

# **ADDENDUM**

**Fact Sheet for the Modification of the  
General Permit for the Fresh  
Fruit Packing Industry  
State Waste and NPDES General Permit**

**APRIL 30, 2019**

Department of Ecology  
Central Regional Office  
1250 West Alder Street  
Union Gap, WA 98903

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## Permit Modification

The Washington State Department of Ecology (Ecology) proposes to modify the General Permit for the Fresh Fruit Packing Industry. The permit is a joint State Waste Discharge and a National Pollutant Discharge Elimination System (NPDES) General Permit. The permit, issued on July 20, 2016, will expire on August 31, 2021. The proposed modification does not alter the expiration date of the permit. This fact sheet addendum supplements the July 2016 Fact Sheet available at the following link: <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Fresh-fruit-packing-general-permit>.

The permit regulates the quantity and disposal methods of post-harvest fungicides, chlorine based disinfection products, and other products commonly used in the fresh fruit packing industry. The permit covers discharge of water containing products (post-harvest fungicides and collectively “chemicals”) into surface waters of the state of Washington. It also regulates the same products discharged to land application, dust abatement, percolation pond, to publicly owned treatment works (POTW), and regulates requirements for impoundments of these waters in storage lagoons.

The scope of this general permit modification includes one additional post-harvest fungicide intended to help fruit packers manage fruit diseases and prevent fruit loss. The modification adds two wastewater treatment products for use at fruit packing facilities before discharge.

The active ingredients of these products underwent an Ecology SEPA determination. It was determined that discharging residues from these products below label levels will have negligible impact on land application processes, dust abatement processes, POTW operations, or storage in impoundments. If used according to the draft permit requirements, Ecology expects negligible environmental impact. The proposed product additions are not eligible for discharge to surface water or to percolation ponds. Ecology expects to issue a SEPA determination of non-significance (DNS) for this action.

### Product Information:

- BioSpectra™100 SC is a post-harvest product used to control several post-harvest diseases on pome fruit, stone fruit, and cherries. The active ingredient of BioSpectra™100 SC is the commercial name for *natamycin*. Natamycin is a nonsynthetic pesticide produced by fermentation of a naturally occurring soil microorganism.

Natamycin becomes inactive as a fungistat in the presence of ultraviolet radiation. For this reason, the treatment/disposal methods (TDMs) in the draft general permit modification are limited to those receiving direct sunlight exposure: dust abatement and land application. The POTW TDM was also included because the product will be treated within the POTW process before discharge. Lined evaporative lagoon TDM was included because it has no impact on the environment when held in a lagoon.

The concentration of BioSpectra™100 SC for use under the general permit draft modification is 1,000 mg/L, which matches the label level for use on pome and stone fruit, as well as cherries. Discharge concentrations are limited to 500 mg/l based upon best professional judgement.

Chemicals being added in the General Permit modification for use in treating wastewater produced at fresh fruit packing facilities include:

- FLOPAM™EM 533 GR: Is a commonly used polymer for use in coagulation of suspended solids material that may be present in water. It is a mixture of distillates (petroleum) hydrotreated light. Testing requirements added to the draft general permit modification include settleable solids with a limitation of 0.1 mg/L.

The product typically settles out with the solids and are removed for landfill disposal, excessive levels of this product bound with solids will be detected in the settleable solids analysis. The settleable solids analysis is required only if using the FLOPAM™EM 533 GR in the water disposal process of the fruit packing facility.

TDMs for use of this product include dust abatement, land application, lined evaporative lagoons, and discharges to a POTW. The product must go through treatment processes at a POTW before being allowed to discharge to a surface water or to more direct ground water discharge through a percolation pond.

- Aquamark 702: Is a water conditioning product used in conjunction with FLOPAM™EM 533 GR as part of the coagulation process. The primary ingredients are aluminum chlorhydrate and water. Because it is used in conjunction with FLOPAM™EM 533 GR, the disposal of wastewater from packing houses using this product are limited to the same TDMs as FLOPAM™EM 533 GR.

No additional monitoring is required because excessive aluminum salts will be detected in the Total Dissolved Solids (TDS) analysis that is already required in the Fresh Fruit Packing Industry General Permit.

A notice of the availability of the draft modified permit and fact sheet addendum will be sent to the following entities (listed below) to help identify impacts from the proposed additions to the general permit and to receive comments or concerns to help mitigate any potential impacts.

- All Current Permit Coverage Holders within the boundaries of the state of Washington
- Washington Department of Natural Resources
- Washington Department of Fish and Wildlife
- US Fish and Wildlife Service
- National Oceanic and Atmospheric Administration
- Washington Department of Health
- Washington Department of Agriculture
- US Army Corps of Engineers
- Washington Department of Social and Health Services
- Washington Department of Archaeology and Historic Preservation
- All Tribal Authorities within the boundaries of the State of Washington

## Summary of Permit Modifications

Ecology modified the following Special Conditions and Tables of the General Permit for the Fresh Fruit Packing Industry as identified below.

## Summary of Submittals, Reports, and Plans

Ecology modified Table 1 of the General Permit to add coverage requirements that both current permittees and new applicants must do prior to discharging water with products added in this General Permit modification.

**Table 1 - Items to be submitted to Ecology**

SUBMITTAL TYPE	PERMIT SPECIAL CONDITION	SUBMITTED BY	SAMPLE OR DOCUMENTATION FREQUENCY	REPORTING FREQUENCY	DUE DATE (postmarked or received by)
<i>Modification of Facility Coverage due to the Modification of the General Permit</i>	S2.D.4.a-c	Existing Permittees	N/A	N/A	<b>Existing Permittees</b> Prior to use of any products added in 2019 Modification of the General Permit
		New facilities seeking coverage			<b>New Facilities</b> 180 days prior to commencement of wastewater containing products added in 2019 Modification of the General Permit

## S2. Application for Permit Coverage & Modification of Permit Coverage

### D. Modification of Permit Coverage

#### **[Added section 4. Change of Operations Due to the 2019 Modification of the General Permit]**

#### 4. Changes of Operations Due to the 2019 Modification of the General Permit

- a. Current permittees altering operations to include use of products added in the 2019 modification of the General Permit for the Fresh Fruit Packing Industry must notify Ecology of their intent to use the product and the TDM selected for final disposal within 60 days prior to disposal of any wastewater containing the product.
- b. Current permittees altering operations to include wastewater treatment components that utilize use of products added in the 2019 modification of the General Permit for the Fresh Fruit Packing Industry must notify Ecology of their intent to include wastewater treatment modifications or additions and must comply with General Condition G14 of this general permit prior to making such changes<sup>1</sup>.
- c. All new permittees applying after the effective date of the 2019 modification of the General Permit for the Fresh Fruit Packing Industry shall include information of products used or construction of treatment components to Ecology with the application for permitting.
  1. Ecology does not provide certification, guarantee, or approval that any particular wastewater treatment method or **product** will provide the needed treatment to meet the limitations and requirements of this general permit. The permittee is responsible

to secure engineering services with the expertise to determine if a wastewater treatment method will effectively remove contaminants from the wastewater.

**S3. Selection of Treatment/Disposal Methods (TDMs)**

Ecology modified Tables 3 (Selection of Treatment/Disposal Methods (TDMs) and Allowed Discharges for Each TDM) and Table 4 (Chemical Additive Maximum Use Rates) of Section 3 of the General Permit to add additional products to be available for Permittees use.

The additions included what methods of treatment/disposal were available for each new product and the chemical additive maximum use rates for Natamycin.

The additions to Tables 3 and 4 are included in the following section.

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**Table 3 – Selection Of Treatment/Disposal Methods (TDMs) And Allowed Discharges For Each TDM**

Ecology added the following products to Table 3:

WASTE-WATER SOURCE	CHEMICALS/ADDITIVES USED IN WASTEWATER <sup>1</sup>	1	2	3	4	5	6
		LINED LAGOON	DUST ABATEMENT	LAND APPLICATION	POTW	PERCOLATION SYSTEM	SURFACE WATER
APPLE AND STONE FRUIT PACKING	Natamycin (BioSpectra 100 SC®)	YES	YES	YES	YES (conditional) <sup>13</sup>	NO	NO
Wastewater Treatment Chemical Products <sup>12</sup>	The following product residuals may be discharged from any fruit packing water. <sup>12</sup> SNF, Inc. FLOPAM™EM 533 GR <sup>12</sup> AQUAMARK, Inc. Aquamark 702 <sup>12</sup>	YES	YES	YES	YES (conditional) <sup>13</sup>	NO	NO

The following footnotes are added to the revised Table 3:

<sup>12</sup> Prior to use current permittees must refer to General Condition G14 before discharging any of these products.

<sup>13</sup> Ecology must have written approval from the POTW before discharging wastewater with these chemical additives to the POTW.

**Table 4 – Chemical Additive Maximum Use Rates**

Ecology added the following product to a revised Table 4:

CHEMICAL TYPES	CHEMICAL NAME	MAXIMUM USE CONCENTRATION RATES <sup>1,2</sup>
Packing Line Chemicals	Natamycin	1,000 mg/L

**S5. TDMs – Definitions, Effluent Limits, Monitoring, And Best Management Practices (BMPs)**

Ecology revised the following sub-sections of Special Condition S5 in the FFPGP identified below:

**B. TDM 2 – Dust Abatement**

**2. BMPs & Other Requirements for Dust Abatement Discharges**

a. Do not commingle or apply to the same discharge site any wastewater containing:

- DPA
- Lignosulfonate
- Chlorine-based products
- Natamycin

**c. Road Management Plan (RMP)** – Prior to any dust abatement discharge and for dust abatement discharge areas, the Permittee must develop and retain on-site, an RMP.

The following wastewater types must have separate application sites and each site must be addressed in the RMP:

- Wastewater containing Lignosulfonate
- Wastewater containing DPA
- Wastewater containing Chlorine-based products
- Natamycin

**Table 11 – Effluent Limits & Monitoring for All Discharges to Dust Abatement**

Ecology added the following products to a revised Table 11:

PARAMETER/ POLLUTANT <sup>2</sup>	DAILY MAXIMUM PERMIT LIMIT <sup>1</sup>			SAMPLE FREQUENCY	SAMPLE TYPE
	Drencher wastewater only	NCCW only	Other allowed wastewater sources <sup>3</sup>		
<i>Analysis is Required for All of the Following Parameters Except Those Marked NR (Not Required)</i>					
Natamycin (mg/L)			500	Quarterly	Composite
Settleable Solids, (ml/l) (required additional test only when using FlopAM EM 533)			0.1	Quarterly	Grab

**Table 12 – Cherry Packing Wastewater Discharges to Dust Abatement – Effluent Limits & Monitoring**

Ecology added the following products to a revised Table 12:

PARAMETER/POLLUTANT <sup>2</sup>	DAILY MAXIMUM PERMIT LIMIT	SAMPLE FREQUENCY <sup>3</sup>	SAMPLE TYPE
<i>Analysis is required for all of the following parameters</i>			
Natamycin (mg/L)	500	1 per Cherry Packing Season	Composite
Settleable Solids (ml/L) (required additional test only when using FLOPAM™EM 533 GR)	0.1	1 per Cherry Packing Season	Composite

**C. TDM 3 – Land Application**

**2. BMPs & Other Requirements for Land Application Discharges**

a. Do not commingle or apply to the same land application site any wastewater containing:

- DPA
- Lignosulfonate (rinse only)
- Chlorine-based products
- Natamycin

**Table 15 – Effluent Limits & Monitoring for Discharges to Land Application Sites**

Ecology added the following products to a revised Table 15:

PARAMETER/ POLLUTANT <sup>2</sup>	DAILY MAXIMUM PERMIT LIMIT <sup>1</sup>			SAMPLE FREQUENCY	SAMPLE TYPE
	Drencher wastewater only	NCCW only	Other allowed wastewater sources <sup>3</sup>		
<b><i>Analysis is Required for All of the Following Parameters Except Those Marked NR (Not Required)</i></b>					
Natamycin (mg/L)			500	Quarterly	Composite
Settleable Solids (ml/l) (required additional test only when using FLOPAM™EM 533 GR)			0.1	Quarterly	Grab

**Table 16 – Cherry Packing Wastewater Discharges to Land Application – Effluent Limits & Monitoring**

Ecology added the following products to a revised Table 16:

PARAMETER/POLLUTANT <sup>2</sup>	DAILY MAXIMUM PERMIT LIMIT	SAMPLE FREQUENCY <sup>3</sup>	SAMPLE TYPE
<b><i>Analysis is required for all of the following parameters</i></b>			
Natamycin (mg/L)	500	1 per Cherry Packing Season	Composite
Settleable Solids (ml/l) (required additional test only when using FLOPAM™EM 533 GR,)	0.1	1 per Cherry Packing Season	Grab

**D. TDM 4 – Publicly Owned Treatment Works (POTWs)**

**Table 17 – Effluent Limits & Monitoring for Discharges to POTWs**

Ecology added the following products to a revised Table 17:

PARAMETER/ POLLUTANT <sup>1</sup>	DAILY MAXIMUM PERMIT LIMIT		SAMPLE FREQUENCY	SAMPLE TYPE
	NCCW only	Other allowed wastewater sources <sup>2</sup>		
<i>Analysis is Required for All of the Following Parameters Except Those Marked NR (Not Required)</i>				
Natamycin (mg/L)		500	Quarterly	Composite

**Table 18 – Cherry Packing Wastewater Discharges to a POTW – Effluent Limits & Monitoring**

Ecology added the following products to a revised Table 18:

PARAMETER/POLLUTANT <sup>1</sup>	DAILY MAXIMUM PERMIT LIMIT	SAMPLE FREQUENCY <sup>2</sup>	SAMPLE TYPE
<i>Analysis is required for all of the following parameters</i>			
Natamycin (mg/L)	500	1 per Cherry Packing Season	Composite

**Appendix A – Recommended Analytical Methods**

Ecology revised the permit's Appendix A - Recommended Analytical Methods with the addition of the following products:

PARAMETER	RECOMMENDED ANALYTICAL METHOD(S)	Detection Level (DL) <sup>1</sup>	Quantitation Level (QL) <sup>2</sup>
Natamycin	HPLC with UV Detection	0.6 (mg/L)	0.2 (mg/L)
Settleable Solids	SM2540 –F		0.1-1 (ml/L)

## Rationale for Permit Modifications

The following explains why Ecology chose to modify the permit requirements in the FFPGP:

Ecology modified **Table 1 – Items to be Submitted to Ecology** under the heading of **Summary of Submittals, Reports, and Plans**.

- Submittal requirements for Modifications of Current Permittee coverages, were added that require current permittees to follow when considering using new products added in the General Permit modification process. Timelines of when to submit coverage changes were also included in the table.
- Instructions for New Facilities that may be applying for permit coverages are included.
- These notifications to Ecology are required so that regularly submitted Discharge Monitoring Reports (DMR's) maybe updated for permittees use in the Water Quality reporting portal.

### S2. Application for Permit Coverage & Modification of Permit Coverage

Ecology added a new sub-section **4. Changes of Operations Due to the 2019 Modification of the General Permit** to Special Condition **S2.D. Modification of Permit Coverage**. The new section 4 requires existing facilities to contact Ecology to update their records of products used.

This new section also explains that Permittees are required to notify Ecology and submit engineering documents according to General Condition G14 of the General Permit when adding wastewater treatment components or altering wastewater treatment components to utilize the wastewater treatment products added in this modification.

Additionally, the new sub-section to part S2.D. requires potential new permittees to include the information in their application for permit coverage.

### S3. Selection of Treatment/Disposal Methods (TDMs)

Ecology, at the request of a chemical additive purveyor, and with the support of the Washington State Tree Fruit Association, determined that the post-harvest fungicide BioSpectra™100 SC with active ingredient Natamycin is eligible for use under this General Permit and has negligible impact to the environment when treated or disposed of in four of the available TDMs in the General Permit.

Ecology based its determination on product research and available historical use data. However, there is limited availability of data on the fate of Natamycin for discharges to surface waters and to groundwater through percolation. Therefore, the modified permit does not allow surface water discharge or ground water percolation treatment/disposal methods for wastewater containing residual Natamycin. The Table 3 revision allows only specific TDMs for this product. The revised Table 4 includes the maximum use rate for Natamycin for facilities covered under the General Permit.

In addition, the modified permit (S3, Table 3) authorizes the use of two new wastewater treatment chemicals (Aquamark702 & FLOPAM™EM) with eligible TDMs containing these product's residuals. The TDMs are limited to evaporative lagoon storage, dust abatement, land application, and POTW.

Even though these types of wastewater treatment products are routinely used at other types of wastewater treatment plants for coagulation purposes, the residual product from the use at wastewater facilities are routinely returned back to the start of the treatment facility and treated before discharge to a surface water of the state. Ecology has incomplete information concerning the environmental effects of wastewater containing

these product residuals direct to surface and ground waters of the state. Therefore, without further wastewater treatment of the residuals, surface water and percolation pond discharge TDMs are not permitted by this modification.

Ecology added two additional footnotes (12 and 13) to Table 3 to provide clarity for permittees utilizing any product added in this General Permit modification.

## **S5. TDMs – Definitions, Effluent Limits, Monitoring, And Best Management Practices (BMPs)**

Ecology modified the following sections of **S5.B TDM 2 – Dust Abatement**:

**S5.B.2a.** Do not commingle or apply to the same discharge site any wastewater containing:

- Natamycin
- DPA
- Lignosulfonate
- Chlorine-based products

There is insufficient study data and historic use information to allow commingling of Natamycin in the discharge with the products listed.

### **S5.B.2c. Road Management Plan (RMP)**

The following wastewater types must have separate application sites and each site must be addressed in the RMP:

- Wastewater containing Lignosulfonate
- Wastewater containing DPA
- Wastewater containing Chlorine-based products
- Wastewater containing Natamycin

There is insufficient study data and historic use information to allow commingling of Natamycin in the discharge with the products listed. The RMP must clearly delineate separate discharge locations.

Ecology modified **Table 11 -- Effluent Limits & Monitoring for All Discharges to Dust Abatement**, to include the following:

- Residual Natamycin in wastewater discharges is limited to 500 mg/L (please note that this is not the **use** limitation of 1,000 mg/L). Monitoring and reporting requirements remain consistent with other chemical additives discharged through dust abatement.
- Ecology added an additional limitation and monitoring schedule for the new wastewater treatment coagulants discharged with residuals present. The General Permit already includes chloride and total dissolved solids limitations and monitoring for the dust abatement TDM.

Ecology modified **Table 12 -- Cherry Packing Wastewater Discharges to Dust Abatement – Effluent Limits & Monitoring** to include the following:

- The modified permit has a discharge limitation of 500 mg/L for residual Natamycin in wastewater. Monitoring and reporting remains consistent with other chemical additives discharged through dust abatement.
- The modified permit has an additional limitation and monitoring schedule for wastewater treatment coagulants wastewaters. The General Permit already includes

chloride and total dissolved solids limitations and monitoring for the dust abatement TDM.

### **S5. C. TDM 3 – Land Application**

Ecology modified **S5.C2.a. TDM 2 – Dust Abatement** in the following restriction:

Do not commingle or apply to the same discharge site any wastewater containing:

- Natamycin
- DPA
- Lignosulfonate
- Chlorine-based products

There is insufficient study data and historic use information to allow commingling of Natamycin in the discharge with those products listed.

Ecology modified **Table 15 -- Effluent Limits & Monitoring for Discharges to Land Application Sites** to include the following:

- Residual Natamycin in wastewater discharges is limited to 500 mg/L (please note that this is not the **use** limitation of 1,000 mg/L). Monitoring and reporting remains consistent with other chemical additives discharged to land application sites.
- Ecology added an additional limitation and monitoring schedule for the new wastewater treatment coagulants discharged with residuals present. The General Permit already includes chloride and total dissolved solids limitations and monitoring for the land application TDM.

Ecology modified **Table 16 -- Cherry Packing Wastewater Discharges to Land Application – Effluent Limits & Monitoring** to include the following:

- Residual Natamycin in wastewater discharged is limited to 500 mg/L. Monitoring and reporting remains consistent with other chemical additives that are discharged to land application sites.
- For the wastewater treatment coagulants that are being added to this permit, one additional limitation and monitoring schedule is added for wastewaters discharged with these product residuals present. The General Permit already includes chloride and total dissolved solids limitations and monitoring for the land application TDM for cherry packing wastewaters.

### **S5.D. TDM 4 – Publicly Owned Treatment Works (POTWs)**

Ecology modified **Tables 17 and 18 in S5.D TDM 4** in the following manner:

Ecology modified **Table 17 -- Effluent Limits & Monitoring for Discharges to POTWs** to include the following:

- Residual Natamycin in wastewater discharged to POTW is limited to 500 mg/L (please note that this is not the **use** limitation of 1,000 mg/L). The frequency of monitoring and reporting schedule remains consistent with other chemical additives that are discharged to a POTW.
- For the wastewater treatment coagulants added to this permit, no additional limits and monitoring are added to the effluent limits and monitoring Table 17 for discharge with coagulant residuals because these coagulants are often used at POTWs for their operations and are frequently treated in filtrate water from treatment plant processes. Current permittees who elect to use these products

after the General Permit for the Fresh Fruit Packing Industry modification is in effect are still required to comply with **S2.D.4.a** and **S2.D.4.b** before using these products.

Ecology modified **Table 18 -- Cherry Packing Wastewater Discharges to a POTW – Effluent Limits & Monitoring** to include the following:

- Residual Natamycin in wastewater discharged is limited to 500 mg/L. The frequency of monitoring and reporting schedule remains consistent with other chemical additives that are discharged to a POTW.
- In Table 18, Ecology included no additional limits or monitoring requirements for the wastewater treatment coagulants chemicals added to the modified permit. The rationale is that treatment plant operational processes remove coagulants in filtrate water at the POTWs.
- Current permittees who elect to use these products after the FFPGP modification effective date are still required to comply with **S2.D.4.a** and **S2.D.4.b** before using these products.

## **Appendix A—Recommended Analytical Methods**

Ecology included recommended analytical methods for Natamycin and Settleable solids, including minimum detection and quantitation levels (where available).

## APPENDIX B—Public Involvement Process for the Modification of the General Permit

Ecology proposes to modify the Fresh Fruit Packing Industry general permit. The modification includes the addition of products that may be used in the fresh fruit packing industry and includes limitations and other conditions concerning those products. This fact sheet describes Ecology's reasons for modifying the general permit and includes limitations and permit conditions.

Ecology will place a Public Notice of Draft in the State Register of Washington on March 6, 2019 and March 29, 2019. The Public Notice of Draft was also published in the Yakima Herald Republic and the Wenatchee World on March 6, 2019 and March 26, 2019 to inform the public and to invite comment on the proposed draft of the modification.

Additionally a letter announcing the availability of the draft modified permit and the draft fact sheet addendum will be sent to all current permittees of the General Permit for the Fresh Fruit Packing Industry, to state agencies of concern, to other governmental organizations (federal, local, etc.) and to all tribal authorities.

The Notice and Letter:

- Tells where copies of the draft modified permit and fact sheet addendum are available for public evaluation.
- Provides a link to access the draft documents on line.
- Offers to provide the documents in an alternate format to accommodate special needs.
- Invites comments on Ecology's SEPA Determination of Non-Significance for a non-project review.
- Urges people to submit their comments, in writing, before the end of the comment period.
- Gives details on where and when the public hearing will be about the proposed modifications to the NPDES permit.
- Explains the next step(s) in the permit modification process.

Though comments can be made on any part of the general permit, only the comments concerning the parts of the permit being modified as described in this Fact Sheet Addendum will be considered and responded to.

### Types of Facilities or Dischargers and Geographic Area Covered

Every new or existing fresh fruit packing facility within the entire State of Washington which receives, packs, stores, and/or ships either hard or soft fruit is required to apply for or have current coverage under either this general permit or an individual NPDES/State Waste Discharge Permit. ***Current Permittees do not have to reapply for coverage based upon the modification to the General Permit.***

### Documents Available for Review

You may download a copy of the draft modified permit and fact sheet addendum at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Fresh-fruit-packing-general-permit>; or you may request a copy from Cynthia Huwe, (509) 457-7105 or email [cynthia.huwe@ecy.wa.gov](mailto:cynthia.huwe@ecy.wa.gov).

## Public Hearing

A public hearing concerning the draft modifications to the general permit shall be held on April 9, 2019 at the Ecology office in Union Gap, WA.

Please see below for location and exact time.

**DATE:** April 9, 2019  
**TIME:** 5:00 to 7:00 P.M.  
**LOCATION:** Washington Department of Ecology  
Central Regional Office  
1250 W. Alder Street  
Union Gap, WA 98903  
Room Number 102/B

## When and How to Submit Comments

Comments on the proposed modifications to the general permit may be given at the public hearing. Interested persons are also invited to submit written comments regarding the proposed modifications to the general permit. All written comments must be submitted by 5:00 pm (PST) on April 22, 2019 to: Cynthia Huwe, Department of Ecology, 1250 West Alder Street, Union Gap, WA 98903.

Submit comments online at: <http://ws.ecology.commentinput.com/?id=7Y5ip>:

## Final Determination

All comments received **by 5:00 pm on April 22, 2019** will be considered before final modified general permit terms, limitations, and conditions are established. A responsive summary of comments received during the comment period will be prepared and available for public review.

If the final content of the modifications remain substantially unchanged from the draft modifications to the general permit, a copy of the final determination in the form of a Public Notice of Issuance shall be forwarded to all current permittees, interested parties, and to persons who submitted written comment or gave public testimony regarding the modifications to the general permit. However, if the final determination is substantially changed, another Public Notice of Draft Modified General Permit shall be published.

## Tentative Determination to Issue

Ecology will receive and consider all public comments, either written or given in public testimony. Ecology will then issue the final modified General Permit for the Fresh Fruit Packing Industry. Ecology expects to issue the modified general permit between April 23-25, 2019, with an effective date of July 1, 2019.

## Further Information

Contact Marcia Porter at [marcia.porter@ecy.wa.gov](mailto:marcia.porter@ecy.wa.gov) or (509) 454-7864 or at 1250 W. Alder Street, Union Gap, WA.

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Ecology is an equal opportunity agency and does not discriminate based on race, creed, color, disability, age, religion, national origin, sex, marital status, disabled veteran's status, Vietnam Era veteran's status, or sexual orientation. If you require special accommodation need this document in alternative format, please contact Cynthia Huwe at [cynthia.huwe@ecy.wa.gov](mailto:cynthia.huwe@ecy.wa.gov) or (509) 457-7105.

Ecology has published a document entitled Frequently Asked Questions about Effective Public Commenting, which is available on our website at <https://fortress.wa.gov/ecy/publications/SummaryPages/0307023.html>.

You may obtain further information from Ecology by telephone, (509) 457-7105 or by writing to the address listed below.

Water Quality Permit Coordinator  
Department of Ecology  
Central Regional Office  
1250 West Alder Street  
Union Gap, WA 98903

The primary author of the modifications to the general permit and fact sheet addendum is Marcia A. Porter, Environmental Specialist 4.

## APPENDIX C—Response to Comments

**Please note:** though comments are always welcomed and received by the Department of Ecology, the only comments considered and responded to in a general permit modification process are those that address the specific modification areas as outlined in the Fact Sheet Addendum.\*

No person provided oral testimony at the public hearing that occurred on April 9, 2019. Two persons provided written testimony during the allotted public comment period on the draft modified permit. These comments and Ecology's numbered responses (in **blue font**) are provided below, and become a part of the official record of this permitting action.

No person provided oral testimony on April 9, 2019, and no person provided written testimony during the allotted public comment period on the Determination of Non-Significance (DNS) of the SEPA action for this general permit modification.

### COMMENTS from David Felicetti

5661 Branch Road, Wapato, WA

via e-comments, Ecology

**From:** [noreply@smartcomment.com](mailto:noreply@smartcomment.com) <[noreply@smartcomment.com](mailto:noreply@smartcomment.com)>

**Sent:** Monday, April 8, 2019 11:20 AM

**To:** [david.felicetti@paceint.com](mailto:david.felicetti@paceint.com)

**Subject:** Public Notice of Modification to the Fresh Fruit Packing Industry General Permit comment

Thank you for your comments on the Public Notice of Modification to the Fresh Fruit Packing Industry General Permit. Your comments have been received.

**Name:** David Felicetti

**Address:** 5661 Branch Road

**City:** Wapato

**State:** Washington

**ZIP:** 98951

**Email:** [david.felicetti@paceint.com](mailto:david.felicetti@paceint.com)

### ***Public Notice of Modification to the Fresh Fruit Packing Industry General Permit***

1.Remove all references that state natamycin is approved for use as an organic crop input. At the Fall 2018 NOSB meeting, Natamycin was determined to be nonsynthetic, based upon a review using the NOSB guidance on the classification of materials (NOP 5033). The NOSB recommends natamycin be listed at §205.602 as a nonsynthetic substance prohibited in organic crop production.

2.Recommended Analytical Methods- Natamycin: Change Detection Level to 0.06 mg/L

3.The Biospectra 100 SC label registered in Washington (attached), allows for Bin/Truck Drench or In-Line Dip/Drench or Flooders on pome fruit. Natamycin should be added to Drencher/Dip Tank with the following TDMs, lined lagoon, dust abatement, land application and POTW.

## Ecology Response:

1. Remove all references that state natamycin is approved for use as an organic crop input. At the Fall 2018 NOSB meeting, Natamycin was determined to be nonsynthetic, based upon a review using the NOSB guidance on the classification of materials (NOP 5033). The NOSB recommends natamycin be listed at §205.602 as a nonsynthetic substance prohibited in organic crop production.

### Response No. 1:

Thank you for your review and comments. All references that Natamycin is approved for organic crop input have been removed.

2. Recommended Analytical Methods- Natamycin: Change Detection Level to 0.06 mg/L

### Response No. 2:

The minimum detection level for Natamycin has been changed to 0.06 mg/L

3. The Biospectra 100 SC label registered in Washington (attached), allows for Bin/Truck Drench or In-Line Dip/Drench or Flooders on pome fruit. Natamycin should be added to Drencher/Dip Tank with the following TDMs, lined lagoon, dust abatement, land application and POTW.

### Response No. 3:

Ecology reviews product labels and product Safety Data Sheets (SDS) as it pertains to the release of the product and its impact on the environment. The proponent is responsible to outline both the uses and the treatment/disposal method (TDM) they would like Ecology to consider before the general permit is modified. Ecology's permit writer based the uses and TDMs included in this modification on conversations with the proponent and understood that the primary use of the product was for cherry production. Pome fruit packing discharge water was included based upon electronic communications. No other use was requested during the permit modification development stage. No further changes to the uses or TDMs for this product will be considered or added at this time. The proponent of the product may submit more information on the effects of this product on the environment involving the TDMs that include surface water discharges or percolation pond discharges prior to the time of the general permit reissuance in 2021. Ecology can consider revising the area of uses and disposal at the 2021 permit renewal draft stage. This information should be submitted to Ecology at least six months prior to the current permit's expiration date of August 21, 2021.

**COMMENTS from Ranie L. Haus, Washington State Tree Fruit Association, Yakima, WA**



**Washington State  
Tree Fruit Association**

105 S. 18<sup>th</sup> Street, Suite 116 - Yakima, WA 98901 - 509-452-8555

April 19th, 2019

Marcia Porter  
Water Quality, Technical Unit  
Department of Ecology- Central Regional Office  
1250 West Alder Street  
Union Gap, WA 98903-0009

Dear Marcia:

Thank you for the opportunity to provide comments on the modification of the Fresh Fruit Packing General Permit (FFPGP).

The Washington State Tree Fruit Association represents growers, packers, and marketers of apples, pears, cherries, and other tree fruit. We believe that modifying the FFPGP to allow BioSpectra100C, CM-402, FLOPAM EM 553, FLOPAMEM 640 CT, and AQ 702 would be of great value to the tree fruit industry.

As the Department of Ecology has determined that the proposal will not have a probable significant adverse impact on the environment, we feel that final approval is not controversial and should be adopted. We also observe that modifications in mid-term on this permit are important as it allows the most current technology and products to be used. We hope Ecology will continue to consider changes in between permit renewals are appropriate.

Thank you for the opportunity to express our members' concerns.

Sincerely,

Ranie L. Haas  
Director of Regulatory and Industry Affairs  
Washington State Tree Fruit Association

**Response No. 4**

Thank you for your review and comments.