

Hilmar Cheese Company, Inc.

History and Status of Enforcement

Pre 2004

- Hilmar Cheese Company, Inc. (Hilmar Cheese) began its operations in 1985 and quickly grew to one of the biggest cheese plants in the world. Waste Discharge Requirements were first issued in 1989. Five additional orders were issued with the most recent in 2010.
- Hilmar Cheese violated the requirements of the early orders, grew fast, and over applied waste, causing odor and fly issues, groundwater degradation, and concern that discharges to land may have impaired water produced by domestic wells in the area.

2004/2005

- A Cleanup and Abatement Order (CAO) was issued to Hilmar Cheese in 2004 and the largest ever proposed Administrative Civil Liability complaint (ACLC) for four million dollars was issued to Hilmar Cheese in 2005.

Post 2004/2005

- ACLC
 - The ACLC was settled in 2006 and Hilmar Cheese:
 - 1) Paid one million dollars to the State Water Resources Control Board.
 - 2) Completed a 1.85 million dollar Supplemental Environmental Project (SEP) to study the management of salinity in wastewater in the California food processing industry.
 - 3) Reimbursed the Attorney General's office \$150,000.
 - 4) Limited its flow and completed work to upgrade its treatment and disposal capacity to stop odors, flies, and pollution.
 - Hilmar Cheese fully complied with the ACLC settlement and submitted a report on the SEP that provided information to the Central Valley Water Board regarding management of salinity in wastewater in the California food processing industry.
- CAO

Hilmar Cheese has complied with the requirements of CAO and have completed or found the following:

 - Abate offensive odors and nuisance conditions: In accordance with Board orders, Hilmar Cheese improved its wastewater management by reducing organic matter discharged, leveling disposal fields, spreading wastewater more evenly, and reducing applied water.
 - Sample supply wells within ½ mile of the primary lands: Hilmar Cheese sampled private supply wells in 2005, 2008, and 2009. Hilmar Cheese is now required to sample supply wells on an annual basis.
 - Replace unreasonably affected private supply wells: Hilmar Cheese provided bottled water to owners of supply wells it has impacted and replaced the water supply at one residence and purchased two other residences.
 - Investigate the extent of degraded groundwater above background conditions: Hilmar Cheese has completed three phases of assessment to determine the extent of waste constituents. The following has been concluded thus far:
 - 1) Constituents of Concern
 - Salts: Sodium, chloride, nitrate, and total dissolved solids have all been found to be elevated. The area is intensely farmed with a large number of dairies. In a given well, the source of salts could be Hilmar Cheese, farming, and/or a dairy.
 - Metals: Iron, manganese, and arsenic have been found to be elevated. However, none of these metals would be expected to originate from the facility wastewater; rather, they are from native soils because of overloading (no longer occurring) of organic material. Barium, while sampled for, is not a constituent of concern since it is not in the waste and has not been found above drinking water standards in any well.
 - 2) Shallow groundwater has been impacted beneath and beyond the primary lands.
 - 3) Shallow groundwater has been sufficiently defined and remedial options are being developed.
 - 4) Additional assessment is required to further define the extent of impact of deep groundwater. Hilmar Cheese has been ordered to submit a report on further assessment of deep groundwater by March 2011.
 - Evaluate cleanup options and propose an appropriate cleanup system: In accordance with the CAO, Hilmar Cheese is currently evaluating remedial options (and will select a preferred remedial option) to remediate shallow groundwater and soils that have been impacted by Waste Water Discharge by Hilmar Cheese. The report is due by 31 December 2010. The report will also evaluate what impacts, if any, would occur from irrigation water being applied to the primary lands formerly used for wastewater disposal.

Hilmar Cheese Company, Inc. History and Status of Permitting

Pre 2004

- Hilmar Cheese Company, Inc. (Hilmar Cheese) began operations in 1985 and rapidly grew to one of the largest cheese plants in the world. The Central Valley Water Board issued Waste Discharge Requirements (WDRs) for expanding operations in 1989, 1990, 1994, 1997. During this period, facility expansions and increased wastewater flows outpaced treatment and disposal systems and permitting.
- The Order issued in 1997 set restrictive limits on Hilmar Cheese to prevent nuisance (odors and flies) and to protect groundwater, primarily from salts.
- To meet the limits, Hilmar Cheese implemented a proprietary vibrating membrane treatment system. The technology ultimately did not produce effluent consistently meeting limits.

2004 and Forward

- In 2004, Hilmar Cheese submitted a Report of Waste Discharge proposing to treat its waste using an advanced reverse osmosis treatment process.
- Subsequent submittals in 2006, 2007, and 2008 evaluated different treatment system configurations and reuse opportunities.
- In January 2010, the Central Valley Water Board adopted WDRs Order R5-2010-0008 and Time Schedule Order (TSO) R5-2010-0009 for Hilmar Cheese. The WDRs include stringent effluent limits that facilitate effluent reuse on a greatly expanded reclamation area and protect all beneficial uses of groundwater. The TSO puts Hilmar Cheese on a short schedule to evaluate and install equipment necessary to meet the effluent limits in the WDRs. The Orders are at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/index.shtml

- Hilmar Cheese has complied with the Orders ahead of schedule. Discharges to the primary lands have stopped. Since March 2010, all discharges to land have complied with the limits in the WDRs.
- The Hilmar area is dominated by agricultural activities that include a variety of crops and dairies. There is speculation that local tile drain systems may convey Hilmar Cheese's treated wastewater into surface water canals. Local tile drain systems serve many parcels, some that do receive Hilmar Cheese effluent, and some that do not. The systems intercept a blend of agricultural drainage water from many sources, including but not limited to, pumped groundwater, surface water, precipitation, and dairy wastewater. Based on the recommendation of staff and the Board's attorneys, the Board found that Hilmar's discharge was not subject to National Pollutant Discharge Elimination System (NPDES) permit requirements.