



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

**STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE**

Date of Issuance: TBD, 2021

Lead agency: Department of Ecology, Central Regional Office, Water Quality, Technical Unit

Agency Contact: Marcia Porter, marcia.porter@ecy.wa.gov, (509) 454-7864 or (509) 406-6624

Permit Number: WAG437023 (master Fresh Fruit Packing Industry General Permit)

Description of proposal:

Non-project proposal of issuing a renewed General Permit for the Fresh Fruit Packing Industry (FFPGP). The current FFPGP was issued on July 20, 2016, became effective on September 1, 2016, and will expire on August 31, 2021.

In anticipation of the renewing process of the FFPGP, Ecology received requests to expand the list of products for use in the fruit packing industry. Ecology began the renewal process to renew the general permit in March of 2020.

Additional or new products reviewed to be included in the general permit renewal for use in the fresh fruit packing industry during the next permit term are:

- 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 (original evaluation in 2016)¹
 - Propiconazole

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>

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The following products were included in the General Permit for the Fresh Fruit Packing Industry modification in 2019. These products were determined to be of non-significance on March 6, 2019 following a SEPA review and a public review of SEPA documents:

- PACE, International: BioSpectra 100C
- Miles Chemical Company: CM-402
- SNF, Inc.: FLOPAM EM 533
- SND, Inc: FLOPAM EM 640 CT
- Aquamark, Inc.: AQ 702

The following products were included in the General Permit for the Fresh Fruit Packing Industry at its inception in 1995. At the time of issuance, it was determined these products could be utilized and discharged according to the permit limitations, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) label use requirements, best management practices, and other general permit requirements. The general permit underwent public review processes at that time.

- DPA
- TBZ
- Fludioxonil
- Pyrimethanil
- Captan
- Calcium Chloride
- Ethoxyquin
- Washing/waxing products
- Chlorine based products
- PAA
- Non-chlorine based sanitizers
- Lignosulfonate
- SOPP
- Potassium carbonate
- Potassium phosphate
- Sodium silicate
- Sodium sulfate

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The FPPGP offers the fresh fruit packing industry six treatment/disposal methods (TDM) for handling the wastewater generated at these facilities. They are as follows:

- Lined Evaporative Lagoons
- Dust Abatement
- Land Application
- Percolation Systems
- POTW
- Surface Waters

The proposed additions in the renewal will be allowed in discharges to TDM's as described above. The renewed general permit which may include discharges with residuals of the following product additions, include permit limitations and best management practices to control the levels of pollutants of concern present in the discharge:

- Active Ingredient: Citric Acid
 - All TDM's except dust abatement.
- Hypochlorous Acid and Sodium Hydroxide
 - All TDM's with required exceptions to be met with TDM's POTW and Surface Water Discharges
- Brine from Electrolyzed Water Processes
 - Lined Evaporative Lagoon only.
- Difenoconazole
 - Lined Evaporative Lagoons and Dust Abatement with required exceptions to be met with TDM Dust Abatement.

The request to include products with the active ingredient Propiconazole has been denied pending further environmental assessment planned by the Environmental Protection Agency.

Location of proposal: The current, and the proposed renewed General Permit for the Fresh Fruit Packing Industry, 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 current coverages are in the Central and Eastern Regions of the state.

Applicant/Proponent:

Fresh Fruit Packing Industry

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Ecology has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This determination is based on the following findings and conclusions:

- Limitations on the concentrations of the product residuals present in the wastewater being discharged are included in the general permit renewal;
- Best Management Practice (BMP) recommendations are included proposed renewed general permit;
- Facilities are limited in TDM's that are used for wastewater management;
- Facilities permitted under the FFPGP must undergo inspections to assure compliance with the general permit;
- Facilities must adhere to the EPA approved FIFRA pesticide label for use and disposal recommendations.

The comment period for this DNS begins on September 1, 2021 and will end at 11:59 p.m. (PST) on October 15, 2021.

Responsible official: Damon Roberts

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Signature _____

Date _____

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This SEPA decision may be appealed on the underlying agency action. In this case, the FFPGP Draft Renewal Permit and Fact Sheet may be appealed according to RCW 43.21B and WAC 371-08, within 30 days of the date of issuance of the renewed FFPGP. The environmental checklist for this DNS action may be viewed at the following website: <https://ecology.wa.gov/FruitPackPermit>

Forward Comments to:

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