



Central Valley Regional Water Quality Control Board

Meena Packing Facility
Meena Packing Company Inc.
27199 Gun Club Road
Gustine, CA 95322

CERTIFIED MAIL
7021 1970 0001 5446 5976

NOTICE OF APPLICABILITY

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

MEENA PACKING COMPANY, INC.
MEENA PACKING FACILITY
MERCED COUNTY
(ENROLLEE # R5-2020-0002-0113)

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 Notice of Intent (NOI) received 2 October 2023, requesting to enroll Meena Packing Facility (Facility) in Merced County under Tier 3 conditions of the Waiver. The Facility is an existing facility in Merced County but will be a new cherry packing facility that is looking to start operations by 15 April 2024.

Tier 3 allows land application of up to 1,000,000 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 amount must be disposed of offsite at an appropriately permitted facility.

Based on the information provided in the NOI, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned **enrollee number R5-2020-0002-0113**. 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

DISCHARGE DESCRIPTION

Meena Packing Company Inc. (Discharger) owns and operates the Meena Packing Facility (Facility) at 27199 Gun Club Road in Merced County as shown in Attachment A. Proposed facility operations include washing and packing cherries prior to shipping. The Discharger estimates that about 9,000 tons of cherries will be processed through the Facility and that the Facility will produce about 540,000 gallons of wastewater annually during the processing season from April to May. The following five different cleaning and sanitizing solutions will be used in the wash water process (the volumes are on an annual basis): 25 gallons of Chlor-Cling 937, 6 gallons of Ever-Kleen 9243, 300 gallons of Parasan A 5.6%, 90 gallons of Stop-It, and 10 gallons of Scholar.

The wastewater flows into floor drains, which flow by gravity through an underground pipe to a centralized concrete box, where it is pumped to a 10,000-gallon above ground storage tank. From this tank, the wastewater is pumped to adjacent orchards for irrigation. The storage tank is equipped with sensors to monitor wastewater levels to avoid any overflow. The wastewater will be discharged to the Land Application Area (LAA) where cherry trees will be irrigated via double line drip hose adjacent to the trees. The LAA consists of approximately 90 acres of cherry trees, owned by Satyam Farms LLC, and within Assessor's Parcel Numbers (APN) 063-200-031 and 063-200-025.

The LAA was historically used for land application of wastewater from a dairy (Joe and Maria Mendoca Dairy), including a wastewater pond on a portion of the property. The dairy pond has since been cleared and the area regraded when the dairy ceased operations. Central Valley Water Board staff inspected the site on 15 of November 2023 and determined that no further issues were identified that needed to be corrected as part of the closure. The LAA's where the dairy site would discharge wastewater are under the Irrigated Lands Regulatory Program (ILRP). Please note the Discharger needs to transfer the LAA's to their name to continue being a part of the ILRP.

The Discharger estimates that about 15 tons of residual solids, consisting primarily of leaves and stems, will be generated during harvesting season each year. According to the NOI the solids will be sent to an off-site composting or recycling site.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) 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). The Basin Plan amendments were revised by the Central Valley Water Board in 2020 with [Resolution R5-2020-0057](#) and became effective on 17 January 2020.

(https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf).

For salinity, dischargers that are unable to comply with stringent salinity requirements will instead need to meet performance-based requirements and participate in a basin-wide planning effort to develop a long-term salinity strategy for the Central Valley.

For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternative compliance approaches that involve providing replacement drinking water and other actions to persons affected by nitrates. Dischargers can comply with the new nitrate program either individually (Path A) or collectively with other dischargers (Path B).

The Central Valley Water Board received a Notice of Intent (NOI) from the discharger for this Facility (CV-Salts ID: 3647), on 4 January 2024, intending to enroll in the P&O Study (Path 2).

For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternative compliance approaches that involve providing replacement drinking water and other actions to persons affected by nitrates. Dischargers can comply with the new nitrate program either individually (Path A) or collectively with other dischargers (Path B). The Discharger only applies wastewater from the Facility to lands covered by the Irrigated Lands Regulatory Program (ILRP). Lands enrolled under the ILRP within Priority 2 areas (Delta-Mendota) are currently being developed to participate 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. Therefore, 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. The Discharger, at this time, is not required to submit a separate Notice of Intent (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 discharge are enrolled under and comply with the ILRP. As part of the Annual Monitoring Report due 1 February of each year (see below), the Discharger is required to provide confirmation that all land application areas receiving Facility wastewater are still enrolled under the ILRP.

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 **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 2024 Annual Monitoring Report is due **1 February 2025**.

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

Central Valley Water Board staff are currently working on a General Order for Fruit and Vegetable Packing Facilities to which may be available to apply to once this Waiver expires in February 2025.

DOCUMENT SUBMITTALS

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50 MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Facility Name: Meena Packing Company Inc.
Program: Non-15
Order: R5-2020-0002-0113
CIWQS Place ID: 891030

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 Omar Mostafa. Mr. Mostafa can be reached at (559) 445-5197 or Omar.Mostafa@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 Salvador Vargas. Salvador Vargas can be reached at (559) 445-2488 or by email at Salvador.Vargas@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 Order 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 at [Copies of the laws and regulations applicable to filing petitions](https://www.waterboards.ca.gov/public_notices/petitions/water_quality) (https://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

Original Signed by Alexander S. Mushegan
For Patrick Pulupa
Executive Officer

(see next page for Attachments, Enclosures, and cc's)

Attachments:

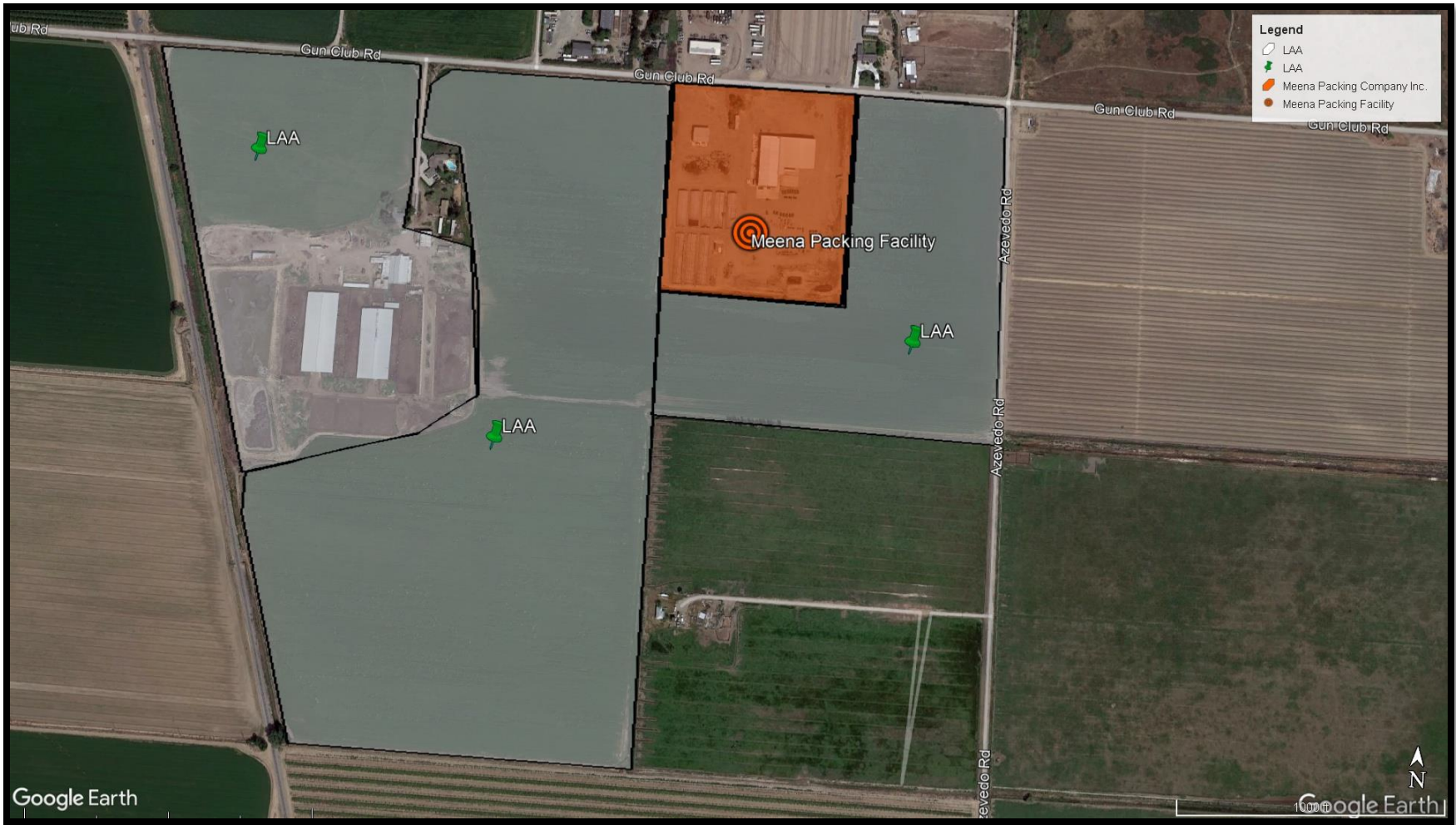
- Attachment A: Site Map

Enclosure:

- Resolution R5-2020-0002 Waiver and Attachments (Discharger Only)

cc w/o encl:

- Christopher Moskal, State Water Resources Control Board, OCC, Sacramento (via email)
- Omar Mostafa, Central Valley Water Board, Fresno (via email)
- Laurel Warddrip, State Water Resources Control Board, DWQ, Sacramento (via email)
- Kurt Souza, State Water Resources Control Board, Division of Drinking Water (via email)
- Merced County Public Works Department, Merced, CA (via email)
- Merced County Environmental Health Division (via email)
- RB5S-cvsalts@waterboards.ca.gov
- Jeremiah D. Jackson, J2Environmental, Whitethorn, CA (via email)



ATTACHMENT A – SITE MAP
RESOLUTION NO. R5-2020-0002-0113
MEENA PACKING COMPANY INC.
MERCED COUNTY