

# File Note

To: EDMS 2020AOC14

From: Albert Crawshaw 

Participants: George Rodriguez Sr., Partners Produce  
George Rodriguez Jr., Partners Produce  
Eddie Rodriguez, Partners Produce  
Mike Stanton, Neighbor  
Tim Dilbeck, Neighbor  
Tom Talley, DEQ, State Office  
Albert Crawshaw, DEQ, Boise Regional Office

Subject: Partners Produce, Follow-up Complaint site visit

Due to complaints regarding Partners Produce, DEQ conducted a complaint follow-up investigation on April 9, 2020. Tom Talley and I visited Partners Produce's neighbor to the north, Mike Stanton, located at 11585 Hwy 95, Payette. We arrived at 0914 hrs. and were met by Mr. Stanton. We presented our credentials, and Mr. Stanton granted access to view the property boundary between Partners Produce and private property.

Mr. Stanton escorted us to the south property boundary. We were joined by Tim Dilbeck, Mr. Stanton's neighbor to the north, at the property boundary. We observed a drainage ditch that runs from east southeast to west northwest and three stormwater swales on the Partners Produce property, one on the northeast, one on the north, and one on the west. Mr. Stanton explained the drainage ditch is only used during the irrigation season when irrigation of agricultural lands upgradient overflow. We questioned Mr. Stanton about the frequency he's observed tanker trucks discharging liquids to the stormwater swales. He indicated the most recent event was on April 7<sup>th</sup>, two days ago. He also believed trucks dispensed liquids to both stormwater swales on April 2<sup>nd</sup> or 3<sup>rd</sup>. Mr. Stanton also stated he hears trucks dispensing liquids in to swales late at night and in the early morning hours. I asked Mr. Stanton if he was able to see the company name on the transport truck doors. Mr. Stanton stated one red truck and one white have been observed dispensing liquids to the swales and that the trucks have "Rodriguez Farms" on the doors. Mr. Dilbeck stated he smells onion odor from his water in his home. Mr. Dilbeck was unsure of the depth of his drinking water well and had not previously sampled for contaminants. We took photos, from Mr. Stanton's property, of the swales and drainage ditches in the south property boundary and the west side of both Partners Produce and private property (Photos 1 – 21, Photo Log EDMS 2020BAB1111). We thanked Messrs. Stanton and Dilbeck for their time and indicated we would be visiting the Partners Produce facility to follow up on the discharging of

liquids to the swales observed on the property. We requested Mr. Stanton record any future discharges of waste water to swales with in his view and provide to the information to DEQ. We left the property at 0945 hrs.

Tom Talley and I visited Partners Produce, located at 2150 NE 21st Ave, Payette. We arrived at 0950 hrs. and were met by April Rodriguez. We presented our credentials and requested to speak with George Rodriguez. George Rodriguez Sr. was not at the facility at the time, but was in town and would arrive in a few minutes. Ms. Rodriguez offered us to wait in the office area; we opted to wait outside for Mr. Rodriguez, Sr. Mr. Rodriguez, Sr. met us about 15 minutes of us arriving on site. We presented our credentials and requested access to follow up on a concerned citizen complaint. Mr. Rodriguez, Sr. initially granted access and then indicated he would need to discuss allowing access with his sons. George Rodriguez Jr. and Eddie Rodriguez joined us shortly. Eddie Rodriguez indicated access would be denied due to concerns of Covid19 and how other, similar manufacturing facilities were operating. I provided the Facilities and Entities Regulated by the Idaho Department of Environmental Quality letter dated April 8, 2020, and indicated we would only be visiting the property boundary, not inspecting areas with workers present. We continued to discuss appropriate distances needed between people due to Covid19 and necessity for us to visit and view the property boundary in completion of our duties as DEQ employees. Eddie Rodriguez granted us access to inspect the property boundaries, Messrs. Rodriguez Sr. and Jr. agreed. It was around this point in the conversation that Eddie presumed to know that we were there specifically to inspect the stormwater swales around the property. We asked whether they had discharged wastewater into the swales, how often, and in what quantity. Mr. Rodriguez Jr. stated the water came from the reverse osmosis system which treats the onion production wastewater generated from the facility. Mr. Rodriguez Jr. did not know how often they discharged to the swales or couldn't remember the last time wastewater was released to swales on the property. When asked how many truck loads were discharged into the swales, he also did not know. Eddie Rodriguez stated Clay Peak Landfill had refused waste water shipments from Partners Produce during winter months, but recently allowed shipments to resume. Mr. Rodriguez Sr. offered to provide receipts as documentation of resumed hauling to Clay Peak. Mr. Rodriguez, Sr. also stated the company wanted to pursue a land application permit but was frustrated with the time required by DEQ to complete the process.

#### Property Boundary

In separate vehicle Tom Talley and I left the office area and drove along the east boundary of the property heading north. We observed the first stormwater swale, Swale #1, near the largest building with an onion hopper and conveyor assembly on the east side (Photos 22 – 26). Swale #1 had an outfall for stormwater at the southern end of the swale (Photos 25 & 26). The swale appeared to be recently dug or enlarged.

Greenish, brown water was in the swale (Photos 23 & 24). There was a strong onion odor observed at the northeast side of the swale. The odor was believed to be originating from the swale and not from processes elsewhere onsite since the breeze felt to be out of the southeast.

Swale #2, in the northeast corner of the property appeared to have similar waste water in it as Swale #1 (Photos 27 – 38). Rills were observed along the west bank of the swale, the north end having the most prevalent (Photos 33 – 38). There was a strong onion odor at the north side of the swale. Swale #2 had an outfall for stormwater at the southern end of the swale (Photos 27 & 28).

Swale #3, on the north side of the property, located near the drainage ditch to the north (Photos 39 – 44 & 52 - 56). Swale #3 had an outfall for stormwater at the south side of the swale (Photos 39 & 55). The water overserved in Swale #3 appeared to be similar to the previous swales. The drainage ditch appeared to be very close to the swale along the entire length of Swale #3 (Photo 39 & 42). Black stained soil was observed on the north bank and appeared to be oil or petroleum based (Photo 44). Onions and debris were also observed in this swale as well as the other swales (Photo 43 & 44). Rills were observed on the south bank (Photos 52 – 56) with one area suspiciously marked by wood blocks (Photo 56).

Refrigerant oil drums are stored near Swale #3 between the half dome buildings and the swale (Photos 45 – 51). Oil was observed pooling on top of the drums and leaking down the sides on to storage pallets and the asphalt (Photos 47 – 49). After returning to the office area, I questioned Mr. Rodriguez Jr. about the drums. He indicated the drums were full of used oil from the refrigeration units used to cool the half domed storage building. I informed him of labeling, storage and clean up requirements for used oil. Mr. Rodriguez Jr. said he would work with their supply company and get it resolved immediately. He also asked about used oil transporters in the area. I told him there are a few in the Boise area but I did not know of a transporter in the Ontario area.

Drainage ditches run the length of the northern property boundary and a short portion of the west boundary, approximately 250 feet (Photos 57 -64). The northern drainage ditch appeared to have moist soil in intermittent portions of the ditch bottom (Photos 57, 59, 60, 62 & 64). An area of water pooling was observed in the north end of the west drainage ditch (Photo 64).

Swale #4, on the west side of the property, located north of the wastewater truck loading station, was observed to contain similar water as was found in all other swales (Photos 65 – 71). There was an area on the north end of the swale where tire tracks were observed leading to the swale bank (Photo 66). Onions and debris was observed in the southern end of the swale (Photo 70 & 71). A slight onion odor was noticed at the

northwest end of the swale but not as prevalent or strong as the odor noticed at Swale #1 and #2.

The wastewater truck loading station is located on the west side of the property (Photo 74). Wastewater was observed to be released during transfer operations to pavement and soil area to the west of the station (Photos 72, 73, 75, & 76).

#### Closing

We arrived back at the facility office area and met with the owners to discuss our observations. We indicated the odors observed and presence of what appears to be waste water in four swales. Mr. Talley asked what the current plan for disposal of wastewater was. Eddie Rodriguez stated the facility was currently transporting wastewater to Clay Peak Landfill. Mr. Rodriguez Jr. asked what they should be doing going forward. Mr. Talley stated they should no longer discharge wastewater to the property and transport all wastewater to Clay Peak. Mr. Talley also indicated they may receive a cease-and-desist letter from DEQ and that would be separate from any possible enforcement actions initiated by the agency.

#### Follow-up

Mr. Talley requested load ticket receipts for recent shipment of wastewater to Clay Peak Landfill. Ms. Rodriguez submitted copies to DEQ via email (EDMS 2020BAB1117).



Albert Crawshaw  
Waste and Remediation Manager  
Department of Environmental Quality (DEQ)

  
Date