



24 April 2024

Rick Salado
Dole Packaged Foods, LLC
7916 W. Bellevue Road
Atwater, CA 95301

CERTIFIED MAIL
7020 2450 0000 6785 9045

NOTICE OF APPLICABILITY (NOA); CENTRAL VALLEY WATER BOARD RESOLUTION R5-2023-0061, WAIVER OF WASTE DISCHARGE REQUIREMENTS, REPORTS OF WASTE DISCHARGE, AND/OR WATER RECYCLING REQUIREMENTS FOR SPECIFIC TYPES OF DISCHARGE WITHIN THE CENTRAL VALLEY REGION; DOLE PACKAGED FOODS, LLC; AGRICULTURAL COMMODITY WASTE; MERCED COUNTY

On 15 March 2024, Dole Packaged Foods, LLC (or Discharger) submitted a Report of Waste Discharge (RWD) for coverage under Resolution R5-2023-0061, *Waiver of Waste Discharge Requirements, Reports of Waste Discharge, and/or Water Recycling for Specific Types of Discharge Within the Central Valley Region* (Low Threat Waiver). The Discharger submitted the RWD to renew coverage for the application of peach pits for use as soil amendment and dust control on dirt roads. Discharges from the recurring application of peach pits were previously regulated under R5-2018-0085-0022, which expired on 5 December 2023. Resolution R5-2023-0061 was adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 14 December 2023 and replaced resolution R5-2018-0085. Central Valley Water Board staff has determined that the recurring application of peach pits for use as a soil amendment and dust control as described in the RWD qualifies for enrollment under the renewed Low Threat Waiver. A check for the application fee was received by the Central Valley Water Board on 29 March 2024. You are hereby assigned **enrollee number R5-2023-0061-0015** Please include this number on all correspondence related to this discharge.

A copy of the [Low Threat Waiver](#) is enclosed, and is available on the Central Valley Water Board's website at the following web address:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2023-0061.pdf

Please familiarize yourself with the contents of the Low Threat Waiver, including the Conditions of Discharge (Low Threat Waiver, Attachment A). The discharge must be managed in accordance with the requirements listed in the Conditions of Discharge (Table 1, Category 9 – Agricultural Commodity Wastes [Recurring]), the information

submitted in the RWD, and this NOA. Note that the Low Threat Waiver will expire on **14 December 2028**. Prior to this date, the Discharger shall contact the Central Valley Water Board and either cease the discharge or submit a new RWD and application fee to continue under a renewed waiver, or individual waste discharge requirements.

PROJECT LOCATION AND DESCRIPTION

The Dole Package Frozen Food Plant (Plant) is at 7916 West Bellevue Road near Atwater in Merced County. The Plant processes apricots, cantaloupes, melons, peaches, strawberries, and carrots for consumer use. The pits removed from peaches during processing operations are considered an agricultural commodity waste. According to the RWD, peach pits generated at the Plant will be collected and taken to various ranches within Merced County and spread along orchard rows and dirt roads for use as dust control. According to the RWD, the peach pit application areas will include the Atwater Ranch, the Fisher Ranch, and Los Cerritos Ranch, which are owned by the Discharger. Peach pits will also be applied to dirt roads on land owned by Mr. Billy Grissom and Mr. Tony Homen. The RWD includes signed agreements from both Mr. Grissom and Mr. Homen. Details on the peach pit application areas, along with respective Assessor's Parcel Numbers, are provided in Table 1 below. Maps showing the application areas are included in **Attachment A**.

Table 1 - Application Areas

RANCH/PROPERTY	ACREAGE	ASSESSOR'S PARCEL NUMBER (APN)
Atwater Ranch	73 acres	056-010-030, 056-010-031, and 150-030-022
Fisher Ranch	360 acres	052-030-055, and 052-540-003
Los Cerritos Ranch	421 acres	038-050-024
Billy Grissom Properties	942 acres	065-030-002, and 065-040-005
Tony Homen Properties	800 acres	074-080-001, 074-080-009, 074-080-027, 074-080-028, and 074-080-029

According to the Discharger, spreading operations will take place between July and October of each year. The ranch owners or managers will direct the driver to various roads within the property where dust control is needed. Care will be taken to evenly spread the material over the roads and ensure there is no runoff into surface waters or drainage courses. Application areas within the ranch properties will be alternated about every other year.

SPECIFIC REQUIREMENTS

The Low Threat Waiver and this NOA cover the application of peach pits for use as soil amendment and dust control on those lands specified above. The Discharger shall

comply with the requirements specified in the Low Threat Waiver, and the following facility specific requirements:

1. Application of agricultural commodity waste at a location or in a manner different from that described in the RWD and this NOA is prohibited.
2. The application shall not cause or threaten to cause conditions of contamination, nuisance, or pollution as defined in California Water Code section 13050.
3. Application of agricultural commodity waste or runoff from storage and/or application areas to adjacent lands, surface waters, or surface water drainage courses is prohibited.
4. Failure to abide by the conditions of the Low Threat Waiver R5-2023-0061, and this NOA could result in enforcement actions, as authorized by provisions of the California Water Code.

The Central Valley Water Board is implementing a Paperless Office System to reduce paper use, increase efficiency, and provide a more effective way for our staff, the public, and interested parties to view documents in electronic form. All monitoring and technical reports required by the Provisions of the General Order and its Monitoring and Reporting Program must be submitted by email to our Electronic Content Management (ECM) system at: centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the appropriate Regional Water Board office, in this case 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Non-15

Facility Name: Dole Packaged Foods – Agricultural Commodity Applications

Place ID: 860548

Order: R5-2023-0061-0015

If you have any questions regarding this NOA, please contact Cruz Romero at (559) 445-5036 or by email at Cruz.Romero@waterboards.ca.gov.



For Patrick Pulupa
Executive Officer

See next page for list of Attachments, Enclosures, and cc's

Attachment: Attachment A – Site Maps

- Figure 1 – Atwater Ranch
- Figure 2 – Fisher Ranch
- Figure 3 – Los Cerritos Ranch
- Figure 4 – Billy Grissom Properties
- Figure 5 – Tony Homen Properties

Enclosure: Low Threat Waiver Order R5-2023-0061

cc w/enclosure:

- Kennedy Knight, State Water Resources Control Board, OCC (via email)
- Orlando Gonzalez, State Water Resources Control Board, Division of Drinking Water (via email)
- Omar Mostafa, Central Valley Water Board, Fresno (via email)
- Amanda Duran, Merced County Environmental Health, Merced (via email)
- Concepcion Fagundes, Dole Packaged Foods, LLC (via email)
- Tony Homen, Homen Dairy, 5579 West Sandy Mush Road, Merced, CA 95341
- Bill Grissom, Grissom Properties, Merced (via email)

ATTACHMENT A - SITE MAPS

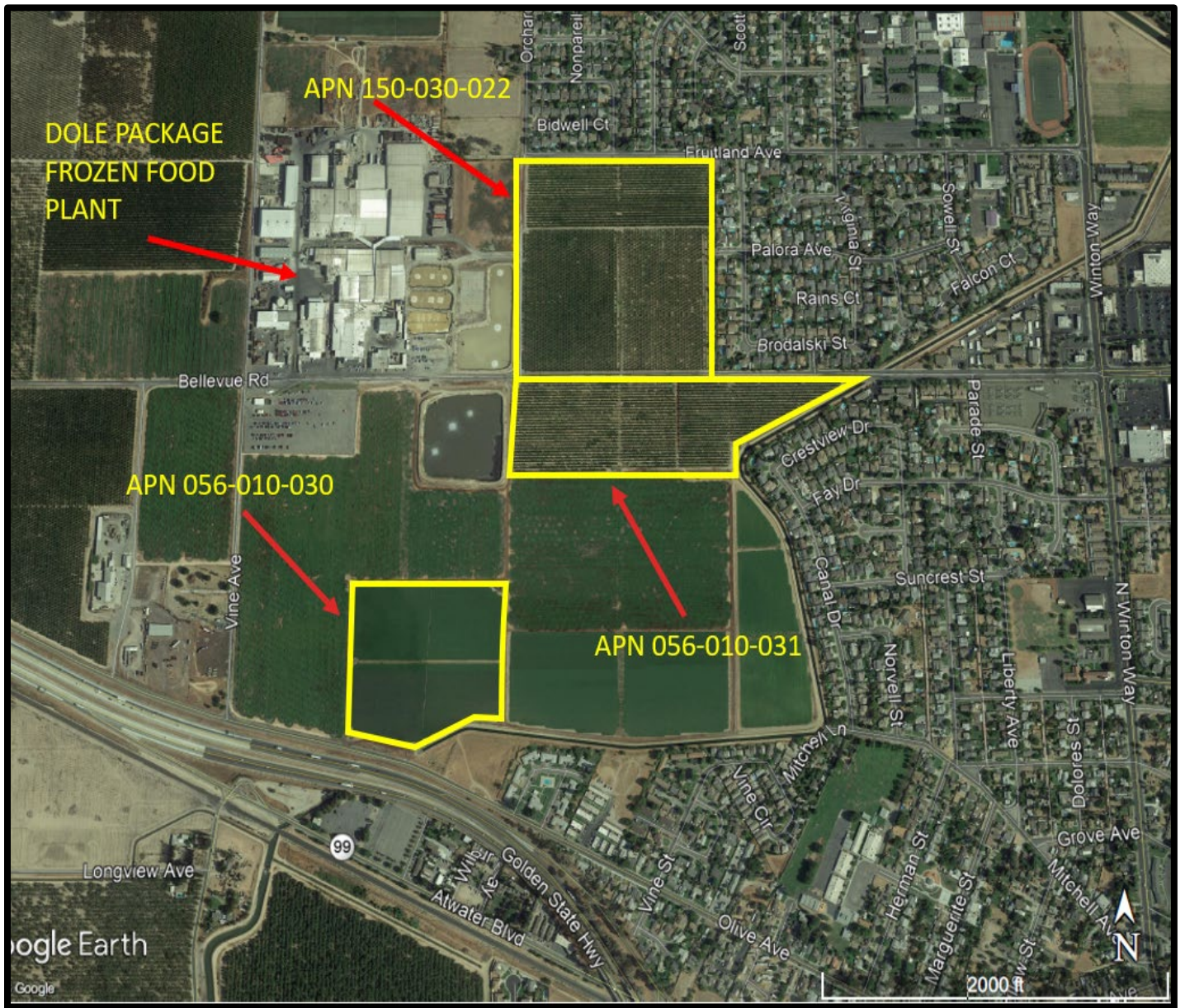


Figure 1 - Atwater Ranch

NOTICE OF APPLICABILITY R5-2023-0061-0015
DOLE PACKAGED FOODS, LLC
AGRICULTURAL COMMODITY WASTE APPLICATIONS
MERCED COUNTY – ATTACHMENT A

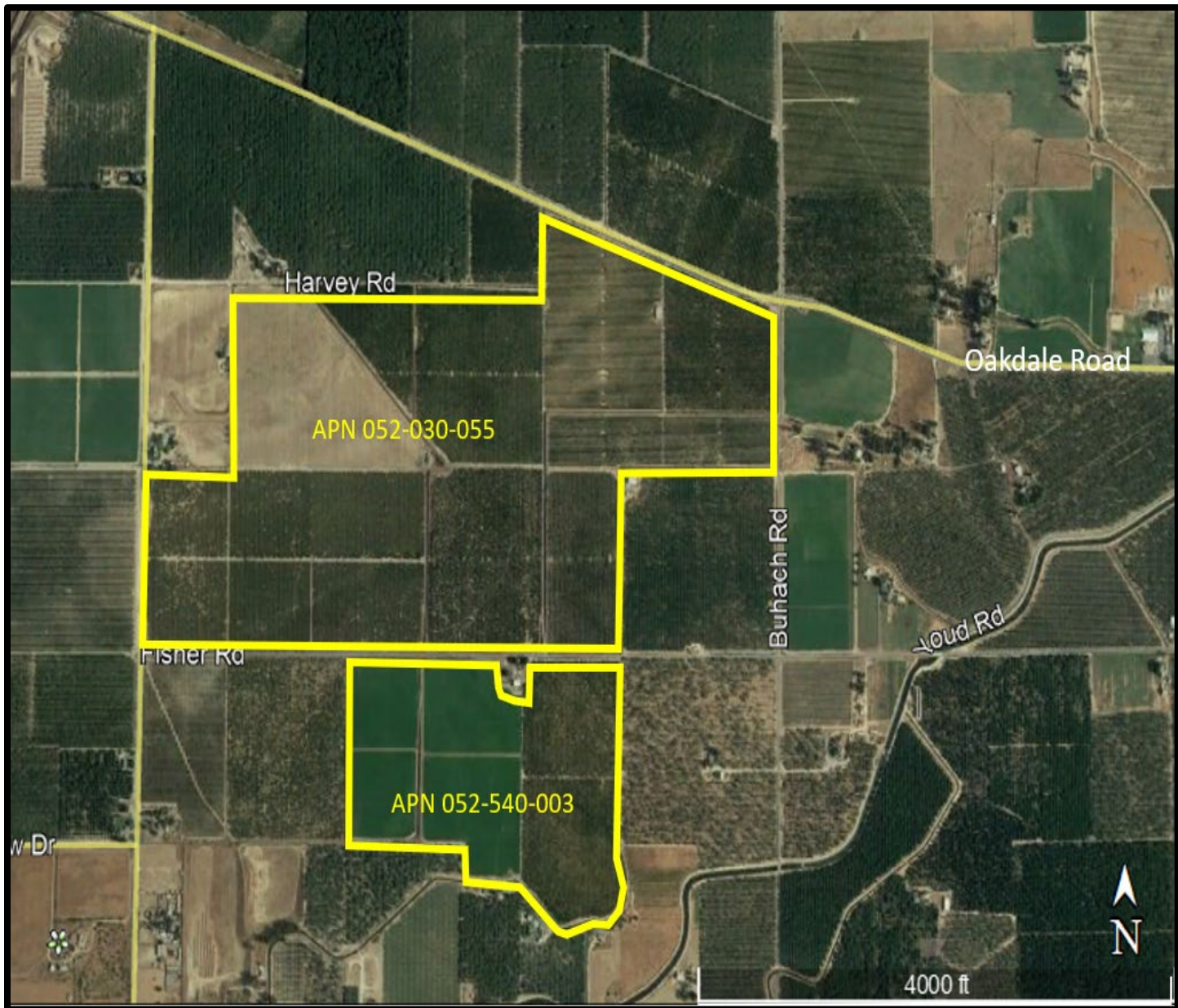


Figure 2 - Fisher Ranch

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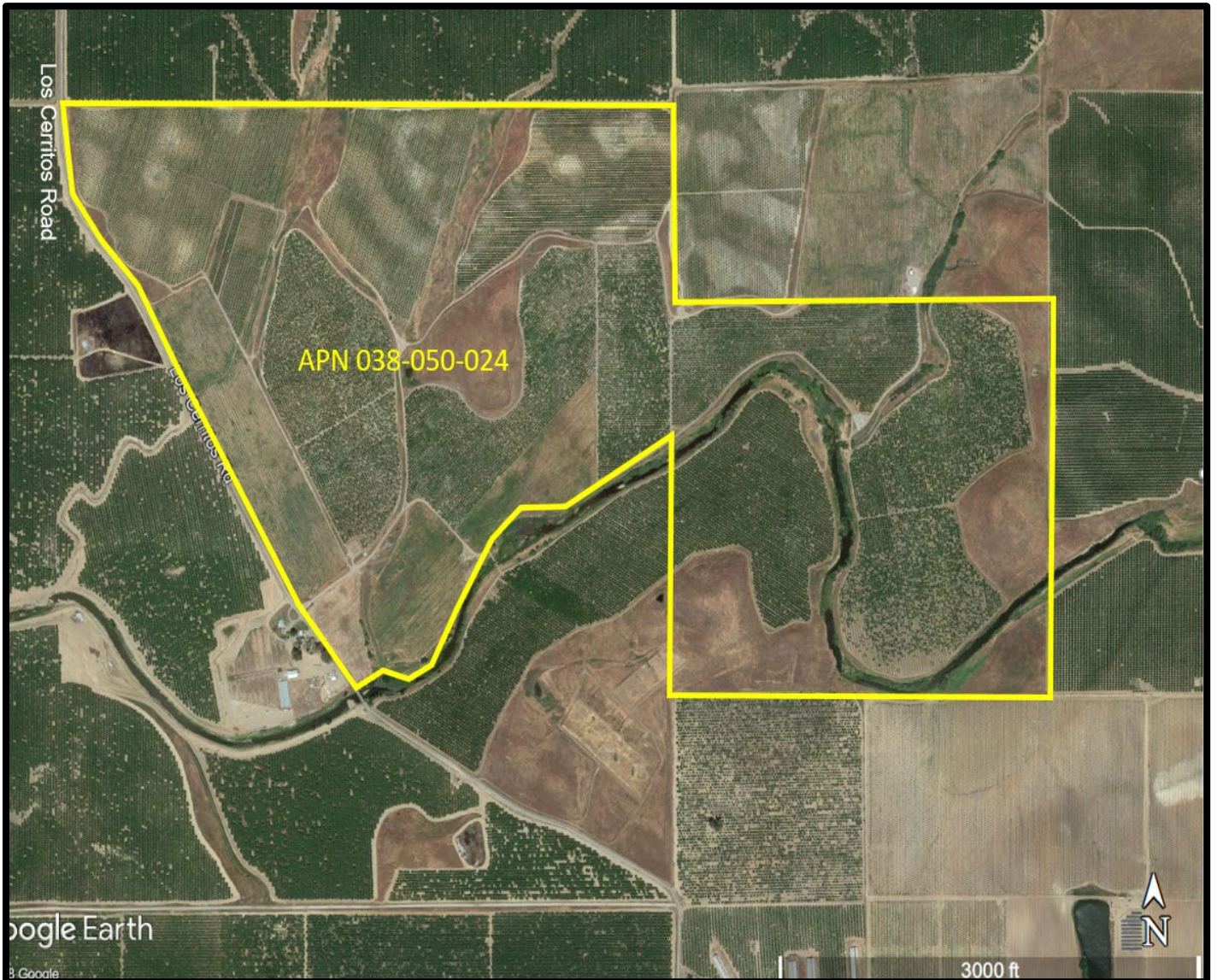


Figure 3 - Los Cerritos Ranch

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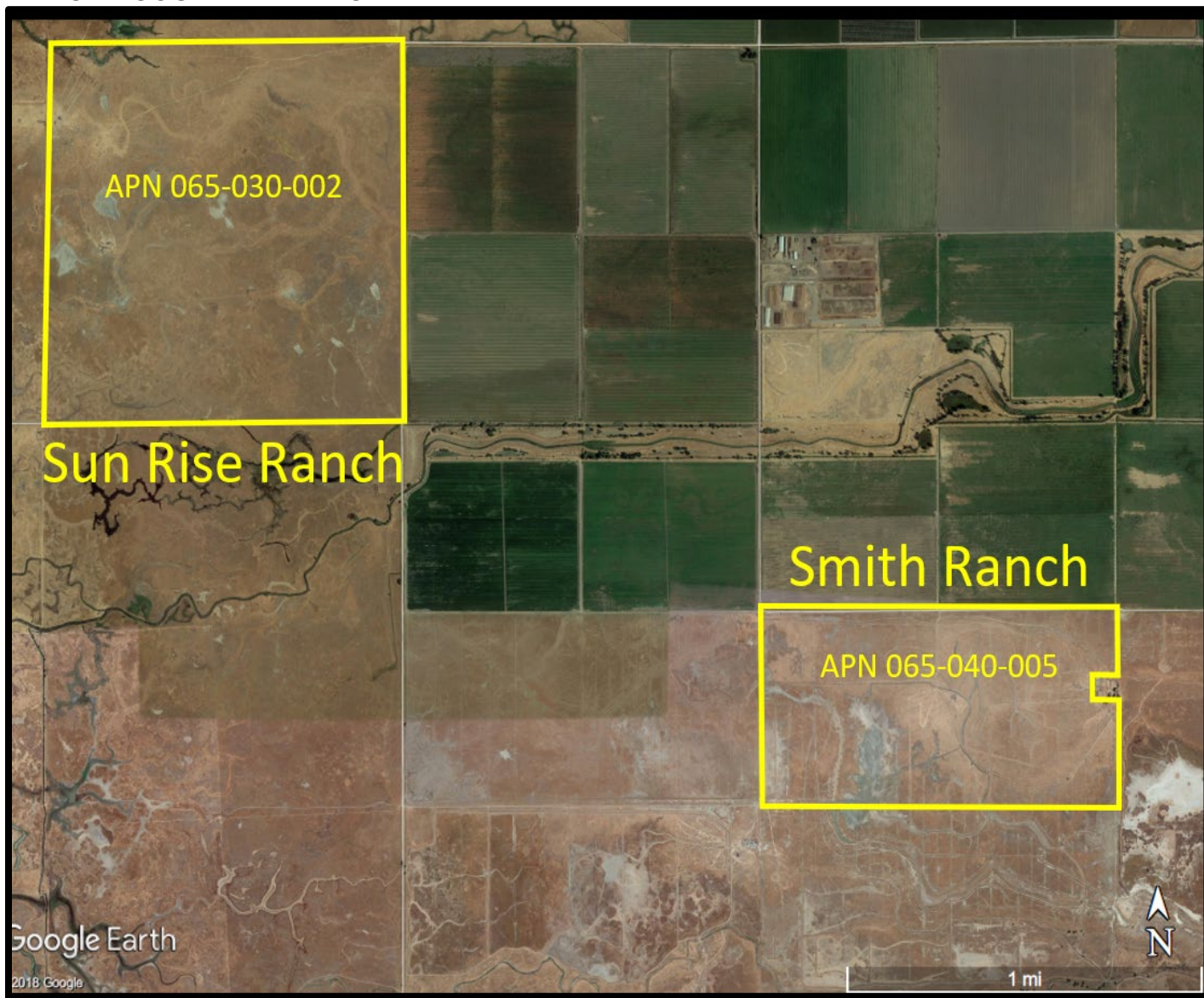


Figure 4 - Billy Grissom Properties

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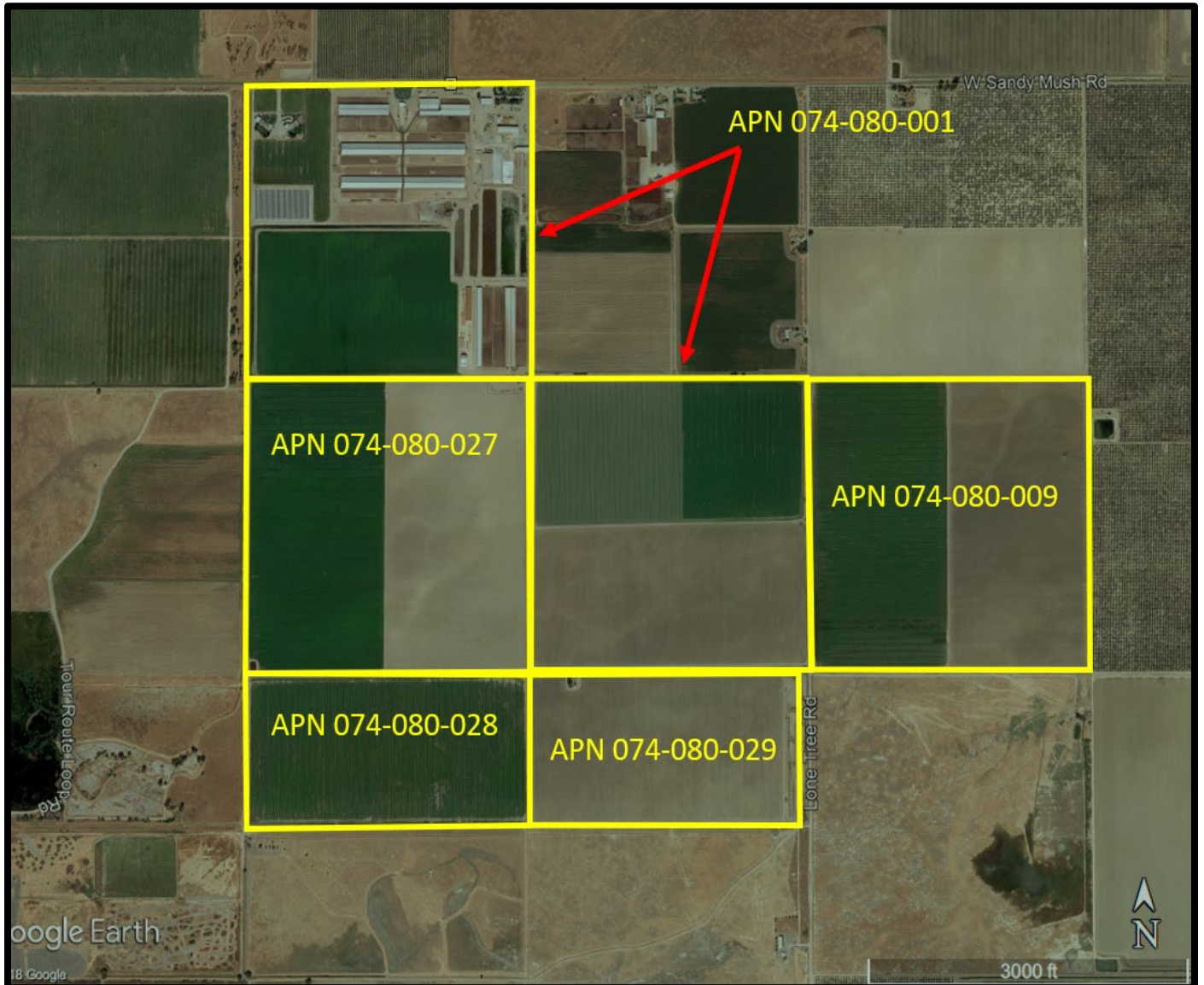


Figure 5 - Tony Hommen Properties