



Central Valley Regional Water Quality Control Board

14 October 2019

Jan-Erik D. Paino
Ruhstaller Farm
P.O. Box 1090
Dixon, CA 95620

CERTIFIED MAIL
7017 2620 0001 1359 3124

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2015-0005-0108
JAN-ERIC D. PAINO, GILT EDGE LLC dba RUHSTALLER FARM
SOLANO COUNTY**

On 5 February 2015, 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 R5-2015-0005 (the Waiver).

We are in receipt of your Report of Waste Discharge (RWD) dated 29 May 2019, which stated that you intend to comply with the Tier 3 conditions of the Waiver. Based on the information provided in the RWD and supporting documents, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2015-0005-0108. A copy of the Waiver is enclosed and also available at the [State Water Boards Adopted Orders Waivers webpage](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers) (http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

You should familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A), and the Monitoring and Reporting Program (MRP) in Attachment C of this NOA. Brewery waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

DISCHARGE DESCRIPTION

Ruhstaller Farm (Farm), a farm and brewery, is located at 6686 Sievers Rd., Dixon in Solano County as shown on NOA Attachment A. The farm is owned by Jan-Erik D. Paino and operated by Gilt Edge LLC dba Ruhstaller Farm. Tier 3 allows land application of up to 1,000,000 gallons of wastewater per year for irrigation of

landscaping or crops and land application of residual solids (small solids from lees, spent grain, or equivalent) associated with that volume of wastewater. A minimum of one acre of land application area per 100,000 gallons of discharged wastewater and associated residual solids is required. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. All domestic waste is handled separately from process waste, through a septic system with leach field, permitted by Solano County.

The brewery is in continuous production throughout the year, processing approximately two tons of hops into 1000 barrels (31,000 gallons) of beer per year and generating less than 600,000 gallons of brewery process wastewater on an annual basis. Over the next five years, the Discharger will annually process up to 7.5 tons of hops into 3710 barrels (115,000 gallons) of beer and wastewater flows will increase up to just under 1,000,000 gallons per year. The Discharger estimates that approximately 17 tons (wet weight) of solids (spent grain and hops) is produced annually at full capacity, based on the expected solids mass to be processed each year.

Wastewater from process activities including equipment cleaning is collected at the point of generation via floor drains which feed the wastewater storage tank. The estimated average nitrogen content of the wastewater is around 100 ppm, based on typical data as reported by Brewers Association. The volume (vol.) of wastewater produced will be calculated by subtracting the amount of finished beer produced from the total volume of water pumped from the Discharger's water supply well for the brewery:

$$(\text{Pumped Well Water vol.}) - (\text{Finished beer vol.}) = \text{Wastewater vol.}$$

Process wastewater is collected into a 10,000-gallon storage tank and then is pumped, via a surface drip irrigation system, to 3.5 acres of hops orchards and approximately 38 acres of walnut orchards. Hops growing season is typically from mid-spring (April) to early autumn (September). Some area of the walnut orchard will be used for the domestic waste treatment system leach field, as shown on Attachment B, so will have little to no process wastewater irrigation.

The facility uses a boiler which can generate high salinity waste. This waste will be segregated and disposed of off-site at a permitted facility.

Solids will be distributed as animal feed to an off-site user, and/or composted on site with other green waste. Upon collection, solid waste will be stored in open-top containers before being moved to on-site treatment or to closed containers for a brief time ahead of transfer off-site.

MONITORING AND REPORTING

Attachment C 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 in Attachment D of this NOA.

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 2019 Annual Monitoring Report is due by 1 February 2020.

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 RWD and this Notice of Applicability.

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 RWD is prohibited. If the method of waste disposal changes from that described in your RWD, you must submit an updated RWD to describe the new operation.

Please note that the current Waiver will expire on 5 February 2020. Sometime close to that date you will receive a letter regarding transfer of coverage to the next version of the waiver. Until your discharge is enrolled under a new waiver you are required to comply with the requirements in R5-2015-0005-0108.

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 or any documentation submitted to the mailing address for this office:

Facility Name: Ruhstaller Farm, Solano County
Program: Non-15 Compliance
Order: R5-2015-0005-0108
CIWQS Place ID: 860242

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

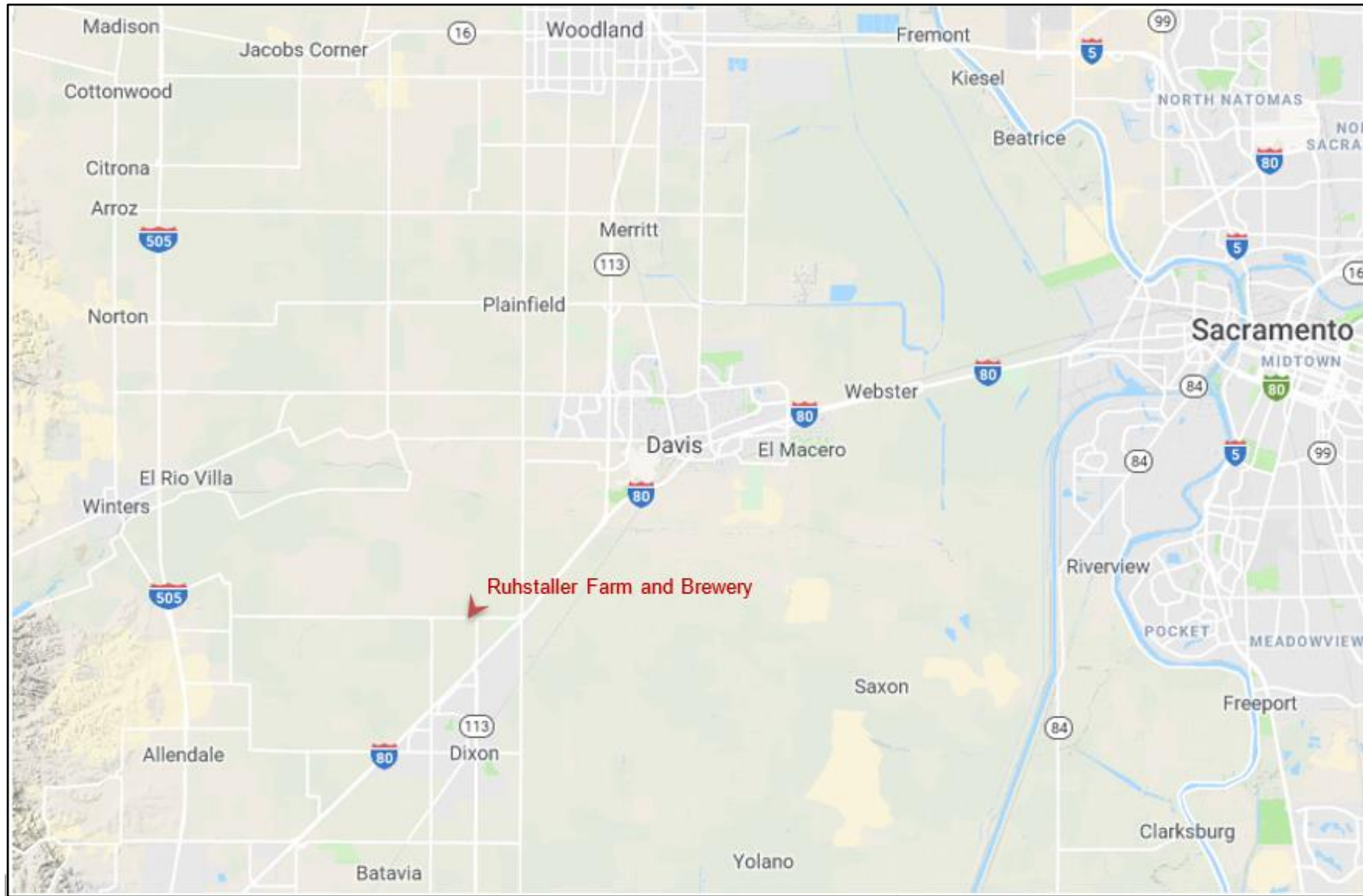
Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Kenny Croyle is your new point of contact for any questions about compliance with the Waiver. If you find it necessary to make a change to your permitted operations, Kenny will direct you to the appropriate Permitting staff. You may contact him at (916) 464-4676 or at kenny.croyle@waterboards.ca.gov.

Original signed by Robert Busby for

Patrick Pulupa
Executive Officer

enc: Conditional Waiver of WDRs, Order R5-2015-0005
Attachment A, Site Location Map
Attachment B, Site Plan
Attachment C, Monitoring and Reporting Program R5-2015-0005-0108
Attachment D, Annual Monitoring Report Form

cc w/o enc: Timothy O'Brien, State Water Resources Control Board, Sacramento
Solano County Environmental Health Department, Fairfield
Kenny Croyle, CVRWQCB, Rancho Cordova

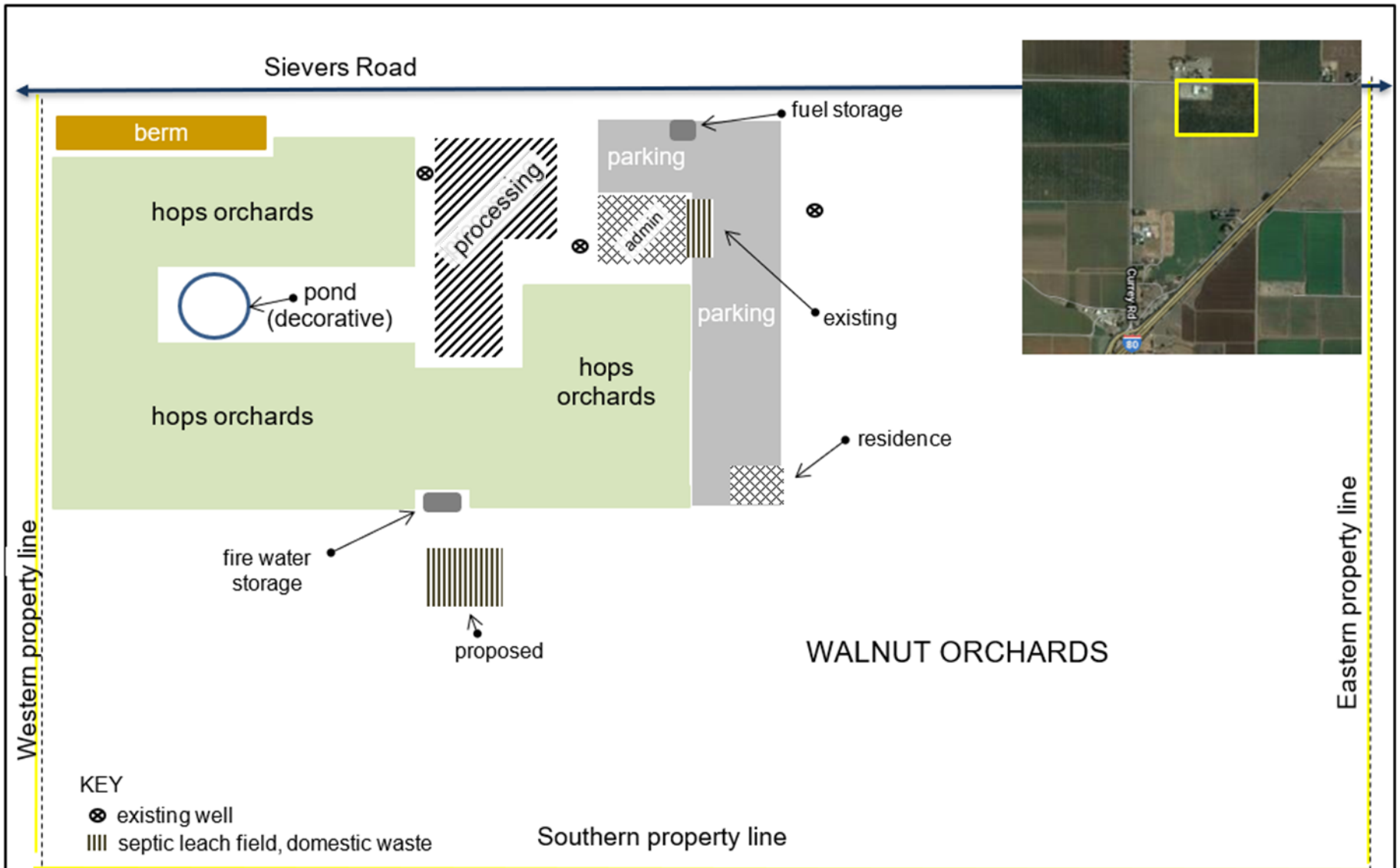


Source:
Google Map data ©2019, 05 August 2019

Scale:
~ 5 miles



SITE LOCATION MAP
RUHSTALLER FARM AND BREWERY
SOLANO COUNTY



Source:
 Site sketch from RWD section VI, and
 City of Davis Landsat USGS Farm Service
 Agency, 05 August 2019

Not to scale



SITE PLAN
 RUHSTALLER FARM AND BREWERY
 SOLANO COUNTY

ATTACHMENT C

MONITORING AND REPORTING PROGRAM R5-2015-0005-0108 FOR RUHSTALLER FARM, SOLANO COUNTY

This Monitoring and Reporting Program (MRP) describes requirements for monitoring discharges from small food processors and wineries that are regulated under Resolution R5-2015-0005, *Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region* (the Waiver).

This MRP is issued pursuant to Section 13267 of the California Water Code. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

Each Discharger granted coverage under the Waiver shall submit an annual monitoring report no later than 1 February of each year. The report shall describe process waste management activities during the previous calendar year, and shall contain the following information. Dischargers are encouraged to use the attached *Annual Monitoring Report* form for this purpose, but are not required to do so.

TIER 3 – Annual Monitoring Report Requirements

- A. A statement verifying that no more than 1,000,000 gallons of wastewater and associated residual solids were applied to land.
- B. A statement verifying that all waste applied to land was applied evenly to at least one acre of land per 100,000 gallons of wastewater,
- C. A statement verifying compliance with the discharge conditions and specifications of the Waiver.
- D. A discussion of any violations of the Waiver conditions during the reporting period and actions taken or planned for correcting noted violations, such as operational or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory.
- E. Commodity processing:
 1. Data table showing the monthly amount (weight or volume) of commodities processed during the calendar year (e.g., wineries would report tons of grapes crushed, breweries would report tons of grain and hops used).
- F. Wastewater management and land application:
 1. A data table showing the total gallons of wastewater produced each month during the calendar year.
 2. A statement specifying how flow measurements were made.

3. A description of how wastewater was fully contained such that waste did not contact the ground (except for nut huller wash water ponds) during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.
4. An estimate of the total nitrogen loading to the land application area for the calendar year, with calculations showing the contribution from each nitrogen source in lb./ac/year.
5. A discussion of all actions taken to reduce the salinity of the wastewater applied to land.

G. Residual solids management and land application:

1. An estimation of the amount of residual solids generated.
2. A description of how and where residual solids were stored prior to land application or off-site disposal.
3. The amount of residual solids applied on-site and the amount of residual solids removed for disposal off-site.
4. A description of how residual solids were fully contained such that waste did not contact the ground during periods of storage and so that application to land did not occur during periods of precipitation or when the ground was saturated.

H. Land application area:

1. A satellite aerial photo or scaled map marked to show the boundaries of wastewater and residual solids application.
2. A data table showing the monthly volume of wastewater and amount of residual solids applied per one acre. Describe how the volume of wastewater flow and amount of residual solids were measured or estimated.
3. The total acreage that wastewater and/or residual solids were applied and whether they were applied to the same area.
4. The crop(s) or vegetation grown in the land application area, dates of planting and dates of harvest (as applicable).
5. A description of how wastewater and residual solids were applied to ensure even application over the entire acreage and how tailwater runoff was kept out of surface waters.

I. The Statement of Certification:

If the Discharger elects not to use the monitoring report form provided in Attachment D, a transmittal letter shall accompany each Annual Monitoring Report. The letter shall clearly identify the Discharger name, facility name, mailing address, and county. The transmittal letter shall contain the following certification statement and the signature of the Discharger or the Discharger's authorized representative.

Statement of Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The Discharger shall implement the above monitoring program as of the date of the Notice of Applicability granting coverage under the Waiver.

Annual Monitoring Reports shall be submitted as a digital file (pdf format) to the email address provided in the Notice of Applicability.

Original signed by Robert Busby for
PATRICK PULUPA, Executive Officer

10/14/2019
Date