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## Central Valley Regional Water Quality Control Board

1 September 2016

Stanley Kaufman  
KY Packing, LLC  
8686 S. Rio Vista  
Reedley, CA 93654

**CERTIFIED MAIL**  
**7015 1520 0000 9052 6180**

### **NOTICE OF APPLICABILITY**

#### ***WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION***

#### **ORDER R5-2015-0005-0075 KY PACKING, FRESNO COUNTY**

On 5 February 2015, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2015-0005* (the Waiver).

We are in receipt of your Report of Waste Discharge (RWD) and Notice of Intent (NOI) dated 11 August 2016, which states that you intend to comply with the Tier 2 conditions of the Waiver. Tier 2 allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids associated with that volume of wastewater. Any process wastewater or residual solids in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application to obtain coverage under Tiers 3 of the Waiver or obtain individual waste discharge requirements prior to increasing the discharge volume.

Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2015-0005-0075. A copy of the Waiver is enclosed and also available at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). The discharge must be managed in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

## **DISCHARGE DESCRIPTION**

KY Packing is a packing house owned by Stanley Kaufman at 8686 South Rio Vista in Fresno County. The packing house was previously regulated under Waste Discharge Requirements Order 91-005. According to the NOI, the Packing House will generate less than 100,000 gallons of wastewater annually. Wastewater will be limited to water used for cleaning and rinsing cherries, processing equipment, and defrost water. The discharge will primarily take place between April and May. Wastewater will be discharged to the adjacent cherry orchard.

Residual solids are collected in trash cans and disposed of via trash service.

## **MONITORING AND REPORTING**

Attachment B of the Waiver includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, which is also contained in Attachment B of the Waiver.

By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2016 Annual Monitoring Report is due by **1 February 2017**.

## **GENERAL INFORMATION AND REQUIREMENTS**

The Waiver includes specific and general conditions with which you must comply and you must maintain control over the discharge and operate in accordance with the information provided in your RWD and this Notice of Applicability.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the Conditions of Discharge (Attachment A) of the Waiver is prohibited.

Please note that the Waiver will expire on **5 February 2020**, after which you must do one of the following:

1. Submit a new RWD with a filing fee (if required) to obtain coverage under a subsequently adopted waiver,
2. Submit a RWD with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

**DOCUMENT SUBMITTALS**

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to:

centralvalleyfresno@waterboards.ca.gov.

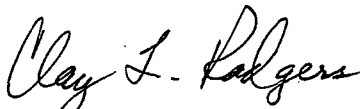
To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: KY Packing, LLC, Fresno County		
Program: Non-15	Order: R5-2015-0005-0075	CIWQS Place ID: 252283

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board  
Fresno Office  
1685 E Street  
Fresno, CA 93706

If you find it necessary to make a change to your permitted operations or have any questions regarding this matter, please contact Daniel Benas at (559) 445-5500 or via email at: Daniel.Benas@waterboards.ca.gov.



*for*

PAMELA C. CREEDON  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2015-0005

cc w/o encl: Fresno County Environmental Health, Fresno