

**24/25 APRIL 2025 BOARD MEETING
CONTESTED AGENDA ITEM**

AGENDA ITEM: 9

SUBJECT:

SETTON PISTACHIO OF TERRA BELLA, INC.

BOARD ACTION:

Consideration of rescission of Cease and Desist Order R5-2020-0038.

BACKGROUND:

In August 2020, the Board adopted Cease and Desist Order R5-2020-0038 (CDO) for the Setton Pistachio of Terra Bella, Inc. (Discharger) Terra Bella Pistachio Facility (Facility). The CDO was adopted largely due to the Discharger's creation of objectionable odors and nuisance conditions that impacted Terra Bella residents. The CDO required the Discharger to cease and desist from creating objectionable odors and to submit technical reports.

Since the CDO was adopted, the Discharger has implemented corrective actions and operational changes to address the odor issues, including abandoning use of its 350 acre-foot wastewater pond (the primary source of odors) and discharging all wastewater to land application areas via subsurface irrigation rather than surface irrigation. During the 2024 pistachio processing season, which typically runs from August to October of each year, Board staff and San Joaquin Valley Air Pollution Control District (SJVAPCD) staff did not confirm any odor complaints. The Discharger also submitted all technical reports required by the CDO.

ISSUES:

Some Terra Bella residents contend that the odor issues have not been fully resolved, and Board staff and SJVAPCD staff continue to receive odor complaints against the Discharger's Facility.

Between September 2024 and March 2025, Board staff received seven odor complaints from Terra Bella residents alleging objectionable odors from the Facility. Board staff investigated three of these complaints and did not confirm the complaints. Board staff's understanding is that SJVAPCD staff have also received a number of complaints between September 2024 and April 2025 and were either unable to verify the complaints or unable to confirm that wastewater generated at the Facility was the source of the odor.

RECOMMENDATION:

Rescind Cease and Desist Order R5-2020-0038.

REVIEWS:

Management Review:	
Legal Review:	

BOARD MEETING LOCATION:

Central Valley Regional Water Quality Control Board
1685 E. Street
Fresno, CA 93706-2020

AND VIA VIDEO AND TELECONFERENCE