ATTACHMENT A - CONDITIONS OF DISCHARGE

RESOLUTION R5-2025-XXXX

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

A. Applicability

This Waiver shall only apply to small food processors meeting the criteria listed below. Coverage under this Waiver will only be granted to dischargers who meet the criteria, submit a complete Report of Waste Discharge (RWD) or Notice of Intent (NOI), as applicable, and receive a Notice of Applicability (NOA) signed by the Executive Officer.

1. The Waiver applies to all small food processors[1] that land apply less than 1,000,000 gallons of process wastewater per year[2] at reasonable agronomic loading rates for nutrients and reasonable hydraulic loading rates for water.

2. The Waiver applies to small food processors that land apply residual solids associated with processing that results in generation of less than 1,000,000 gallons of wastewater per year.

3. Wastewater and residual solids storage and land application methods must comply with the Specific and General Conditions listed herein.

B. Regulatory Tiers and Application Requirements

Discharges authorized under this Waiver are grouped into three regulatory tiers based on the wastewater management practices employed and the amount of waste discharged to land. The application requirements, fees (if any), and monitoring and reporting requirements are linked to and commensurate with the complexity of the discharge regulated under each tier. The Waiver tiers are summarized in the following table and application requirements are discussed further below the table.

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1 For the purposes of this Waiver, the term “food processor” includes nut hulling operators, crop seed processors, and any other agricultural commodity processing operator generating waste substantially similar in character to the wastes described in the Initial Study dated 31 October 2014. “Food processor” does not include wineries, meat processors, slaughterhouses, and pistachio nut hullers, as such operators not eligible for enrollment under this Waiver.

2 The volume of wastewater per ton of commodity processed will vary

Table 1—Summary of Waiver Tiers

Waiver Tier	Allowed Management Practices and Discharge Amounts	Application Requirements and Fees
1	▯ Land application of up to 10,000 gallons of process wastewater per year for irrigation of landscaping or crops. ▯ Land application of residual solids associated with generation of up to 10,000 gallons of process wastewater per year as a soil amendment for landscaped or cropped areas.	▯ Submit RWD (completed Form 200[3] and NOI form[4]). ▯ No fee is required. ▯ Coverage is subject to approval by the Executive Officer, who will issue a NOA granting coverage.
2	▯ Land application of up to 100,000 gallons of process wastewater per year for irrigation of landscaping or crops. ▯ Land application of residual solids associated with generation of up to 100,000 gallons of process wastewater per year as a soil amendment for landscaped or cropped areas.	▯ Submit a RWD (completed Form 200[3] and Technical Information Form[5]). ▯ Submit a one-time application fee for a threat and complexity rating of 3C[6]. ▯ Coverage is subject to approval by the Executive Officer, who will issue a NOA granting coverage.

3 Form 200 can be downloaded from the State Board website at (http://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf)

4 A blank Notice of Intent form to apply for coverage under Tier 1 is in Attachment C.

5 A blank Technical Information Form to apply for coverage under Tiers 2 and 3 is included in Attachment C.

6 The annual fee is subject to review and revision by the State Water Resources Control Board each year. Any rate changes adopted by the State Water Board will become effective in the first annual billing cycle after adoption.

Waiver Tier	Allowed Management Practices and Discharge Amounts	Application Requirements and Fees
3	□ Land application of up to 1,000,000 gallons of process wastewater per year for irrigation of landscaping or crops with a minimum of 1.0 acres of land application area per 100,000 gallons of wastewater. □ Land application of residual solids associated with generation of up to 1,000,000 gallons of process wastewater per year as a soil amendment for landscaped or cropped areas with a minimum of 1.0 acres of land application area per 100,000 gallons of wastewater.	□ Submit a RWD (completed Form 200[3] and Technical Information Form[5]). □ Submit an application fee for a threat and complexity rating of 3C[6]. An annual fee will be billed at the same rate for each subsequent year of coverage up to a maximum of 5 years following adoption of this Resolution. □ Coverage is subject to approval by the Executive Officer, who will issue a NOA granting coverage.

Each discharger applying for coverage under Tier 2 or 3 must submit a RWD and dischargers enrolling under Tier 1 must submit a NOI to apply for coverage under the Waiver as follows:

1. Existing dischargers, regardless of whether coverage was granted under the previous Waiver (Resolution R5-2020-0002) shall submit a RWD and fee, as applicable, to apply for coverage under this Waiver within **90 days** of adoption of this Waiver[7, 8].

2. Existing dischargers who received a NOA under Resolution R5-2020-0002 that was dated between 1 January 2024 and 20 February 2025, and whose discharge still qualifies for enrollment in Tiers 1 or 2, shall reaffirm their intent to comply with the requirements of this Resolution in writing within **90 days** of adoption of this Waiver. A Revised NOA will be issued, but no additional fee (i.e., for Tier 2 enrollees) will be required.

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7 If an existing Discharger does not meet the applicability criteria above, the Discharger must cease any discharge to land or submit a RWD to apply for individual WDRs within**120 days** of adoption of this Waiver.

8 This requirement does not apply to nut hulling operations. However, nut hulling facility operators may voluntarily apply for coverage.

3. New small food processors that have not begun operation as of the date of adoption of this Waiver shall submit a RWD at least **120 day**s before the anticipated date of first discharge.

4. Any discharger issued a NOA under this Waiver whose facilities or operations subsequently expand such that coverage under a higher tier of the Waiver is appropriate shall submit a new RWD for the appropriate tier at least **120 days** before the anticipated date of increased discharge volume. For discharges that move from Tier 2 to Tier 3, a new fee is not required to apply for coverage under Tier 3, but the discharger will become subject to the annual fee beginning in the first State fiscal year[9] in which the tier change takes place.

5. To apply for coverage under this Waiver, the discharger shall submit a RWD consisting of the following:

   a. **For Tier 1:** A completed Form 200, Notice of Intent (NOI) Form, and a scaled map depicting land application areas and nearby surface waters[10].

      The Form 200 and relevant instructions are available online on the State Water Board website (http://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf). The NOI Form is included in **Attachment C**.

   b. **For Tiers 2 and 3**: The following must be included:

      i. **A completed Form 200, Technical Information Form, and a scaled map** depicting land application areas and nearby surface waters[10].

         The Form 200 and relevant instructions are available online on the State Water Board website (http://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf). The Technical Information Form is included in **Attachment C**.

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9 The State fiscal year is 1 July through 30 June. Invoices for annual fees for a given fiscal year are typically issued by the State Water Board in the first four months of that fiscal year (i.e., in the fall).

10 Guidance for map development is provided in the Tier 2/3 Technical Information Form included in Attachment C.

ii. **A fee for a threat and complexity of "3C"** as described in California Code of Regulations, title 23, section 2200. The fee shall be submitted in the form of a check made payable to *State Water Resources Control Board*. The current fee schedule can be downloaded from the State Water Board's Fees website: (http://www.waterboards.ca.gov/resources/fees/#wdr).

Applicants are encouraged to contact Central Valley Water Board staff for assistance in determining the fee.

iii. Demonstration that the Facility is in compliance with the **Salt Control Program**. For new or expanding permittees, dischargers must include a Salt Notice of Intent with the RWD (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_temps_guide/salt_noi_form.pdf). For existing regulated facilities, the discharger shall provide proof that the facility is an active participant in the Prioritization and Optimization (P&O) Study and has paid all outstanding fees to the P&O Study.

iv. Demonstration that the Facility is in compliance with the ***Nitrate Control Program*** (if applicable). To determine whether a facility is located in a priority management basin/sub-basin (e.g., Priority 1 and 2 basins), dischargers can use the following link (https://www.cvsalinity.org//nitrate-program/find-your-management-zone/). If the Discharger is located in a priority management basin/sub-basin, the discharger must demonstrate compliance with the Nitrate Control Program. For new or expanding permittees, the discharger must provide a Nitrate Notice of Intent with the RWD (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_temps_guide/). For existing regulated facilities, the discharger shall provide proof that the facility is an active participant in their local Management Zone. Alternatively, for facilities (previously regulated and unregulated) that only discharge wastewater to land application areas regulated by the Irrigated Lands Regulatory Program (ILRP), the discharger may demonstrate compliance with the Nitrate Control Program by confirming that all land application areas receiving facility wastewater and solids are in good standing with ILRP, which includes providing confirmation of the following:

- The Member(s) have paid their ILRP Coalition fees and any associated Management Zone fees;

- The Member(s) have turned in all required Farm Evaluation and Irrigation Nitrogen Management Plan Summary Reports on time; and

- The Member(s) must complete all domestic well monitoring as required by the ILRP program.

c. **For all tiers**, evidence that the operation is already covered or specifically excluded from obtaining coverage under State Water Resources Control Board Order WQ 2014-0057-DWQ, *General Permit for Storm Water Discharges Associated With Industrial Activities* (NPDES No. CAS000001) (or any subsequent Order)[11]. One of the following is acceptable:

   i. A copy of the Notice of Intent that has been submitted to apply for coverage under Order 2014-0057-DWQ or subsequent revision thereto;

   ii. A Notice of Non-Applicability (NONA); or

   iii. A No Exposure Certification (NEC).

d. **For all tiers**, a copy of any draft and final environmental review documents prepared to comply with the California Environmental Quality Act (CEQA) must be submitted unless:

   i. The application is for an existing discharge and the discharge will not expand or otherwise change significantly during the term of the Waiver; or

   ii. The local planning agency (city or county, as applicable) or another public agency has determined that the project, including the waste discharge (or expansion, changes, etc.) is exempt from CEQA review. In this case, submit a copy of the Notice of Exemption or other relevant correspondence issued by the planning agency.

e. **For all tiers,** if requested by Central Valley Water Board staff, chemical analysis of the waste for key waste constituents, which typically include biochemical oxygen demand (BOD), total nitrogen, pH, electrical conductivity, and/or fixed dissolved solids (FDS).

C. Discharge-Specific Conditions

Dischargers regulated under all tiers shall comply with the following Specific Conditions:

1. The discharge shall not create or threaten to create a condition of pollution, contamination, or nuisance, as those terms are defined by Water Code section 13050.

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[11] Order 2014-0057-DWQ will expire on 30 June 2020.

2. The discharge of waste classified as “hazardous” under California Code of Regulations, title 23, section 2521, or as “designated” under Water Code section 13173, is prohibited.

3. The discharge of waste to wetlands, surface waters, or surface water drainage courses is prohibited[12].

4. The use of ponds for wastewater treatment, storage, or disposal, except for seasonal temporary use of shallow storage ponds used for nut hulling wash water, is prohibited.

5. Ponds may be used only for temporary storage of nut hulling wash water **between 1st August and 31st December each year** if all the following conditions are met:

    a. Ponds shall be operated and maintained to ensure compliance with Specific Condition C.3, above.

    b. The water table shall be at least five feet below the base of any pond.

    c. The pond water depth shall be no greater than five feet at any time in any pond.

    d. A minimum of one feet of freeboard, as measured from the water surface in any pond to the surrounding grade, shall be maintained at all times.

    e. The discharger shall begin land applying wastewater from each pond as soon as practical to minimize the duration of pond use and depth of water.

    f. The dissolved oxygen concentration in the upper one foot of any pond shall not be less than 1.0 mg/L.

    g. Discharge to any pond shall cease and all ponds shall be completely drained by **31 December each year**. Draining includes removal of all water, visible residual solids, and other organic matter.

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12 Surface waters include, but are not limited to, natural streams, lakes, wetlands, creeks, constructed agricultural drains, agricultural dominated waterways, irrigation and flood control channels, or other non-stream tributaries. Surface waters include all waters of the United States and their tributaries, interstate waters and their tributaries, intrastate waters, and all impoundments of these waters. For the purposes of this Waiver, surface waters do not include water in agricultural fields.

h. Ponds shall be backfilled with soil, or runoff controls shall be installed to prevent storm water runoff from entering the pond, **between 1 January and 30 June of the following year**.

6. Process wastewater and residual solids shall not be discharged to any septic system or subsurface disposal systems such as a leach field.

7. Process wastewater and residual solids applied to land shall not contain stillage waste, water softener regeneration brine, boiler blowdown, or other high salinity waste.

8. **For Tier 2 and Tier 3**, land application areas for wastewater and residual solids shall be limited to those expressly described and mapped in the RWD.

9. **For Tier 3**, the Discharger shall maintain and use at least one acre of cropland and/or landscaped area for each 100,000 gallons of wastewater and/or equivalent mass of residual solids applied to land each year. Land application areas for wastewater and residual solids may have a combined use (for example, a one-acre land application area may receive 100,000 gallons of wastewater plus the associated residual solids per year, etc.).

10. Objectionable odors due to the storage and/or land application of process wastewater or residual solids shall not be perceivable beyond the limits of the property owned by the Discharger.

11. The Discharger shall take all reasonable steps to reduce the salinity of the wastewater that is applied to land. These steps shall include, at a minimum:

    a. Minimize the use of salt-containing additives in the process water and minimize the discharge of chemicals into the wastewater stream;

    b. Minimize the use of non-biodegradable cleaners and other chemicals; and

    c. When feasible, remove dry or solid wastes from equipment and floors before washing to prevent introduction of soluble waste constituents into the wastewater conveyance system.

12. If wastewater is stored on-site prior to land application or off-site disposal:

    a. Wastewater shall be fully contained in one or more tanks so that the waste does not contact the ground.

    b. Wastewater shall be removed from storage tanks before capacity is reached and land applied or transported off-site for disposal immediately upon removal.

13. If wastewater is applied to land:

    a. Wastewater shall not be applied to land during rainfall or when the ground is saturated.

    b. Wastewater shall be applied to cropland or landscaped areas at a rate consistent with the water needs of the crop or vegetation grown in the land application area and at rates that do not exceed crop demand for nitrogen, including nitrogen loads from all sources (e.g., wastewater, residual solids, manure, and commercial fertilizer).

    c. Wastewater shall not be applied within 25 feet of a water supply well.

    d. Wastewater shall not be applied within 25 feet of a surface water or surface water drainage course unless the land application area is graded or bermed to prevent discharge of runoff into the drainage course.

    e. Wastewater shall be evenly applied across the entire land application area.

14. If residual solids are temporarily stored on-site prior to land application or off-site disposal:

    a. Residual solids shall be fully contained so that the waste does not contact the ground.

    b. Residual solids shall be stored such that any leachate or storm water that contacts the waste is managed as wastewater in accordance with the conditions of this Waiver.

    c. Residual solids drying and/or storage areas shall be designed, constructed, operated, and maintained to prevent the washout or inundation due to floods with a 100-year return frequency.

15. Residual solids shall be removed from storage tanks or areas before capacity is reached and land-applied or transported off-site for disposal immediately upon removal.

16. If residual solids are applied to land:

    a. Land application methods, rates, and management practices shall be in accordance with those proposed in the RWD unless the Discharger finds that specific changes are necessary to ensure continued compliance with the conditions of the Waiver.

    b. If residual solids that contain free liquids are applied to land, the Discharger shall ensure that all liquid is absorbed into the soil within 12 hours of application and that no liquid runs off the application area.

c. Residual solids shall be applied to land at rates that do not exceed crop demand for plant nutrients based on the nutrient content of the solids, the nutrient requirements of the crops or other vegetation grown on the land application area, and the amount of other forms of fertilizer used.

d. Residual solids shall be evenly applied across the entire land application area.

e. Dry, nonputrescible[13] matter (e.g., dry nut hulls) may be segregated from the rest of the residual solids and applied to the Discharger's property, including dirt roads, for erosion or dust control. However, such waste must be applied in a manner that prevents displacement by runoff into surface waters during storm events.

f. On-site composting is not authorized by this Waiver. Any on-site composting shall comply with the composting regulations found in California Code of Regulations, title 14, division 7, chapter 3.1 and may require authorization from the Central Valley Water Board under a separate permit or waiver, as applicable.

17. Land application of putrescible solids[13] shall be conducted in accordance with the following requirements, which are in addition to those in Specific Condition C.16 above:

a. Residual solids shall not be applied within 25 feet of a surface water drainage course unless the land application area is graded or bermed to prevent discharge of runoff into the drainage course.

b. Residual solids shall not be applied within 25 feet of a water supply well.

c. Residual solids shall not be applied to land during rainfall or when the land application area is saturated.

d. The total annual loading rate for putrescible residual solids shall not exceed the rate specified in Specific Condition C.16.c, or a total thickness of two inches, whichever is more restrictive.

D. General Conditions

Dischargers regulated under all Waiver tiers shall comply with the following General Conditions.

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[13] For the purpose of this Waiver, putrescible solids are residual solids that contain readily decomposable organic matter and moisture such that they are likely to create objectionable odors and attract insects under ambient outdoor conditions.

1. The Discharger shall comply with **Monitoring and Reporting Program Order (MRP) R5-2025-XXX** in **Attachment B**, and with any revisions thereto as ordered by the Executive Officer.

2. The discharge of any waste not specifically regulated by this Waiver is prohibited unless the Discharger obtains WDRs, qualifies for coverage under another waiver, or obtains other authorization from the Central Valley Water Board for the discharge of that waste.

3. Before making a material change in the character, location, or volume of discharge, the Discharger shall submit a new RWD to the Central Valley Water Board. A material change includes, but is not limited to, the following:

    a. An increase in area to be used for land application of wastewater or residual solids beyond that specified in the original RWD.

    b. A significant change in disposal method, location of discharge, or volume of waste discharged.

    c. The addition of a new process or product by an industrial facility resulting in a change in the character or volume of waste.

4. A copy of the Waiver (including its attachments) and the NOA shall be kept at the facility for reference by operating personnel. Key operating and site management personnel must be familiar with the documents.

5. The RWD, monitoring reports, and any other information requested by the Central Valley Water Board shall be signed as follows:

    a. For a corporation: by a principal executive officer of at least the level of senior vice-president or a duly authorized representative of that person.

    b. For a partnership or sole proprietorship: by a general partner or the proprietor or a duly authorized representative of that person.

    c. For a municipality or public agency: by either a principal executive officer or ranking elected or appointed official or a duly authorized representative of that person.

6. Any person signing a RWD, monitoring report, or other technical report makes the following certification, whether written or implied:

> I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

7. All technical and monitoring reports submitted pursuant to this Waiver are required pursuant to Water Code section 13267. Failure to submit reports in accordance with schedules established by this Waiver, the attachments of this Waiver, or failure to submit a report of sufficient technical quality, may subject the Discharger to enforcement action pursuant to Water Code section 13268.

8. This waiver is not transferable. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Waiver by letter and shall inform the new owner or operator of the requirement to submit a RWD at least **120 days** before commencing operation of the facility. A copy of the letter shall be immediately forwarded to the Executive Officer.

9. In the event that the Discharger does not comply, or will be unable to comply, with any conditions of this Waiver, the Discharger shall notify Central Valley Water Board staff by telephone as soon as it or its agents have knowledge of such noncompliance or potential for noncompliance and shall confirm this notification in writing within two weeks. The written notification shall state the nature, time, and cause of noncompliance, shall describe the measures being taken to prevent recurrences, and shall include a timeline for corrective actions.

10. The Discharger shall permit Central Valley Water Board representatives to (a) enter premises where wastes are stored or disposed of, (b) copy any records required to be kept under the terms of this Waiver, (c) inspect monitoring equipment required by this Waiver, and (d) sample, photograph, and video tape any discharge, waste, waste management unit, or monitoring device.

11. The Discharger shall comply with all federal, state, county, and local laws and regulations pertaining to the discharge.

12. It shall not be a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce its activity in order to maintain compliance with conditions of this Waiver.

13. The Discharger must comply with all conditions of this Waiver, including timely submittal of all monitoring reports as applicable. Violations may result in enforcement action as described in the Waiver Resolution.

14. Except for material determined to be confidential in accordance with California law and regulations, all reports prepared in accordance with terms of this Waiver will be available for public inspection at the Central Valley Water Board offices. Data on waste discharges, water quality, geology, and hydrogeology will not be considered confidential.

ATTACHMENT B – MONITORING AND REPORTING PROGRAM ORDER

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
CENTRAL VALLEY REGION

RESOLUTION R5-2025-00XX

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

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MONITORING AND REPORTING PROGRAM ORDER R5-2025-XXXX

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

This Monitoring and Reporting Program Order (MRP) describes requirements for monitoring discharges from small food processors that are regulated under Resolution R5-2025-XXXX, *Waiver of Waste Discharge Requirements for Small Food Processors within the Central Valley Region* (Waiver).

This MRP is issued pursuant to Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

Each Discharger granted coverage under the Waiver shall submit a quarterly monitoring report during the process season no later than the **first day of the second month after the quarter ends** (e.g. the January-March Quarterly Report is due by 1 May). The report shall describe process-waste management activities during the previous calendar year and shall contain the following information. Dischargers are encouraged to use the attached *Quarterly Monitoring Report* form for this purpose but are not required to do so.

TIER 1 – Annual Monitoring and Information Requirements

A. Volume of wastewater that was applied to land and a statement indicating the method of determining wastewater volume. The 4th Quarter Monitoring Report shall include a statement verifying that no more than 10,000 gallons of wastewater and residual solids were land applied.

B. A statement verifying compliance with the discharge conditions and specifications of the Waiver.

C. For any nut huller that used a wash water storage pond, a statement verifying compliance with Specific Conditions C.5.a through C.5.f. in Attachment A.

D. A discussion of any violations of Waiver conditions during the reporting period and actions taken or planned for correcting noted violations, such as operational or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory.

E. The Statement of Certification in this document.

TIER 2 AND 3 – Quarterly Monitoring Report Requirements

A. Volume of wastewater that was applied to land and a statement indicating the method of determining wastewater volume. The 4th Quarter Monitoring Report shall include a statement verifying that no more than 100,000 gallons for Tier 2 and 1,000,000 gallons for Tier 3 of wastewater and residual solids were land applied.

B. A statement verifying compliance with the discharge conditions and specifications of the Waiver.

C. A discussion of any violations of Waiver conditions during the reporting period and actions taken or planned for correcting noted violations, such as operational or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory.

D. Commodity processing: Data table showing the monthly amount (weight or volume) of commodities processed during the calendar year (e.g., a prune dehydrator would report green tons).

E. Wastewater management and land application:

1. A data table showing the total gallons of wastewater produced each month during the calendar year.

2. A statement specifying how flow measurements were made.

3. A description of how wastewater was fully contained such that waste did not contact the ground (except for nut huller wash water ponds) during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

4. An estimate of the total nitrogen loading to the land application area for the calendar year, with calculations showing the contribution from each nitrogen source in lb/ac/year.

5. A discussion of actions taken to reduce the salinity of the wastewater applied to land.

F. Residual solids management and land application:

1. An estimation of the amount of residual solids generated each month.

2. A description of how and where residual solids were stored.

3. The amount of residual solids disposed of on-site and the amount of residual solids removed for disposal off-site.

4. A description of how residual solids were fully contained such that waste did not contact the ground during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

G. Land application area:

1. The total acreage that wastewater and/or residual solids were applied and whether they were applied to the same area.

2. A data table showing the volume of wastewater and amount of residual solids land applied each month during the calendar year.

3. The crop(s) or vegetation grown.

4. A description of how wastewater and residual solids were applied evenly over the entire acreage and how runoff was kept out of surface waters.

H. Wastewater ponds (nut hullers only):

1. Approximate maximum pond water depth that occurred during the monitoring year.

2. Date that ponds were either backfilled or controls were installed to prevent storm water runoff into the ponds.

3. Description of controls installed to prevent storm water runoff into the ponds.

I. For dischargers that previously demonstrate compliance with the Nitrate Control Program by confirming all wastewater and solids are applied to lands regulated by the Irrigated Lands Regulatory Program (ILRP), the discharger shall provide the following in the 4th Quarterly Monitoring Report to confirm all land application areas receiving facility wastewater/solids are in good standing with ILRP:

1. The Member(s) have paid their ILRP Coalition fees and any associated Management Zone fees;

2. The Member(s) have turned in all required Farm Evaluation and Irrigation Nitrogen Management Plan Summary Reports on time;

3. The Member(s) must complete all domestic well monitoring as required by the ILRP program.

J. The Statement of Certification in this document.

TIER 3 – Quarterly Monitoring Report Requirements

A. Volume of wastewater that was applied to land and a statement indicating the method of determining wastewater volume. The 4th Quarter Monitoring Report shall include a statement verifying that no more than 1,000,000 gallons of wastewater and residual solids were land applied.

B. A statement verifying that all waste applied to land was applied evenly to at least one acre of land per 100,000 gallons of wastewater.

C. A statement verifying compliance with the discharge conditions and specifications of the Waiver.

D. A discussion of any violations of Waiver conditions during the reporting period and actions taken or planned for correcting noted violations, such as operational or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory.

E. Commodity processing: Data table showing the monthly amount (weight or volume) of commodities processed during the calendar year (e.g., prune dehydrator would report green tons).

F. Wastewater management and land application:

    1. A data table showing the total gallons of wastewater produced each month.

    2. A statement specifying how flow measurements were made.

    3. A description of how wastewater was fully contained such that waste did not contact the ground (except for nut huller wash water ponds) during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

    4. An estimate of the total nitrogen loading to the land application area for the calendar year, with calculations showing the contribution from each nitrogen source in lb/ac/year.

    5. A discussion of all actions taken to reduce the salinity of the wastewater applied to land.

G. Residual solids management and land application:

    1. An estimation of the amount of residual solids generated.

    2. A description of how and where residual solids were stored prior to land application or off-site disposal.

3. The amount of residual solids applied on-site and the amount of residual solids removed for disposal off-site.

4. A description of how residual solids were fully contained such that waste did not contact the ground during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

H. Land application area:

1. A satellite aerial photo or scaled map marked to show the boundaries of wastewater and residual solids application.

2. A data table showing the monthly volume of wastewater and amount of residual solids applied per one acre. Describe how the volume of wastewater flow and amount of residual solids were measured or estimated.

3. The total acreage that wastewater and/or residual solids were applied and whether they were applied to the same area.

4. The crop(s) or vegetation grown in the land application area, dates of planting and dates of harvest (as applicable).

5. A description of how wastewater and residual solids were applied to ensure even application over the entire acreage and how tailwater runoff was kept out of surface waters.

I. Wastewater ponds (nut hullers only):

1. Approximate maximum pond water depth that occurred during the monitoring year.

2. Date that ponds were either backfilled or controls were installed to prevent storm water runoff into the ponds.

3. Description of controls installed to prevent storm water runoff into the ponds.

J. The Statement of Certification in this document.

FOR ALL TIERS:

If the Discharger elects not to use the attached monitoring report form, a transmittal letter shall accompany each Quarterly Monitoring Report for Tier 1 and Tier 2 facilities and Annual Monitoring Report for Tier 1 facilities. The letter shall clearly identify the Discharger name, facility name, mailing address, and county. The transmittal letter shall contain the following certification statement and the signature of the Discharger or the Discharger's authorized representative.

> *Statement of Certification:*
>
> *I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Monitoring Reports shall be converted to searchable Portable Document Format (pdf) and submitted electronically in accordance with the document submittal procedures as provided in the Notice of Applicability.

The Discharger shall implement the above monitoring program as of the date of the Notice of Applicability granting coverage under the Waiver.

Noncompliance with the conditions of this MRP may result in enforcement action, including but not limited to, termination of coverage under the Waiver, or assessment of administrative civil liability (i.e., monetary penalties) up to $1,000 per violation per day, depending on the violation, pursuant to Water Code section 13268. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Resolution, except that if the 30th day following the date of this Resolution falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.pm on the next business day. Copies of the law and regulations applicable to filing petitions will be provided upon request, or may be found on the State Water Board Water Quality Petitions webpage: (http://www.waterboards.ca.gov/public_notices/petitions/water_quality).

I, PATRICK PULUPA, Executive Officer, do hereby certify that the foregoing is a full and correct copy of a Monitoring and Reporting Program Order issued by the California Regional Water Quality Control Board,
Central Valley Region on XX February 2025.

PATRICK PULUPA, Executive Officer

MONITORING AND REPORTING PROGRAM R5-2025-00XX

MONITORING REPORT FORM

Note: The following is a Monitoring Report form that complies with the reporting requirements set forth in the Waiver and the MRP. Dischargers are not required to use this form but are encouraged to do so. Any monitoring report forms developed by a discharger must contain the same information and comply with the Waiver and the MRP. The Quarterly Monitoring Report is due no later than
first day of the second month after the quarter ends (e.g. the January-March Quarterly Report is due by 1 May)

Quarterly Monitoring Reports shall be converted to searchable Portable Document Format (pdf) and submitted electronically in accordance with the document submittal procedures as provided in the Notice of Applicability.

RESOLUTION R5-2025-XXXX
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION

QUARTERLY MONITORING REPORT: _____
quarter/year

Facility Owner: _____

Facility Name: _____

Facility Address: _____

County: _____

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments, and that based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine.

_____
Signature Date

_____
Printed Name Phone

INSTRUCTIONS

TIER 1 facilities complete Sections A – C
TIER 2 facilities complete Sections A – H
TIER 3 facilities complete Sections A – I

A. TYPE OF OPERATION (check all appropriate boxes)

☐	Brewery	☐	Cannery
☐	Olive Oil Processing	☐	Nut Huller
☐	Seed Oil Processing	☐	Seed Washing
☐	OTHER – describe:		_____

B. VERIFY COMPLIANCE WITH THE CONDITIONS OF DISCHARGE

1.a	Yes	No	**For TIER 1 facilities** – Was more than 10,000 gallons of wastewater or associated residual solids applied to land?
1.b	Yes	No	**For TIER 2 facilities** – Was more than 100,000 gallons of wastewater or associated residual solids applied to land?
1.c	Yes	No	**For TIER 3 facilities** – Was more than 1,000,000 gallons of wastewater or associated residual solids applied to land or applied at a rate greater than 100,000 gallons per acre?
2.	Yes	No	Was wastewater or residual solids associated with slaughterhouses (or other meat processing) discharged to land?
3.	Yes	No	Was stillage, water softener regeneration brine, reverse osmosis brine, boiler blowdown, or other high salinity wastes discharged to land?
4.	Yes	No	Was wastewater discharged to a septic system?
5.	Yes	No	Was a pond used for treatment, storage, or disposal of wastewater (other than a pond used for nut hulling wash water)?
6.	Yes	No	Was process waste applied to land not owned by the Discharger?
7.	Yes	No	Did temporarily stored process waste contact the ground prior to land application (other than nut hulling wash water in a pond)?
8.	Yes	No	Was process waste applied to land during rainfall or when the land application area was saturated?
9.	Yes	No	Did process waste application occur such that it was not evenly distributed over the land application area?
10.	Yes	No	Was process waste applied in such a way that the water or nutrient needs of the crop or vegetation in the land application area were exceeded?

11.	Yes	No	Was process waste applied less than 25 feet from surface water or a surface water drainage course without a berm or an uphill grade in place?

Were residual solids stored on site prior to land application or off-site disposal?

If YES, answer questions 12 and 13.

12.	Yes	No	Did residual solids or the run-off from residual solids contact the ground during storage?
13.	Yes	No	Were residual solids stored in an area that may experience washout or inundation due to floods with a 100-year return frequency?

Were residual solids applied to land?

If YES, answer questions 14 through 22.

14.	Yes	No	Did land application methods, rates, or management practices differ than what was described in the Report of Waste Discharge?
15.	Yes	No	Did residual solid application occur such that it was not evenly distributed over the land application area?
16.	Yes	No	Did the residual solids contain free liquid that took more than 12 hours to absorb into the soil after application?
17.	Yes	No	Did free liquid from the residual solids run off the application area?
18.	Yes	No	Were residual solids, process wastewater, and fertilizers applied at agronomic rates greater than the nutrient needs of the crop or vegetation on the land application area?
19.	Yes	No	Did segregated dry, nonputrescible matter (e.g., grape stems or dry nut hulls) used for erosion or dust control enter surface waters during storm events?
20.	Yes	No	Were putrescible solids applied less than 25 feet from a surface water drainage course without a berm or an uphill grade in-place?
21.	Yes	No	Were putrescible solids applied to land during rainfall or when the land application area is saturated?
22.	Yes	No	Did the total annual loading rate for putrescible solids exceed the nitrogen agronomic rate for crops or vegetation on the land application area, or a total thickness of two inches, whichever was more restrictive?

For Nut Hullers Using Ponds

23.	Yes	No	Did ponds contain process waste between 1st January and 31st July?
25.	Yes	No	Was the freeboard measured from the water surface in any pond to the surrounding grade less than one foot at any time?

C. VIOLATION REPORTING

For any numbered questions in section B (i.e., questions 1 through 25) that were answered "YES," explain the reason(s) for the potential violation and steps that will be taken to prevent recurrence. Insert additional pages as needed.

TIER 2 AND TIER 3 – ADDITIONAL INFORMATION

D. COMMODITY PROCESSING

	Amount of Processed Commodities		
	Commodity 1 name:	Commodity 2 name:	Commodity 3 name:
Month	(units:)	(units:)	(units:)
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
Total			

E. WASTEWATER DISPOSAL

1. Volume of produced wastewater.

Month	Wastewater Production (gallons)
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	
Total	

2. Describe how the above wastewater volumes were measured.

3. Describe how wastewater was contained such that waste did not contact the ground (except for nut huller wash water ponds) during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

4. Describe actions taken to reduce the salinity of the wastewater applied to land.

F. RESIDUAL SOLIDS DISPOSAL

1. Estimated amount of generated residual solids.

Month	Residual Solids Generation □ pounds or □ tons
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	
Total	

2. Describe how and where residual solids were stored prior to land application or off-site disposal.

3. Provide the amount of residual solids that were land applied on-site and the amount of residual solids removed for disposal off-site.

On-site land application: _____ □ pounds or
_____ □ tons

Off-site disposal: _____ □ pounds or
_____ □ tons

4. Describe how residual solids were contained such that waste did not contact the ground during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

G. LAND APPLICATION AREA

1. Provide the total area that wastewater and residual solids were applied.

Wastewater land applied area: _____ □ pounds or □ tons

Residual solids land application area: _____ □ pounds or □ tons

2. Provide the date or date range that the wastewater or residual solids were land applied.

Date or Date Range	Type of Application
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids
_____	□ Wastewater or □ Residual Solids

3. Describe crop(s) or vegetation grown on the land application area (distinguish between crops irrigated with wastewater and crops grown in soil amended with residual solids).

_____

_____

_____

_____

4. Describe how wastewater and residual solids were applied evenly over the entire acreage of the land application area and how runoff was kept out of surface waters.

_____

_____

_____

_____

H. WASTEWATER PONDS (NUT HULLERS ONLY)

1. Provide the date that the ponds were backfilled or describe the controls installed to prevent storm water runoff into the ponds.

_____

_____

_____

_____

TIER 3 - ADDITIONAL INFORMATION

I. LAND APPLICATION AREA

1. Provide a satellite or scaled map showing the boundaries of wastewater and residual solids application.

2. Provide the volume of wastewater and amount of residual solids land applied per acre during the calendar year.

	Wastewater Applied to Land		Residual Solids Applied to Land	
Month	(acres)	(gallons)	(acres)	(pounds or tons)
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
	Total		**Total**	

3. Describe how the above measurements of wastewater volume and amount of residual solids were made.

_____

_____

_____

_____

ATTACHMENT C – APPLICATION FORMS

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
CENTRAL VALLEY REGION

RESOLUTION R5-2025-00XX
WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
SMALL FOOD AND
RELATED AGRICULTURAL PROCESSORS

TABLE OF CONTENTS

Tier 1 Notice of Intent C-2
Tier 2 and 3 Report of Waste Discharge Technical Info Form C-5

TIER 1 NOTICE OF INTENT

RESOLUTION R5-2025-00XX
WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
SMALL FOOD AND
RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
CENTRAL VALLEY REGION

_____
Facility Name

_____
Facility Owner

I am hereby submitting to the Central Valley Water Board the following information:

DISCHARGE DESCRIPTION

I am applying for coverage under Tier 1 of Resolution R5-2025-00XX (Waiver). I have read the Waiver and understand the discharge requirements and tier structure applicability of the Waiver. I will comply with all conditions of the Waiver as set forth in Waiver Attachment A. I operate the facility that generates the waste that will be discharged and I own the land where the discharge will occur. In order to show compliance with NPDES General Permit CAS000001, which specifies waste discharge requirements for discharges of storm water associated with industrial activities, I am submitting (*check one*):

- ☐ A copy of the Notice of Intent that has been submitted to apply for coverage under Order 2014-0057-DWQ or subsequent revision thereto; or
- ☐ A Notice of Non-Applicability (NONA); or
- ☐ A No Exposure Certification (NEC).

In accordance with the Tier 1 requirements of the Waiver, I will (*check all that apply*):

- ☐ Land apply no more than 10,000 gallons of wastewater to my land application area per year.
- ☐ Use storage tanks and dispose of wastewater at a permitted treatment facility (tank and haul) for any wastewater in excess of 10,000 gallons per year.
- ☐ Land apply residual solids associated with the generation of no more than 10,000 gallons of wastewater to my land application area per year.

- Dispose of any excess residual solids off-site in compliance with the Waiver and applicable regulations.

FACILITY MAPS/PLANS

1. Site Location Map: Provide a scaled topographical map that depicts the location of the facility, property lines, land application area, on-site wells, streets, and nearby surface waters and wetlands.

2. Processing Facility and Discharge Area Plan: Provide a scaled plan that depicts the processing facility, wastewater pipelines, wastewater storage structures, residual solids storage areas, storm water drainage features, and all land application areas.

3. Other Maps or Plans (Optional): Provide other maps, plans, or sketches as desired to illustrate typical design features to supplement your response to the questions below.

Note: There are several online tools that are useful to develop the required maps and plans:

- Many Internet search engines provide scaled street maps and/or aerial photos that can be adapted for use.
- TopoQuest (http://www.topoquest.com/find.php) allows you to download portions of United States Geological Survey topographic maps that show topography and surface waters. These can be printed directly or imported into most software applications.
- Legible hand drawn maps are acceptable.

CERTIFICATION STATEMENT

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature	Date
Printed Name	Phone

REPORT OF WASTE DISCHARGE TECHNICAL INFORMATION FORM FOR TIER 2 AND TIER 3 FACILITIES

RESOLUTION R5-2025-XXXX
WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
SMALL FOOD AND
RELATED AGRICULTURAL PROCESSORS

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
CENTRAL VALLEY REGION

Complete all applicable sections of this form. The Executive Officer will not issue a Notice of Applicability unless the Report of Waste Discharge is complete and demonstrates that the Waiver (Resolution R5-2025-XXXX) is applicable to the proposed discharge.

_____
Facility Name

_____
Facility Owner

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments, and that based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine.

Signature Date

Printed Name Phone

A. FACILITY MAPS/PLANS

1. Site Location Map: Provide a scaled topographical map that depicts the location of the facility, property lines, land application area, on-site wells, streets, and nearby surface waters and wetlands.

2. Processing Facility and Discharge Area Plan: Provide a scaled plan that depicts the processing facility, wastewater pipelines, wastewater storage structures, residual solids storage areas, storm water drainage features, and all land application areas.

3. Other Maps or Plans (Optional): Provide other maps, plans, or sketches as desired to illustrate typical design features to supplement your response to the questions below.

Note: There are several online tools that are useful to develop the required maps and plans:

- Many Internet search engines provide scaled street maps and/or aerial photos that can be adapted for use.
- TopoQuest (http://www.topoquest.com/find.php) allows you to download portions of United States Geological Survey topographic maps that show topography and surface waters. These can be printed directly or imported into most software applications.
- Legible hand drawn maps are acceptable.

B. TYPE OF OPERATION (check all that apply)

- Brewery
- Olive Oil Processing
- Seed Oil Processing
- OTHER – Describe and provide SIC Code:
- Cannery
- Nut Huller
- Seed Washing

_____

_____

_____

Note: Standard Industrial Classification (SIC) codes for all industries can be found on the internet at SIC Codes (http://www.osha.gov/pls/imis/sicsearch.html).

C. FACILITY HISTORY (check the appropriate box and the answer the associated questions)

1.New facility (no operations to date by current owner)

a. Yes No ☐ Planned or ☐ Actual (select one) construction completion date.

b. _____ Planned operations start date

c. _____ Planned date of first discharge to land

d. Yes No Has the local planning department determined whether the project requires an environmental review to comply with the California Environmental Quality Act (CEQA)?

If YES, include a copy of either (check the submitted item):

☐ A Notice of Exemption or letter stating the project is not subject to CEQA review, or

☐ A copy of the certified CEQA document (Negative Declaration, Mitigated Negative Declaration or Final Environmental Impact Report, as applicable)

2. Existing facility covered under the previous waiver (Resolution R5-2015-0005)

a. _____ Date of Notice of Applicability

b. Yes No Did you discharge process wastewater to land under the previous waiver?

c. Yes No Did you discharge residual solids to land under the previous waiver?

d. Yes No Did you comply with all of the requirements of the previous waiver?

e. Yes No Has this facility expanded since the Notice of Applicability was issued?

f. Yes No Do you plan to expand within the next five years?

g. Yes No Do you plan to discharge process wastewater to land under the current waiver?

h. Yes No Do you plan to discharge residual solids to land under the current waiver?

i. Yes No Will you be able to comply with the conditions of the current waiver, including after any planned expansion in the next five years?

j. If NO, when do you plan to submit a Report of Waste Discharge to apply for individual Waste Discharge Requirements?

3. Existing facility not covered under the previous waiver (Resolution R5-2020-0002)

a. _____ How long have you operated this facility?

b. Yes No Do you plan to expand within the next five years?

c. Yes No Will you be able to comply with the conditions of the current waiver, including after any planned expansion?

If NO, when do you plan to submit a Report of Waste Discharge to apply for individual Waste Discharge Requirements?

_____

d. How do you currently manage the disposal of process wastewater and residual solids? (A brief description is sufficient).

D. STORM WATER PERMIT COVERAGE

1. Yes No Is the facility covered under NPDES General Permit CAS000001 specifying waste discharge requirements for discharges of storm water associated with industrial activities (State Water Resources Control Board Order 2014-0057-DWQ or subsequent Order, whichever is in effect on the date of the Report of Waste Discharge)?

If YES, provide the WDID number assigned to the facility (from the acknowledgment letter issued by the State Water Board).

_____

If NO, include a copy of either (check the item included with your application):

- ☐ A copy of the Notice of Intent that has been submitted to apply for coverage under Order 2014-0057-DWQ or subsequent revision thereto.
- ☐ A copy of the submitted Notice of Non-Applicability (NONA).
- ☐ A copy of the submitted No Exposure Certification (NEC).

E. SALT CONTROL PROGRAM

1. Yes No Is the facility enrolled in the Salt Control Program?

If YES, provide CV-SALTS ID from the previously issued Notice of Applicability.

If NO, include a copy of the Salt Notice of Intent.

F. NITRATE CONTROL PROGRAM

1. Yes No Is the facility enrolled in the Nitrate Control Program?

If YES, provide proof that the facility is enrolled in the Nitrate Control Program and indicate the management zone the facility is located in.

If NO, determine if the facility is located in a priority management basin/sub-basin at the following link (https://www.cvsalinity.org//nitrate-program/find-your-management-zone/). If the facility is located in a priority management basin/sub-basin the discharger must submit a Nitrate Notice of Intent.

G. OPERATIONAL INFORMATION

1. How many tons of produce or commodity will be processed per year? (Estimates are acceptable)

_____ Tons in 2025

_____ Tons in 2026

_____ Tons in 2027

_____ Tons in 2028

_____ Tons in 2029

_____ Tons in 2030

2. When is the primary processing season for this facility? (Example: June through October)

3. Yes No Does this facility have operations that generate process wastewater or residual solids at other times of the year?

If YES, describe:

4. Describe all operations and activities that generate process wastewater.

H. WASTEWATER INFORMATION

1. Yes No Does this facility have a self-regenerating water softener (one that you add salt to)?
2. Yes No Does this facility have a boiler?
3. Yes No Does this facility have evaporative cooling systems that are periodically flushed and refreshed with fresh water?
4. Yes No Does this facility discharge stillage wastes?
5. If you answered YES to any of the above questions (F.1 – 4), describe how you will segregate these high strength/high salinity wastes and dispose of them off-site.
6. Provide estimated total nitrogen and salinity concentrations in the discharge (e.g., fixed dissolved solids and/or electrical conductivity). The Discharger may use available monitoring data collected at the site or reference applicable materials to estimate the facility's effluent concentrations.

7. Yes No Does this facility utilize acid or caustic cleaning solutions or sanitizing solutions such as sodium hypochlorite (bleach)?

If YES, list by chemical formulation, concentration, and volume used per year.

Chemical Formulation	**Concentration and Units**	**Volume (gallons per year)**

8. Yes No Does this facility use other chemicals that will be present in the wastewater?

If YES, list by chemical formulation, concentration, and volume used per year.

Chemical Formulation	**Concentration and Units**	**Volume (gallons per year)**

9. Provide estimated monthly wastewater flows for each month of the year. (Exclude saline waste streams that will be segregated for separate disposal.)

Volume (gallons)	**Month**
	January
	February
	March
	April
	May
	June
	July
	August
	September
	October
	November
	December
	Annual Total

10. Yes No Do you expect that your wastewater flows will increase over the next five years?

If YES, what is the expected maximum annual volume in gallons?

_____

11. Yes No Is the total volume of wastewater in F.8 or F.9 greater than 100,000 gallons?

If YES, the facility will be enrolled under Tier 3 or have a means to measure generated wastewater volume (excluding saline waste streams that will be segregated for separate disposal) and discharge no more than 100,000 gallons per year.

Yes No Will the facility use a flow meter?

If YES, describe the type and location of the flow meter that will be used:

If NO, describe method to estimate the volume generated per month (e.g., monitoring tank levels or other means):

12. Yes No Is your process area covered in a way that prevents storm water from commingling with wastewater?

13. Describe the wastewater collection system and how it is routed to the storage system (runoff protection, floor drains, pumps, gravity flow pipe, etc.)

14. Describe the wastewater storage system (number, size, and type of tanks; secondary containment systems; pump systems; spillage/overflow prevention features, etc.)

I. RESIDUAL SOLIDS INFORMATION

1. Yes No Does the facility generate residual organic solids, such as pulp, skins, stems, and/or seeds?

If NO, advance to Section H.

2. Describe the types of solids generated:

3. Provide an estimate of the weight of residual solids generated each month

Weight (Tons)		
☐ **Dry or**	☐ **Wet**	**Month**
		January
		February
		March
		April
		May
		June
		July
		August
		September
		October
		November
		December
		Annual Total

4. How do you propose to dispose of the residual solids? (check all that apply and provide required information)

a. ☐ Waste landfill
Disposal Site: name: _____
contact info: _____
Hauler: name: _____
contact info: _____

b. ☐ Animal feed
Disposal Site: name: _____
contact info: _____
Hauler: name: _____
contact info: _____

c. ☐ Off-site composting or other recycling
Disposal Site: name: _____
contact info: _____
Hauler: name: _____
contact info: _____

d. ☐ On-site land application as a soil amendment

5. Describe how residual solids will be collected and stored prior to off-site disposal or on-site land application.

6. Describe the measures used to prevent nuisance conditions (odor and flies) during storage of residual solids.

J. LAND APPLICATION AREA INFORMATION

1. _____ What is the size of the land application area?
☐ acres or
☐ square feet

Provide Assessor's Parcel Numbers (APN) for each land application area:

2. Yes No Will wastewater and residual solids be applied to the same area?

If NO, provide the size of the area used to apply wastewater and the size of the area used to apply residual solids.

Size of wastewater land application area
_____ □ acres or
□ square feet

Size of residual solids land application area
_____ □ acres or
□ square feet

For questions 3 & 4 below, distinguish between the wastewater land application area and residual solids land application area.

3. Describe the crops or type of vegetation grown on the land application area(s), the growing season, and harvesting practices.

4. Describe how the land application area(s) will be designed, operated and maintained to prevent off-site discharge of process wastewater.

Information Regarding Wastewater Applied to Land

5. Provide estimated volume of wastewater (gallons) applied to land for each month of the year. (Saline waste streams are not allowed to be discharged to land.)

Volume (gallons)	**Month**
	January
	February
	March
	April
	May
	June
	July
	August
	September
	October
	November
	December
	Annual Total

6. _____ What is the estimated average total nitrogen content of the wastewater in (mg/L)?

Winery and food processing industry associations typically provide characteristic nitrogen values based on the processed commodity.
Examples of such organizations are:
The Wine Institute (http://www.wineinstitute.org), and
The California League of Food Processors (http://www.clfp.com)

7. Describe how the salinity of the wastewater applied to land will be minimized.

8. Describe the irrigation system and how wastewater will be applied evenly over the land application area.

Answer the remaining questions only if residual solids will be applied to land

9. Provide the amount of residual solids applied to land for each month of the year.

Month	**Amount (tons/acre)**	**Amount (inches)**
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
Annual Total:		

10. _____ What is the moisture content of the solids?
    - ☐ weight percent

11. _____ What is the nitrogen content of the solids?
    - ☐ percent or
    - ☐ mg/kg as dry weight basis

12. Describe how the solids will be transported to the land application area and evenly spread out.

K. WASTEWATER POND INFORMATION (nut hullers only)

1. Yes No Is the groundwater water table greater than 5 feet below the base of all ponds?
2. _____ What is the maximum water depth that will be in any pond at any time (feet)?
3. Yes No Will the freeboard, as measured from the water surface in the ponds to the surrounding grade, be less than one foot at any time?
4. Yes No Will the pond be completely drained, including removal of visible residual solids and organic matter, by 31st December of each year?
5. Describe the controls that will be in place to prevent storm water runoff from entering the pond between 1st January and 30th June of the following year.

ATTACHMENT D – INFORMATION SHEET

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

Background of Existing Waiver

Resolution R5-2020-0002, *Waiver of Waste Discharge Requirements for Small Food Processors, Wineries and Related Agricultural Processors* (2020 Waiver), regulates the discharge of wastewater and residual solids from small food processing operations, small wineries, and small related agricultural operations throughout the Central Valley Region. Small food processors and agricultural processors include small olive mills, seed research facilities, nut hullers (not including pistachio nut hullers), fruit dehydrators, and breweries. The 2020 Waiver authorizes entities to irrigate crops and landscaped areas with up to 1,000,000 gallons of wastewater per year. An Initial Study was prepared in conjunction with the development of the previous waiver, R5-2015-0005 (2015 Waiver), to evaluate any potential environmental impacts that would occur as a result of expanding the applicability to larger discharges and certain agricultural processors that meet the discharge conditions of the waiver. The Central Valley Water Board accepted comments on the Initial Study and on 5 February 2015 adopted a Mitigated Negative Declaration (MND) (SCH # 2014112022) and the 2015 Waiver. A copy of the Initial Study and Mitigated Negative Declaration can be found on the Water Board Website: (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/sfp_waiver_is.pdf). No significant changes were made to the 2020 Waiver when it was adopted to replace the 2015 Waiver, so the 2020 Waiver was determined to be a continuation of the project evaluated in the 2015 MND.

Facilities seeking coverage under the 2020 Waiver are typically small with a limited operating season or will generate limited amounts of wastewater. These facilities are located in areas that are not served by a municipal sewer system and land application of their process waste is the least costly disposal option. Land application of process waste is a common practice in the Central Valley.

Under the 2020 Waiver, 108 Notices of Applicability (NOA) have been issued.

2025 Waiver Renewal

The 2020 Waiver will expire on 20 February 2025. Central Valley Water Board staff proposes to renew the 2020 Waiver with no changes to the tiered regulatory approach based on volume of waste discharged.

> **Tier 1** – allows land application of up to 10,000 gallons of wastewater per year to irrigate crops or landscaped areas and associated residual solids as a soil amendment on cropped or landscaped areas.

Tier 2 – allows land application of up to 100,000 gallons of wastewater per year to irrigate crops or landscaped areas and associated residual solids as a soil amendment on cropped or landscaped areas.

Tier 3 – allows land application of up to a maximum of 1,000,000 gallons of wastewater per year to irrigate crops or landscaped areas and associated residual solids as a soil amendment on cropped or landscaped areas, with a minimum of 1.0 acres of land application area per 100,000 gallons of wastewater.

These tiers were established to accomplish three objectives:

- Provide a no-fee regulatory system for discharges that pose essentially no threat to water quality – those that discharge no more than 10,000 gallons of wastewater and associated residual solids per year.

- Expand the applicability of the waiver to provide regulatory coverage for larger facilities by increasing the annual wastewater flow limit to 1,000,000 gallons of wastewater and associated residual solids per year, provided that the water and waste constituent loadings are consistent with the requirements of previous waivers on a per-acre basis.

- Expand the applicability of the waiver to seasonal nut hulling operations that use shallow, unlined ponds to temporarily store wash water prior to land application. Use of such ponds would be allowed only during the harvest season (typically August through December).

In addition to limited land discharges of wastewater and residual solids, the holding and hauling of wastewater for offsite disposal at a permitted wastewater treatment facility is not subject to regulation by the Central Valley Water Board.

The waste streams regulated under the 2020 Waiver are similar in chemical character and present a low threat to water quality when discharged to land. The basis and waste character for the 2020 Waiver was provided in the Initial Study and summarized below. (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/sfp_waiver_is.pdf)

- Waste streams may contain high concentrations of biodegradable organic matter (measured as biochemical oxygen demand or BOD) on the order of 1,000 to 3,000 mg/L.
- Waste streams may contain high concentrations of total nitrogen on the order of 100 mg/L. Initially most of the nitrogen is in organic form, but much of that will readily convert to ammonia and then nitrate when adequate oxygen is present. This is the case with a well-managed land application system.
- Waste streams may contain other salts that are taken up by the crop from the soil and irrigation water used to grow the crop. These typically include sodium,

chloride, potassium, phosphorus, carbonate, sulfate, and bicarbonate. Some additional salinity may be added by processing equipment cleaning and sanitation solutions. In order to differentiate between true salts and dissolved organic matter, fixed dissolved solids (FDS) is used as the best salinity indicator for wastewaters with significant BOD.

- Waste streams may contain minor amounts of other cleaning solution chemicals but are unlikely to significant concentrations of toxic constituents.

The 2020 Waiver also regulated certain discharges of winery wastes to land. The Central Valley Water Board has determined that renewal of the waiver for these types of wastes is unnecessary because, on 20 January 2021, the State Water Resources Control Board (State Water Board) adopted General Order WQ-2021-0002-DWQ, *General Waste Discharge Requirements for Winery Process Water*, which provides statewide regulation of wineries and other similar facilities that discharge up to 15 million gallons per year of winery waste to land. Therefore, the 2025 Waiver, which renews and revises the 2020 Waiver, omits regulatory coverage for winery wastes.

More recent data characterizing small food processors related agricultural processors are discussed below:

Nut Hulling Wastewater. Nut hulling wastewater characteristics are presented in Table 2. Wastewater data represent wastewater quality for multiple nut processing facilities operating within the Central Valley. Pistachio wastewater data represent 2015 and 2016 monitoring data from eight facilities regulated under site-specific WDRs. Walnut wastewater data were provided by Western Agricultural Processors Association (WAPA), who conducted a voluntary sampling program from four facilities during the 2014 and 2015 processing season. Almond wastewater data represent 2015 and 2016 monitoring data from three facilities regulated under site-specific WDRs. All data are shown as mean data with maximum concentration shown in parentheses, with the exception of pH, which shows a pH range.

Table 2. Nut Hulling Process Wastewater Characteristics

Constituents	Units	Pistachio Process Water	Walnut Process Water	Almond Process Water
BOD	mg/L	4,144 (9,670)	2,564 (10,080)	874 (3,400)
Ph	standard units	5.5 (4.5 – 6.8)	Not Available	6.9 (4.2 – 10.9)
EC	µmhos/cm	3,147 (5,670)	Not Available	1,277 (4,000)
FDS	mg/L	1,641 (3,200)	171 (402)	790 (2,200)
TDS	mg/L	4,677 (10,200)	Not Available	1,586 (4,200)
Nitrate as N	mg/L	3.2 (18)	10 (115)	0.3 (1.6)

Expanding the conditions of discharge to accommodate a broader range of nut facilities is not being proposed at this time. Evaluation of available data and operational practices associated with the nut hulling industry is currently in progress. A separate general order that would better suit the nut industry is in the developing stages.

All Other Food Process Waste. All other food process wastewater characteristics are presented in Table 3. Wastewater data represent 81 food processing facilities (not including wineries and nut facilities) operating in the Central Valley under site-specific WDRs. Food processors include the following activities: canning, citrus packing and processing, dehydrators, fruit packing and processing, juice processing, and vegetable processing. All data are shown as mean data with maximum concentration shown in parentheses.

Table 3. All Other Food Process Wastewater Characteristics

Constituents	Units	Other Process Wastewater
BOD	mg/L	1,891 (26,925)
Ph	standard units	Not Available
EC	µmhos/cm	1,370 (7,740)
FDS	mg/L	736 (3,165)
TDS	mg/L	1,407 (12,800)
Nitrate as N	mg/L	3.3 (63)

The Central Valley Water Board has determined that the threat to groundwater quality posed by wastewater and solid waste from small food processors, wineries, and related agricultural processors that meet the conditions of the proposed Waiver is low based on the effectiveness of land treatment and the appropriate management and controls of the discharge application. Land application provides treatment of the organic portion of the waste and has the additional benefits of reusing water and providing a low-cost organic soil amendment and a low-cost organic crop fertilizer. Hydraulic loading in the land application areas are typically a small fraction of the water needs of typical crops grown in the Central Valley. Spreading the waste over a large enough area and use of higher supplemental water quality to meet the crop or vegetation demands help minimize the threat to water quality. The proposed Waiver imposes conditions of discharge that require dischargers to minimize or eliminate discharges of pollutants that could affect beneficial uses and manage the discharge to prevent and minimize a threat to water quality.

Tier 1 and Tier 2 discharges are not expected to exceed the hydraulic or nutrient loading capacity of the lands that the wastewater is applied to, because the volumes of wastewater are relatively small, and the proposed Waiver prohibits the discharge of high-strength wastewater. Tier 3 discharges might still pose a threat to water quality if

wastewater is not applied to sufficient acreage to prevent hydraulic overloading. Therefore, based on typical winery and food processing wastewater character, the allowable hydraulic and waste constituent mass loadings for Tier 3 discharges are as follows:

Annual Wastewater Volume:	1,000,000 gallons/year
Land Application Area:	1 acre per 100,000 gallons
Wastewater Hydraulic Loading:	3.7 inches/year
Wastewater Mass Loading:	
	BOD: 1,700 lb/ac/year
	FDS: 830 lb/ac/year
	Total Nitrogen: 83 lb/ac/year

Professional publications, including The California League of Food Processors' *Manual of Good Practice for Land Application of Food Processing/Rinse Water* (2007) and The Wine Institute's *Draft Sustainable Winery Practices for Process Water Management* (2007) provides best management practices related to land application treatment and disposal processes for wineries and similar industries. The *Manual of Good Practice for Land Application of Food Processing/Rinse Water* has not been subject to a scientific peer review process but provides science-based guidance to minimize the threat to water quality when applying process waste to land.