

WSR 21-17-087

DEPARTMENT OF ECOLOGY

[Filed August 13, 2021, 8:45 a.m.]

## PUBLIC NOTICE

**Announcing the Draft Fresh Fruit Packing General Permit  
and Fact Sheet for Review and Comment**

The Washington state department of ecology (ecology) proposes to reissue the **fresh fruit packing** national pollutant discharge elimination system and state waste discharge general permit (permit). The current permit was last issued in July 2016 and is scheduled to expire August 31, 2021. The revised draft permit and fact sheet, which explains the legal and technical basis for the permit, are available with any associated documents for review and public comment from **September 1, 2021, through October 15, 2021, at 11:59 p.m.** Ecology will host informational workshop(s) and a public hearings on the draft permit.

Comments are also solicited on the State Environmental Policy Act (SEPA) action and the determination of nonsignificance. All documents associated with the SEPA action are available on the websites (listed below) with the draft permitting documents. The comment period is the same as the underlying agency action of proposed general permit reissuance, **September 1, 2021, through October 15, 2021, at 11:59 p.m.**

**Purpose of the Permit:** The permit provides coverage for fresh fruit packing facilities packing hard or soft fruits for shipping to food product commercial distributors. This permit also covers long-term fruit storage (CA storage) discharges (noncontact cooling [cooling] water). Under federal and state water quality laws (Federal Clean Water Act and State Water Pollution Control Act), a permit is required for the discharge of these wastewaters. Existing or new fresh fruit packing facilities which receive, pack, store, and/or ship either hard or soft fresh fruit (with the exception of discharges of only domestic wastewater or discharges only to a delegated pretreatment publicly owned treatment works. These private businesses that discharge wastewater either directly or indirectly to waters of the state must obtain permit authorization for their discharge.

**Applying for Coverage under the Permit:** Facilities that have already applied for coverage by March 4, 2021, and are covered under the existing permit, are covered under the new permit. New or unpermitted facilities may obtain coverage under the permit by submitting a complete permit application to ecology and satisfying all applicable public notice and SEPA requirements (WAC 173-226-200). Access to the application is available online at <https://ecology.wa.gov/FRUITPACKPERMIT>.

**Copies of the Draft Permit and Fact Sheet:** The draft permit and fact sheet are available online at <https://ecology.wa.gov/FRUITPACKPERMIT> by end of day on **September 1, 2021**. You may also request copies from Cynthia Huwe at 509-379-3723 or [cynthia.huwe@ecy.wa.gov](mailto:cynthia.huwe@ecy.wa.gov).

**Submitting Written Comments:** Ecology will accept written comments on the draft permit and fact sheet from **September 1, 2021, through October 15, 2021 by 11:59 p.m.** Ecology prefers online comment submission via the eComment form (link below) on the permit webpage. Written comments by mail must be postmarked by **October 15, 2021**. Comments should reference specific permit text when possible.

**Online via the eComment form:** <https://wq.ecology.commentinput.com/?id=mBGE7> (preferred).

**By mail:** Send to Marcia Porter, Washington State Department of Ecology, 1250 West Alder Street, Union Gap, WA 98903, phone 509-406-6624, email [marcia.porter@ecy.wa.gov](mailto: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.

**Public Workshop(s) and Hearing(s):** The purpose of the workshop is to explain the general permit and to answer questions prior to the formal public hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and written comments on the proposed draft permit. Oral testimony will receive the same consideration as written comments.

The public hearing will begin immediately following the public workshop and will conclude when public testimony is complete. The [This] will occur at the dates and times shown below:

**En Español:** Spanish Interpretation will be available at both public events.

**Fresh Fruit Packing workshops and hearings:** Wednesday, October 6, 2021, beginning at 1:00 p.m. The public hearing on this permitting action will begin immediately after the workshop and will conclude when all testimony has been heard.

To join the October 6th event as an attendee:

1. Go to <https://watech.webex.com/watech/onstage/g.php?MTID=e21140393a0b953df8d537e95fbc9baf2>.
2. Click "Join Now."

Thursday, October 7, 2021, beginning at 5:00 p.m. The public hearing on this permitting action will begin immediately after the workshop and will conclude when all testimony has been heard.

To join the October 7th event as an attendee:

1. Go to <https://watech.webex.com/watech/onstage/g.php?MTID=e6e1204be98fc36f57b1ed14728310c5d>.
2. Click "Join Now."

**Issuing the Permit:** After ecology receives and considers all public comments, we will make a final decision on permit issuance. Ecology expects to make a decision on the general permit in late **October 2021**.