

TENTATIVE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

WASTE DISCHARGE REQUIREMENTS ORDER R5-2020-XXXX  
FOR  
HORIZON NUT, LLC  
HORIZON NUT PISTACHIO HULLER  
FRESNO COUNTY

**INFORMATION SHEET**

**Background**

Horizon Nut, LLC (Discharger) owns and operates the Horizon Nut Pistachio Huller plant (Facility), located in Firebaugh in Fresno County. The Facility was constructed in 2014 and began operations in 2015. The Facility hulls, dries, and stores approximately 50 million pounds of pistachios per year. Process wastewater is generated from hulling pistachios and cleaning activities. The pistachio harvesting season generally lasts between 30 to 45 days per year usually between August and October.

The Facility has not been previously regulated by Waste Discharge Requirements (WDRs). The Discharger submitted a Report of Waste Discharge (RWD), dated 3 December 2014, which described Facility operations and the land application of wastewater. A RWD addendum was submitted on 1 January 2020 that provided updated and additional information.

**Wastewater Generation and Disposal**

The Facility consists of a processing plant where nut hulling is conducted, a guard shack, offices, silos to store the hulled nuts until they are shipped offsite for additional processing, and 1,000 acres of LAAs.

Process wastewater is collected in drains and discharged to a sump located just outside the processing plant. Wastewater is then gravity fed to another sump located near the irrigation distribution point where it is screened to remove solids. The Facility generates up to 66 million gallons of wastewater per year

The wastewater is used to irrigate up to 1,000 acres of cropped LAAs. Generally, approximately 400 acres of the 1,000 acres is used for solids disposal. The application of wastewater and solids is rotated within the LAAs as needed to limit constituent loadings in any one area within the LAAs. The LAAs are flood irrigated and bermed to keep wastewater on the LAAs. Solids are used as mulch and soil amendments or shipped off-site.

**Groundwater Considerations**

Groundwater conditions are discussed in Findings XX through XX of the Order.

### **Antidegradation**

Antidegradation analysis and conclusions are discussed in Findings XX through XX of the Order.

### **Discharge Prohibitions, Effluent Limitations, Discharge Specifications, and Provisions**

The Order limits the maximum daily average and annual flow to 3.5 mgd and 67 million gallons, respectively. The Order sets an FDS annual average effluent limit concentration of 1,400 mg/L and a cycle average BOD loading limit of 100 lbs/ac/day for flood irrigated fields and 150 lb/ac/day for sprinkler irrigated field. In addition, this Order requires wastewater and supplemental irrigation water be applied to the LAAs at agronomic rates.

This Order requires the Discharger to submit the following reports: *Nutrient and Salt Management Plan*; *Groundwater Evaluation Plan*; *Solids Handling and Management Plan*; and a *Flow Meter Installation Completion Report*.

### **Monitoring Requirements**

Section 13267 of the California Water Code authorizes the Central Valley Water Board to require monitoring and technical reports as necessary to investigate the impact of waste discharges on waters of the State. Water Code Section 13268 authorizes assessment of civil administrative liability where appropriate. The Order includes effluent, LAA, solids, groundwater, and water supply monitoring requirements. This monitoring is necessary to characterize the discharge and evaluate compliance with the requirements and specifications in the Order.

### **Salt and Nitrate Control Programs Regulatory Considerations**

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the waters and soils of the Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution No. 2019-0057 conditionally approving the Central Valley Water Board Basin Plan amendments and directing the Central Valley Water Board to make targeted revisions to the Basin Plan amendments within one year from the approval of the Basin Plan amendments by the Office of Administrative Law. The Office of Administrative Law (OAL) approved the Basin Plan amendments on 15 January 2020. (OAL Matter No. 2019-1203-03).

Pursuant to the Basin Plan amendments, dischargers will receive a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments (17 January 2020). Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting). The level of participation required of

dischargers whose discharges do not meet stringent salinity requirements will vary based on factors such as the amount of salinity in the discharge, local conditions, and type of discharge. For the Nitrate Control Program, the Facility falls within Groundwater Sub-Basin 5-22.07 (San Joaquin Valley Delta Mendota Basin), a priority 2 Basin. Notices to Comply for Priority 2 Basins will be issued within two to four years after the effective date of the Nitrate Control Program. The CV-SALTS initiative will result in regulatory changes that will be implemented through conditional prohibitions and modifications to many WDRs regionwide, including the WDRs that regulate discharges from the Facility. [More information regarding the CV-SALTS regulatory planning process](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) can be found at the following link:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

### **Reopener**

The conditions of discharge in the Order were developed based on currently available technical information and applicable water quality laws, regulations, policies, and plans, and are intended to assure conformance with them. The Order sets limitations based on the information provided thus far. If applicable laws and regulations change, or once new information is obtained that will change the overall discharge and its potential to impact groundwater, it may be appropriate to reopen the Order.

### **Legal Effect of Rescission of Prior WDRs or Orders on Existing Violations**

The Central Valley Water Board's rescission of prior waste discharge requirements and/or monitoring and reporting orders does not extinguish any violations that may have occurred during the time those waste discharge requirements or orders were in effect. The Central Valley Water Board reserves the right to take enforcement actions to address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded waste discharge requirements or orders as allowed by law.