CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO. R7-2005-0017

WASTE DISCHARGE REQUIREMENTS
FOR
FOOD PRO INTERNATIONAL INC., OWNER/OPERATOR
FOOD PROCESSING, WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL SYSTEMS
Holtville – Imperial County

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

1. Food Pro International (hereinafter referred to as the discharger), 11 S. San Joaquin St., 9th Floor, Stockton, California 95202, submitted a Report of Waste Discharge (ROWD) and application for Waste Discharge Requirements (WDRs) on March 18, 2004. The discharger proposes to discharge up to 0.20 million gallons per day (MGD) of wastewater from a whole leaf lettuce processing facility.

2. The discharger proposes to operate a lettuce washing facility at 1605 Mets Road, Holtville, California. The site location is identified as County Assessor's Parcel Number 055-490-11-01 and is approximately 20 acres in size from an 80-acre parcel. The facility is to be located in Tract 88 of Section 10, T16S, R15E, SBB&M.

3. The processing facility will be within a metal building approximately 84,000 square feet in size and will include parking area and a shipping truck dock. The plant will initially hire approximately 200 employees and the facility will operate for four (4) to five (5) months, from November through March each year.

4. The discharger proposes to use PERSAN (Peroxyacetic Acid Solution) as a sanitizer in the process washwater. PERSAN is a mixture of peracetic acid, hydrogen peroxide, acetic acid, and water.

5. Wastewater from the facility will be composed of washwater form the lettuce processing plant and will be treated for use as irrigation water on onsite fields. Treatment will consists of primary treatment, secondary treatment, solids handling, and disposal systems.

   a. Primary Treatment. Wastewater from the lettuce washing facility system will be collected in a sump, then pumped and screened to remove floating and suspended solids.

   b. Secondary Treatment. Primary treated wastewater will be contained in an irrigation collection pond to further remove settleable and suspended solids. The collection pond will provide aeration to reduce Biochemical Oxygen Demand (BOD) and odors.

   c. Onsite Irrigation Disposal. The effluent from the irrigation collection pond will be used for onsite field irrigation. Effluent from a washwater facility is not categorized as recycled water and does not require approval by the Department of Health Services for use as irrigation water.

   d. Solids Handling and Disposal. Collected solid waste is to be removed and disposed of at an approved solid waste handling facility.

6. The Report of Waste Discharge application describes the discharge as follows:

Parameter	Units	Average
BOD	mg/L[1]	24.75
Total Suspended Solids mg/L		Trace
Settleable Solids	ml/L[2]	Trace
pH	-----	6.5 to 7.5

7. There are no domestic wells within 1000 feet of the irrigation collection pond and on-site irrigation field discharge facilities described in Finding No. 5, above.

8. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) as amended to date designates the beneficial uses of ground and surface waters in this Region.

9. The beneficial uses of ground waters in the Imperial Hydrologic Unit are:

   a. Municipal supply (MUN)
   b. Industrial supply (IND)

10. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity to obtain National Pollutant Discharge Elimination System (NPDES) permits and to implement Best Conventional Pollutant Technology (BCT) and Best Available Technology Economically Achievable (BAT) to reduce or eliminate industrial storm water pollution.

11. The discharger states there are no storm water discharges from this site. Therefore, a National Pollutant Discharge Elimination System (NPDES) Permit for storm water discharges is not necessary for this facility.

12. Storm water associated with industrial activities generated within the facility will be contained on-site in an impoundment pond.

13. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03-DWQ (General Permit No. CAS000001), specifying waste discharge requirements for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the Permit.

14. The discharger states that there are no discharges of pollutants (as defined in 33 U.S.C. Section 1362 (12)) from this site. Therefore, an NPDES permit is not necessary for this facility.

15. In accordance with the California Environmental Quality Act (CEQA), Imperial County Planning/Building Department, acting as the lead agency, has filed a Notice of Determination for the proposed project. On November 8, 2004, the Imperial County Clerk posted the Notice of Determination with the Mitigated Negative Declaration (SCH#2004091061) for the construction of the whole leaf lettuce processing facility. The Regional Board has reviewed the Mitigated Negative Declaration and the water quality impacts of the project and concurs that the identified mitigation measures will reduce all potential impacts on water quality to less-than-significant.

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[1] Milligrams per Liter
[2] Milliliters per Liter

16. The Board has notified the discharger and all known interested agencies and persons of its intent to update waste discharge requirements for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.

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

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

A. Specifications

1. The 30-day monthly average daily discharge flow shall not exceed 0.20 MGD.

2. The effluent discharge values for pH shall not be below 6.0 or above 9.0.

3. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.

4. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the collection pond.

5. Irrigation collection pond shall be managed to control breeding of mosquitoes, in particular:

   a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface;

   b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.

   c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

6. No changes in the type or amount of treatment chemicals added to the process water as described in this Board Order shall be made without the written approval of the Regional Board's Executive Officer.

7. The irrigation collection pond shall be maintained so it will be kept in aerobic conditions.

8. The washwater facility, collection pond, and irrigation fields shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.

B. Prohibitions

1. The direct discharge of any wastewater from the facility to any surface waters or surface drainage courses is prohibited.

2. Bypass, overflow, or discharge of untreated or partially treated waste is prohibited.

3. The discharge of waste to land not owned or controlled by the discharger is prohibited.

4. Discharge of treated wastewater at a location or in a manner different from that described in this Board Order is prohibited.

5. The discharger shall not cause degradation of any water supply in compliance with State Board Resolution No. 68-16.

D Provisions

1. The discharger shall comply with "Monitoring and Reporting Program No. R7-2005-0017", and future revisions thereto, as specified by the Regional Board's Executive Officer.

2. Prior to any modifications in this facility which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.

3. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.

4. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.

5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.

6. Facilities shall be available to keep the plant in operation in the event of commercial power failure.

7. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.

8. The discharger shall, at all times, properly operate and maintain all systems and components of collection, treatment and control which are installed or used by the discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems both in service and reserved, shall be inspected and maintained on a regular basis. Records shall be kept of the inspection results and maintenance performed and made available to the Regional Board upon demand.

9. The discharger shall report any noncompliance that may endanger human health or the environment. The discharger shall immediately report orally information of the noncompliance as soon as (1) the discharger has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, to the Regional Board office and the Office of Emergency Services. During non-business hours, the discharger shall leave a message on the Regional Board office voice recorder. A written report shall also be provided within five (5) business days of the time the discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The discharger shall report all intentional or unintentional spills occurring within the facility or collection system to the Regional Board office in accordance with the above time limits.

10. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

    a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;

    b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;

    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

    d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.

11. The discharger shall comply with the following:

    a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

    b. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least 5 years from the date of the sample, measurement, report or application.

    c. Records of monitoring information shall include:

        1. The date, exact place, and time of sampling or measurements.
        2. The individual(s) who performed the sampling or measurements.
        3. The date(s) analyses were performed.
        4. The individual(s) who performed the analyses.
        5. The results of such analyses.

12. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.

13. The discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.

14. The discharger shall provide adequate notice to the Regional Board's Executive Officer of the following:

    a. Any new introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect discharger which would be subject to Section 301 or 306 of the Clean Water Act, if it were directly discharging the pollutants.

b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source.

c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.

15. The discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board's Executive Officer, or if required by an applicable standard for sludge use and disposal

16. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.

17. Ponds shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, ancillary inflow, and infiltration during the non-irrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.

18. The discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination in accordance with the Monitoring and Reporting Program of this Board Order.

19. In the event that there are storm water discharges associated with industrial activities, the discharger shall submit a Notice of Intent and/or maintain coverage under the General Storm Water Permit.

20. This Board Order does 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.

21. This Board Order may be modified, rescinded and reissued, for cause. The filing of a request by the discharger for a Board Order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.

I, Robert Perdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on May 4, 2005.

Ordered by: Robert C Perdue

Robert Perdue
Executive Officer

MAY 4 2005

Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

MONITORING AND REPORTING PROGRAM NO. R7-2005-0017
FOR
FOOD PRO INTERNATIONAL INC., OWNER/OPERATOR
FOOD PROCESSING, WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL SYSTEMS
Holtville – Imperial County

Location of Discharge: Section 10, T16S, R15E, SBB&M.

MONITORING

1. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted by a laboratory certified by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.

2. Samples shall be collected at the location specified in the Permit. If no location is specified, sampling shall be conducted at the most representative sampling point available.

3. If the facility is not in operation, or there is no discharge during a required reporting period, the discharger shall forward a letter to the Regional Board indicating that there has been no activity during the required reporting period.

INFLUENT MONITORING

The wastewater influent to the treatment facility shall be monitored for the following:

Constituents	Units	Type of Sample	Sampling Frequency	Reporting Frequency
pH	pH units	Grab	Monthly	Monthly
20°C BOD_5[1]	mg/L[2]	Grab	Quarterly	Quarterly
Suspended Solids	mg/L	Grab	Quarterly	Quarterly

EFFLUENT MONITORING

A sampling station shall be established at the point of discharge to the onsite fields and shall be located where representative samples of effluent can be obtained:

Constituents	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow	MGD	Flow Measurement	Daily[3]	Monthly
pH	pH units	Grab	Monthly	Monthly

[1] BOD_5 –Biochemical Oxygen Demand
[2] mg/L = Milligrams per Liter
[3] Reported as daily average calculated for reporting period

Constituents	Units	Type of Sample	Sampling Frequency	Reporting Frequency
20°C BOD_5	mg/L	Grab	Quarterly	Quarterly
Total Suspended Solids	mg/L	Grab	Quarterly	Quarterly
Total Dissolved Solids	mg/L	Grab	Quarterly	Quarterly
Nitrate as N (NO_3-N)	mg/L	Grab	Quarterly	Quarterly
Total Nitrogen	mg/L	Grab	Quarterly	Quarterly
Pesticides[4]	µg/L	Grab	Annually	Annually

OPERATION AND MAINTENANCE

The discharger shall report the following:

Activity	Reporting Frequency
Inspect and document any operation/maintenance problems by inspecting each unit process. In addition, calibration of flow meters and equipment shall be performed in a timely manner and documented.	Annually
The quantity, method and location of disposal of any sludge removed from the irrigation collection pond.	Annually

REPORTING

1. The discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements.

2. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurement(s);
   b. The individual(s) who performed the sampling or measurement(s);
   c. The date(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or method used; and
   f. The results of such analyses.

3. The results of any analysis take, more frequently than required at the locations specified in this Monitoring and Reporting Program shall be reported to the Regional Board.

4. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.

[4] Analysis of Pesticides is to be accomplished using the USEPA test method 608.

5. Each report shall contain the following statement:

   "I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations".

6. A duly authorized representative of the discharger may sign the documents if:

   a. The authorization is made in writing by the person described above;

   b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and

   c. The written authorization is submitted to the Regional Board's Executive Officer.

7. Reporting of any failure in the facility (wastewater collection, treatment, and disposal systems) shall be as described in Provision No. 9. Results of any analysis performed as a result of a failure of the facility shall be provided within ten (10) days after collection of the samples.

8. The discharger shall attach a cover letter to the Self Monitoring Report. The information contained in the cover letter shall clearly identify violations of the WDRs, discuss corrective actions taken or planned and the proposed time schedule of corrective actions. Identified violations should include a description of the requirement that was violated and a description of the violation.

9. Daily and Monthly monitoring reports shall be submitted to the Regional Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted to the Regional Board by January 15, April 15, July 15, and October 15, of each year. Annual monitoring reports shall be submitted to the Regional Board by January 15 of each year.

10. Submit monitoring reports to:

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

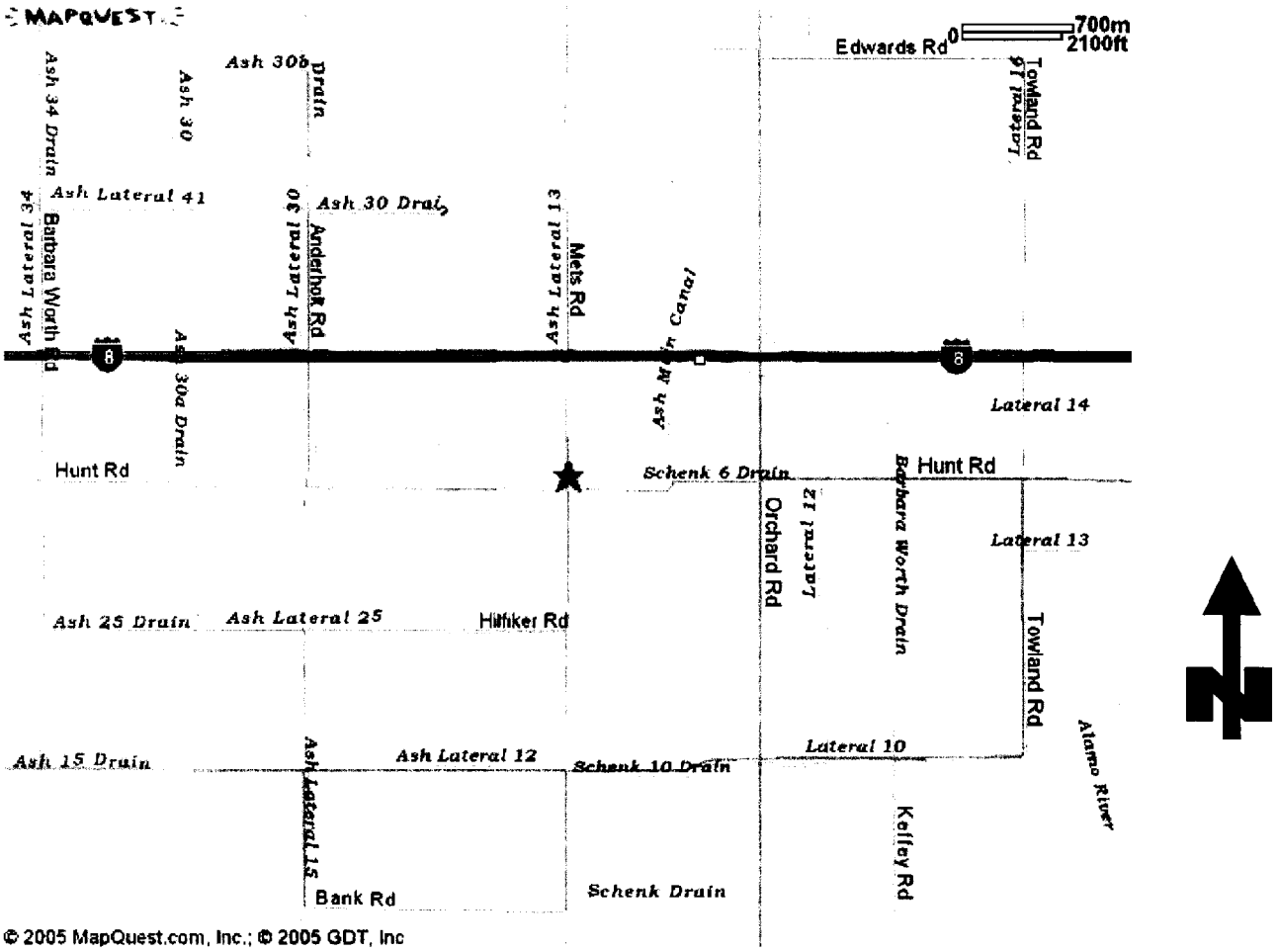
Ordered by: Robert C Perdue

Robert Perdue
Executive Officer

MAY 4 2005

Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION



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SITE MAP

FOOD PRO INTERNATIONAL INC., OWNER/OPERATOR
FOOD PROCESSING, WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL SYSTEMS
Holtville – Imperial County
Section 10, T16S, R15E, SBB&M

Board Order No. R7-2005-0017