

LATE REVISIONS – 7 December 2012

- Item 24** Olam Tomato Processors, Inc., and Westlake Farms, Inc., Olam Tomato Processing Lemoore Plant, Kings County – *Consideration of Resolution approving an Initial Study and Negative Declaration and Waste Discharge Requirements Order R5-2007-0157 – (revised).*

Additions are in bold and deletions are in strike-out.

Waste Discharge Requirements, Page 1, Finding 3 - – Add a sentence at the end of the finding as follows:

3. Olam is the primary entity responsible for the maintenance and operation of the Lemoore Plant and related discharges. Westlake Farms, Inc., is the primary entity responsible for the application of food processing wastewater and compliance with the water reuse requirements of this Order. Olam Tomato Processors, Inc., and Westlake Farms, Inc., (hereafter “Dischargers”) and are responsible for compliance with these Waste Discharge Requirements (WDRs). **Provision 16 further clarifies Central Valley Water Board expectations with respect to compliance with this Order.**

Waste Discharge Requirements, Page 2, Finding 11 - – Modify the finding as follows:

11. The ~~lease~~ **easement** agreement between the Dischargers is for a 10 year period, where Westlake agrees to take Olam’s wastewater for **irrigation** use ~~in pasture land~~. The ~~lease~~ **easement** agreement can be renewed for three additional periods of 10 years as long as Olam notifies Westlake 90 days prior to the expiration of the existing lease term.

Waste Discharge Requirements, Page 2, Finding 12 - – Modify the finding as follows:

12. According to the RWD, the average BOD loading rate is 6.9 lbs/acre/day with a minimum loading rate of 0.7 lbs/acre/day in May and a maximum loading rate of 21.8 lbs/acre/day in September, based on 2010 and 2011 data. ~~Olam proposes to discharge its wastewater on an 8 day cycle.~~ The average instantaneous loading rate **for an 8 day cycle** is approximately 55.4 lbs/acre. Westlake Farms, Inc., will use various irrigation methods. Cycle average BOD loading rates will be at or below 100 lbs/acre/day.

Waste Discharge Requirements, Page 17 - Add new Provision 16 to read as follows:

16. **Olam Tomato Processors, Inc., (Olam) and Westlake Farms, Inc., (Westlake) are responsible for complying with the requirements of this Order.**

a. **Olam shall:**

- i. **Ensure the tomato processing wastewater delivered to Westlake is treated and of a volume and quality consistent with that described in this Order, including Findings 7 and 8;**
- ii. **Comply with the portions of the Order related to wastewater treatment, solids disposal, and delivery of the wastewater to Westlake;**
- iii. **Conduct and submit, as required, all monitoring and investigation reports required by the Order; and**
- iv. **Comply with those Order requirements, not specifically described in this provision, as may be determined appropriate by the Central Valley Water Board or its Executive Officer.**

b. **Westlake shall:**

- i. **Ensure that the wastewater applied to the Land Application Area is managed in a manner consistent with the Findings and land application requirements of this Order so as not to cause, or threaten to cause, conditions of nuisance or pollution;**
- ii. **Provide to Olam information necessary to complete and submit the monitoring required by the Land Application Area sections of Monitoring and Reporting Program No. R5-2012-XXXX; and**
- iii. **Comply with those Order requirements, not specifically described in this provision, as may be determined appropriate by the Central Valley Water Board or its Executive Officer.**

Waste Discharge Requirements, Information Sheet, Page 1, Paragraph 5 – Modify Paragraph as follows:

The lease **easement** agreement between Olam and Westlake is for a 10 year period. Westlake agrees to take Olam's wastewater for irrigation use ~~in pasture land~~. The lease **easement** agreement can be renewed for three additional periods of 10 years.