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## Central Valley Regional Water Quality Control Board

1 June 2023

ShoEi Foods USA, Inc.  
Ester Ocampo  
1900 Feather River Blvd.  
Olivehurst, CA 95961

**Certified Mail**  
7022-2410-0001-5093-9616

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

**ORDER R5-2020-0002-0112  
SHOEI FOODS USA, INC.  
YUBA COUNTY**

On 20 February 2020, 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 R5-2020-0002* (the Waiver).

We are in receipt of your Notice of Intent (NOI) dated 3 April 2023, which states that you intend to comply with the Tier 1 conditions of the Waiver. ShoEi Foods USA, Inc. is located at 1900 Feather River Boulevard, Olivehurst, in Yuba County. Tier 1 allows land application of up to 10,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids (pomace and lees) associated with that volume of wastewater. Any process wastewater or residual solids generated 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 and the applicable fee and obtain coverage under Tier 2 or 3 of the Waiver prior to increasing the discharge volume.

Based on the information provided in your April 2023 submittal, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2020-0002-0112. A copy of the Waiver is enclosed and also available at the [State Water Boards Adopted Orders: Waivers webpage](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)).

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MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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). Food processing waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the NOI.

## **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 2023 Annual Monitoring Report is due by **1 February 2024**.

## **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 NOI and this Notice of Applicability (NOA).

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 (Waiver Attachment A) is prohibited.

Note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

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

## **SALT AND NITRATE CONTROL PROGRAM**

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. The Basin Plan Amendments were conditionally approved by the State Water Board on 16 October 2019 and the Office of Administrative Law on 15 January 2020. For the Nitrate Control Program, the facility falls within the South Yuba Subbasin, a Non-Prioritized Groundwater Basin; so, no action is required at this time. For salinity, the Discharger has elected the Alternative Salinity Permitting Approach (participation in the Priority and Optimization Study [P&O] Study) under Pathway Option 2. The Discharger was issued **CV-SALTS ID 2013**.

As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this Order to ensure the goals of the Salt and Nitrate Control Programs are met. This order may be amended or modified to incorporate newly applicable requirements. More information regarding this regulatory planning process can be found on the Central Valley Water Board [CV-SALTS website](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity). ([https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity)).

## **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: [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@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:	ShoEi Foods USA, Inc., Yuba County
Program:	Non-15 Compliance
Order:	R5-2020-0002-0112
CIWQS Place ID:	224240

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  
ECM Mailroom  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Brendan Kenny is your point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Brendan will direct you to the appropriate Permitting staff. You may contact him at (916) 464-4635 or at [brendan.kenny@waterboards.ca.gov](mailto:brendan.kenny@waterboards.ca.gov).

for Patrick Pulupa  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2020-0002

cc: Yuba County Environmental Health Department, Marysville