



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

October 7, 2021

Patrick Tolman
Farmland Reserve, Inc.
79 S. Main St., Ste 1100
Salt Lake City, UT 84111

Sent via email only: ptolman@agreserves.com

RE: Notice of Temporary State Waste Discharge Permit No. ST0501336 for River Point Farms Onion Processing Facility, Effective October 3, 2021

Dear Patrick Tolman:

Your application for a state waste discharge permit for River Point Farms Onion Processing Facility was received by this office on September 4, 2020. It was reviewed and accepted as complete on August 17, 2021. A Public Notice of Application was published on August 26, and September 2, 2021, in the Tri City Herald and the public comment period ended on October 3, with no comments being received.

Given our limited resources, beyond processing and approving your application, we can't issue a full permit at this time. Washington Administrative Code (WAC) 173-216-070 explains what satisfies the requirement for filing a permit application. WAC 173-216-090 requires publication of a public notice followed by a 30-day comment period. Revised Code of Washington (RCW) 90.48.200 states, "In the event of failure of the Department of Ecology (Ecology) to act upon an application within 60 days after it has been filed, the applicant shall be deemed to have received a temporary permit. Said permit shall authorize the applicant to discharge wastes into waters of the state as requested in its application only until such time as Ecology shall have taken action upon said application."

Therefore, as RCW 90.48.200 and WAC 173-216-090 provide, your new Temporary Permit became effective **October 3, 2021**, the day following completion of the public notice comment period. It will remain in force for up to five years or until further notice by the Department, whichever occurs first.

Ecology will undertake writing a full permit as time allows. At that time we will contact you to discuss any changes in operation and to do a site visit.

Your temporary permit consists of the permit application and all appendices submitted with it. Compliance with the application and the appendices will constitute compliance with the temporary permit.

Temporary Permit Conditions and Requirements

S2.A. Monitoring requirements

The Permittee must monitor the wastewater and production according to the following schedule:

Process Wastewater Influent to Lagoon (Outfall 001)			
Parameter	Units & Speciation	Minimum Sampling Frequency	Sample Type
Flow	gal/day	Continuous ^a	Metered
Flow (Monthly Total)	gal/month	1/month ^b	Calculation ^c
Depth of Water	inches	1/month	Measurement ^d
Liner Leak	Yes/No	1/month	Visual Observation ^e
pH	Standard Units	2/month	Grab ^f
Biological Oxygen Demand (BOD ₅)	mg/L	2/month	Grab
BOD ₅	lbs/day	2/month	Calculated ^g
Soluble BOD ₅	mg/L	2/month	Grab
Soluble BOD ₅	lbs/day	2/month	Calculated
Total Dissolved Solids (TDS)	mg/L	2/month	Grab
TDS	lbs/day	2/month	Calculated
Chloride	mg/L	2/month	Grab
Total Kjeldahl Nitrogen (TKN)	mg/L as N	1/month	Grab
TKN	lbs/day	1/month	Calculated
Nitrate plus Nitrite Nitrogen	mg/L as N	1/month	Grab
Nitrate plus Nitrite Nitrogen	lbs/day	1/month	Calculation
Total Nitrogen	mg/L as N	1/month	Calculation ^h
Total Nitrogen	lbs/day	1/month	Calculation
a	Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The time interval for the associated data logger must be no greater than 30 minutes. The Permittee must sample daily when continuous monitoring is not possible.		
b	1/month means one (1) time during each calendar month.		
c	Subtract the first reading in the specified time period from the last reading.		
d	Measurement means the reading of the lagoon liquid level against the lagoon depth gauge.		
e	If leaked water is observed report yes, if not report no.		
f	Grab means an individual sample collected over a fifteen (15) minute, or less, period.		
g	Calculated means figured concurrently with the respective sample, using the following formula: Concentration (in mg/L) X Flow (in MGD) X Conversion Factor (8.34) = lbs/day		
h	Total Nitrogen concentration calculated by adding together TKN and Nitrate/Nitrite concentrations.		

Process Wastewater Lagoon Effluent to Sprayfield (Outfall 002)			
Parameter	Units & Speciation	Minimum Sampling Frequency	Sample Type
Flow	gal/day	Continuous ^a	Metered
Flow (Monthly Total)	gal/month	1/month ^b	Calculation ^c
pH	Standard Units	2/month	Grab ^d
BOD ₅	mg/L	2/month	Grab
BOD ₅	lbs/day	2/month	Calculated ^e
Soluble BOD5	mg/L	2/month	Grab
Soluble BOD5	lbs/day	2/month	Calculated ^e
TDS	mg/L	2/month	Grab
TDS	lbs/day	2/month	Calculated
Chloride	mg/L	2/month	Grab
Total Kjeldahl Nitrogen (TKN)	mg/L as N	2/month	Grab
TKN	lbs/day	2/month	Calculated
Nitrate plus Nitrite Nitrogen	mg/L as N	2/month	Grab
Nitrate plus Nitrite Nitrogen	lbs/day	2/month	Calculation
Total Nitrogen	mg/L as N	2/month	Calculation ^f
Total Nitrogen	lbs/day	2/month	Calculation
a	Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The time interval for the associated data logger must be no greater than 30 minutes. The Permittee must sample daily when continuous monitoring is not possible.		
b	1/month means one (1) time during each calendar month.		
c	Subtract the first reading in the specified time period from the last reading.		
d	Grab means an individual sample collected over a fifteen (15) minute, or less, period.		
e	Calculated means figured concurrently with the respective sample, using the following formula: Concentration (in mg/L) X Flow (in MGD) X Conversion Factor (8.34) = lbs/day		
f	Total Nitrogen concentration calculated by adding together TKN and Nitrate/Nitrite concentrations.		

Supplemental Irrigation Water Monitoring (Before Mixing with Process Wastewater)			
Parameter	Units & Speciation	Sampling Frequency	Sample Type
Flow	gal/day	Continuous ^a	Metered
Flow (Monthly Total)	gal/ month	1/month ^b	Calculation ^c
pH	Standard Units	Semi-annual ^d	Grab
Conductivity	micromhos/cm	Semi-annual	Grab
TDS	mg/L	Semi-annual	Grab
Nitrate-Nitrite Nitrogen	mg/L	Semi-annual	Grab
Total Kjeldahl Nitrogen (TKN)	mg/L as N	Semi-annual	Grab
Nitrate plus Nitrite Nitrogen	mg/L as N	Semi-annual	Grab
Total Nitrogen	mg/L as N	Semi-annual	Calculation ^e
Sulfate	mg/L	Semi-annual	Grab
Chloride	mg/L	Semi-annual	Grab
Total Alkalinity (as calcium carbonate)	mg/L	Semi-annual	Grab
a	Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Measurements must be taken hourly when continuous monitoring is not possible.		
b	1/month means one (1) time during each calendar month when process wastewater is mixed with the supplemental wastewater and applied to the sprayfield.		
c	Subtract the first reading in the specified time period from the last reading.		
d	Semi-annual means once in May due by June 15 and once in October due by November 15 of each year.		
e	Total Nitrogen concentration calculated by adding together TKN and Nitrate/Nitrite concentrations.		

Groundwater Monitoring			
Groundwater Well Monitoring Points: To be determined once monitoring wells are installed			
Parameter	Units & Speciation	Sampling Frequency	Sample Type
Measured Depth to Groundwater	Feet (nearest 0.01 ft)	Quarterly ^a	Field Measurement
Conductivity	micromhos/cm	Quarterly	Field Measurement
Temperature	Degrees C	Quarterly	Field Measurement
pH	Standard Units	Quarterly	Grab
Fecal coliform bacteria	# colonies / 100 mL	Quarterly	Grab
Nitrate	mg/L as N	Quarterly	Grab
TDS	mg/L	Quarterly	Grab
Total Iron	mg/L	Quarterly	Grab
Total Manganese	mg/L	Quarterly	Grab
Total Arsenic	mg/L	Quarterly	Grab
Chloride	mg/L	Quarterly	Grab
a	Quarterly sampling periods are January through March, April through June, July through September, and October through December.		

This authorization does not allow you to discharge pollutants not specified in your application or appendices, or in quantities exceeding those specified. You are also required to comply with all water pollution laws and regulations.

Discharge Monitoring Report (DMR) Forms

Submit DMRs for parameters with the monitoring frequencies specified in the monitoring tables above (monthly, quarterly, semiannual, etc.) at the reporting schedule identified below. The Permittee must:

- Submit **monthly** DMRs by the 15th day of the following month, beginning with the October 2021 DMR due by **November 15, 2021**.
- Submit **quarterly** DMRs, to be determined once the monitoring wells are installed.
- Submit **semiannual** DMRs by June 15 for the May monitoring and November 15 for the October monitoring, of each year. Semiannual sampling periods are January through June, and July through December.

Ecology requests that you register for WQWebDMR, Ecology's electronic data reporting system, and submit your DMRs electronically. To sign up for WQWebDMR (with step-by-step registration instructions and screen shots) at: <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance>. Please feel free to contact Ecology if you have any questions about WQWebDMR.

If you are unable to submit your DMR electronically, contact the Water Quality Permit Coordinator, Department of Ecology, 1250 West Alder Street, Union Gap, WA 98903-0009, to request a waiver to use WQWebDMR and obtain a paper DMR form.

Renewal Application

A new application must be submitted before October 2, 2025, if discharge of wastewater is to continue after the five-year term of this temporary permit. Ecology may issue a new permit for this discharge at any time. Ecology may request an updated application if a substantial amount of time passes before acting on your original application.

Permit Fees

Under the Model Toxics Control Act, codified as RCW 90.48.465, Ecology is required to recover the cost of the Water Quality Permit Program. Ecology has adopted a regulation (Chapter 173-224 WAC) establishing annual permit fees for all municipal/domestic and industrial wastewater discharge permit holders. Your Temporary Permit is subject to this fee. Permit fee billing will be in a separate mailing from the Ecology Fee Unit.

Appeal Process

You have the right to appeal this permit within thirty (30) days upon receipt of this document. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

If you choose to appeal this action or decision, your notice of appeal must contain: (1) A copy of the permit you are appealing, and (2) A copy of the application for the permit.

Any appeal must contain the following in accordance with the rules of the hearing board:

- a. The appellant's name and address;
- b. The coverage date and number of the permit appealed;
- c. A description of the substance within the permit that is the subject of the appeal;
- d. A clear, separate, and concise statement of every error alleged to have been committed;

Patrick Tolman
Farmland Reserve, Inc.
October 7, 2021
Page 7

- e. A clear and concise statement of facts which the requester relies to sustain his or her statements of error; and
- f. A statement setting forth the relief sought;
- g. The notice of appeal shall contain a copy of the order or decision appealed from, and if the order or decision followed an application, a copy of the application.

Your appeal must be filed with the Pollution Control Hearings Board:

Street Address

Pollution Control Hearings Board
1111 Israel Road SW, Suite 301
Tumwater, WA 98501

Mailing Address

Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

Your appeal must also be served on the Department of Ecology:

Street Address

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Mailing Address

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

In addition, please send a copy of your appeal to:

Damon G. Roberts
Section Manager/Water Quality Program - CRO
Department of Ecology
1250 W. Alder St.
Union Gap, WA 98903-0009

If you have any questions or need assistance, please feel free to contact Matthew Durkee, your permit manager at matthew.durkee@ecy.wa.gov or 509-379-4384.

Sincerely,



Damon G. Roberts
Section Manager
Water Quality Program

- c: Gary Ransom, Farmland Reserve
Kerri Macomber, River Point Farms
Water Quality Fee Unit, Lacey
Matthew Durkee, Ecology-Union Gap
Caleb Bos, Ecology-Union Gap