

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
364 Knollcrest Drive, Suite 205, Redding, CA 96002

NOTICE OF PUBLIC HEARING
Concerning
TENTATIVE RESCISSION OF WASTE DISCHARGE REQUIREMENTS
ORDER 90-226
FOR
KIMURA FARMS, INC.
BUTTE COUNTY

Kimura Farms, Inc.'s (Discharger) prune drying facility located in Butte County discharges wastewater in accordance with Waste Discharge Requirements (WDRs) Order 90-226, adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 10 August 1990.

The Central Valley Water Board adopted Resolution R5-2020-0002 for Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region. The Discharger's facility falls into the category of facilities that may be covered by the Waiver; Central Valley Water Board staff requested the Discharger submit an application for coverage under the Waiver. The Discharger informed Central Valley Water Board staff that no significant changes were made to the rinse water treatment or disposal since the adoption of WDRs Order 90-226.

On 7 December 2020, the Central Valley Water Board issued a Notice of Applicability to the Discharger, to enroll them in the Waiver; therefore, WDRs Order 90-226 is no longer required. The Central Valley Water Board will consider rescinding WDRs Order 90-226. A public hearing to address this matter will be held during the Central Valley Water Board meeting which is scheduled for:

DATE: 18/19 February 2021
TIME: 8:30 AM
PLACE: Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

The designated party(s) for this hearing is as follows:

Kimura Farms, Inc.

Designated parties but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below.

Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board **no later than 5:00 PM on 18 January 2021**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The notification for the Planned Rescission of Waste Discharge Requirements was issued on **7 December 2020**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board **no later than 5:00 PM on 18 January 2021**. Written materials submitted after this date and time will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff or others, at the discretion of the Board.

Anyone having questions should contact Valerie Rasmussen by telephone at (530) 224-6130. Interested parties may download the proposed Order and related documents from the [Central Valley Water Board's Tentative Orders web page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) (http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 364 Knollcrest Drive, Suite 205, Redding, CA 96002 weekdays between 8:00 am and 5:00 pm.

The final meeting agenda will be available on the [Water Board's Agenda web page](https://www.waterboards.ca.gov/board_info/agendas/) (https://www.waterboards.ca.gov/board_info/agendas/).

at least ten days before the meeting. The agenda will provide the dates the Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Board are not conducted pursuant to Government Code section 11500 et seq.

The [Laws and Regulations Relevant to Current Public Proceedings](https://www.waterboards.ca.gov/laws_regulations/) can be found at: (https://www.waterboards.ca.gov/laws_regulations/).

[Information on Meetings and Meeting Procedures](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) are also available on the Water Board's website at: (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to the Central Valley Water Board Sacramento Office at (916) 464-3291.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to send an e-mail to agenda5@waterboards.ca.gov or call (916) 464-4620 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735 2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed by

Bryan J. Smith, P. E
Supervising Water Resource Control Engineer