



Central Valley Regional Water Quality Control Board

4 August 2022

Tom Mulholland
Mulholland Citrus
5621 South Hills Valley Rd
Orange Cove, CA 93646

CERTIFIED MAIL
7022 0410 0001 5235 5113

NOTICE OF APPLICABILITY

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

TOM MULHOLLAND AND MULHOLLAND CITRUS,
MULHOLLAND CITRUS PACKING FACILITY
FRESNO COUNTY
(ENROLLEE # R5-2020-0002-0100)

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Resolution R5-2020-0002, *Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region* (Small Food Processor Wavier or Waiver). We are in receipt of your Report of Waste Discharge (RWD) received 17 March 2022, requesting to enroll the Mulholland Citrus Packing Facility (Facility) in Fresno County under Tier 2 conditions of the Waiver. The Facility is an existing facility that has not previously been regulated. Additional information to complete the RWD was submitted on 10 June 2022.

Tier 2 allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids associated with that volume of wastewater. Any process wastewater or residual solids in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application to obtain coverage under Tier 3 of the Waiver or obtain individual waste discharge requirements prior to increasing the discharge volume above 100,000 gallons per year.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned enrollee number **R5-2020-0002-0100**. A [copy of the Waiver](#) and the [Waiver Attachments](#) are enclosed and available on the Central Valley Water Board's website.

(https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2020-0002_waiver_wdrs.pdf and

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2020-0002_waiver_atts.pdf)

DISCHARGE DESCRIPTION

Tom Mulholland and Mulholland Citrus Packing Company (Discharger) owns and operates the Citrus washing and packing facility (Facility) at 5505 South Hills Valley Rd in Fresno County as shown in Attachment A. The Facility is located on Route 63 just north of Orange Cove. Facility operations include washing and packing citrus prior to shipping. On average the Facility processes about 100 to 250 tons of citrus each year. Activities that generate process wastewater are citrus washing. On average, the Facility generates about 60,000 gallons of wastewater annually during the processing season from November to December. Flows are estimated based on the designed flow rate of the spray nozzles and hours of operation. For sanitation purposes, approximately 20 gallons of 12.5% sodium hypochlorite is added to the wash water each year.

The wastewater is plumbed directly to a pipeline, which conveys the water to the irrigation system where it is blended with irrigation water in the irrigation reservoir. The irrigation system reservoir is lined with a high-density polyethylene (HDPE) liner and is capable of storing up to three acre-feet or one million gallons of water. It is then filtered prior to irrigation of the citrus trees using micro sprinklers and drip emitters. The application area consists of approximately 230 acres of citrus trees owned by the Discharger. The application area is enrolled in the Irrigated Lands Regulatory Program (ILRP) as part of the Kings River Water Quality Coalition.

On average, Facility operations generate approximately 0.6 tons of residual solids annually, including leaves and stems from the citrus. The residual solids are collected and added to soil used for potting young trees to reduce moisture and prevent odors or fly production.

SALT AND NITRATE CONTROL PROGRAMS

At its 31 May 2018 Board Meeting, 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 Central Valley (i.e., Salt and Nitrate Control Programs). These Basin Plan amendments became effective on 17 January 2020.

For salinity, dischargers that are unable to comply with stringent salinity requirements will instead need to meet performance-based requirements and participate in a basin-wide effort

to develop a long-term salinity strategy for the Central Valley. The Discharger submitted a Notice of Intent to join the Prioritization & Optimization Study (or P&O Study) as part of the Alternative approach (Path 2) for the Salt Control Program on 10 June 2022.

For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternative compliance approaches that involve providing replacement drinking water and other actions to persons affected by nitrates. Dischargers can comply with the new nitrate program either individually (Path A) or collectively with other dischargers (Path B). The Discharger only applies wastewater from the Facility to lands covered by the Irrigated Lands Regulatory Program (ILRP). Lands enrolled under the ILRP within Priority 1 areas (e.g., Kings River Quality Coalition) are currently participating in Management Zones for the Nitrate Control Program. Furthermore, nitrogen loading rates to lands enrolled under ILRP have to be calculated and reported annually as part of enrollment under ILRP.

The Facility's discharge is of a low threat nature (i.e., low volume and high quality) and qualifies for enrollment under the Small Food Processor Waiver. Therefore, since the Facility only discharges to ILRP lands, the nitrate concerns associated with the Facility's discharge to the land application area are addressed by coverage and compliance with the ILRP. The Discharger, at this time, is not required to submit a separate Notice of Intent (NOI) for the Nitrate Control Program as part of enrollment under the Small Food Processor Waiver provided that the land application areas receiving the Facility discharge are enrolled under and comply with the ILRP. As part of the Annual Monitoring Report due 1 February of each year (see below), the Discharger is required to provide confirmation that all land application areas receiving Facility wastewater are still enrolled under the ILRP.

MONITORING AND REPORTING

Attachment B of the Waiver includes monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, which is also contained in Attachment B of the Waiver.

By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2022 Annual Monitoring Report is due **1 February 2023**.

In addition to submitting the information required by Attachment B of the Waiver, the Discharger is also required to:

1. Collect a sample the wastewater at least once per year to calculate the nitrogen load to the land application area from wastewater applications (per the Waiver and ILRP) and include the data in the Annual Report;

2. Submit confirmation that the Member(s) have paid their ILRP Coalition fees and associated Management Zone fees;
3. Submit confirmation that all required Farm Evaluation and Irrigation Nitrogen Management Plan Summary Reports for the ILRP program due 1 March of each year were submitted. Confirmation can be provided in an email submitted by 1 March; and
4. Complete all domestic well monitoring as required by the ILRP program.

GENERAL INFORMATION AND REQUIREMENTS

The Waiver includes specific and general conditions with which you must comply. You must maintain control over the discharge and operate in accordance with the information provided in your RWD and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the Conditions of Discharge (Attachment A) of the Waiver is prohibited.

Please note that the Waiver will expire on **20 February 2025**, after which you must either cease the discharge or do one of the following:

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

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Mulholland Citrus Packing Facility
Program: Non-15
Order: R5-2020-0002-0100
CIWQS Place ID: 880259

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
Fresno Office
1685 E Street
Fresno, CA 93706

All documents, including responses to inspections and written notifications, submitted to comply with this Waiver shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Dale Harvey. Mr. Harvey can be reached at (559) 445-6190 or Dale.Harvey@waterboards.ca.gov. Questions regarding the permitting aspects of the Waiver, and notification for termination of coverage under the Waiver, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Katie Carpenter. Ms. Carpenter can be reached at (559) 445-5551 or by email at Katie.Carpenter@waterboards.ca.gov.

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

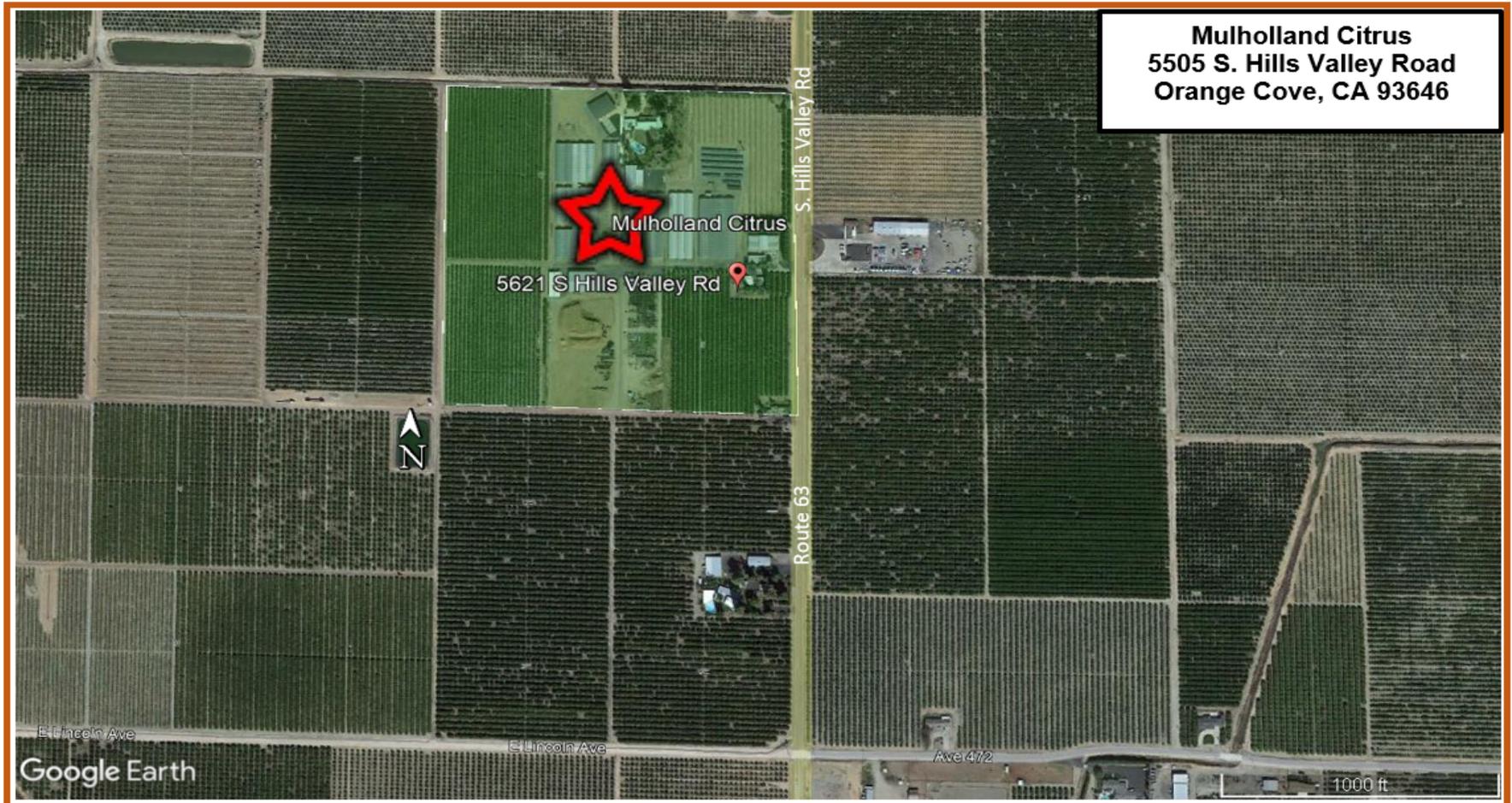
Original Signed by Clay L. Rodgers for:
Patrick Pulupa
Executive Officer

Attachments: Attachment A: Site Map

Enclosure: Resolution R5-2020-0002 Waiver and Attachments (Discharger only)

cc w/o encl:

- Christopher Moskal, State Water Resources Control Board (via email)
- Dale Harvey, Central Valley Water Board, Fresno (via email)
- Eric Warren, Central Valley Water Board, Fresno (via email)
- Anne Walters, Central Valley Water Board,
- RB5S-cvsalts@Waterboards.ca.gov
- Fresno County Planning and Development Department, Fresno
- Fresno County Environmental Health Services, Fresno
- Jon Vander Schuur, Provost and Pritchard Consulting Group, Visalia (via email)



ATTACHMENT A – SITE MAP

**RESOLUTION NO. R5-2020-0002-0100
TOM MULHOLLAND AND MULHOLLAND CITRUS
MULHOLLAND CITRUS PACKING FACILITY
FRESNO COUNTY**