

**STATE OF ARIZONA  
INDIVIDUAL INDUSTRIAL RECYCLED WATER PERMIT NO. R105536  
PLACE ID 2465, LTF 97237**

**1.0 AUTHORIZATION**

In compliance with the provisions of Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Article 7 and A.A.C. Title 18, Chapter 11, Article 3 and amendments thereto, and the conditions set forth in this permit, Fiesta Canning Company, Inc., located in McNeal, Arizona, in Cochise County is hereby authorized to use industrial recycled water for beneficial purposes in accordance with the limitations, monitoring requirements and other conditions set forth in this permit and in the rules cited above.

Conditions established in this permit are designed to protect public health and safety, prevent contamination of groundwater through consumptive water use, and conserve potable water by using reclaimed resources. Water application rates authorized herein do not supersede the requirements of the Arizona Department of Water Resources.

**1.1 PERMITTEE INFORMATION**

**Facility Name:** Fiesta Canning  
**Facility Physical Address:** 7978 North Central Highway  
McNeal, Arizona 85617

**Permittee:** Fiesta Canning Company, Inc.  
**Mailing Address:** 1860 E. River Road, Suite 325  
Tucson, Arizona 85718

**Facility Contact:** Tom Lahut  
**Position/Title:** Vice President of Operations  
**Emergency Phone No.:** (520) 642-3366 (plant office) or (915) 494-4668 (mobile)

**Latitude/Longitude:** 31° 31' 33" N / 109° 41' 55" W

**AUTHORIZING SIGNATURE**

\_\_\_\_\_  
**Randall Matas, Deputy Director**  
**Water Quality Division**  
**Arizona Department of Environmental Quality**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

**THIS PERMIT SUPERSEDES ALL PREVIOUS RECYCLED WATER PERMITS**

## 2.0 RECLAIMED WATER USE

### 2.1 Legal Description

**Applicant/Permittee:** Fiesta Canning Company, Inc.  
**Mailing Address:** 1860 E. River Road, Suite 325  
Tucson, Arizona 85718  
**Phone:** (520) 642-3366

**Permitted Facility:** Fiesta Canning Plant  
**Physical Address:** 7978 North Central Highway  
McNeal, Arizona  
**County:** Cochise  
**Latitude/Longitude:** 31° 31' 33" N / 109° 41' 55" W  
**Cadastral:** (D-22-26)09 Township 22S, Range 26E, Section 09 of the Gila and Salt River  
Baseline and Meridian, Arizona

**Reuse Site:** 1,262 acres of a combination of alfalfa, milo, sudan, fescue, winter wheat, or  
triticale  
**Location:** Approximately 1500 feet north-northeast of the vegetable processing facility  
**County:** Cochise  
**Latitude/Longitude:** 31° 31' 44" N / 109° 40' 19" W  
**Cadastral:** (D-22-26)10, 11, 12, 13, 14 [Township 22S, Range 26E, parts of Sections 10,  
11, 12, 13 and 14 of the Gila and Salt River Baseline and Meridian, Arizona]

**Contact Person for the Facility and Reuse Site:**

**Name:** Tom Lahut, Vice President of Operations  
**Mailing Address:** Fiesta Canning Company, Inc.  
1860 E. River Road, Suite 325  
Tucson, Arizona 85718  
**Phone:** (520) 642-3366

### 2.2 Facility, Wastewater, and Reuse Site Description

Fiesta Canning Company, Inc. has owned and operated a facility since November 15, 1984 in Cochise County. The facility steams, peels, processes, and cans regional vegetables and sauces for sale to restaurants and supermarkets as cooking ingredients and salsa. Chlorine rinsate is added to pumped groundwater which is used in the process to rinse the vegetables and to wash down the processing equipment. The wastewater (up to approximately 1,948,000 gallons per day (gpd)) from the processing plant is collected in a lift station/pump vault and from there pumped to the Daritech DT360 separator unit to separate the solids. The lift station vault also receives steam condensation (approximately 49,100 gpd), process-related washdown water from the sinks and drains (approximately 2,000 gpd), and boiler blow-down water (approximately 900 gpd), for a combined average of 2,000,000 gpd. From the separator, the wastewater is temporarily stored in one on-site aboveground holding tank and pumped from there by pipeline approximately 1500 feet north-northeast where it may be either directly applied to the agricultural fields for irrigation or placed in the North or South storage ponds to be later pumped onto the adjacent agricultural fields for irrigation.

This Individual Industrial Recycled Water Permit (RWP) authorizes the use of industrial recycled water (components listed above) for irrigation of up to 1,262 acres of a combination of alfalfa, milo, sudan, fescue, winter wheat, or triticale, which are used to feed livestock (A.A.C. R18-9-C701(A)(2)). The facility was originally permitted to irrigate 251 acres, then 480 acres, and under this permit, the facility is allowed to irrigate up to 1,262 acres. A summary of land information for each reuse site is in TABLE I. The Department has determined that the North and South storage ponds are permitted under this RWP. Prior to this RWP, the North and South storage ponds were permitted under Type 3.01 General Aquifer Protection Permit (APP) P-511466 with LTF 75174 (South Pond) and LTF 88628 (North Pond). Per A.A.C. R18-9-

A307(C), general permit coverage under P-511466 is automatically revoked with the issuance of this individual permit since this individual permit replaces general permit coverage for the North and South Ponds. Recycled water monitoring shall be performed on a routine basis as indicated in TABLE II.

<b>TABLE I: LIST OF REUSE SITES</b>						
<b>Reuse Site</b>	<b>Owner</b>	<b>Parcel #</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Acreage (acres)</b>	<b>Types of crops to be irrigated</b>
1	Fiesta Canning Company, Inc.	40512002B, 40501023	31° 31' 54" N	109° 41' 06" W	480	Alfalfa, milo, sudan, fescue, winter wheat, or triticale
2	MiCasu Farms	Part of 40501002	31° 31' 30" N	109° 39' 50" W	782	Alfalfa, milo, sudan, fescue, winter wheat, or triticale

**3.0 ALLOWABLE PERMIT LIMITS AND MONITORING REQUIREMENTS**

**3.1 Discharge Monitoring**

Fiesta Canning Company, Inc. is authorized to use recycled water as stated in Parts 1 and 2 of this permit subject to the limits specified in TABLE II below. Recycled water samples shall be collected from the lift station vault prior to delivery to the storage ponds and/or to the reuse site. Unless otherwise indicated, allowable permit limits are maximum values which shall not be exceeded.

<b>TABLE II – ROUTINE MONITORING</b>					
<b>Sampling Point Number</b>	<b>Sampling Point Identification</b>			<b>Latitude</b>	<b>Longitude</b>
1	From the lift station vault			31° 31' 35.8" N	109° 42' 2.5" W
<b>Parameter</b>	<b>Alert Level</b>	<b>Discharge Limit</b>	<b>Units</b>	<b>Sampling Frequency</b>	<b>Reporting Frequency</b>
Flow <sup>1</sup> : Daily	Not Applicable <sup>2</sup>	Not Applicable	mgd <sup>3</sup>	Daily	Quarterly
Flow: Monthly Average Flow Provided for Reuse <sup>4</sup>	Not Applicable	2.0	mgd	Monthly Calculations <sup>5</sup>	Quarterly
Total Nitrogen <sup>6</sup> :	Not Applicable	10.0	mg/l	Quarterly	Quarterly
Total Trihalomethanes <sup>7</sup>	Not Applicable	Not Applicable	mg/l	Annually	Annually

---

1 Flow rate shall be measured using a continuously recording totalizing flow meter and shall be located to gauge the flow of recycled water from the lift station vault to the storage ponds and/or to the reuse site. Flow rate shall be measured on days when recycled water is delivered from the lift station vault to the storage ponds and/or to the reuse site. On days when there is no delivery of recycled water, indicate “no flow” on the Self-monitoring Report Form (SMRF).

2 Not applicable - No limits have been established at the time of permit issuance.

3 mgd = million gallons per day

4 Monthly Average means the calculated average of daily flow values in a month

5 Flow monitoring shall occur only during months in which there is delivery of recycled water from the lift station vault to the storage ponds and/or to the reuse site.

6 Total Nitrogen = Nitrate as N + Nitrite as N + Total Kjeldahl Nitrogen

7 Total Trihalomethanes are comprised of Bromoform, Bromodichloromethane, Chloroform, and Dibromochloromethane.

### 3.2 Monitoring Methodology

Unless otherwise specified in this permit, all monitoring required in this permit shall continue for the duration of the permit, regardless of the status of the facility. Unless otherwise provided, monitoring shall commence the first full monitoring period following permit issuance. All sampling, preservation and holding times shall be in accordance with currently accepted standards of professional practice. Trip blanks, equipment blanks and duplicate samples shall also be obtained, and Chain-of-Custody procedures shall be followed, in accordance with currently accepted standards of professional practice. Copies of laboratory analyses and Chain-of-Custody forms shall be maintained at the permitted facility. Upon request, these documents shall be made immediately available for review by ADEQ personnel.

All samples shall be analyzed by a laboratory certified by the Arizona Department of Health Services (ADHS), Office of Laboratory Licensure and Certifications using Environmental Protection Agency (EPA) or ADHS approved analytical methods. If the levels listed in the permit are less than the detection limits of the appropriate EPA or ADHS analytical methods, then the methods with lowest detection limits shall be applied for the analysis. Analytical methods shall be recorded on the Self-monitoring Report Form (SMRF). A list of certified laboratories can be obtained from:

Arizona Department of Health Services  
Office of Laboratory Licensure and Certification  
250 North 17th Avenue  
Phoenix, Arizona 85007  
Phone: (602) 364-0720

### 3.3 Monitoring and Reporting Schedule

#### 3.3.1 Monitoring Schedule:

Monitoring for total nitrogen and flow rate shall commence within the first month (following the signature date of this permit) in which there is delivery of recycled water from the lift station vault to the storage ponds and/or to the reuse site. Monitoring of TTHM shall occur during the third (July/August/September) quarter, which is the peak processing season for the facility, and shall be repeated annually thereafter during the same quarter.

#### 3.3.2 Self-Monitoring Report Form

All Self-Monitoring Report Forms (SMRFs) shall be submitted through the myDEQ portal accessible on the ADEQ website at: <http://www.azdeq.gov/welcome-mydeq>. Contact 602-771-4571 for any inquiry related to the SMRFs.

The permittee shall complete the SMRF to the extent that the information reported may be entered on the form. If no information is required during a reporting period, the permittee shall enter "not required" on the form, include an explanation, and submit the form to the ADEQ Groundwater Protection Value Stream.

#### 3.3.3 Reporting Location

All Self-Monitoring Report Forms (SMRFs) shall be submitted through the myDEQ portal per Section 3.3.2. If the required reports cannot be submitted, or require further documentation that cannot be submitted on the myDEQ portal, then submit items to [groundwaterpermits@azdeq.gov](mailto:groundwaterpermits@azdeq.gov) or the address listed below:

All other documents required by this permit shall be mailed to:

Arizona Department of Environmental Quality  
Groundwater Protection Value Stream  
1110 West Washington Street, Mail Code 5415B-3  
Phoenix, Arizona 85007  
Phone: (602) 771-4999

### 3.3.4 Reporting Deadline

The following table lists the quarterly report due dates:

TABLE III: QUARTERLY REPORTING DEADLINES	
Monitoring conducted during quarter:	Quarterly Report due by:
January-March	April 30
April-June	July 30
July-September	October 30
October-December	January 30

TABLE IV: ANNUAL REPORTING DEADLINES	
Monitoring conducted during year:	Annual Report due by:
January-December	January 30

### 3.4 Records Retention

Records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation, calibration, electronic recording, and maintenance records) shall be maintained for a minimum of five (5) years at the facility office for inspection.

## 4.0 MANAGEMENT PRACTICES

### 4.1 Irrigation Practices

Application of recycled water to the reuse area shall be performed according to the following requirements:

1. Run-off of recycled water from the irrigation area to any surface water body or wash is prohibited. Application of recycled water for irrigation is limited to the specific area as indicated in the permit application and supporting documentation.
2. Use application methods that reasonably preclude human contact with industrial wastewater.
3. Prevent recycled water from standing on open access areas during normal periods of use.
4. Prevent recycled water from coming into contact with drinking fountains, water coolers, or eating areas.
5. Secure hose bibbs discharging recycled water to prevent use by the public.

### 4.2 Public Information

Signs shall be posted at locations which inform employees, visitors, and the general public that recycled water is in use and that no one may drink from the reclaimed water system.

### 4.3 Reuse Site Agreement

Permittee shall have an agreement in place with the owner of each reuse site. A reuse site agreement shall require that the owner of a reuse site implement and maintain all irrigation practices (Section 4.1) and public information requirements (Section 4.2) of this permit. All other permit conditions shall be the obligation of the permittee. If the ownership of a reuse site changes, the permittee shall submit a new reuse site agreement to the ADEQ Groundwater Protection Value Stream. If the ownership of a reuse site changes, deliveries of industrial recycled water shall cease to a reuse site until a new reuse site agreement is reviewed and approved by the ADEQ Groundwater Protection Value Stream.

## 5.0 COMPLIANCE

### **5.1 Violations of Discharge Limits and Permit Conditions**

1. Permittee shall notify the ADEQ Groundwater Protection Value Stream in writing within five (5) days of becoming aware of a violation of any permit condition or discharge limitation.
2. Permittee shall submit a written report to the ADEQ Groundwater Protection Value Stream within 30 days of becoming aware of the violation of any permit condition or discharge limitation. The report shall document all of the following:
  - a. Identification and description of the permit condition for which there has been a violation and a description of the cause;
  - b. The period of violation including exact date(s) and time(s), if known, and the anticipated time period during which the violation is expected to continue;
  - c. Description of any malfunction or failure of pollution control devices or other equipment or processes;
  - d. Any corrective action taken or planned to mitigate the effects of the violation, or to eliminate or prevent a recurrence of the violation;
  - e. Any monitoring activity or other information that indicates that any pollutants would be reasonably expected to cause a violation of an Aquifer Water Quality Standard or cause endangerment to public health and safety;
  - f. Proposed changes to the monitoring which include changes in constituents or increased frequency of monitoring.

### **5.2 Unauthorized Release**

Permittee shall notify ADEQ within 24 hours after becoming aware of an unauthorized release of recycled water to the land surface, surface, surface water bodies, or to the aquifer. This notification shall include:

1. a description of the release;
2. a description of the cause of the release;
3. the location and duration of the release including exact dates and times;
4. a plan of action which addresses remedial or mitigative action.

Notifications of unauthorized releases and violations of discharge limits and permit conditions shall be submitted to through the myDEQ portal accessible on the ADEQ website at:

<http://www.azdeq.gov/welcome-mydeq>

## **6.0 GENERAL PROVISIONS**

### **6.1 Information Changes [A.A.C. R18-9-A705(B) and (D)]**

If a change in the following information occurs, the permittee shall update the ADEQ Groundwater Protection Value Stream with such changes at least once annually by January 31:

1. Permittee,
2. Ownership,
3. Contact person,
4. Phone number, address, email address, or telephone number, or any combination of any of the above, for permittee or contact person,
5. Name of the reuse site,
6. An increase in Class A, B, or C reclaimed water use of more than ten percent but less than twenty percent above the volume of recycled water currently permitted for use at the reuse site, if applicable.

For changes not described in Section 6.1, the permittee shall submit a new Recycled Water Individual Permit application, as applicable.

**6.2 Duty to Comply [A.R.S. §§ 49-221 through 49-263]**

The permittee is notified of the obligation to comply with all conditions of this permit and all applicable provisions of A.R.S. § Title 49, Chapter 2, Articles 1, 2 and 3, A.A.C. Title 18, Chapter 7 and A.A.C. Title 18, Chapter 11, Article 3. Any permit non-compliance constitutes a violation and is grounds for an enforcement action pursuant to A.R.S. § Title 49, Chapter 2, Article 4 or permit amendment, suspension, or revocation.

**6.3 Severability**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. The filing of a request by the Permittee for a permit action does not stay or suspend the effectiveness of any existing permit condition.

**6.4 Other Laws and Rules**

The issuance of this permit does not waive any federal, state, county, or local government rules, regulations, or permits with which this facility may have to comply.

**6.5 Permit Continuance [A.A.C. R18-9-B703(A)]**

This permit is valid for five (5) years. The permit must be updated as prescribed by A.A.C. R18-9-A705. The terms and conditions of an expired permit are automatically continued pending issuance of a new permit if:

1. The permitted activity is of a continuing nature;
2. Permittee has submitted a timely (60 days before expiration date of permit) and sufficient application for a new permit; and
3. ADEQ is unable, through no fault of the permittee, to issue a new permit before the expiration date of the previous permit.



**7.0 Compliance Schedule**

Unless otherwise indicated, for each compliance schedule item listed below, the permittee shall submit the required information to the ADEQ Groundwater Protection Value Stream per Section 3.3.3.

<b>TABLE V - COMPLIANCE SCHEDULE ITEMS</b>			
<b>No.</b>	<b>Description</b>	<b>Due By:</b>	<b>Permit Application Required?</b>
1	If the ownership of a reuse site changes, the permittee shall submit a new reuse site agreement to the ADEQ Groundwater Protection Value Stream. Deliveries of industrial recycled water shall cease to the reuse site until a new reuse site agreement is reviewed and approved by the ADEQ Groundwater Protection Value Stream. The new reuse site agreement shall contain an updated site map.	In the event of an ownership change of the reuse site, submit prior to continuing to supply the reuse site with reclaimed water	No
2	If a change in the information listed in Section 6.1 occurs, submit the changes in a SMRF report to the ADEQ Groundwater Protection Value Stream by January 31. If the information cannot be entered into a SMRF report, please submit a report documenting the changes to the email address or contact information in Section 3.3.3.	In the event of changes listed in Section 6.1, submit an annual report at least once annually by January 31	No
3	For changes not described in Section 6.1, the permittee shall submit a new Recycled Water Individual Permit application, as applicable, to the ADEQ Groundwater Protection Value Stream.	In the event of changes not described in Section 6.1, submit a new Recycled Water Individual Permit application	Yes

**8.0 REFERENCES AND PERTINENT INFORMATION**

The terms and conditions set forth in this permit have been developed based upon the information contained in the following, which are on file with the Department:

1. Individual Recycled Water Permit application: January 5, 2023.
2. Public Notice: **TBD**