

FRESH FRUIT PACKING GENERAL PERMIT RENEWAL THE FRUIT INDUSTRY & WSDOE WORKING TOGETHER

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STEVE HUBER

Introduction

Brent and I had an interesting time collaborating on this presentation. I think he will agree that working together gave both of us an opportunity to see the issues from different perspectives. Hopefully, we can pass on some of what we learned to you.

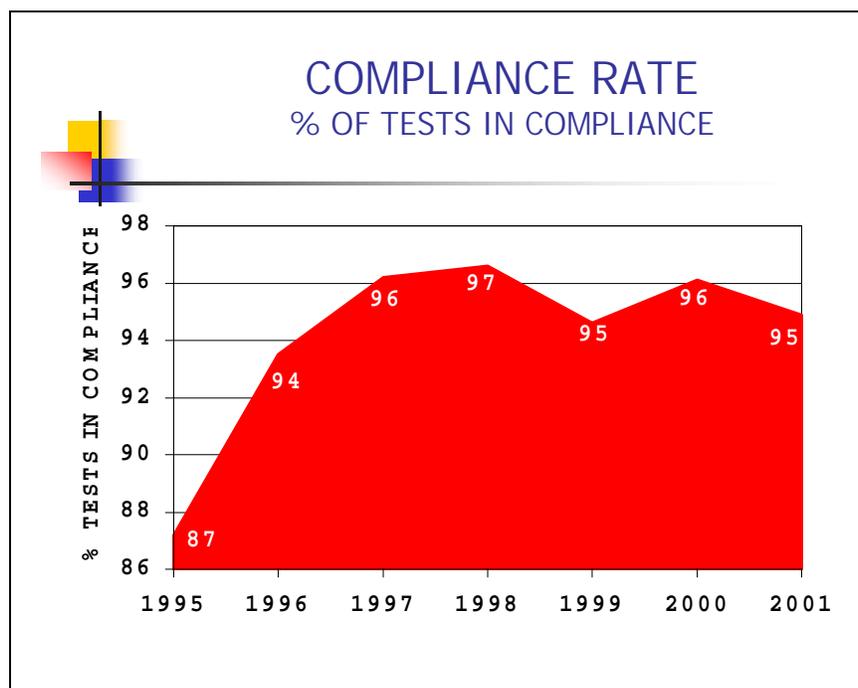
We have four topics we would like to cover today. I will start out discussing permit compliance trends and the permit renewal process. Brent will then give a summary of where we are in the process and how we got here, including the formation of the tech team. Finally, we will both review the goals and accomplishments so far.

2001 Yearly Facility Report

I would like to start by saying I saw a major improvement this year in Yearly Facility Report submittals. 85% were in on time and only 27 late notices were sent out. At this point all the reports are accounted for. I would like to thank all those who got the YFR in on time, and especially those who sent it in early. This really helps even out the data entry workload

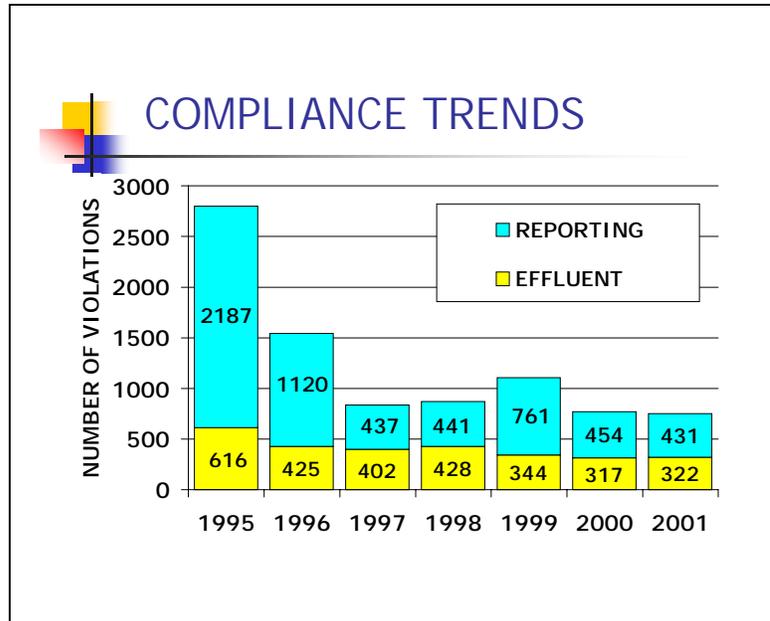
Compliance Rate

Another positive note is the overall compliance rate for the industry. This chart shows the number of tests that were in compliance each year. As you can see there was dramatic improvement in the first few years as wastewater issues were addressed and everyone became more familiar with the permit requirements. The rate has settled in around 95% for the last few years. This is an excellent number and you should be proud of your achievements in wastewater management.



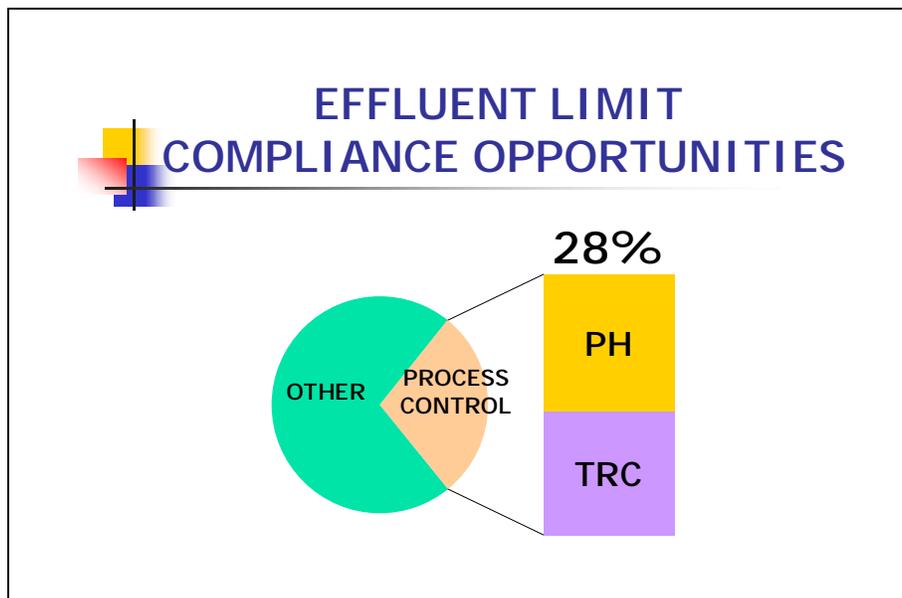
Compliance Trends

However, we don't want to forget about that last 5%. Because in most cases samples are taken just once a quarter each test is potentially significant and may be an indicator of an issue that needs to be addressed. This chart takes a closer look at that 5% non-compliance. I have separated the violations into two types: effluent violations (yellow) which are test results which exceed the permit limits and non-reporting violations (blue) which are missed tests or blank boxes on the reports. Once again we see the big gains in the first 3 years, particularly in the non-reporting violations. Then it flattens out at around 700 to 800 violations per year. The blip in 1999 was probably due to the new permit issued in July 1999. One interesting trend I noticed was that while 50% the facilities (100) had no violations, just 20% of the facilities (40) accounted for 80% of the violations.



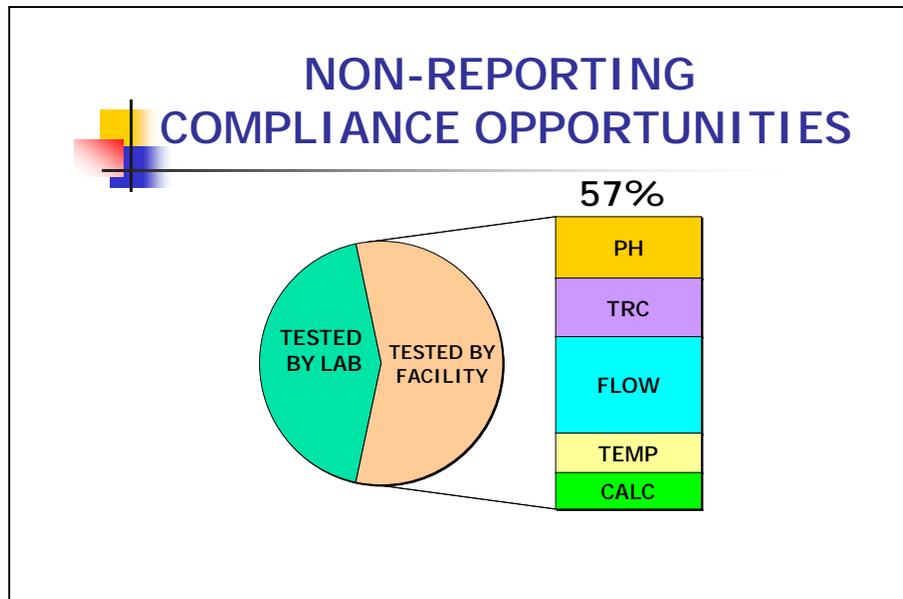
Effluent Limit Violations Compliance Opportunities

This figure shows a breakdown of the effluent limit violations between those that the facility has direct control over such as pH and total residual chlorine, and others that are best dealt with on a case-by-case basis. By using pH adjustment and dechlorination as needed, effluent limit violations could be reduced by 28%.



Non-Reporting Violations Compliance Opportunities

The same holds true for the non-reporting violations. Making sure all the samples are collected and the reports are filled out completely would eliminate all of these violations. Even if a sample is missed those parameters that are monitored by the facility such as pH, TRC, flow, and temperature can still be reported. Some ideas for reducing the number of missed samples include: 1) having a reminder system, 2) taking samples early in the quarter and 3) training a backup in case the regular person responsible for monitoring is out.



Compliance Summary

So to wrap it up, by doing those three things which you have direct control over: 1) getting all samples, 2) filling in all blanks on the reports and 3) doing pH adjustment and dechlorination as needed, non-compliance would be decreased by almost **70%**.

One thing I am planning to do to help you with your ongoing efforts to improve compliance is to send each facility a summary of the violations they had each year. The purpose of this report is to provide you with a tool to help you identify trends or areas of concern.

Permit Renewal Timing

I would now like to move on to the permit renewal process. This is a five-year cycle as specified in the regulations. The general permit was issued in March 1994 and renewed on July 1, 1999. Therefore it is due for renewal on July 1, 2004, which put us half way through the cycle. While that sounds like there is a lot of time left, given the required procedures it really isn't.

Informal Renewal Process—Years 1 to 4

I have broken the renewal process into two parts. The first four years is a more informal process with industry and Ecology working together to identify and resolve any permit issues. This time is used to gather any information and data needed to make good decisions. The goal is to have

the final draft permit complete by July 1, 2003. You can see this leaves us only 1-½ years or one packing season to gather information and develop the draft permit.

Formal Renewal Process—Year 5

The final year is the more formal process required by the regulations. A public notice of draft must be published in newspapers, the state register, and mailed to all permittees and interested parties. Workshops will be held if needed and at least one public hearing is required. At the end of the comment period a response to comments is prepared and the final permit is written. If there are significant changes the process goes back to step one and another public notice of draft is done. If there are no significant changes a public notice of issuance is done similar to the notice of draft. The permit will then be issued 30 days later, followed by a 30-day appeal period.

One additional step is the submission of an application for renewal of coverage by all permittees. This must be received by January 1, 2004 (180 days before the old permit expires). The application form will be sent to you several months before it is due to give you time to prepare it. Don't worry about remembering all this. You will receive several mailings to keep you informed of where we are in the process and what actions you need to take.

BRENT MILNE

Tales From Down the Pipe

In the spring of 2001 the Pacific Northwest and indeed most of the U.S. was beset by an energy crunch. The net result of which, among other things, was the potential loss of lignosite, one of the three pear floats available to pear packers, and widely used in the Wenatchee District. It should be noted at this point that the perceived lack of lignosite was the catalyst that brought the WSDOE and Fruit Industry together for the discussions that will ultimately span the entire breadth of the Fresh Fruit Packing General Permit.

The net result of the potential lack of lignosite was a scramble during the late spring and summer of 2001 by pear packers using lignosite as their primary float material to find an alternative pear float. The list of approved float products is very short and those that are available are fraught with a host of practical use issues that make a switch for a packer difficult at best.

Along with the practical issues surrounding the selection of a pear float material to use in place of lignosite, pear packers were also faced with regulatory issues as spelled out in the Fresh Fruit Packing General Permit. The WSDOE was concerned that packers might delve into floating pears with alternative materials that had not been entirely proven. Ultimately, the fruit industry and the WSDOE recognized the need for candid, timely discussion of these issues...more about that later.

Products are 'Floated'

Throughout the summer of 2001 pear packers (particularly those in the Wenatchee District), spent a great deal of time analyzing their particular pear float/TDM situation. Those that were sending rinse water to POTW's were particularly interested in 'new' materials such as potassium phosphate and potassium carbonate as float materials. A rehash of the appropriate use of sodium silicate and sodium sulfate was also underway. A quick review of the three permitted pear float and their inherent difficulties follows:

1. Lignosite—BOD, TDS, color, lack of production due to energy crunch, spring of 2001.

2. Sodium Silicate—pH, abrasiveness, toxicity, settleability. The material is used, but not allowed to POTW's.
3. Sodium Sulfate—TSS, Sulfate Effluent Limits, settleability, and difficult to charge a tank and keep in solution, as well as corrosiveness and other difficulties connected with its use.
4. Floatless dump systems—Available, but not widely employed for reasons beyond the scope of this presentation.

One of the greatest obstacles encountered in the use of either the 'new' or 'old' pear floats (aside from the lack of permit status) was the issue of 'settleability' at the receiving POTW's. Clearly, much work needed to be done to answer the question of settleability as well as a host of other issues connected with the use of any of the pear floats, 'new' or 'old', that were going to make their way eventually to a POTW or any other TDM.

Fruit Industry and WSDOE 'Plunge' Ahead

This entire chain of events throughout the spring and summer of 2001 brought a group of pear packers and other interested industry people together in re-establishing the wastewater sub-committee of the Postharvest committee of WSHA. The group has taken to calling itself the Wastewater Technical Team or 'Tech Team'. This sub-committee had been very active in the past where the Fresh Fruit Packing General Permit was concerned, so mention of the good work done by the original group of people, both industry and regulatory, involved on the committee in the past is warranted.

The focus of the latest rendition of the Tech Team can be summarized in terms of 'immediate' goals and long-term goals. The immediate goals of the Tech Team are to:

1. Have candid and constructive discussions between the fruit industry and WSDOE regarding the issues and topics of concern before the group.
2. Clarify the product testing procedure as spelled out in the General Permit itself and other pertinent WAC's.
3. Review current and future treatment disposal methods (TDM's) and best management practices (BMP's) with the goal of preserving as wide an array of options to packers as possible.

Fruit Industry & WSDOE 'Plunge', Long-Term Goals

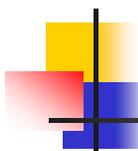
The long-term goals are to:

1. Develop an understanding of and be active in the long-term nature of the General Permit. In other words, seek to keep the wastewater technical sub-committee functioning during the 'off' years between permit cycles.
2. Meet at a minimum of twice per year, more often as necessary.
3. Actively evaluate new products.
4. Seek to truly make the General Permit a 'living' document. In other words, a document that is constantly held up to scrutiny and changed as processes change or new information becomes available.

5. Developing a collaborative and functional DOE/Industry structure within the framework of the General Permit that responds to issues in a timely fashion thereby avoiding elevating a particular issue to ‘knee-jerk’ or ‘emergency’ status.

The Tech Team: ‘Fellowship of the Drain’

The ‘Tech Team’ members represent many facets of the fruit industry in Washington State, thereby giving the ‘industry’ the representation needed in close collaboration with the WSDOE.



THE TECH TEAM

“FELLOWSHIP OF THE DRAIN”

PACKERS “NORTH”

- DALE DAVIS – MAGI
- JEFF KRAUSE – BLUE BIRD
- ERIC STRUTZEL – BLUE STAR
- BRENT MILNE – McDOUGALL

PACKERS “CENTRAL”

- ROB CONRAD – KERSHAW
- KEITH LARSON – LARSON FRUIT
- BRAD TUKEY - SNOKIST

PACKERS “SOUTH”

- DON GIBSON – UNDERWOOD

TRAFFIC ASSOCIATIONS

- MILES KOHL – YVGS
- CHARLIE POMIANEK - WVTA

LABORATORIES

- LAURA MRACHEK – CASCADE ANALYTICAL

DISTRIBUTORS

- KEN BOSSEN – WILBUR ELLIS
- MATT LORZ – NORTHWEST WHOLESAL
- MAURY SMITH – STERI-SEAL

RESEARCH

- GENE KUPFERMAN – WSU
- SHAWN McNEIL – WTFRC
- PETER SANDERSON – WTFRC

WSDOE

- STEVE HUBER – WSDOE

POTWS

- AS NEEDED

PRODUCT MANUFACTURERS

- AS NEEDED

Results to Date: “Good Plumbing Avoids Clogs”

The ‘Tech Team’ has met twice over the past eight weeks. Both meetings have produced a palpable sense of progress as well as the following results:

1. The process by which both modification of the permit and new product approval is achieved is more clearly understood. This will lead to routine, active evaluation of products as the new products become available.
2. The latest meeting of the group revolved around the candid discussion of the permitted pear floats, their TDM’s and BMP’s. The goal here is to retain those floats that are permitted, and in fact add new materials to the list.

3. Agreement has been reached to meet no less than bi-annually, and more often as required.
4. A survey of the industry is underway to more clearly understand current usage patterns and identify the needs of the industry with regard to wastewater management at this point in time. Peter Sanderson with the Washington Tree Fruit Research Commission, Miles Kohl with the Yakima Valley Growers/Shippers and Charlie Pomianek with the Wenatchee Valley Traffic Association are spearheading the survey.
5. Calls to potential 'new' pear float manufacturers to begin testing.

STEVE HUBER

Issues

The first thing I should say is that Ecology is not planning a major rewrite of the permit.

The basic TDM structure, effluent limits, and best management practices will stay the same. However, several issues have been identified so far. The first is pear float materials, which Brent has already talked about. The second issue is unlined percolation ponds. According to my records there are a total of about 60 unlined percolation ponds in use. Of those 40 receive non-contact cooling water only. At this point these are not an issue. However, there is a concern that the 20 ponds receiving packing process wastewater may not be providing adequate treatment. We need to begin the process of verifying what is currently being used and determining if they are providing adequate treatment. Every effort will be made to keep the percolation TDM. However, the requirements for what constitutes an acceptable system may need to be changed. If any changes are found to be necessary, they would not be implemented before the new permit is issued in July 2004. However, if you are using one of these unlined percolation ponds I would encourage you to minimize your risk by doing whatever you can to reduce the amount of BOD and other pollutants discharged to the pond. This could include considering alternative TDMs. Be sure to call me if you have questions

Summary

In summary, the industry should be congratulated for its overall excellent compliance numbers. Continue to look for opportunities to improve compliance, especially those parameters you have direct control over like pH, TRC, temperature, and flow. We are about half way through the five-year permit cycle, so renewal is coming up fast. The tech team has been formed to facilitate the ongoing process of dealing with issues in a timely manner. Be sure to communicate with them and Ecology with any questions or concerns. Also, watch for mailings to keep you informed.