



SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[help\]](#)

1. Name of proposed project, if applicable:

Five-year routine renewal of the General Permit for the Fresh Fruit Packing Industry. A combination NPDES and State Waste Discharge General Permit.

2. Name of applicant:

Washington State Department of Ecology

3. Address and phone number of applicant and contact person:

Contact: Marcia Porter, General Permit Writer/Statewide Implementation Manager

Address: Washington State Department of Ecology, WQ Program

Central Regional Office

1250 W. Alder Street

Union Gap, WA 98903-0009

Phone: 509-454-7864 and 509-406-6624 (preferred)

Email: marcia.porter@ecy.wa.gov

4. Date checklist prepared:

December 08, 2020

5. Agency requesting checklist:

Washington State Department of Ecology

6. Proposed timing or schedule (including phasing, if applicable):

On August 31, 2021, the General Permit for the Fresh Fruit Packing Industry will expire. Ecology is currently in the process of developing a draft permit in preparation of making a reissuance decision for the next five years. Federal rules and regulation prohibit General Permits from exceeding five (5) year permit terms.

The General Permit governs the discharge and the discharge quality of the wastewaters associated with the fresh fruit packing industry. Currently all of the facilities covered under this General Permit are located around the state's centralized fruit growing region along the Yakima, Columbia, Wenatchee, and Okanogan River corridors, ultimately the permit covers all counties within the State of Washington.

The renewed permit will be released to the public for a 45-day comment period from September 1, 2021 through 11:59 p.m. October 15, 2021. An issuance decision is anticipated in late fall, 2021. If reissued the effective date of the permit will be January 1, 2022. The current (expiring) permit will be administratively continued, and that continuation will end when a new permit becomes effective or the current permit is revoked. This timing is being proposed to align the reporting portal (WQReportingPortal) annual due dates with the effective and expiration dates of the Fresh Fruit Packing General Permit. Announcements of the availability of these documents for public comment will be in the State Register.

The documents associated with this SEPA review to include additional products for use in the fruit packing industry will be out for public comment beginning on **September 1, 2021**. Newspapers will publish the notice on September 1, 2021. Public comments will close at **11:59 p.m. on October 15, 2021**.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

General Permits are renewed every five years. Any major modifications during the five year permit term do not change the expiration date. The General Permit for the Fresh Fruit Packing Industry will expire on: August 31, 2021. The effective and expiration dates of the renewed General Permit are proposed to be, effective January 1, 2022 and expiration December 31, 2026.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The Fact Sheet for the renewal of the General Permit for the Fresh Fruit Packing Industry will be prepared for the General Permit for the Small Business Economic Impact Analysis before April 4, 2021. The document will contain additional background information, permit requirement justifications, analysis requirements, Best Management Practices requirements, required documentation, and additional references.

Additionally, facilities constructed, permitted, and operating under the General Permit that undergo expansion or construction, or new facilities constructed after the issuance of the General Permit, are required to conduct SEPA determination before applying for a modification to their coverage (if already permitted) or before applying for coverage (if a new facility).

Environmental studies and/or assessments have been prepared and submitted to Ecology concerning the products being proposed to be included in the renewed General Permit. Ecology staff have reviewed all documents submitted and based decisions of any product based on the outcome of the reviews. Those documents are available upon request at:

Washington State Department of Ecology
Central Regional Office
Attention Marcia Porter, WQ
1250 W. Alder Street
Union Gap, WA 98903

Alternatively, contact may be made in either of the following manners:
509-454-7864, or cellular: 509-406-6624 (preferred)
marcia.porter@ecy.wa.gov

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are further environmental and human health assessment to be completed by the Environmental Protection Agency (EPA) on propiconazole, an active ingredient in a proposed post-harvest fungicide.

10. List any government approvals or permits that will be needed for your proposal, if known.

Ecology has elected to reject products with the active ingredient propiconazole to be included in the general permit until final assessments have been completed by the EPA .and are available for review by Ecology.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this

page. (Lead agencies may modify this form to include additional specific information on project description.)

This SEPA Environmental Checklist was prepared for the non-project proposal of issuing a renewed General Permit for the Fresh Fruit Packing Industry (GPFFP).

The current GPFFP was issued on July 20, 2016 and became effective on September 1, 2016. The current permit term expires on August 31, 2021.

Companies that have applied to have products included in this permit renewal are listed below along with the active ingredient. Approval, treatment/disposal method approved for (if applicable), and disapproval of any (if applicable) product or process are also included below:

- Apeel Technology, Inc. (DBA Apeel Sciences, Goleta, CA)
 - Citric Acid (primarily for post-harvest disease control in organic fruit)
- Hungry Planet Organics, Boise, Idaho; Electrochemically Activated Water that produces:
 - Hypochlorous Acid
 - Sodium Hydroxide
 - A brine solution is also left over from this process
- Syngenta, Greensboro, North Carolina;
 - Difenconazole Re-evaluation
 - Propiconazole

Processes proposed to be added to the renewal documents of the General Permit for the Fresh Fruit Packing Industry, and the decisions by Ecology, are listed below:

- **Electrochemically Activated Water** (also known by various equipment providers as Acidic Oxidizing Water, Acidic Electrolyzed Water, Electrochemically Activated Water, Functional Water, Redox Water, SterilOx Water, Super Oxide Water, and others).

Electrolyzed water processes utilize ‘table’ salt and water combined with electrical charge to provide two by-products via electron transfer, hypochlorous acid (disinfectant) and sodium hydroxide (detergent). This process has gained traction recently to utilize the by-products for packinghouse pathogen control, post-harvest disease control, fungal control, and foodborne pathogen reduction.

Permit limitations in the General Permit are sufficient to control and mitigate effects to the environment from most of the treatment/disposal methods (TDM) in the general permit for discharge waters containing product residuals from the activated water processes with the following mitigating provisions in the General Permit:

- a. Surface water discharges of fresh fruit packing wastewaters containing residuals from any activated water process are allowed only after a secondary treatment process of the wastewater;
- b. Discharges of fresh fruit packing wastewaters containing residuals from any activated water process to publicly owned treatment works (POTW) are allowed only after recertification by the POTW authorities recognizing the potential corrosivity of the discharge waters from any activated water process;
- c. The activated water process generates a leftover “brine” product that can be heavily polluted with salts, and potentially contain uncontrolled concentrations of other pollutants present in the feed water. Therefore, the permit limits disposal of the brine to an approved lined evaporative lagoon, with no potential to be discharged to any other TDM allowed.

With the above (a.-c.) limitations and provisions included in the renewal document of the General Permit for the Fresh Fruit Packing Industry, Ecology intends to allow the use of by-products of activated water processes by fresh fruit packing operators covered under the General Permit.

Chemicals (active ingredients) proposed to be added to the renewal documents of the General Permit for the Fresh Fruit Packing Industry, and the decisions by Ecology, are listed below:

- **Citric Acid:**

Citric acid occurs naturally in plants and in animal tissues and fluids. It can also be extracted from citrus fruit, pineapple waste, and produced on an industrial scale by mold-based fermentation of carbohydrates such as molasses.

Citric acid is an active ingredient in pesticide products registered for residential and commercial use as disinfectants, sanitizers and fungicides. These products may be used to kill odor-causing bacteria, mildew, pathogenic fungi, certain bacteria and some viruses; and to remove dirt, soap scum, rust, slime, and calcium deposits. Citric acid products are often used in bathrooms, as well as dairy and food processing equipment

The Environmental Protection Agency (EPA) has waived most of the generic data collection requirements for re-registration for Citric Acid. Citric acid is a well-known component of carbohydrate metabolism in living organisms, and is found naturally in soil and water. It degrades readily when in contact with a variety of microorganisms that are found in soil, natural waters and sewage treatment systems. Citric acid is generally considered "safe."

Based upon research, Ecology believes permit limitations in the General Permit are sufficient to control and mitigate effects to humans and the environment from most of the treatment/disposal methods (TDM) in the general permit for discharge waters containing Citric Acid residuals from the processes commonly associated with the Fresh Fruit Packing Industry. It is anticipated that in Washington State, Citric Acid, as an active ingredient, will be used primarily as a fungicide associated with organic fruit packing.

Citric Acid can create a biological demand on waters. Therefore, the following mitigating provisions will be provided for in the General Permit:

- a. No wastewaters from processes that are using Citric Acid as the active ingredient will be allowed to be discharged with the TDM of dust abatement.

With the above (a.) TDM exclusion included in the renewal document of the General Permit for the Fresh Fruit Packing Industry, Ecology intends to allow the use of products with Citric Acid as the active ingredient in processes by fresh fruit packing operators covered under the General Permit.

- **Difenoconazole:**

Difenoconazole, an active ingredient in some post-harvest fungicides for use in the fresh fruit packing industry, was evaluated during the last renewal process in 2016¹. The evaluation of this active ingredient revealed some immediate concerns with synergistic effects in the presence of other post-harvest fungicides commonly used in the industry. This is a re-evaluation of the product at the request of the manufacturer's.

For the General Permit renewal that went into effect in 2016, discharges that contained residuals of products with Difenoconazole as the active ingredient were limited to the TDM of lined evaporative lagoons. In the fresh fruit packing industry, lined evaporative lagoons are often used as storage until the contents can be land applied or used as dust abatement (frequently summer months). However if discharges containing residuals of Difenoconazole were included in the lagoon content, no discharge to other TDM's from the lined evaporative lagoon were allowed. This limited the use of this active ingredient to facilities that had "spare" lined evaporative lagoons that could be utilized for strictly evaporative purposes.

The fresh fruit packing industry representatives have expressed to Ecology that due to decreasing efficacy, new products have to be developed and available for more widespread use in the industry to combat the efficacy issue. Ecology has heard the industry in this matter and have re-evaluated this active ingredient and made the following determinations.

Difenoconazole remains unstable, and in the presence of other active ingredients, it could undergo electron change and produce conjugates that are more harmful to humans or the environment. With the TDM dust abatement, separate sites are already included in the general permit for other highly volatile and unstable products². Therefore, that requirement will be expanded to include discharges with residuals of products with Difenoconazole as the active ingredient.

- a. Discharges with residuals of Difenoconazole are allowed with the TDM's lined evaporative lagoons and dust abatement. Dust abatement sites for Difenoconazole must be separate from sites with residuals of DPA, Lignosulfonate, Chlorine-based products, and Natamycin. Setbacks will remain at 250 feet to surface water sources.

With the above (a.) TDM special requirements included in the renewal document of the General Permit for the Fresh Fruit Packing Industry, Ecology intends to allow the use of products with Difenoconazole as the active ingredient in processes by fresh fruit packing operators covered under the General Permit.

- **Propiconazole**

Ecology received a request to evaluate Propiconazole, an active ingredient in some post-harvest fungicides to be included in the General Permit for the Fresh Fruit Packing Industry for use by permittees covered under their General Permit in Washington State.

EPA has completed extensive studies in the re-evaluation of Propiconazole as an active ingredient. Though the data determines that it is likely not mobile in organic soils, it is very persistent in soils. Additionally the EPA assessment has determined it is highly toxic to aquatic organisms, including those present in common secondary municipal wastewater treatment plants (or publicly owned treatment works or POTW's).

EPA determined in the first assessments, that there were indications that Propiconazole is a carcinogen. Further assessments by EPA are planned. Based upon the initial assessment, Ecology has decided that products with Propiconazole as a part of the chemical make-up will not be allowed to be used at facilities covered under the General Permit for the Fresh Fruit

Packing Industry in Washington State. When final assessments are completed by the EPA, further review by Ecology may be requested.

Based upon assessments provided to Ecology by the manufacturer, Ecology is denying the request to include products containing the ingredient Propiconazole in the General Permit until further planned assessments are completed by the EPA, submitted to, and reviewed by Ecology.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The current General Permit for the Fresh Fruit Packing Industry (expires 08/31/2021) and the proposed renewed general permit apply to all existing coverages in the state of Washington and could apply to new fresh fruit packing facilities in the state of Washington. The permit is intended to be a statewide permit, however all current coverages are in the Central and Eastern Regions of the state.

The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit do not apply to:

1. Federal lands in Washington state where a federal agency is the decision maker.
2. Indian Country and trust or restricted lands except portions of the Puyallup Reservation as noted. Puyallup Exception: Following the Puyallup Tribe of Indians Claims Settlement Act of 1989, 25 U.S.C. §1773; this permit does apply to land within the Puyallup Reservation except for discharges to surface water on land held in trust by the federal government.
3. It does not apply to fruit processing facilities that cut, split, juice, or cook fresh fruit.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site: (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the site topography will depend on the location of the facility covered under the general permit.

- b. What is the steepest slope on the site (approximate percent slope)?

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the site steepest slope will depend on the location of the facility covered under the general permit.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any

agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the individual site soil type will depend on the location of the facility covered under the general permit.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the individual site history of unstable soils in the immediate vicinity will depend on the location of the facility covered under the general permit.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the individual site filling, excavation, and grading will depend on the location of the facility covered under the general permit.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the individual site erosion potential due to clearing, construction, or use will depend on the location of the facility covered under the general permit.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Unknown. The current General Permit for the Fresh Fruit Packing Industry and the proposed renewed general permit applies to existing permit coverage and new fruit packing facilities located throughout Washington State. Therefore, the individual site impervious surface cover percentage varies dependent upon the location and size of the facility covered under the general permit.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The proposed renewed draft permit for the fresh fruit packing industry includes numerous requirements intended to reduce or prevent erosion and runoff at the permitted facility. For instance, the current permit for the industry includes the following. The proposed general permit language does not alter these requirements:

- Prohibits permittees from discharging wastewater to land treatment systems or road dust abatement areas if the system or area is frozen, covered by snow, saturated, or flooded.
- Requires permittees to inspect their land treatment system and road dust abatement areas to determine if the wastewater discharges are causing erosion, ponding, or runoff.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Unknown. The types and quantities of emissions will vary depending upon whether it is an existing or new facility. It could include cars, trucks, and agricultural equipment, odors from land treatment systems, road dust, or lagoons. Dust and emissions could also occur from construction on a new or modified facility.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Unknown. Off-site emissions would likely include agriculture equipment and will be dependent upon location.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

The current fruit packing general permit includes numerous requirements intended to reduce or prevent odors related to wastewater discharges at facilities. The renewed general permit language does not alter these requirements:

- Required to apply at established discharge rates and to not discharge when grounds are frozen or saturated.
- Lagoons and percolation systems are required to be kept clean, and in some cases aerated.

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Some coverages under the current fruit packing general permit are located near water sources. It is dependent upon where they are located within the state boundaries. New facilities could also be located near surface water. The renewal of the general permit does not alter that.

Some facilities treat the wastewater and discharge to a surface water. The current general permit requires monitoring and reporting of discharges that constituents of concern are kept below surface water quality standards. The proposed permit will not alter those requirements.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Some coverages under the current fruit packing general permit are located near water sources. It is dependent upon where they are located within the state boundaries. New facilities could also be located near surface water. The renewed permit does not alter that.

Some facilities treat the wastewater and discharge to a surface water. The current general permit requires monitoring and reporting of discharges that constituents of concern are kept below surface water quality standards. The permit includes best

management practices intended to protect surface waters of the state. The renewed permit will not alter those requirements.

Facilities are allowed to store product only with a spill prevention plan in place. Facilities are required to keep stored product on secondary containment of sufficient size to hold all product to prevent contamination of water sources nearby. The renewed permit includes the same requirements.

Ground application, percolation ponds, and dust abatement procedures in the current general permit require setbacks of 50-100 feet from close surface water bodies. Impoundments are required to maintain a 2-foot "freeboard" space to prevent overtopping in the event of inclement weather. The renewed permit includes the same requirements.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Unknown. The proposed draft renewed General Permit for the Fresh Fruit Pacing Industry applies to existing and new fruit packing facilities located throughout Washington State. Therefore, the amount, source, and location of fill and dredge materials will depend on the needs of the facility covered by the General Permit. The proposed general permit will not alter that.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No, the current general permit for the fruit packing industry does not require withdrawals or diversions. The proposed general permit will not require withdrawals.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Unknown. The current general permit for the fresh fruit industry applies to existing and potentially new fruit packing facilities located throughout Washington State. Therefore, the possibility of a facility being located within a 100-year floodplain will vary depending on the location of the facility covered under the proposed general permit.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The current general permit for the industry does allow discharges of wastewater to surface water for permittees that have the treatment capabilities to assure the water does not contribute constituents in the water body to levels above state water quality standards. The permit provides monitoring and reporting of levels of pollutants of concern in the fruit packing industry discharges to Ecology. The proposed general permit includes those same requirements.

The proposed draft general permit will add post-harvest fungicides and products to the general permit at levels intended to prevent violation of surface water quality standards.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Some facilities already permitted under the general permit for the fresh fruit packing industry do utilize water from well sources for personal consumption and other domestic purposes, as well as for water supply in the fruit packing process. These are existing facilities that can be located throughout the state. New facilities could be covered under the permit depending upon their location and may use well water, depending upon their process. It is unknown at this time where they could be located.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The fruit packing general permit addresses discharges of wastewater to subsurface infiltration systems similar to septic systems as well as discharges to infiltration basins, to land treatment systems, as road dust abatement, and to wastewater lagoons. The amount of wastewater discharged and the rate of discharge will vary depending on the compliance strategy of the permittee.

Pollutants of concern commonly found in wastewater discharges from fresh fruit packing facilities include high concentrations of oxygen-demanding organic material, high variances in water pH, high amounts of solids (both suspended and dissolved), and residuals of post-harvest fungicides, and disinfection products; as well as soaps and waxes. The current permit includes requirements designed to reduce and prevent impacts from discharges to groundwater and it requires monitoring and reporting of concentration levels to assure compliance. The renewal documents of the general permit will add post-harvest fungicides and products, and include requirements for reductions in residuals, as well as monitoring, and reporting requirements.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The current general permit for the fresh fruit packing industry has various collection requirements for current facilities to control stormwater and runoff. The draft documents for renewal of the general permit allows Ecology the ability to include additional stormwater monitoring on a case-by-case basis through an administrative order..

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Yes, the current general permit for the fresh fruit packing industry allows waste material to enter either surface or ground water. The permit requires permittees (either existing or new) to comply with the limitations in amounts that prevent surface or ground water degradation. The renewed general permit will require monitoring and reporting to Ecology on a regular basis to assure that the facilities are staying under those limitations of pollutants of concern with this industry.

Current treatment/disposal methods (TDM's) available for the fruit packing industry for discharge of their wastewater include:

- Evaporation
- Land application
- Dust abatement
- Percolation ponds
- Discharge to a POTW

- Discharge to surface water.

Pollutants of concern for this industry include:

- Solids (may include dissolved or suspended),
- Some salts,
- Post-harvest fungicide residuals
- pH variations
- Disinfection residuals
- Soaps and waxing residuals.

The permit includes procedures that require reduction of concentrations of these products and prevent impacts from discharges to both ground and surface waters.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The current general permit controls drainage pattern effects through best management practices (BMP) requirements. The renewed general permit is proposing to include these same requirements.

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

The following are examples of requirements in the current general permit for the fresh fruit packing industry that are designed to reduce or prevent impacts from wastewater discharges to groundwater and surface water.

- Restrictions on the application rate of wastewater discharged to land treatment systems and as road dust abatement, including how many days per week a facility may discharge wastewater.
- A facility may not discharge wastewater to a lagoon or infiltration basin at rates that would cause the wastewater to overtop the liquid storage structure.
- Numeric limitations for pollutants of concern in wastewater that are discharged. Regular monitoring and reporting of discharge quality to assure that the facility is staying under the restricted level.
- A facility must:
 - Maintain the facility to prevent spills and leaks, and must clean them up if they do occur.
 - Reduce the amount of pollution or waste generated and manage the pollution and waste that is generated.
 - Remove solids from wastewater. Provide adequate treatment for products that may affect surface water or ground waters.
 - Properly store, use, and dispose of chemicals.
 - Design their waste management system for the volumes of strength of wastewater they generate. All new facilities, and existing permittees that undergo up grades, must have engineering approval for the facility plans, modifications, and specifications from Ecology engineers prior to proceeding.

The proposed renewed general permit includes all of the same requirements. Additional requirements may be included for new products being proposed in the renewed general permit.

4. Plants

- a. Check the types of vegetation found on the site:

Unknown. The current fresh fruit packing general permit applies to existing and new fresh fruit packing facilities located throughout Washington State. Therefore, the type of vegetation found at each permitted facility will vary. It is possible that a variety of vegetation could grow on or near permitted or new facilities including one, more, or all of any of the following. The proposed renewal of the general permit does not alter this possibility.

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

None

- c. List threatened and endangered species known to be on or near the site.

Unknown. The current fruit packing general permit applies to existing and new packing facilities located throughout Washington State. Therefore, the occurrence, type, and quantity of threatened or endangered species at each permitted facility will vary. It is possible that a variety of threatened or endangered species could be observed at or near permitted facilities. The proposed renewal of the general permit does not alter this possibility.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None

- e. List all noxious weeds and invasive species known to be on or near the site.

Unknown. The current general permit for the fresh fruit packing industry includes the discharge of wastewater to managed vegetation (whether crop or landscaping) as part of a land treatment system. It also includes discharges as dust abatement and percolation. One of the requirements related to these discharge method(s) are that the permittee maintain healthy and viable vegetation. Healthy vegetation should not include noxious weeds or invasive species. However, the permit does include existing and potential new permittees from throughout Washington State that could possibly have noxious weeds or invasive species known to be on or near the sites. The proposed renewal of the general permit does not alter this possibility.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Unknown. The current fresh fruit packing general permit applies to existing and new packing facilities located throughout Washington State. Therefore, the occurrence, type, and quantity of birds and other animals at each permitted facility will vary. It is possible that a variety of bird and other animal species could be observed at or near permitted facilities. The proposed renewal of the general permit does not alter this possibility.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.

Unknown. The current fresh fruit packing general permit applies to existing and new packing facilities located throughout Washington State. Therefore, the occurrence, type, and quantity of threatened or endangered species at each permitted facility could vary. It is possible that a variety of threatened or endangered species could be observed at or near permitted facilities. The proposed renewal of the general permit does not alter this possibility.

- c. Is the site part of a migration route? If so, explain.

Unknown. The current fresh fruit packing general permit applies to facilities located throughout Washington State. Therefore, the likelihood that a permitted facility is located along a migration route will vary. It is possible that existing facilities, or proposed new facilities, are located along migration routes. The proposed renewal of the general permit does not alter this possibility.

- d. Proposed measures to preserve or enhance wildlife, if any:

The current fresh fruit packing general permit does not include measures that specifically preserve or enhance wildlife. However, the intent of the current fresh fruit packing general permit is to protect human life and the environment by requiring permittees to properly manage and discharge their wastewater. The renewed general permit will not alter those purposes or intents, and does not include measures that specifically preserve or enhance wildlife.

- e. List any invasive animal species known to be on or near the site.

Unknown. The current general permit for the fresh fruit packing industry includes existing facilities or new facilities from throughout Washington State. The current permit does not include specific measures to eliminate invasive species at or near the facilities. Invasive species may be present at or near the facilities. The proposed renewal of the general permit does not alter this possibility.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

It is not anticipated that the renewal of the fresh fruit packing general permit will require any further investment in energy and natural resources from what the existing facilities are already consuming to meet the requirements of the general permit.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

It is not anticipated that the renewal to the fresh fruit packing general permit will cause an affect to adjacent properties to use solar energy.

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

There are no specific energy conservation features in the proposed renewal of the general permit. The wastewater treatment products proposed to be added may allow a water savings through reuse if properly installed and operated. New post-harvest fungicides proposed to be included could result in a reduction of disposal of rotten or unusable fruit.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

The proposed permit will require permittees to follow Federal Insecticide Fungicide and Rodenticide Act (FIFRA) and label requirements which discusses appropriate handling and disposal. The current general permit for the fresh fruit packing industry and the proposed renewal documents requires a permittee to properly operate and maintain their wastewater management system, which could include the use of chemicals. It is likely that an individual facility could use chemical products for post-harvest fruit quality, but the quantity and type will depend on the waste management strategy of the facility. Monitoring and reporting is required as well as inspections to confirm that both existing and any future new facilities would comply with the requirements of the permit. The renewal documents of the general permit do not alter these requirements.

- 1) Describe any known or possible contamination at the site from present or past uses.

Unknown. The current general permit for the fresh fruit packing industry and the proposed modification covers existing facilities from throughout Washington State. There could be possible contamination sites at some of the existing facilities. The proposed renewal of the general permit does not alter this possibility.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Toxic or hazardous chemicals may be stored at existing or new fruit packing facilities as a result of this renewal being expanded for use at packing houses. The general permit requires that facilities store these in a safe manner with precaution that prevents accidental spillage. Facilities are not able to use products inconsistent with the EPA approved label requirements. The renewal documents of the general permit does not change these requirements of facilities.

4) Describe special emergency services that might be required.

No additional emergency services are anticipated to be required due to the renewal of the general permit for the fresh fruit packing industry, beyond what is currently required by the existing facilities under the current general permit.

5) Proposed measures to reduce or control environmental health hazards, if any:

The current general permit for the fresh fruit packing industry has provisions and requirements to prevent, reduce, or control environmental health hazards. Some of those include:

- Restrictions on use of products outside the label requirements
- Spill control plans
- BMP's
- Operation and Maintenance plans
- Monitoring and reporting of constituents of concern in the fruit packing industry.

The proposed renewal does not alter these requirements.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The renewal of the general permit for the fresh fruit packing industry will not add or reduce noise, or be impacted by existing facilities noise, beyond that which currently exists.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

The modification to the general permit for the fresh fruit packing industry will not add or reduce noise or be impacted by existing facility noise, beyond that which currently exists. New or updating existing facilities may create additional noise that does not already exist, but it is unknown the type or the long or short term basis of the noise.

3) Proposed measures to reduce or control noise impacts, if any:

None at this time.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A

- c. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A

- d. Describe any structures on the site.

N/A

- e. Will any structures be demolished? If so, what?

N/A

- f. What is the current zoning classification of the site?

N/A

- g. What is the current comprehensive plan designation of the site?

N/A

- h. If applicable, what is the current shoreline master program designation of the site?

N/A

- i. Has any part of the site been classified as a critical area by the city or county? If so, specify.

N/A

- j. Approximately how many people would reside or work in the completed project?

N/A

- k. Approximately how many people would the completed project displace?

N/A

- l. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

- m. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A.

- n. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

- c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

- b. What views in the immediate vicinity would be altered or obstructed?

N/A

- c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

- c. What existing off-site sources of light or glare may affect your proposal?

N/A

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

- b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

N/A

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A

- h. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A

- b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

N/A

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity that might be needed.

N/A

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Marcia Porter, Environmental Specialist IV

Position and Agency/Organization: Water Quality Program, Washington State Department of Ecology, Central Regional Office, Union Gap, WA

Date Submitted: TBD, 2021

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed renewal of the General Permit for the Fresh Fruit Packing Industry proposes to add post-harvest fungicides and water treatment products to allow facilities to more effectively treat fruit for protection from various diseases and spores, and to more effectively treat the wastewater associated with fresh fruit packing facilities. These products will be allowed to be discharged through and into treatment/disposal methods and may contain residuals of these products. Discharge limitations and best management practices are also included in the permit to prevent unlawful and dangerous levels of the product to be discharged. It is not anticipated to increase discharges to water, emissions to air, production of hazardous substances, or production of increased noise level over what is currently created at existing facilities. Storage of hazardous substances and accidental release could occur as a result of this renewal of the general permit.

Proposed measures to avoid or reduce such increases are:

The general permit for the fresh fruit packing industry includes

- BMP's to reduce or eliminate residual products in the wastewater
- Restrictions on the amount of wastewater that can be applied to ground and the number of times per year that discharge is allowed per year.
- Discharge to ground is not allowed during times when the ground is frozen or saturated to prevent over application impacts.
- Limitations in the permit for concentration levels with regular monitoring and reporting of results to assure that facilities are not discharging residuals in quantities enough to violate ground and/or surface water quality standards.
- Facilities are also not allowed to utilize pesticide products in amounts greater or in violation of any FIFRA label requirements.
- Facilities must conform to requirements of secondary containment for stored products and must keep and follow a Spill Prevention Plan on site.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed renewal of the General Permit for the Fresh Fruit Packing Industry proposes to add post-harvest fungicides and water treatment products to allow facilities to more effectively treat fruit for protection from various diseases and spores, and to more effectively treat the wastewater associated with fresh fruit packing facilities. These products will be allowed to be discharged through and into treatment/disposal methods and may contain residuals of these products. Discharge limitations and best management practices are also included in the permit to prevent unlawful and dangerous levels of the product to be discharged to prevent likely affects to insects, plants, terrestrial animals, fish, or marine fish.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The current general permit for the fresh fruit packing industry requires that:

- Existing facilities implement best management practices to reduce and prevent impacts from wastewater discharges. The renewal of the general permit does not alter these requirements for either existing or any future new facilities. The following are requirements existing facilities must comply with:
 - BMP's to reduce or eliminate residual products in the wastewater.
 - Restrictions on the amount of wastewater that can be applied to ground and the number of times per year that discharge is allowed per year.
 - Discharge to ground is not allowed during times when the ground is frozen or saturated to prevent over application impacts.
 - Limitations are included in the permit to prevent exceedances of water quality standards by pollutants of concern. Regular monitoring and reporting of results to assure that facilities are not discharging residuals in quantities enough to violate ground and/or surface water quality standards or to harm plants or animals.
 - Wastewater is applied at known and established agronomic rates.
 - Not allowed to utilize products in amounts greater or in violation of any label requirements.

3. How would the proposal be likely to deplete energy or natural resources?

The renewal of the General Permit for the Fresh Fruit Packing Industry proposes to add post-harvest fungicides and water treatment products to allow facilities to more effectively treat fruit for protection from various diseases and spores, and to more effectively treat the wastewater associated with fresh fruit packing facilities. Use of these products is anticipated to increase the availability of energy or natural resources. The use of post-harvest fungicides with better efficacy rates will reduce the amount of rot or discarded fruit that lessens the need for transport

and disposal of these items associated with fresh fruit packing. Products used that have the potential to provide better wastewater management will increase the availability of cleaner water for the use of crop enhancement through irrigation or dust abatement and the treated wastewater may eliminate the contamination of ground and/or surface water sources.

Proposed measures to protect or conserve energy and natural resources are:

The successful addition of post-harvest fungicide availability to the fruit packing industry and the successful addition to wastewater treatment products to the current general permit for the fresh fruit packing industry.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The modification to the General Permit for the Fresh Fruit Packing Industry proposes to add post-harvest fungicides and water treatment products to allow facilities to more effectively treat fruit for protection from various diseases and spores, and to more effectively treat the wastewater associated with fresh fruit packing facilities. It is not anticipated that the use of these proposed products will adversely affect environmentally sensitive areas or areas designated for governmental protections, such as parks, and wilderness, threatened (land) or endangered (land) species habitat, historic or cultural sites, floodplains or prime farmlands. Wild and scenic rivers, wetlands, and aquatic threatened or endangered species habitat are not anticipated to be affected because discharge of wastewater with potential residuals are not being proposed to be discharged to surface waters, whether fresh or marine waters.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The current general permit for the fresh fruit packing industry requires that permittees implement best management practices to reduce and prevent impacts from wastewater discharges. The modification to the general permit does not alter these requirements for either existing or any future new facilities. The following are examples of best management practices required by the general permit for the fresh fruit packing industry:

- BMP's to reduce or eliminate residual products in the wastewater.
- Restrictions on the amount of wastewater that can be applied to ground and the number of times per year that discharge is allowed per year.
- Discharge to ground is not allowed during times when the ground is frozen or saturated to prevent over application impacts.
- Limitations in the permit for concentration levels of pollutants of concern, with regular monitoring and reporting of results to assure that facilities are not discharging residuals in quantities enough to violate ground water quality standards or to harm plants or animals.
- Wastewater is applied at known and established agronomic rates.
- Not allowed to utilize pesticide products in amounts greater or in violation of any FIFRA label requirements.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Ecology anticipates that compliance with the current general permit for the fresh fruit packing industry and the subsequent modification could benefit land and shoreline use by reducing impacts from wastewater discharges to the environment.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The current general permit for the fresh fruit packing industry requires that permittees implement best management practices to reduce and prevent impacts from wastewater discharges. The modification to the general permit does not alter these requirements for either existing or any future new facilities. The following are examples of best management practices required by the general permit for the fresh fruit packing industry:

The general permit for the fresh fruit packing industry includes:

- BMP's to reduce or eliminate residual products in the wastewater.
- Restrictions on the amount of wastewater that can be applied to ground and the number of times per year that discharge is allowed per year.
- Discharge to ground is not allowed during times when the ground is frozen or saturated to prevent over application impacts.
- Limitations in the permit for concentration levels of pollutants of concern, with regular monitoring and reporting of results to assure that facilities are not discharging residuals in quantities enough to violate ground water quality standards or to harm plants or animals.
- Wastewater is applied at known and established discharge rates.
- Not allowed to utilize pesticide products in amounts greater or in violation of any FIFRA label requirements.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Ecology does not anticipate an increase in demands on transportation, public services, or utilities as a result of the modification of the general permit for the fresh fruit packing industry.

Proposed measures to reduce or respond to such demand(s) are:

The proposed modification to the general permit for the fresh fruit packing industry does not include measures to reduce demands on transportation, public services, or utilities.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Ecology does not anticipate that the proposed modification to the general permit for the fresh fruit packing industry conflicts with any other current local, state, or federal rules, regulations, laws, or statutes. The proposed renewal of this NPDES/State Waste Discharge general permit does not supercede or exempt Permittees from complying with any other state, local, or federal laws, regulations or permits.

References

1. Barik, Sanjay (2016) *Fact Sheet for the Fresh Fruit Packing General Permit*, p. 55-59, <https://ecology.wa.gov/DOE/files/18/180a4dfe-46a6-401a-b718-ba0cf485ce97.pdf>
2. Bohn, Greg (1995) *Fact Sheet for the Fresh Fruit Packing General Permit*, archives, Department of Ecology.