



Central Valley Regional Water Quality Control Board

30 January 2023

Blake Carlson, Owner
B&C Packing, Inc.
13085 S. Zediker Ave
Kingsburg, CA 93631

CERTIFIED MAIL
7022 2410 0000 2157 6568

MODIFICATION TO NOTICE OF APPLICABILITY R5-2020-0002-0037; B&C PACKING, INC.; B&C PACKING FACILITY; FRESNO COUNTY

On 12 August 2020 Central Valley Water Board issued a Notice of Applicability (NOA) to B&C Packing, Inc. (Discharger) for coverage under 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 Processors Waiver or Waiver). The NOA contains a time schedule for the Discharger to submit a Notice of Intent (NOI) and come into compliance with the new Nitrate Control Program.

Further conversations with the Discharger on 1 December 2022 and the Central Valley Water Board's Irrigated Lands Regulatory Program (ILRP) staff confirmed that the land application areas authorized by NOA R5-2020-0002-0037 for discharge of fruit process wastewater are also currently enrolled in the ILRP. Lands enrolled under the ILRP within Priority 1 areas (e.g., Kings River Quality Coalition) are currently participating in Management Zones for the Nitrate Control Program. Furthermore, nitrogen loading rates to lands enrolled under ILRP have to be calculated and reported annually as part of enrollment under ILRP.

The Facility's discharge is of a low threat nature (i.e., low volume and high quality) and qualifies for enrollment under the Small Food Processor Waiver. Since the Facility only discharges to ILRP lands, the nitrate concerns associated with the Facility's discharge to the land application area are addressed by coverage and compliance with the ILRP. Therefore, at this time, the Discharger is not required to submit a separate NOI for the Nitrate Control Program as part of enrollment under the Small Food Processor Waiver provided that the land application areas receiving the Facility's discharge are enrolled under and comply with the ILRP.

As part of the Annual Monitoring Reports due **1 February** of each year, the Discharger is required to provide confirmation that all land application areas receiving Facility wastewater are still enrolled under the ILRP. Specifically, in addition to submitting the information required by Attachment B of the Waiver, the Discharger is also required to:

1. Collect a sample the wastewater at least once per year to calculate the nitrogen load to the land application area from wastewater applications (per the Waiver and ILRP) and include the data in the Annual Report;
2. Submit confirmation that the Member(s) have paid their ILRP Coalition fees and associated Management Zone fees;
3. Submit confirmation that all required Farm Evaluation and Irrigation Nitrogen Management Plan Summary Reports for the ILRP program due 1 March of each year were submitted. Confirmation can be provided in an email submitted by 1 March; and
4. Complete all domestic well monitoring as required by the ILRP.

All other terms and conditions stipulated in the existing NOA R5-2020-0002-0037 including the monitoring and reporting requirements specified in Attachment B of the Waiver still apply.

If you have any questions regarding this modification, please contact Katie Carpenter at (559) 445-5551 or by email at Katie.Carpenter@waterboards.ca.gov.

Original Signed by Clay L. Rodgers for:
Patrick Pulupa
Executive Officer

Enclosure: Notice of Applicability R5-2020-0002-0037 (Discharger only)

cc w/o encl:

- Christopher Moskal, State Water Resources Control Board (via email)
- Omar Mostafa, Central Valley Water Board, Fresno (via email)
- Eric Warren, Central Valley Water Board, Fresno (via email)
- RB5S-cvsalts@Waterboards.ca.gov
- Carrie Larson, B&C Packing, Inc., Kingsburg (via email)