



Central Valley Regional Water Quality Control Board

22 June 2022

Kevin B. Tyson, MD
El Molino Farms, LLC
8288 Runge Road
Dixon, CA 95620

KBT Properties, LLC
2589 E. Washington Blvd.
Pasadena, CA 91107

CERTIFIED MAIL
7021-0950-0001-0236-0796

CERTIFIED MAIL
7021-0950-0001-0236-0802

NOTICE OF APPLICABILITY

WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION

ORDER R5-2020-0002-0088 KBT PROPERTIES LLC, EL MOLINO FARMS ALMOND PROCESSING FACILITY SOLANO COUNTY

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2020-0002* (the Waiver).

We are in receipt of your Notice of Intent (NOI) dated 10 August 2021, which states that you intend to comply with the Tier 1 conditions of the Waiver. El Molino Farms Almond Processing Facility (the Facility) is located at 8288 Runge Road, Dixon, in Solano County on assessor's parcel number (APN) 0111-110-010. The land and the Facility are owned by KBT Properties LLC, and operated by El Molino Farms, LLC. Tier 1 allows land application of up to 10,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids (leaves and hulls) associated with that volume of wastewater. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application and the applicable fee and obtain coverage under Tier 2 or 3 of the Waiver prior to increasing the discharge volume.

Based on the information provided in the NOI, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2020-0002-0085. A copy of the Waiver is enclosed and also available at the

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

[State Water Boards Adopted Orders: Waivers webpage](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

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Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). Winery waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the NOI.

DISCHARGE DESCRIPTION

The Facility is a new dry-process nut processing facility which will hull and shell almonds produced on the Discharger's farm. The facility has a trench drain in the floor which will collect water from the occasional rinsing of the facility floor and channel it outside the building to a 1,000-gallon storage tank. Overflow from the tank will be piped to the nearby orchard where it will be used as supplemental irrigation. The wastewater will contain dust and dirt present in the harvesting and handling of nuts from the orchard, along with minor amounts of vegetable matter from the nut processing.

MONITORING AND REPORTING

Attachment B of the Waiver includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, which is also contained in Attachment B of the Waiver.

By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2022 Annual Monitoring Report is due by **1 February 2023**.

GENERAL INFORMATION AND REQUIREMENTS

The Waiver includes specific and general conditions with which you must comply, and you must maintain control over the discharge and operate in accordance with the information provided in your NOI and this Notice of Applicability (NOA).

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the Conditions of Discharge (Waiver Attachment A) is prohibited.

Note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

1. Submit a new NOI with a filing fee (if required) to obtain coverage under a subsequently adopted waiver,
2. Submit a NOI with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting (Resolution R5-2018-0034). The Basin Plan Amendments were conditionally approved by the State Water Board on 16 October 2019 and the Office of Administrative Law on 15 January 2020. On 26 May 2022 the Discharger submitted a Notice of Intent and elected to pursue the Alternative Salinity Permitting Approach (P&O Study) under Pathway Option 2. For the Nitrate Control Program, the Facility is within Groundwater Basin 5-021.66, Sacramento Valley - Solano, which is not prioritized at this time for nitrate control.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleysacramento@waterboards.ca.gov. To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email and any documentation submitted to the mailing address for this office:

Facility Name:	El Molino Farms Almond Processing Facility
Program:	Non-15
Order:	R5-2020-0002-0088
CIWQS Place ID:	877679

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Kenny Croyle is your new point of contact for any questions about the Waiver. If you find it necessary to make a

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change to your permitted operations, Kenny will direct you to the appropriate Permitting staff. You may contact him at Kenny.Croyle@waterboards.ca.gov or at (916) 464-4676.

for Patrick Pulupa
Executive Officer

Enclosures: Conditional Waiver of WDRs, Order R5-2020-0002

cc: Edmond Strickland, Solano County Environmental Health Dept. (via email)
Kenny Croyle, Central Valley Water Board, Rancho Cordova (via email)