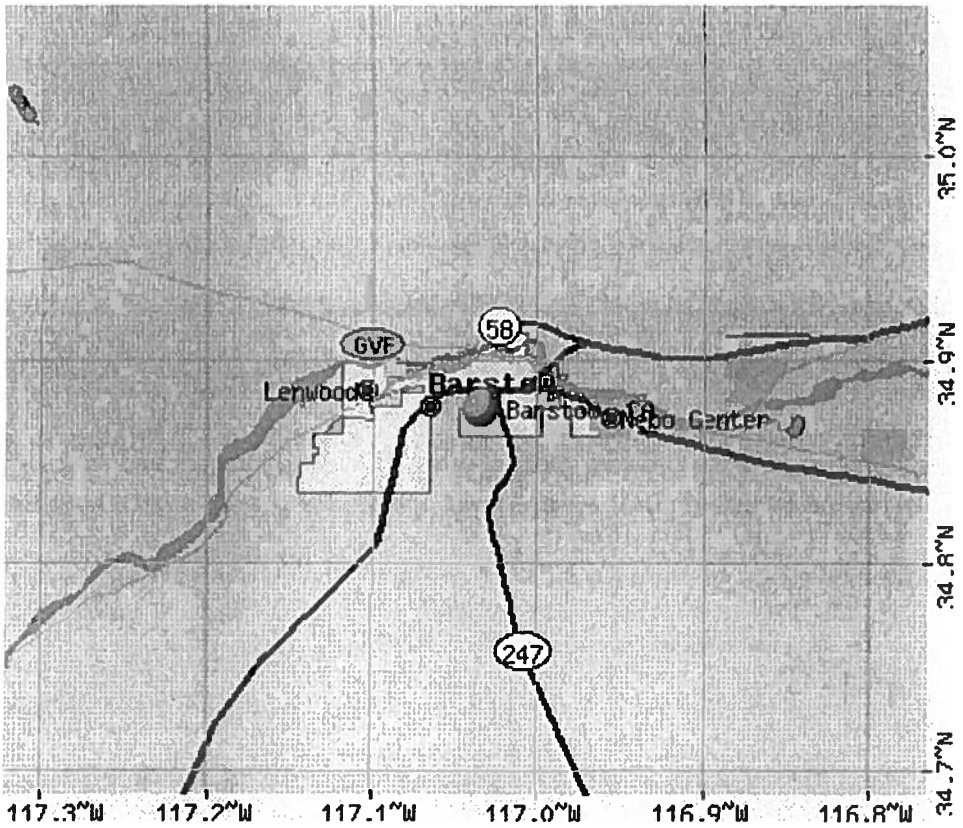
Form 200 (6/97)

GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 2
Page 1

General Location (GVF)

Lat: N34.90689 – Long: W117.100325

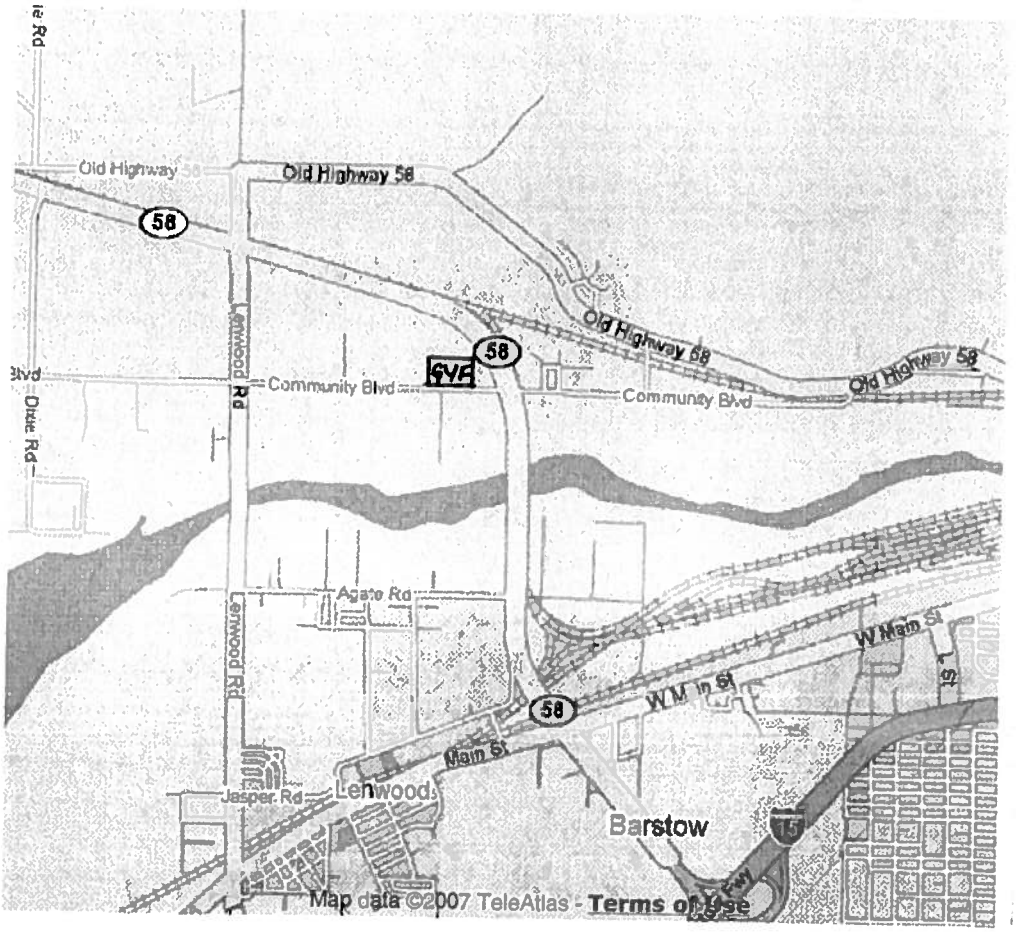


GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 2
Page 2

Barstow Specific Location (GVF)

25684 Community Boulevard

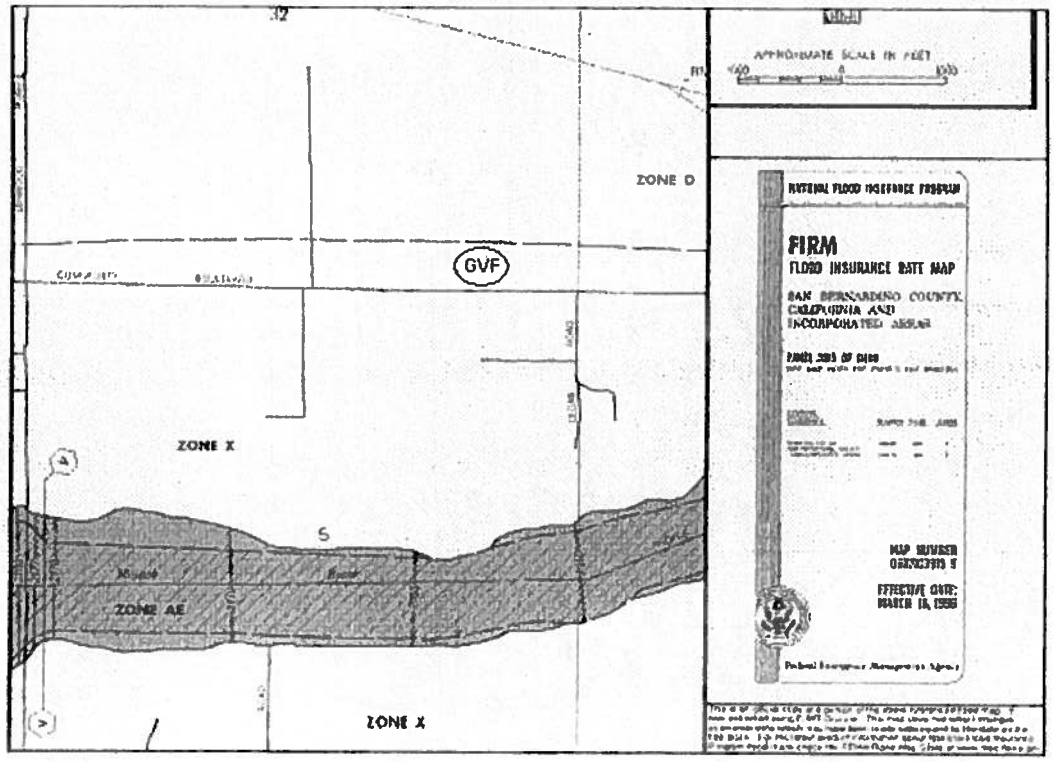


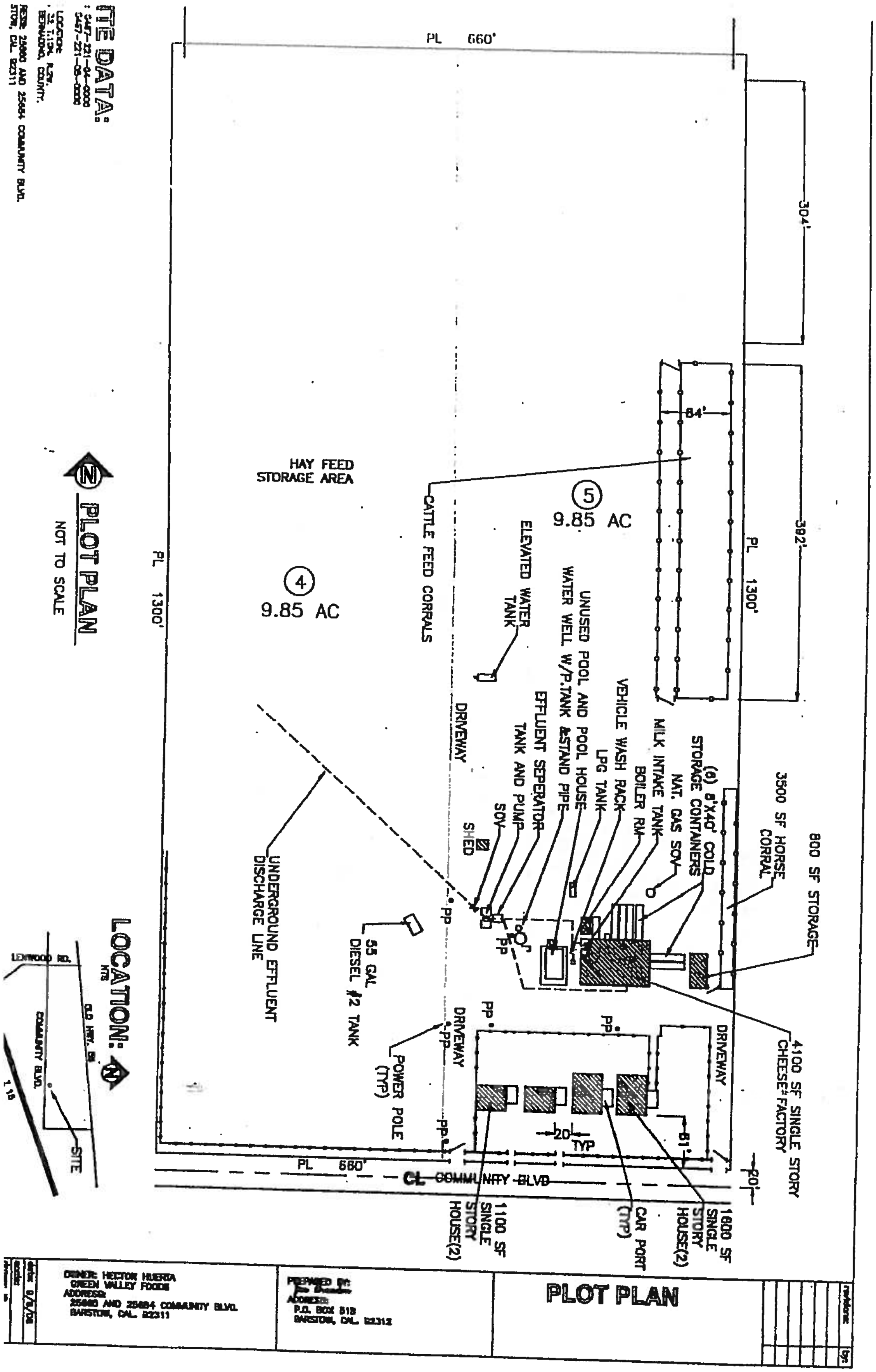
GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 2
Page 3

Flood Plain (GVF)

Barstow, California




PLOT PLAN
NOT TO SCALE
PL 660'
PL 1300'
304'
392'
84'
HAY FEED STORAGE AREA
4
9.85 AC
5
9.85 AC
CATTLE FEED CORRALS
ELEVATED WATER TANK
UNUSED POOL AND POOL HOUSE
WATER WELL W/P.TANK &STAND PIPE
VEHICLE WASH RACK
LPG TANK
MILK INTAKE TANK
BOILER RM
NAT. GAS SOV
(6) 8'X40' COLD STORAGE CONTAINERS
EFFLUENT SEPERATOR TANK AND PUMP
SOV
SHED
DRIVEWAY
800 SF STORAGE
3500 SF HORSE CORRAL
4100 SF SINGLE STORY CHEESE FACTORY
UNDERGROUND EFFLUENT DISCHARGE LINE
55 GAL DIESEL #2 TANK
POWER POLE (TYP)
PP
20' TYP
81'
20'
CL COMMUNITY BLVD
1100 SF SINGLE STORY HOUSE(2)
CAR PORT (TYP)
1800 SF SINGLE STORY HOUSE(2)
LOCATION:
NTS
LENWOOD RD.
OLD HWY. 58
COMMUNITY BLVD.
SITE
PLOT PLAN

Property Profile

Description of the Subject Property

Ownership Information

Primary Owner :	HECTOR S HUERTA
Secondary Owner :	
Ownership Description :	
Site Address :	25684 COMMUNITY BLVD BARSTOW 92311-9671
Mailing Address :	25684 COMMUNITY BLVD BARSTOW, CA 92311-9671
Telephone :	
Assessors Parcel No. :	0497-221-04-0-000
Census Tract :	0119-002
Map Page Grid :	244 E2 **New Page Grid** 3678 H2
Legal Description :	W 330 FT E 660 FT S 1/2 SE 1/4 SEC 32 TP 10N R 2W EX S 20 FT CO ROAD 9.85 /
Housing Tract :	0-

Property Details

Use Code :	VACANT		
Zoning :	5	**Bedrooms :**	N/A
Number of Units :	N/A	**Bathrooms :**	N/A
Year Built :	0	**Parking :**	Unknown
Lot Size :	429066 sqft / 9.850 Acres	**View :**	Yes
Square Feet :	N/A	**Pool :**	N/A
Total Rooms :	N/A	**FirePlace :**	N/A
GeoQuality :	0	**Lot :**	N/A

Tax Information

Assessed Total :	$29,727	**Tax Amount :**	$356.79
Land Total :	$29,727	**Tax Status :**	Current
Improvement :	$0	**Year Delinquent :**	N/A
% Improvement :	N/A	**Tax Rate Area :**	56084
Exemption :	N/A		

Sale Information

Last Sale Date :	September 21 1984	**Lender :**	N/A
Document No. :	0000226211	**1st Loan Amount :**	N/A
Sale Amount :	$249,750 (Full)	**First Loan Type :**	N/A
Last Trans W/O $:	N/A	**2nd Loan Amount :**	N/A
Last Doc W/O $:		**Cost / Square Feet :**	N/A

Property Profile

Description of the Subject Property

Ownership Information

Primary Owner :	HECTOR S HUERTA
Secondary Owner :	
Ownership Description :	
Site Address :	25660 COMMUNITY BLVD BARSTOW 92311-9671
Mailing Address :	25684 COMMUNITY BLVD BARSTOW, CA 92311-9671
Telephone :	
Assessors Parcel No. :	0497-221-05-0-000
Census Tract :	0119-002
Map Page Grid :	244 D2 **New Page Grid** 3678 H2
Legal Description :	E 330 FT S 1/2 SE 1/4 SEC 32 TP 10N R 2W EX S 20 FT CO RD 9.85 AC
Housing Tract :	0-

Property Details

Use Code :	FOOD PROCESSING		
Zoning :	5	**Bedrooms :**	N/A
Number of Units :	N/A	**Bathrooms :**	N/A
Year Built :	0	**Parking :**	Unknown
Lot Size :	429066 sqft / 9.850 Acres	**View :**	Yes
Square Feet :	N/A	**Pool :**	N/A
Total Rooms :	N/A	**FirePlace :**	N/A
GeoQuality :	0	**Lot :**	N/A

Tax Information

Assessed Total :	$332,273	**Tax Amount :**	$3,631.11
Land Total :	$29,572	**Tax Status :**	Current
Improvement :	$302,701	**Year Delinquent :**	N/A
% Improvement :	91%	**Tax Rate Area :**	56084
Exemption :	N/A		

Sale Information

Last Sale Date :	September 21 1984	**Lender :**	N/A
Document No. :	0000226211	**1st Loan Amount :**	N/A
Sale Amount :	N/A	**First Loan Type :**	N/A
Last Trans W/O $:	N/A	**2nd Loan Amount :**	N/A
Last Doc W/O $:		**Cost / Square Feet :**	N/A

GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 2
Page 7

Climatology (GVF)

Barstow, California

Monthly Averages for
Barstow, CA
[English | Metric]

Weather for your life

Sporting Events

Monthly Averages

Table Display | Graph Display

Month	Avg. High	Avg. Low	Mean	Avg. Precip	Record High	Record Low
Jan	62°F	34°F	48°F	0.92 in.	78°F (1996)	18°F (1995)
Feb	66°F	38°F	52°F	0.82 in.	87°F (1986)	18°F (1986)
Mar	71°F	42°F	57°F	0.61 in.	92°F (1997)	26°F (2002)
Apr	79°F	47°F	63°F	0.14 in.	98°F (1989)	30°F (1999)
May	87°F	54°F	71°F	0.07 in.	107°F (2003)	32°F (1980)
Jun	97°F	62°F	80°F	0.05 in.	112°F (1995)	36°F (1983)
Jul	103°F	68°F	86°F	0.23 in.	115°F (1995)	48°F (1986)
Aug	101°F	67°F	84°F	0.22 in.	112°F (1997)	51°F (1987)
Sep	95°F	61°F	78°F	0.25 in.	109°F (1995)	40°F (1982)
Oct	84°F	51°F	67°F	0.18 in.	101°F (1996)	33°F (1989)
Nov	70°F	40°F	55°F	0.37 in.	89°F (1989)	20°F (1994)
Dec	62°F	33°F	47°F	0.47 in.	76°F (1995)	8°F (1990)

Barstow, CA Weather Facts

- On average, the warmest month is July.
- The highest recorded temperature was 115°F in 1995.

GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 2
Page 8

Ownership Statement (GVF)

1. The property at 25684 Community Boulevard, Barstow, CA 92311 is within an area of San Bernardino County that is zoned for agriculture.

2. The property at 25684 Community Boulevard, Barstow, CA 92311 consists of two contiguous parcels of which each is 9.85 acres in size.

   a. Each parcel is wholly owned by Hector S. Huerta

   b. The Assessor's Parcel Numbers are as follows:

      I. 0497-221-04-0-000

      II. 0497-221-05-0-000

3. Inlet water supply is from a private well on the property. The water table for this area is between 90 ft and 100ft below the surface.

GREEN VALLEY FOODS

25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 3

April 6, 2007

CHEESE PROCESSING OPERATIONS

1. Process Information

a. The plant produces rounds of Mexican style hard cheese called Cotija. Purchased milk is heated for pasteurization and then cooled and rennet (enzyme) is added, causing coagulation. As the curds form they are strained off and the liquid whey is collected and fed to feedlot cows. Salt is added to the cheese at an appropriate time to deactivate the bacteria culture. The cheese curds are poured into round forms to cure for 24 hours. The cheese rounds are removed from their forms to continue to dry for another 24 hours at which time they are placed under refrigeration for 30 days to fully mature.

b. The plant is discharging approximately 8,000 to 10,000 gpd of wastewater as the result of washing floors and cleaning equipment containing milk by-products; cleaning agents including phosphoric acid, chlorinated tri-sodium phosphate, sodium hydroxide, potassium hydroxide, chlorine bleach; and sodium chloride (salt).

2. Waste Characteristics

a. Constituents

CHEMISTRY

Constituent	Discharge mg/L	Supply mg/L
Chloride	2600	120
Fluoride	180	0.35
NO3	18	28
SO4	230	200
BOD	26000	
Calcium	220	120
Magnesium	30	22
Potassium	320	4.5
Sodium	1900	100
CaCO3	670	390
Total Kjeldahl Nitrogen	140	0.26
Total Dissolved Solids	9800	700
Total Suspended Solids	720	ND

BACTERIA

Description	MPN/100ml
Total Coliform	500,000
Fecal Coliform	5,000

b. Treatment, Storage and Disposal Methods

I. The amount of wastewater to be treated will be 8,000 to 10,000 gallons-per-day.

II. Having consulted with the USDA's Natural Resources Conservation Service (NRCS) it has been determined that the best method will be to discharge pretreated wastewater to a Surface Impoundment for Evaporation. Pretreatment will include Dissolved Air Flotation (DAF) to remove milk by-products and Chlorination to eradicate the Coliform. The remaining solids will be removed to the Barstow Landfill.

III. NRCS personnel are to schedule a survey of the property in the near future to best determine the needed size for a Surface Impoundment and the best location.

IV. NRCS engineers will be responsible for the design of the Surface Impoundment so as to prevent the release of any wastewater.

V. NRCS engineers will design the Surface Impoundment so as to prevent the release of pollutants in storm water.

VI. Wastewater odor will be minimized by removal of milk by-products and bacteria in the pretreatment process. Vector control is a non-issue.

VII. Solid waste materials will be removed from the Surface Impoundment to the Barstow Landfill.

3. NRCS engineers will include in their design a flow meter to measure all process water flows.

4. The annual estimate of the volume of solid wastes is less than 100 pounds and will be removed to the Barstow Landfill.

5. Design Report and Operations Plan.

a. NRCS engineers will include in their design a Report and Operations Plan

b. NRCS engineers will include in their design Inspection and Monitoring Procedures

c. Engineering will be provided by USDA's Natural Resources Conservation Service as follows:

Rick Aguayo
District Conservationist
14393 Park Avenue, Suite 200
Victorville, CA 92392

Robert Miller
Area Engineer
82-901 Bliss Avenue
Indio, CA 92201

GREEN VALLEY FOODS
25684 Community Boulevard
Barstow, California 92311

ENCLOSURE 4

April 6, 2007

ANIMAL FEEDING OPERATIONS

1. Green Valley Foods, Inc. (GVF) is not and has never been a dairy operator. GVF in the past has been the object of a San Bernardino County Code Enforcement (SBCCF) investigation as to the size of its animal feeding operation. GVF was advised by SBCCF that County Ordinance limits 1 cow per 6,000 ft^2 of land. GVF currently is in compliance with 140 feedlot cows.

EXHIBIT NO. 12

EXHIBIT NO. 13

Property Information Management System

San Bernardino County

Office of the Assessor

PRIOR ROLL VALUES HISTORY REPORT FOR PARCEL 0497-221-13-0000

Parcel	0497221130000
Parcel Status	ACTIVE
Parcel Type	REAL PROPERTY
Property ID	
Tax Status	ASSESSED BY COUNTY
Use Code	SFR
Land Access	CHECK
Size	14.001 TO 25.000 ACRES
Land Type	SINGLE FAMILY RESIDENT
District	BARSTOW
Resp Group	REAL PROPERTY
Resp Unit	RES ZONE(MAX 4 UTS) &USE EX HPC/MHM(1-4 UTS,CHURCH)

Prior Roll History

Year: 2011

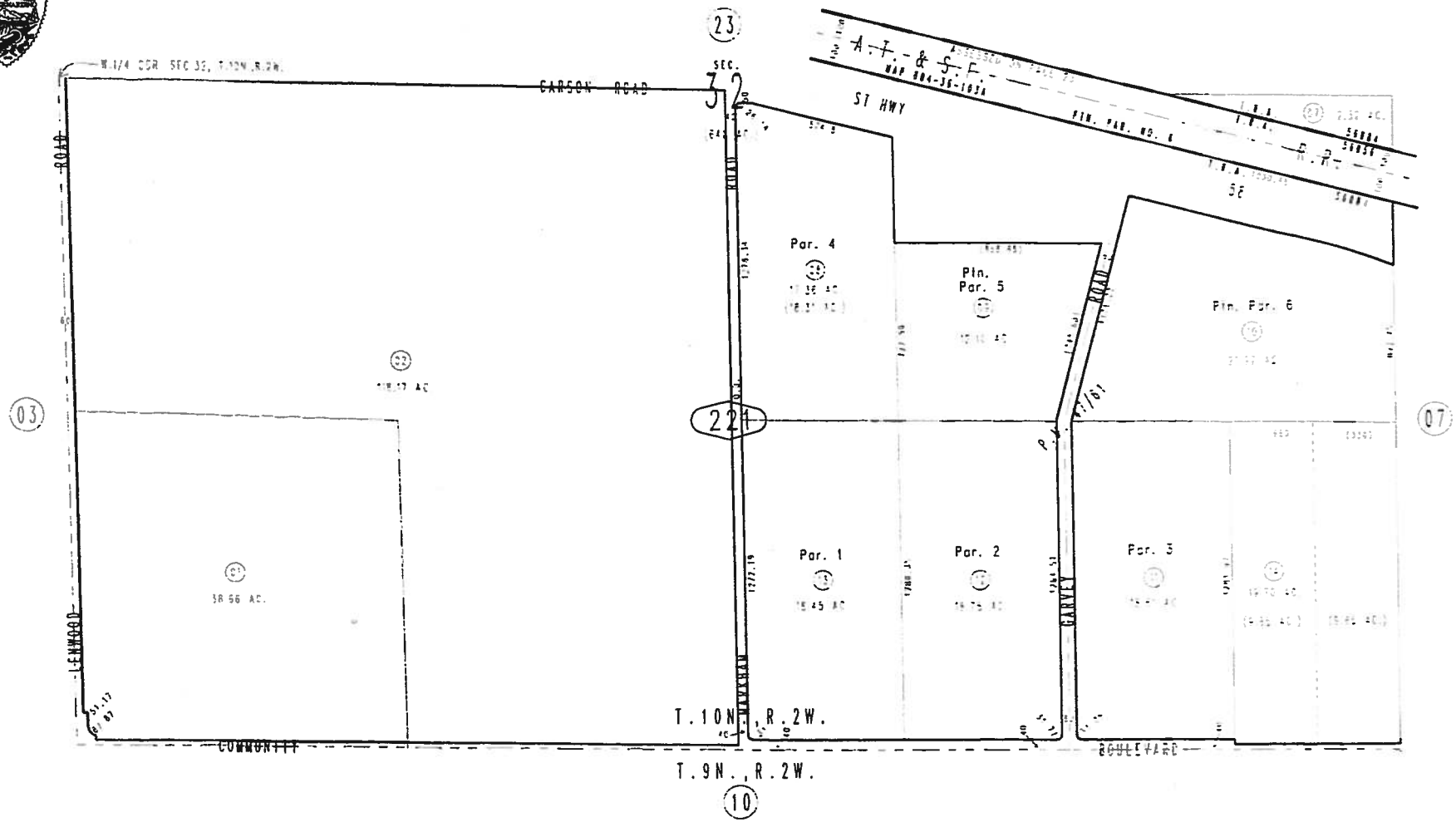
TRA	56084	**Land Value**	24,925
Supplement	NO	**Improvement Value**	24,925
Correction Date		**Improvement Penalty**	0
Correction Code		**Pers Prop Value**	0
Original Parcel	0497221130000	**Pers Prop Penalty**	0
Billed Owner	HUERTA, HECTOR S	**Total Penalties**	0
Joint Owner		**Total Value**	49,850
		HOX Exemptions	0
		Special Exemptions	0
		Net Value	49,850

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

S.1/2 Sec.32, T.10N.,R.2W., S.B.B.&M.

Barstow Unified
Tax Rate Area
56056,56084

0497 - 22



Assessor's Map
Book 0497 Page 22
San Bernardino County

February 2004

Parcel Map No. 4977, P.M. 47/61

CDO-173

Property Information Management System

San Bernardino County

Office of the Assessor

PRIOR ROLL VALUES HISTORY REPORT FOR PARCEL 0497-221-14-0000

Parcel	0497221140000
Parcel Status	ACTIVE
Parcel Type	REAL PROPERTY
Property ID	
Tax Status	ASSESSED BY COUNTY
Use Code	FOOD PROC
Land Access	PUBLIC PAVED
Size	14.001 TO 25.000 ACRES
Land Type	SINGLE FAMILY RESIDENT
District	BARSTOW
Resp Group	REAL PROPERTY
Resp Unit	RES ZONE(MAX 4 UTS) &USE EX HPC/MHM(1-4 UTS,CHURCH)

Prior Roll History

Year: 2011

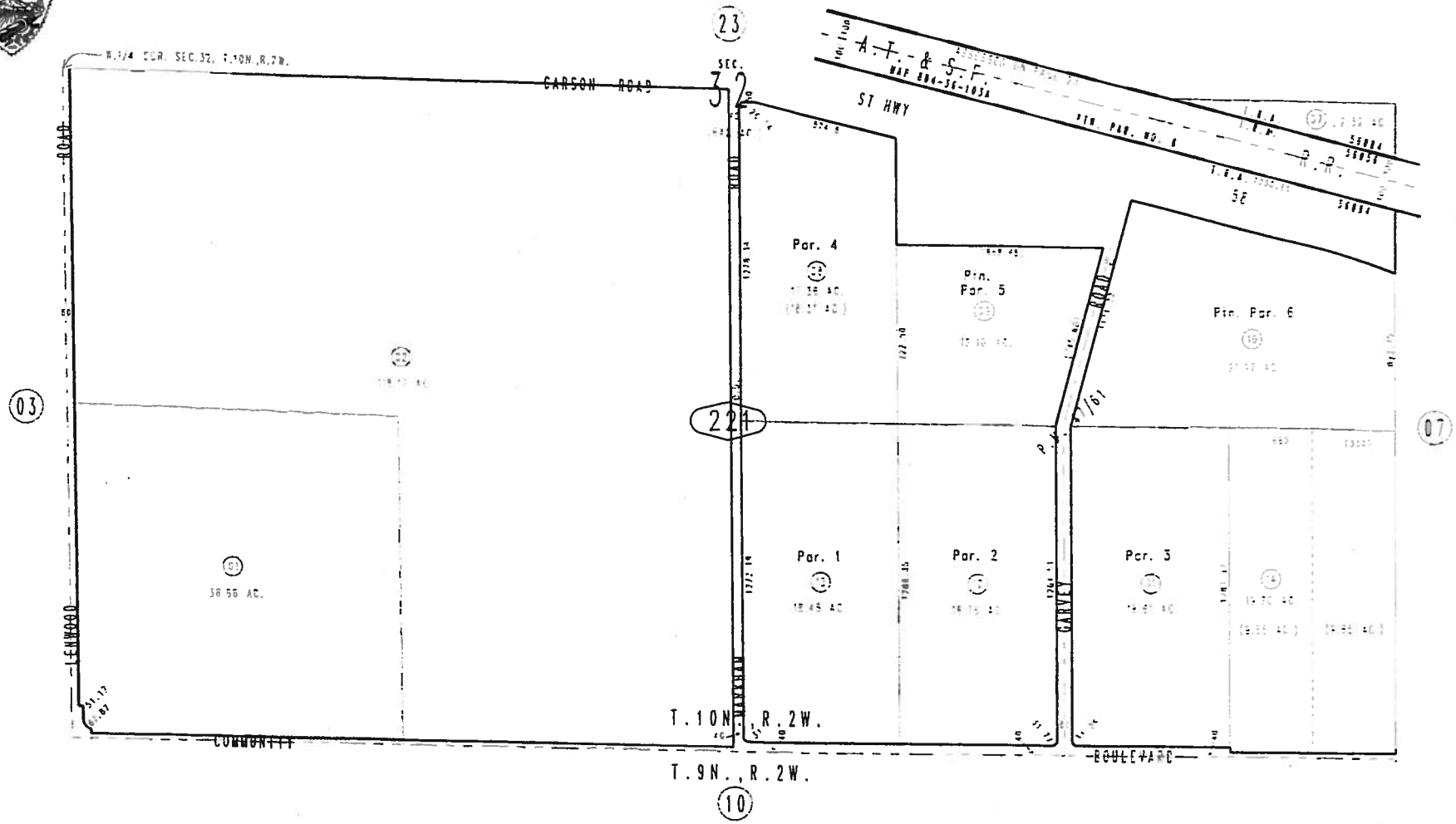
TRA	56084	**Land Value**	63,418
Supplement	NO	**Improvement Value**	332,715
Correction Date		**Improvement Penalty**	0
Correction Code		**Pers Prop Value**	0
Original Parcel	0497221140000	**Pers Prop Penalty**	0
Billed Owner	HUERTA, HECTOR S	**Total Penalties**	0
Joint Owner		**Total Value**	396,133
		HOX Exemptions	0
		Special Exemptions	0
		Net Value	396,133

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY

S.1/2 Sec.32, T.10N.,R.2W., S.B.B.&M.

Barstow Unified
Tax Rate Area
56056,56084

0497 - 22



February 2004

Parcel Map No. 4977, P.M. 47/61

Assessor's Map
Book 0497 Page 22
San Bernardino County

CDO-177

SECTION V

LIST OF DOCUMENTS INCLUDED BY REFERENCE

LIST OF DOCUMENTS INCLUDED BY REFERENCE

1. Water Quality Control Plan for the Lahontan Region (Basin Plan)
2. California Water Code
3. California Code of Regulations
4. Water Board Files for Green Valley Foods
5. State Water Resources Control Board, Water Quality Enforcement Policy, Effective May 20, 2010