



Central Valley Regional Water Quality Control Board

4 November 2021

Leonardo “Dino” Verni, Owner
Verni Farms, LLC
11990 Auberry Rd
Clovis, CA 93675

CERTIFIED MAIL
7018 1830 0001 2774 7657

NOTICE OF APPLICABILITY

RESOLUTION NO. R5-2020-0002
WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL
PROCESSORS WITHIN THE CENTRAL VALLEY REGION

VERNI FARMS LLC
VERNI OLIVE OIL EXTRACTION FACILITY
FRESNO COUNTY
(ENROLLEE # R5-2020-0002-0081)

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Resolution R5-2020-0002, *Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region* (Small Food Processor Waiver or Waiver). We are in receipt of your Report of Waste Discharge (RWD) received on 14 June 2021, requesting to enroll the Verni Olive Oil Extraction Facility (Facility) under Tier 3 conditions of the Waiver.

Tier 3 allows land application of up to 1,000,000 gallons of wastewater per year for irrigation of 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 individual waste discharge requirements prior to increasing the discharge volume.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley

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 enrollee number **R5-2020-0002-0081**. A [copy of the Waiver](#) and the [Waiver Attachments](#) are enclosed and available on the Central Valley Water Board's website (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2020-0002_waiver_wdrs.pdf and https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2020-0002_waiver_atts.pdf).

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 the information submitted in the RWD.

DISCHARGE DESCRIPTION

Verni Farms, LCC (hereafter Discharger) owns and operates the Facility at 11990 Auberry Road, Clovis in Fresno County as shown in **Attachment A** (36.9099 N, 119.7138 W). Wastewater and residual solids from the Facility are applied on 10 acres of almond orchards (Assessor's Parcel Numbers 580-030-01 and 580-040-06 totaling 212 acres). The Verni family owns the land application area. Wastewater is distributed evenly via tanker, tractor, or truck each day it is generated. Likewise, residual solids are spread out on the ground each day they are generated and are leveled out with a scraper. The residual solids are disked into the soil along the orchard rows at a later appropriate time.

The primary olive oil extraction season runs from about November through January. According to the Discharger, the Facility does not have operations that generate process wastewater or residual solids outside of the primary processing season. Operations and activities that generate process wastewater include the washing, grinding/crushing, kneading (malaxer), centrifuging, and racking (successive decants in an oil/water separator). The Facility only processes olives from the on-site olive groves. The Discharger anticipates the olive oil extraction facility will process about 73 tons, on average, of olives per year over the next five years. The Discharger estimated the current production of wastewater at about 96,000 gallons per year over a three-month period (November through January) and expects the annual production of wastewater to increase over the next five years.

MONITORING AND REPORTING

Attachment B of the Waiver includes 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 **1st February each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2021 Annual Monitoring Report is due **1 February 2022**.

GENERAL INFORMATION AND REQUIREMENTS

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

Please review this NOA 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 **20 February 2025**, after which you must either cease the discharge or do one of the following:

1. Submit a new RWD to obtain coverage under a subsequently adopted waiver, or
2. Submit a RWD with to apply for individual or general Waste Discharge Requirements.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long Term Sustainability (CVSALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting (Resolution R5-2018-0034). For the Salt Control Program, the Central Valley Water Board issued the Discharger a Notice to Comply on 5 January 2021 (**CV-SALTS ID: 2937**). On 27 September 2021, the Discharger submitted a Notice of Intent and elected to join the Priority and Optimization Study (or P&O Study) under Pathway Option 2.

For the Nitrate Control Program, the Facility is within Groundwater Basin 5.022.08 (San Joaquin Valley-Kings.), a Priority 1 Basin. On 29 May 2020, the Central Valley Water board issued the Discharger a Notice to Comply for the Nitrate Control Program. For the Facility's discharge, the Discharger is listed as an initial participant in the Kings Preliminary Management Zone Proposal.

[More information on the Salt and Nitrate Control Program](https://www.cvsalinity.org/public-info) may be found on the internet (<https://www.cvsalinity.org/public-info>).

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: Verni Olive Oil Extraction Facility
Program: Non-15
Order: R5-2020-0002-0081
CIWQS Place ID: 810898

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

All documents, including responses to inspections and written notifications, submitted to comply with this Waiver shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or Russell.Walls@waterboards.ca.gov. Questions regarding the permitting aspects of the Waiver, and notification for termination of coverage under the Waiver, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Jeff Robins. Jeff Robins can be reached at (559) 445-5976 or by email at Jeff.Robins@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet or will be provided upon request.

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

Original Signed by Clay L. Rodgers for:

Patrick Pulupa
Executive Officer

(see next page for attachments, enclosures, and cc's)

Verni Farms LLC
Verni Olive Oil Extraction Facility
R5-2020-0002-0081

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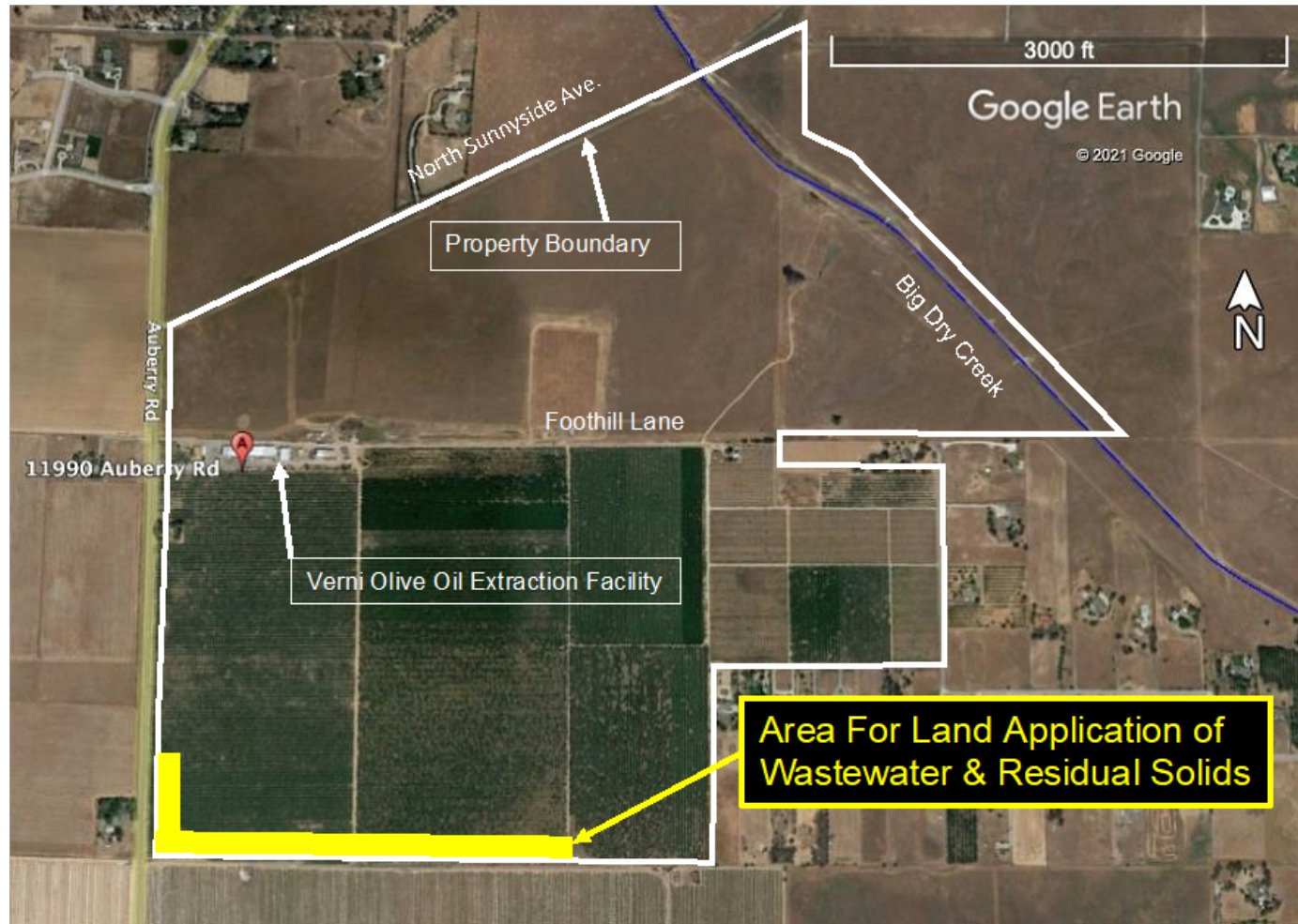
4 November 2021

Attachment: Attachment A - Site Map

Enclosures: Resolution R5-2020-0002 and Waiver Attachments (Discharger only)

cc w/o encl:

- Russell Walls, Central Valley Water Board, Fresno (via email)
- RB5S-cvsalts@Waterboards.ca.gov
- Fresno County Environmental Health, Fresno, CA 93775
- Leonardo Verni (via email: vernifarmsclovis@gmail.com)



**ATTACHMENT A – SITE MAP
RESOLUTION R5-2020-0002-0081
VERNI OLIVE OIL EXTRACTION FACILITY
FRESNO COUNTY**