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GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

25 July 2016

Joe Martinez
Martinez Ranches
8777 Haley Road
Winters, CA 95694

CERTIFIED MAIL
91 7199 9991 7035 8421 0567

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS,
WINERIES, AND RELATED AGRICULTURAL PROCESSORS
WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2015-0005-0072
JOE MARTINEZ, MARTINEZ RANCHES, 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 21 April 2016, which stated that you intend to comply with the Tier 3 conditions of the Waiver. Based on the information provided in the RWD, we have determined that the discharge of walnut wastewater meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2015-0005-0072. A copy of the Waiver is enclosed and also available at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers

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). Wastewater must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

The discharge of wastewater from pistachio hulling is not covered under the Waiver. Additional characterization data are needed for the pistachio wastewater to determine the requirements for the discharge. A separate Monitoring and Reporting Program has been issued to Martinez Ranches (the Discharger) to collect pistachio wastewater data. Once the data has been reviewed, a determination will be made on the appropriate method to regulate the discharge of the pistachio wastewater.

DISCHARGE DESCRIPTION

Martinez Ranches (the Discharger) is located at 8542 Halley Road, Winters, in Solano County. The facility is owned and operated by Joe Martinez. 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 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.

The facility specializes in tree nut crops such as almonds, walnuts, and pistachios and has a small walnut and pistachio hulling operation. Approximately 3,500 tons of nuts (after removal of the soft hull) are processed each year during the processing season which runs from August through November. Approximately 20,000 gallons of wastewater are produced annually during the pistachio season which runs from August to September. Walnut hulling, conducted generally between October and November, produces approximately 180,000 gallons annually of wastewater. Wastewater is not generated at the facility during the off-season. Wastewater produced from the pistachio and walnut hulling are not commingled because they are produced during different time periods. Only the walnut hulling wastewater is covered under this NOA.

Wastewater is captured in a concrete pad beneath the huller and drains through a concrete trench to an in-ground tank. The water is collected in a steel trough (a former cylindrical steel tank buried on its side with the top cut off) with a 15,000 gallon capacity. The wastewater is pumped from the trough to a water truck for dispersal. Wastewater is discharged to 300 acres of existing orchards or graded fields ready for orchard planting. The fields receiving the wastewater are under contract by Martinez and dispersed via water truck to either the orchard floor for irrigation or dirt and gravel roads for dust control. The application rates do not result in ponded water or runoff.

Approximately 3,600 tons of residual solids are generated during the pistachio and walnut processing season. The solids are contained in orchard carts and are immediately returned to the orchard and dispersed using a manure spreader attachment or are spread on designated fields identified for future orchards. The solids are spread over 43 areas and the application rate does not exceed a depth of two inches.

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 2016 Annual Monitoring Report is due by **1 February 2017**.

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 the Waiver.

Please review the Waiver 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 Waiver will expire on **5 February 2020**, after which you must do one of the following:

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

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: Martinez Ranches, Solano County		
Program: Non-15 Compliance	Order: R5-2015-0005-0072	CIWQS Place ID: 820292

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

Andrew Altvoigt For

PAMELA C. CREEDON
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2015-0005

cc w/o enclosure: Jeffery Bell, Solano County Environmental Health Department
Kurt Balasek, Wallace-Kuhl & Associates