

## Central Valley Regional Water Quality Control Board

11 September 2015

Mark Jensen  
Jensen Family Partnership II, LP  
1514 H Street  
Modesto, CA 95354

**CERTIFIED MAIL**  
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### NOTICE OF APPLICABILITY

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

#### ORDER R5-2015-0005-0047 JENSEN FAMILY PARTNERSHIP II, LP, MERCED COUNTY

On 5 February 2015, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2015-0005* (the Waiver).

We are in receipt of your Report of Waste Discharge (RWD) dated 22 April 2015 for the discharge of walnut rinse water at 995 Jensen Road near Gustine in Merced County. Additional information to complete the RWD was provided on 10 August and 11 August 2015. Based on the volume of rinse water calculated from the maximum number of days in operation (45 days) and a rinse tank volume of approximately 2,000 gallons, the estimated maximum annual discharge of 90,000 gallon per year will meet the conditions of discharge under Tier 2 of the Waiver. 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.

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 Order R5-2015-0005-0047. A copy of the Waiver is enclosed and also available at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). The

discharge must be managed in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

### **DISCHARGE DESCRIPTION**

Draper Road Ranch is an existing facility, which processes walnuts brought in from the fields. The walnut harvest lasts for approximately 30 to 45 days between September and November. During the harvest, walnuts are brought to the Facility where they are rinsed to remove particulates and debris from the shells. No chemicals are added to the rinse water. The rinse water is recycled until it can no longer be used and is discharged into a concrete sump. From the sump the rinse water is pumped out into the surrounding 360 acre walnut orchard.

According to the Discharger, solids collected in the concrete sump are removed at the end of the harvest season and spread on land within the Orchard.

### **MONITORING AND REPORTING**

Attachment B of the Waiver includes specific 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 2015 Annual Monitoring Report is due by **1 February 2016**.

### **GENERAL INFORMATION AND REQUIREMENTS**

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

Please review this Notice of Applicability 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 **5 February 2020**, after which you must do one of the following:

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

**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: Jensen Family Partnership, Merced County		
Program: Non-15	Order: R5-2015-0005-0047	CIWQS Place ID: 817345

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

If you find it necessary to make a change to your permitted operations or have any questions regarding this matter, please contact Katie Carpenter at (559) 445-5551 or via email at: kcarpenter@waterboards.ca.gov.

*for*   
Pamela C. Creedon  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2015-0005

cc w/o encl: Merced County Planning and Community Development Department, Merced