

Central Valley Regional Water Quality Control Board

15 May 2025

George Morrow
Jim Brisco Enterprises, Inc.
221 Airpark Road, Suite A
Atwater, CA 95301
(email: briscoenterprises@gmail.com)

CERTIFIED MAIL NUMBER
7022 2410 0000 2157 8418

MODIFICATION OF NOTICE OF APPLICABILITY R5-2023-0061-0022-01; JIM BRISCO ENTERPRISES, INC.; ESCALON AGRICULTURE COMMODITY WASTE; MERCED COUNTY

On 27 June 2024, Jim Brisco Enterprises, Inc. (Discharger) was issued Notice of Applicability (NOA) R5-2023-0061-0022, *Waiver of Waste Discharge Requirements, Reports of Waste Discharge, and/or Water Recycling Requirements for Specific Types of Discharge Within the Central Valley Region* (or Low Threat Waiver). The NOA allows the application of agricultural commodity waste consisting of settled pepper and tomato solids from the City of Escalon to agricultural land in Merced County. On 29 April 2025, the Discharger submitted a request to expand the available application area to include approximately 151 acres owned by the Robert J and Kimber Lee Rogina Trust (Trust). The property, Assessor's Parcel Number (APN) 170-100-002, is approximately 5.5 miles north of downtown Merced on G Street about a mile north of Bellevue Road as shown in Attachment A (37° 23' 01.05" N, 120° 27' 33.54" W). The submittal includes a letter signed by Dante Rogina, for the Trust, with an agreement to accept the waste material.

The Discharger has demonstrated that the expanded land application area is eligible for coverage under the Low Threat Waiver. This letter modifies NOA R5-2023-0061 to recognize the expanded LAA (now NOA R5-2023-0061-022-**01**). The Discharger may proceed with the application of agricultural commodity waste from the City of Escalon as a soil amendment on the additional 151 acres of farmland owned by the (Trust). The Discharger is required to comply with all the terms and conditions stipulated in the Low Threat Waiver and original NOA R5-2023-0061-0022, including spreading at agronomic rates and incorporating the material into the soil, as needed, to prevent objectionable odors.

If you have questions regarding this matter, please contact Katie Carpenter at Katie.Carpenter@waterboards.ca.gov .

*Digitally signed by Alex S. Mushegan on
May 15, 2025
For Patrick Pulupa
Executive Officer*

Attachment A: Site Map of APN 170-100-002

Enclosure: Notice of Applicability R5-2023-0061-0022

cc's w/ Enclosure:

- Chris Moskal, State Water Resources Control Board, OCC, Sacramento (via email)
- Omar Mostafa, Central Valley Water Board, Compliance and Enforcement, Fresno (via email)
- Beatriz Hernandez Rivera, Merced County Division of Environmental Health (via email)
- Dante Rogina, Merced (via email)

ATTACHMENT A – SITE MAP OF APN 170-100-002

