

WSR 21-22-102

DEPARTMENT OF ECOLOGY

[Filed November 2, 2021, 2:38 p.m.]

PUBLIC NOTICE

Announcing the Reissuance of the Fresh Fruit Packing General Permit

The Washington state department of ecology (ecology) is reissuing the fresh fruit packing national pollutant discharge elimination system (NPDES) and state waste discharge general permit (permit). The permit becomes effective on January 1, 2022, and expires on December 31, 2026.

Purpose of the Permit: The permit addresses various legal requirements and responsibilities, and regulates the discharge of pollutants to protect water quality in Washington state. The permit authorizes the discharge of wastewater associated with the fresh fruit packing industry in Washington state. The permit is a combined NPDES and state waste discharge permit that limits the discharge of pollutants to surface waters under the authority of the Federal Water Pollution Control Act (33 U.S.C. 1251) and limits the discharge of pollutants to surface and groundwater under the authority of the State Water Pollution Control Act (chapter 90.48 RCW).

Public Notice Process and Comments: Ecology accepted public comments on the draft permit and fact sheet from September 1, 2021, **through** October 15, 2021. Ecology held informational public workshops and hearings during this time via online statewide webinars on October 6 and 7, 2021. Ecology received written public comments and emails. The comments and ecology's responses are included as Appendix C of the fact sheet.

Copies of the Permit: The final permit, fact sheet, and response to comments are available online at <https://ecology.wa.gov/FreshFruitPack>. You may request hard copies from Cynthia Huwe at cynthia.huwe@ecy.wa.gov or 509-457-7105.

Applying for Coverage under the Permit: The fresh fruit packing facilities covered under the existing permit that reapplied for permit coverage will be covered under the new permit. New or unpermitted fresh fruit packing facilities in Washington state may obtain coverage under the permit by submitting a complete permit application to ecology and satisfying all applicable public notice and State Environmental Policy Act requirements (WAC 173-226-200). The application is available online at <https://ecology.wa.gov/FreshFruitPack>.

Ecology Contact: Marcia Porter, Washington State Department of Ecology, Central Regional Office, Union Gap, WA 98903-0009, phone 509-454-7864, cellular 509-406-6624 (preferred), email marcia.porter@ecy.wa.gov.

Assistance for Persons with Disabilities: To request ADA accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

En Español: Para información en español, por favor comuníquese con Marcia Porter al 509-454-7864.

Your Right to Appeal: You have a right to appeal the final general permit and general permit coverage for a specific facility to the pollution control hearings board (PCHB). The appeal process is governed by chapters 43.21B RCW and 371-08 WAC.

- Appeals of the general permit issuance must be filed **within 30 days of issuance** of the general permit. See the *Appeal of the General Permit Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>.
- Appeals of general permit coverage for a specific facility must be filed **within 30 days of the effective date of coverage**. See the *Appeal of a General Permit Coverage Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710007.pdf>.
- Please send a copy of the appeal to Damon G. Roberts, 1250 West Alder Street, Union Gap, WA 98903-0009.

If you have questions, please contact Marcia Porter at marcia.porter@ecy.wa.gov or 509-454-7864 or cellular (preferred) at 509-406-6624.