

TEM: 22

SUBJECT: Sierra Nevada Cheese Company Inc. and Gregersen Properties LLC, Cheese Productions Facility, Glenn County

BOARD ACTION: Consideration of Cease and Desist Order to comply with requirements prescribed in Waste Discharge Requirements Order R5-2007-0043 (WDRs) in accordance with a time schedule.

BACKGROUND: Sierra Nevada Cheese Company Inc. and Gregersen Properties LLC, own and operate the Sierra Nevada Cheese production facility located near the city of Willows, Glenn County (Facility). The Facility is required to comply with Waste Discharge Requirements Order R5-2007-0043, which regulates discharges of wastewater for land disposal. The Facility processes about 65,000 gallons of milk per month for the production of cheeses, yogurt, butter, and sour cream products and contains seven unlined wastewater ponds. The Facility includes seven wastewater ponds that have a total capacity of approximately 201 million gallons. Ponds 1 through 3 have aerators and are intended for wastewater treatment with a total capacity of approximately 16 million gallons. The WDRs, in part, require that the Discharger limit the volume of wastewater discharged to the ponds and prohibit objectionable odors by means of maintaining dissolved oxygen content to no less than 1.0 mg/L. Regular groundwater monitoring is essential because both background and downgradient groundwater concentrations are needed to determine compliance with State Water Resources Control Board Resolution No. 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State").

ISSUES: The Discharger has been issued three separate Notices of Violation between August 2013 and April 2015 for noncompliance with requirements prescribed in their WDRs, including the failure to measure and report process waste water flow, the failure to maintain dissolved oxygen levels at or above 1.0 mg/L, and discharging untreated process wastewater to Ponds 4 and 5. Since at least September 2013, the Discharger has not produced groundwater sampling data because none of the monitoring wells contained groundwater. From August 2013 through May 2015, Central Valley Water Board staff received odor complaints from neighbors residing nearby the Facility claiming that the odors stemmed from the Facility. Central Valley Water Board staff investigated the complaints. This Order immediately requires the Discharger to cease the discharge of waste that violates or threatens to violate its WDRs. The Discharger will be required to submit a plan to address objectionable odors originating from the Facility, dissolved oxygen concentrations of wastewater below 1.0 mg/L, and the lack of freeboard monitoring. The submission of an updated groundwater

monitoring work plan is also required to appropriately increase the depth of monitoring wells so that the Discharger can re-start groundwater monitoring.

The Discharger has failed to comply with requirements prescribed in the WDR. The Cease and Desist Order is being issued to ensure compliance with the Discharger's WDR. The Discharger is developing a plan for implementation to address the permit violations. This item is uncontested at this time.

RECOMMENDATION: Adopt the tentative Cease and Desist Order.

Mgmt. Review__BJS__

Legal Review_____

October 1-2, 2015