

December 15, 2017

Imtiaz-Ali Kalyan  
California Regional Water Quality Control Board  
North Coast Region  
5550 Skylane Blvd., Suite A  
Santa Rosa, CA 95403

**Subject: Draft Waste Discharge Requirements  
Sonoma West Holdings, Inc., Sonoma County WDID No. 1B81202OSON  
B&R File No. 3441.01**

Dear Mr. Kalyan:

On behalf of Sonoma West Holdings, Inc. (SWH), thank you for the opportunity to review and comment on the draft National Pollutant Discharge Elimination System (NPDES) permit for the Industrial and Domestic Wastewater Treatment and Disposal Facility at 2064 Gravenstein Highway North, Sebastopol, CA. Sonoma West Holdings has a number of concerns, comments and requests for clarification, in the following areas:

1. Effluent Limitations in general on LND-001: Effluent limitations imposed for constituents have not been tested for in this effluent stream; therefore, the ability to comply with limitations is unknown and the effluent limitations should be removed until performance data is obtained and analyzed.
2. Effluent Limitations on BOD for land application of process wastewater: BOD limitations for all process wastewater streams applied to land should be implemented on a loading basis.
3. Effluent Limitations on TDS for all land application: TDS limitations for all wastewater streams applied to land (domestic and process) should be removed until the required salinity source assessment is completed.
4. Domestic wastewater effluent limitations and monitoring requirements: TDS and nitrate limits should be removed for domestic wastewater applied to land.
5. Surface water sampling and testing requirements: The basis for cyanide limitations should accurately reflect the EPA's Water Quality Objectives and use free CN instead of total CN and CTR Priority Pollutant testing frequency should be reduced.
6. Groundwater wells included in monitoring program and conclusions regarding gradient: Drinking water wells RGW-006 and RGW-007 should be removed from the monitoring program and conclusions regarding groundwater gradient, and therefore SWH's impact to groundwater, should not be made until further groundwater testing and analysis is completed.
7. Clarifications and corrections to permit language: Language regarding when sampling is required, certain definitions, and other various information need to be corrected in the final permit.

8. Accelerated monitoring practices: Required accelerated monitoring should be such that SWH is not forced to discharge only to facilitate sampling when discharge otherwise would not be necessary.

Detailed comments are provided in the attached table.

SWH's major concerns are the proposed effluent limitations on LND-001 and TDS and nutrient limitations for all land application monitoring locations. LND-001 has historically never had effluent limitations; this draft permit set limitations that do not factor in that the system relies on over-land treatment. Comments numbered 4, 8 and 14 in particular, propose different requirements that would more appropriately regulate this type of system. Additionally, this draft permit sets TDS limitations for process wastewater and domestic wastewater applied to land; the draft permit also requires a salinity source assessment. Comments 3, 4, 6, and 26 contain expansions on why SWH should be allowed to perform this salinity source assessment prior to the Regional Water Quality Control Board (RWQCB) imposing limits for TDS.

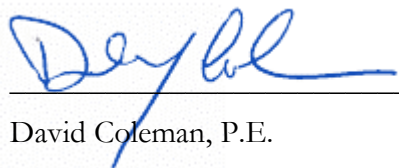
Lastly, the draft permit states beginning on page F-19 "*Should the Permittee decide to discharge treated effluent to surface waters, the Order may be reopened to revise effluent limits for BOD and TSS based on national ELGs.*" (Effluent Limit Guidelines). Eleven days after opening the comment period, RWQCB staff sent an email stating that ELGs must be developed for a dairy processor tenant. However, monitoring and testing of individual waste streams has never been performed by SWH and the data necessary to establish ELGs is not currently available. Since then, RWQCB staff members have sent conflicting and changeable messages regarding ELGs. These messages have ranged from direction to "address the current language in the posted draft permit" to threat of imposing a discharge prohibition (See attached email string). If there are to be major changes between the draft and final permits, the review process must be restarted. We have not received a revised draft permit that reflects incorporation of ELGs, and our comments therefore address only the draft permit that has been published for public review. RWQCB staff stated "that if we [RWQCB] decide to either include a discharge prohibition or ELGs, additional time to comment would be warranted." Therefore, if the RWQCB wishes to include either a discharge prohibition or ELGs in the new permit a revised draft should be published for review and public comment.

SWH continues to be a proponent of pollution reduction within the basin and desires to work with the RWQCB towards this shared goal; however, the draft permit implements overly punitive and costly measures that ultimately will detract from investments in improving wastewater effluent quality. We look forward to working with the RWQCB in a proactive way towards our shared goals.

If you have any questions or concerns, please do not hesitate to contact our office.

Very truly yours,

BRELJE & RACE



---

David Coleman, P.E.

cc: Mike Babbini, Sonoma West Holdings

No.	PAGE No.	SECTION	COMMENT
General Comments			
1	-	-	Throughout the permit multiple terms are used to refer to land application; the two main terms being “land application” and “land discharge”. The use of multiple terms and the use of the term "discharge" to refer to both land application and surface water discharge is confusing. For clarity, all discussion of land application should be referred to as such and the word “discharge” should reference only surface water discharge.
2	Pg. 1	Table 1. Permittee Information	<i>Facility Design Flow - “0.026 and 0.048 million gallons per day (mgd) – average monthly and maximum daily discharge rates for the disposal of industrial process wastewater to surface water at Discharge Point 001.”</i> The discharge rates cited are not a “Facility Design Flow”, but actually a discharge limitation. Additionally, these are not the flow limits of discharge listed elsewhere in the permit. The surface water discharge flow limit states that it “ <i>shall not exceed one percent of the flow of Barlow Creek, as measured at Monitoring Location RSW-001U.</i> ” (Section III, Part H, Pg. 5). Please remove this language from Table 1. Permittee Information.
3	-	-	The new draft permit (Order No. R1-2018-0003) sets limits for TDS limits for all land application monitoring locations (STG-001, LND-001 and REC-001). This draft permit also includes a requirement to submit a Groundwater Salinity Assessment work plan which must include a salinity source assessment. TDS limits should not be set for any land application monitoring location prior to the completion of the Groundwater Salinity Assessment work plan and implementation of source control measures.
4	-	-	Land application limitations (LND-001 and STG-001): SWH’s process wastewater treatment and disposal system is an overland flow treatment system that requires land application for treatment; applying final effluent limits to LND-001 and STG-001 does not recognize this fact. Additionally, the limitations set in Table 5 for LND-001 and STG-001 are based on <i>General Waste Discharge Requirements for Discharges of Winery Waste to Land</i> (Order No. R1-2002-0012), which is now superseded by Order No. R1-2016-0002 <i>General Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land</i> (General WBF WDRs). For both of these reasons the effluent limitations set for land application are not appropriate. The new General WBF WDRs are significantly different than the requirements in Order No. R1-2002-0012. SWH would prefer their permit be consistent with the General WBF WDRs for BOD, TSS, settleable solids and TDS limitations. The loading-based BOD limit in the General WBF WDRs is 100 pounds/acre/day, instead of a concentration-based limit of 80 mg/L. Also, the General WBF WDRs do not impose limitations for TSS, settleable solids and TDS. The General WBF WDRs set limitations for several nutrient and salt species. SWH should be allowed to complete their source assessment before limitations are imposed for these species.
5	Pg. A-1	Attachment A	<i>“The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.”</i> For the calculation of the Average Monthly Effluent Limit (AMEL) using an average based on number of days discharge occurred may be appropriate for surface water discharge, but not for land application (process and domestic). Land application capacity is based on a monthly application rate, and drying periods will be interspersed with application periods.

			AMEL defined in this way only applies to surface water discharges; the definition should be clarified to provide a definition more suitable to an overland flow treatment system. AMEL should be referred too only when discussing surface water discharges. An average monthly effluent limitation calculated for land application rates should be an average based on the total number of days in that month.
Domestic Waste Comments			
6	Pg. 8-9; Pg. E-16; Pg. F-41	IV.C.; Attachment E VII.; Attachment F IV.G.	SWH’s domestic wastewater system has a maximum daily influent flow of 6,000 gpd. By comparison, Order No. 2014-0153-DWQ – General WDRs for Small Domestic Wastewater Treatment Systems which covers systems up to 100,000 gpd, does not set monitoring requirements for TDS. Additionally, the WDRs only require nitrate effluent limits for systems with flows greater than 20,000 gpd. The water recycling specifications in Table 6 and the monitoring requirements in Table E-7 for a 6,000 gpd system are excessive and do not align with the General WDRs for Small Domestic Wastewater Treatment Systems. Therefore, TDS and nitrate limits should be removed to better align with the General WDRs. SWH is willing to monitor for TDS in the domestic waste applied to land for comparison to groundwater, but limits should not be set prior to understanding the impact to groundwater. If TDS limits are not removed, a compliance schedule would need to be established to provide SWH sufficient time to determine whether it can reasonably comply with the new limits.
7	Pg. E-17	Table E-7 Footnote 4	<i>“If two consecutive weekly test results exceed an effluent limitation, the Permittee shall take two samples each of the two weeks following receipt of the second sample result.”</i> SWH does not apply domestic waste every week. As this is written, SWH would be forced to apply wastewater to the fields to sample even if they would not otherwise be applying. Language should be added to take this in account; suggested language is as follows: “If two consecutive weekly test results exceed an effluent limitation, the Permittee shall take two samples each of the next two weeks of application following receipt of the second sample result.”
Process Waste Comments			
8	Pg. 7	IV.B.	Monitoring Location LND-001 should be excluded from these compliance limitations. Process Wastewater as measured from LND-001 is applied to the over-land treatment system and relies on that system for the majority of the treatment. SWHs has never tested for constituents that are proposed to be limited (BOD, pH, TSS, settleable solids and TDS); therefore, based on this fact and based on discussions with Regional Water Quality Control Board staff, SWH believes that the inclusion of LND-001 as a compliance point was an oversight and should be excluded from the final permit. If this request is not granted please see comment 4 and 14 as to how compliance should be determine for land application of process wastewater.
9	Pg. E-14	Attachment E VI.A.1	<i>“The Permittee shall monitor treated process wastewater effluent from Lake Davis, to be land applied (Discharge Point 002) at Monitoring location STG-001, as follows:”</i> The wording “to be land applied” should be changed to “while land applying” to more accurately define when sampling must occur. Also the term “treated should be removed. See Comment 1.
10	Pg. E-15	Attachment E VI.B.1.	<i>“The Permittee shall monitor treated process wastewater effluent from the process wastewater treatment system to be land applied (Discharge Point 002) at Monitoring Location LND-001, as follows:”</i> The wording “to be land applied” should be changed to “while land applying” to more accurately define when sampling must occur.

11	Pg. E-15	Attachment E Table E-5 Footnote 4	<p><i>“Accelerated monitoring (monthly monitoring frequency). If a test result exceeds an effluent limitation the Permittee shall take two more samples, one within 7 days and one within 14 days following receipt of the initial sample result.”</i></p> <p>SWH does not apply process waste every week. As this is written, SWH may be forced to apply wastewater to the fields to sample even if they would not otherwise be applying. Language should be added to take this into account; suggested language is as follows: “If a test result exceeds an effluent limitation, the Permittee shall take two more samples, one each of the next two application events following receipt of the initial sample result.”</p>
12	Pg. E-16	Attachment E Table E-6. Footnote 6	<p>This footnote is not applicable because there should be no effluent limits on LND-001 to trigger accelerated monitoring. If the request in Comment 8 is not granted, Comment 11 applies to Table E-6. Footnote 6 as well.</p>
13	Pg. E-16	Attachment E Table E-6. Footnote 5	<p><i>“If no discharge occurs at Discharge Point 001 during the permit term, the Permittee shall monitor the effluent at Monitoring Location EFF-002...”</i></p> <p>There is no “Monitoring Location EFF-002”. The permit text should reference “‘Discharge’ (Land Application) Point 002”.</p>
14	Pg. 7-8; Pg. F-19; Pg. F-39	Table 5; Attachment F IV.B.2.a.; Attachment F IV.F.3.a.	<p>The Fact Sheet states that BOD<sub>5</sub>, TSS and Settleable Solids limitations in this permit are <i>“consistent with the limitations contained in the General Waste Discharge Requirements for Discharges of Winery Waste to Land (Order No. R1-2016-002).”</i> (Pg F-39)</p> <p>Order No. R1-2016-0002 is the <i>General Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land</i> (WBF WDR) which replaced Order No. R1-2002-0012 <i>General Waste Discharge Requirements for Discharges of Winery Waste to Land</i>. The limitation on TSS was completely removed in this new general WDR and the BOD limits changed from concentration-based to loading-based.</p> <p>The order title referenced in the permit should be corrected to match the order number.</p> <p>SWH’s NPDES permit sets a concentration based maximum daily limit for BOD<sub>5</sub> of 80 mg/L for land application of process wastewater from Lake Davis (STG-001). This effluent limit is consistent with Order No. R1-2010-0019, SWH’s current NPDES permit. However, these limits were set based on the <i>General Waste Discharge Requirements for Winery Waste to Land</i> (Order No. R1-2002-0012). Because these general WDR limits are superseded by Order No. R1-2016-0002, which sets an Average Monthly BOD Effluent Limit of 100 pounds/acre/day, it is now more appropriate to regulate SWH’s overland flow treatment system in the same way. SWH’s overland flow treatment system, where BOD reduction by soil microbes and nutrient uptake by plants, is the main biological treatment process. Recognition of the treatment mechanisms of this system further supports the argument for loading based limits.</p> <p>If the request in Comment 8 is not granted, BOD at STG-001 and LND-001 should be regulated on a loading basis at the same 100 pounds/acre/day that is allowed in the WBF General WDRs.</p>
15	Pg. E-16; Pg. F-26; Pg. F-51	Attachment E Tables E-6; Attachment F IV.C.3.b.; Attachment F VII.D.3.g.	<p><i>“Therefore, the RPA is based on sample data for treated process wastewater that was discharged to land via Discharge Point 002 (Monitoring Location LND-001) or data from samples of treated process wastewater stored in Lake Davis prior to discharge through Discharge Point 002 (Monitoring Location STG-001). Monitoring data from these locations is representative of the treated process wastewater that may be discharged at Discharge Point 001.”</i></p> <p>SWH’s system is designed such that only water stored in Lake Davis could be discharged to surface water; water that is applied through LND-001 does not have a direct connection to the surface discharge location. Process wastewater at LND-001 receives minimal treatment prior to application, as overland flow is the main treatment mechanism. It is for these</p>

			<p>reasons that LND-001 sample results are <u>not</u> representative of the treated process wastewater that may be discharged at Discharge Point 001 and this data should not be included in the RPA.</p> <p><i>“To ensure adequate data is available to conduct an RPA for the next permit renewal, if no discharge occurs during the permit term, this Order requires sampling at Monitoring Location LND-001 during the discharge season (i.e. October 1 through May 14) in the fourth year of the permit term for priority pollutant metals.”</i></p> <p>Certain monitoring for LND-001, listed in Table E-6 and explained in this language on pg. F-51, is required at LND-001 to ensure adequate data to perform an RPA. Monitoring required for Discharge Point 001 for use in the RPA should be monitored at STG-001 only, not LND-001 for an accurate representation of process wastewater that could potentially be discharged to surface waters.</p> <p>Table E-5 and Table E-6 should be amended to reflect this and language should be added to ensure that data from samples taken at LND-001 is <u>not</u> used to perform the RPA during the next permit renewal cycle.</p>
16	Pg. F-39	Attachment F IV.F.1.	<p><i>“In addition, discharge prohibitions were included to prohibit the land discharge of untreated or partially treated waste, in order to protect public health and prevent nuisance.”</i></p> <p>SWH’s system is an overland flow treatment system, in which BOD reduction by soil microbes and nutrient uptake by plants is the main biological treatment process. This language should be removed from the permit so that the concept of overland flow treatment is not contradicted.</p>
Surface Water Comments			
17	Pg. 14-15 and Pg. E-2	VI.C.3 Attachment E I.F.	<p><i>“The Permittee shall, as required by the Executive Officer, develop and conduct a PMP as further described below”</i></p> <p>It is not clear if the Executive officer is currently requiring the Pollutant Minimization Program and if this is only required for surface water discharges. These items should be clarified.</p> <p><i>“The Permittee shall prepare and implement a pollution prevention plan for aluminum, ammonia, iron, manganese, MBAS, electrical conductivity, total dissolved solids, copper, lead, mercury, thallium, zinc and cyanide in accordance with Water Code section 13263.3(d)(2).”</i></p> <p>It is not clear if the Pollution Prevention Plan is only required for surface water discharges. This should be clarified.</p> <p><i>“The Permittee shall ensure that the results of the DMR-QA Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board”</i></p> <p>It is not clear if the Discharge Monitoring Report Quality Assurance (DMR-QA) Study is only required for surface water discharges. This should be clarified.</p>
18	Pg. E-5	Attachment E IV.A.1.	<p><i>“The Permittee shall monitor treated process wastewater to be discharged from Lake Davis to Barlow Creek at Monitoring Location EFF-001 as follows:”</i></p> <p>The wording “to be discharged” should be changed to “while discharging” to more accurately define when sampling must occur. Sampling only during periods of surface water discharge is consistent with other Region 1 NPDES permits.</p>
19	Pg. E-6	Attachment E Table E-4	<p>Table E-4 requires an annual minimum sampling frequency for CTR Priority Pollutants. CTR Priority Pollutants have traditionally been tested only once during permitting cycle. This suite of testing is very expensive and on the unlikely chance SWH discharges more than one year during the permit term, this testing would cause undue financial stress. The sampling frequency for CTR Priority Pollutants for EFF-001 should be reduced to “Once per permit term”.</p>
20	Pg. 7; Pg. E-6;	Table 4;	<p>The EPA has set Water Quality Objectives for cyanide for freshwater aquatic life; the applicable chronic criterion (maximum 4-day average concentration) is 5.2 µg/L and the applicable acute criterion (maximum 1-hr average</p>

	Pg. F-30	Attachment E Table E-4; Attachment F IV.C.3.c.	concentration) is 22 µg/L. These water quality objectives were used in the RPA. However, these water quality objectives are in units of <b>free</b> CN, yet the permit sets effluent limits based on these water quality objectives in units of <b>total</b> CN. Using total cyanide as the compliance point for a free cyanide water quality objective disregards the basis of the objective and sets an excessively high bar for compliance.
21	Pg. E-7	Attachment E Table E-4 Footnote 4	<p><i>“Accelerated Monitoring (daily monitoring frequency). If two daily test results exceed an effluent limitation, the Permittee shall increase monitoring frequency to a minimum of twice a day for a week to evaluate whether an exceedance is persisting.”</i></p> <p>SWH may not discharge to surface water daily for an entire week. As this is written, SWH may be forced to discharge to surface water to sample even if they would not otherwise be discharging. Language should be added to take this into account; suggested language is as follows: “If two consecutive daily test results exceed an effluent limitation, the Permittee shall increase monitoring frequency to a minimum of twice a day while discharging for up to a week to evaluate whether an exceedance is persisting.”</p>
22	Pg. F-17	Attachment F IV.A.8.f.	<p><i>“The Permittee completed the study and submitted Summary Report: Surface Receiving Water Study, Sonoma West Holdings North Site (Receiving Water Study) on October 1, 2014. Results of the study indicate that a 40% discharge rate in Barlow Creek is equivalent to the 1% rate in Atascadero Creek. Discharge rates in Barlow Creek of 40% and 1% correspond to an average daily flow capacity of 80,000 gpd and 43,000 gpd, respectively.”</i></p> <p>This section needs to be written to more clearly summarize the Surface Receiving Water Study. Revise the statement to read: “Based on a water balance developed for this study, discharge rates to Barlow Creek of 40% and 1% correspond to an average daily flow capacity of 80,000 gpd and 43,000 gpd, respectively if current land application operations are maintained. SWH may in the future apply for an increase in the permitted rate of discharge to Barlow Creek.”</p>
23	Pg. F-23	IV.C.3.a.v.	<p><i>“Using the methodology described in the SIP for determining reasonable potential, because manganese levels at Monitoring Location LND-001 have been measured at concentrations greater than 50 µg/L, the Regional Water Board concluded that discharges from the Facility have a reasonable potential to cause or contribute to exceedances of applicable water quality objective for the receiving water.”</i></p> <p>Based on the RPA cited, potential for manganese levels were established for surface water discharge. Monitoring Location LND-001 is for land application, not surface water discharge.</p>
Groundwater Comments			
24	Pg. E-18	Attachment E VIII.B.1.	<p><i>“The Permittee shall monitor groundwater at Monitoring Locations “RGW-001, RGW-002, RGW-003, RGW-004, RGW-005, RGW-006 and RGW-007 as follows:”</i></p> <p>RGW-006 and RGW-007 are both drinking water wells. Although RGW-007 was listed as a monitoring location in the current permit (Order No. R1-2010-0019, Regional Board staff agreed it was not appropriate and approved exclusion of RGW-007 from sampling. The use of deep sanitary drinking water wells for monitoring the potential impact of the land application of wastewater on shallow ground water is not appropriate. Comparing wells 100+ feet deep to wells that are only 10 to 20 feet deeps is not a valid comparison as these wells could be sampling completely different aquifers. Monitoring requirements for RGW-006 and RGW-007 should be removed.</p>
25	Pg. E-19	Attachment E VIII.B.4.	<p><i>Groundwater Salinity Assessment</i></p> <p>The bermed portion of Bench 1 receives only domestic waste. It should be removed from the Salinity Assessment. There is no cost effective means to remove salts from human waste at this scale.</p>

26	Pg. F-40	Attachment F IV.F.3.d.	General discussion regarding groundwater gradient determination: Well casing rim elevations have not yet been determined through a site survey, it is currently impossible to determine groundwater elevations even in instances where the depth to groundwater measurements were taken. Therefore, it cannot be determined with any certainty the direction of the groundwater gradient. The discussion in this section should just be limited to “ <i>elevated TDS concentrations were detected</i> ”. Without gradient information, the source cannot be accurately determined. Therefore, the TDS effluent limit should be removed from the current permit as discussed in Comment 3.
27	Pg. F-40	Attachment F IV.F.3.d.	The discussion of the conclusions from the groundwater monitoring varies significantly from the conclusions presented in the technical memorandum “Wastewater Discharge to Land” submitted to the Regional Water Board in December, 2013. Because the gradient of the groundwater is still unknown (see discussion in Comment 26) any conclusions about SWH’s influence on groundwater should be withheld until further investigation is completed.
Fact Sheet Corrections			
28	Pg. F-6	Attachment F II.A.	<i>“the primary treatment pond (transfer pond), or the aerated storage pond (Lake Davis).”</i> The transfer pond is not a treatment pond. This language should be removed and the transfer pond only be referred to as such.
29	Pg. F-9	Attachment F II.D.2.	<i>“During the term of Order No. R1-2010-0019, the Permittee’s discharge of treated industrial process wastewater to land had 16 effluent limitation violations: 6 BOD<sub>5</sub>, 8 TSS, 1 pH and 1 settleable solids.”</i> This is not correct. The current permit’s Monitoring and Reporting Program requires that wastewater stored in Lake Davis be sampled whether land application is occurring or not. These results were from samples of stored wastewater not being applied to land at the time sampling occurred. The language should be removed completely or at least changed to remove the reference of these as violations. Suggested wording is as follows: “During the term of Order No. R1-2010-0019, the Permittee’s process wastewater stored in Lake Davis exceeded the effluent limitations in 16 samples: 6 BOD <sub>5</sub> , 8 TSS, 1pH and 1 settleable solids. All of these limitation exceedances occurred while the permittee was not applying to land.” This is another reason to clarify the wording as requesting in Comments 9, 10, and 18 because then sampling will be required only when SWH is discharging or applying to land.
30	Pg. F-25	Attachment F IV.C.3.a.ix.	<i>“fecal and total coliform bacteria are not expected to be present in process wastewater”</i> It is true that fecal coliform is found primarily in human or animal waste, but coliform organisms (i.e. total coliform) are ubiquitous in the environment. Coliform organisms are commonly used to check for environmental contamination in food products as they are common enough to indicate when conditions are not sanitary (i.e. insufficient pasteurization). Unless the sample is a disinfected, sterile sample, coliform can be expected to be present. It is not surprising at all that coliform was detected in samples from a lake. Coliform monitoring requirements should be removed from the permit language.
31	Pg. F-40	Attachment F IV.F.3.d.	<i>“Total dissolved solids concentrations at Monitoring Locations LND-001 and STG-001 ranged from 250 mg/L to 1,100 mg/L, and frequently exceeded the Secondary MCL, based on samples collected from January 2011 through February 2015, which are representative of treated process wastewater discharged to Bench Nos. 1-7 at Discharge Point 002,”</i> SWH’s records state that the highest TDS sample value was 880 mg/L not 1,100 mg/L. Additionally samples from LND-001 were not tested for TDS during this time period. The language should be revised to read as follows: “Total dissolved solids concentrations at Monitoring Locations STG-001 ranged from 250 mg/L to 880 mg/L...”.



32	Pg. E-7	Attachment E V.A.1.	“...as summarized in Table E-5, above.” This should reference Table E-4, and WET requirement added to the Table
----	---------	------------------------	--------------------------------------------------------------------------------------------------------------------

## David Coleman

---

**From:** Kalyan, Imtiaz-Ali@Waterboards <Imtiaz-Ali.Kalyan@Waterboards.ca.gov>  
**Sent:** Thursday, December 14, 2017 4:28 PM  
**To:** David Coleman  
**Cc:** Villacorta, Claudia@Waterboards; Dougherty, Mona@Waterboards; Mike Babbini  
**Subject:** RE: Sonoma West Holdings Comments Discussion

For your question two below please note...

There's a chance that incorporating ELG limits that apply to the combined wastestream may not be an option at all, depending on the characteristics and flows of the relative wastestreams that are and are not subject to ELGs, the RB may not be able to assess compliance of the ELG-regulated wastestream with applicable technology-based effluent limits once it becomes co-mingled. If this were the case, we would have to apply the technology-based limits specifically to the regulated wastestream, and SWHs needs to figure out a way to sample just that wastestream, post treatment, for compliance determination.

---

**From:** Kalyan, Imtiaz-Ali@Waterboards  
**Sent:** Thursday, December 14, 2017 4:26 PM  
**To:** 'David Coleman' <coleman@brce.com>  
**Cc:** Villacorta, Claudia@Waterboards <claudia.villacorta@waterboards.ca.gov>; Dougherty, Mona@Waterboards <Mona.Dougherty@waterboards.ca.gov>; Mike Babbini <mbabbini@sonic.net>  
**Subject:** RE: Sonoma West Holdings Comments Discussion

Hello David,

Below in red text are my responses to your questions. I'm happy to discuss this further with you over the phone as well.

Let me know if you need further clarification.

Regards,  
Imtiaz-Ali

---

**From:** David Coleman [<mailto:coleman@brce.com>]  
**Sent:** Thursday, December 14, 2017 11:08 AM  
**To:** Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>; Villacorta, Claudia@Waterboards <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>; Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>  
**Cc:** Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>  
**Subject:** RE: Sonoma West Holdings Comments Discussion

Hello Imtiaz-Ali,

I returned your call this morning and left a message. I would still like to talk to you, but here are a few questions:

1. It isn't clear from the second half of your e-mail that the discrete waste flow from Dynamic Nutraceuticals would be subject to the same scrutiny as that from Redwood Hills Farms. Please clarify.  
CFR part 407 subpart G includes specific ELGs for the processing of dry beans and lima beans; is Dynamic Nutraceuticals involved with the processing of either of these beans? If they are, they will be subject to a different set of ELGs for BOD and TSS
2. We had asked for some details on the sampling program necessary to support your calculations of specific ELGs. Is the third paragraphs of your e-mail that detail? Or is there more to follow? As it is, we do not have enough information to determine how much impact this program will have on SWHs. Specifically:
  - a. How many "different wastestreams" would be need to be sampled?  
We would need historical monthly influent data (flow, BOD, and TSS) from all the different waste streams, prior to the waste becoming co-mingled. This value (added together from the different wastestreams) minus the total influent load coming into the treatment system would give us the load of influent process wastewater coming from each individual wastestream, including the dairy operation, and allow us to calculate a weighted average for the effluent process wastewater. We also need data on the average monthly mass production of yogurt and cheese from Redwood Hill Farms since the ELGs are mass based limits.
  - b. How many samples per year?  
Monthly influent data from each wastestream.

a. Why “Preferably over a 3-year period”?

3 years of historical data is a preference recommended by EPA, it’s not a necessity.

3. The sentence “A flow weighted average can then be used to determine limits that are specific to the dairy processing” is confusing. Would there be a limit on the flow from the tenant before co-mingling with the rest of the influent waste? Or would the limits be on the SWHs effluent?

No; limits would apply after treatment unless compliance with ELGs can’t be determined as explained above. The weighted average for each wastestream will be used to determine their respective and independent contribution of process wastewater to the overall quality of the effluent wastestream.

4. On your last paragraph, we are at a loss to understand what utility the reopener would be “when the discharge is imminent” if the sampling program alone would be of 3 years duration. Are we missing something?

As mentioned previously, the 3 years period is a preference. One or two years of historical data may suffice.

Please let us know your thoughts on these questions and we will be better prepared to decide on the question of keeping the limits with a reopener scenario.

Thank you,  
Dave

**Dave Coleman**  
**Associate Principal**  
**Brelje & Race Consulting Engineers**  
v. (707) 576-1322 x 222 (office)  
d. (707) 636-3756 (direct)  
c. (707) 318-1789 (cell)  
[www.brce.com](http://www.brce.com)

*...where excellence, innovation and integrity work for you every day.*

---

**From:** Kalyan, Imtiaz-Ali@Waterboards [<mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov>]  
**Sent:** Tuesday, December 12, 2017 4:20 PM  
**To:** David Coleman <[coleman@brce.com](mailto:coleman@brce.com)>; Villacorta, Claudia@Waterboards <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>; Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>  
**Cc:** Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>  
**Subject:** RE: Sonoma West Holdings Comments Discussion

David,

According to the facility’s website, the lease holder at SWHs by the name of Dynamic Nutraceuticals processes sprouts in addition to wheat grass. See their website below. The processing of certain types of beans are subject to ELGs under CFR part 407. See link below.

<http://dried-sprouts.com/products.html>  
<https://www.ecfr.gov/cgi-bin/text-idx?SID=74aba1c77e481cc6eff91276823cbc16&mc=true&node=sp40.31.407.g&rgn=div6>

The processing of hard apple cider however isn’t subject to ELGs.

In order to establish BOD and TSS limits for the dairy food processing, we would need individual data on flow, BOD, and TSS data from the different wastestreams, preferably over a 3 year period. We would also need data on average monthly mass production of yogurt and cheese from Redwood Hill Farms. A flow weighted average can then be used to determine limits that are specific to the dairy processing. Seasonal limitations can be implemented to account for variations in flow from the different wastestreams during the year.

Hope that answers your question. Let me know what SWHs preference is between establishing ELGs in the permit or keeps limits as they currently are and having a reopener to include ELGs when discharge is imminent.

Regards,

*Imtiaz-Ali Kalyan* | Water Resource Control Engineer  
North Coast Regional Water Quality Control Board  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403  
(707)- 576-2805 | [Imtiaz-Ali.kalyan@waterboards.ca.gov](mailto:Imtiaz-Ali.kalyan@waterboards.ca.gov)  
Document Submittals | [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov)

---

**From:** David Coleman [<mailto:coleman@brce.com>]  
**Sent:** Friday, December 08, 2017 3:03 PM  
**To:** Villacorta, Claudia@Waterboards <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>; Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>; Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>  
**Cc:** Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>  
**Subject:** RE: Sonoma West Holdings Comments Discussion

Claudia, Mona, Imtiaz-Ali  
Please find attached preliminary Comments for the SWH Draft permit for the upcoming (Monday) meeting on the Subject issue.

We plan on revising these comments after the meeting prior to the December 15, 2017 public comment period end date.  
If you have any questions or comments, please do not hesitate to contact us and /or we can discuss further on the 11<sup>th</sup>.  
Thank you,  
Dave

**Dave Coleman**  
**Associate Principal**  
**Brelje & Race Consulting Engineers**  
v. (707) 576-1322 x 222 (office)  
d. (707) 636-3756 (direct)  
c. (707) 318-1789 (cell)  
[www.brce.com](http://www.brce.com)

*...where excellence, innovation and integrity work for you every day.*

-----Original Appointment-----

**From:** Villacorta, Claudia@Waterboards [<mailto:Claudia.Villacorta@waterboards.ca.gov>]  
**Sent:** Friday, December 08, 2017 1:32 PM  
**To:** Villacorta, Claudia@Waterboards; Dougherty, Mona@Waterboards; Puget, Jeremiah@Waterboards; Kalyan, Imtiaz-Ali@Waterboards; Jacobsen, Nathan@Waterboards; David Coleman; Mike Babbini  
**Subject:** Sonoma West Holdings Comments Discussion  
**When:** Monday, December 11, 2017 2:00 PM-4:00 PM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** Pacific Room 5550 Skylane Blvd, Santa Rosa, CA

Meeting to discuss Sonoma West Holdings preliminary comments on the Draft Permit. Discharger and consultant will come to our office.

Nate, I see you are booked most of the day. It's not essential that you participate but let us know if you can call in at any point during this appointment. We can hold any legal issues to that time. Or follow-up with you later.

Claudia

**From:** Villacorta, Claudia@Waterboards  
**Sent:** Wednesday, November 22, 2017 9:24 AM

**To:** 'David Coleman' <[coleman@brce.com](mailto:coleman@brce.com)>; Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>  
**Cc:** Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>; Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>; Puget, Jeremiah@Waterboards <[Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)>; Jacobsen, Nathan@Waterboards <[nathan.jacobsen@waterboards.ca.gov](mailto:nathan.jacobsen@waterboards.ca.gov)>; Lee, Shin-Roei@Waterboards <[shin-roei.lee@waterboards.ca.gov](mailto:shin-roei.lee@waterboards.ca.gov)>; Curtis, Joshua R.@Waterboards <[Joshua.Curtis@Waterboards.ca.gov](mailto:Joshua.Curtis@Waterboards.ca.gov)>  
**Subject:** RE: Sonoma West Request for an extension to the open commenting period

Hi, David, at this point, we do not plan to make any changes to the Draft Permit and agree that if we decide to either include a discharge prohibition or ELGs, additional time to comment would be warranted. The written comments you submit on the now extended deadline of December 15 should address the current language in the posted Draft Permit. We are holding internal discussions with both our legal counsel and EPA to resolve the matter related to potential inclusion of a discharge prohibition or ELGs. The outcome of these discussions could result in no changes to the Draft Permit or it could result in some changes. If changes are recommended, we plan to discuss these with you when Ali returns from vacation on December 11 or 12 and determine next steps including possibility of postponing this item to April and/or extending the comment period. Meeting prior to the deadline would allow us to both communicate outcome of our internal discussions and provide an opportunity for us to preview your comments on the currently posted Draft Permit. We can also meet prior to the proposed dates especially if we resolve the matter of the prohibition/ELGs sooner. Ali would not be available but both Mona and I can discuss further with you in addition to provide any clarification on the requirements as you begin to prepare written comments. That said, I recommend you limit your written comments to the current draft language.

Hope this clarifies your questions and addresses your concerns. Please feel free to contact us next week to discuss further.

Hope you have a Happy Thanksgiving.

Thanks,

Claudia

**From:** David Coleman [<mailto:coleman@brce.com>]  
**Sent:** Wednesday, November 22, 2017 7:55 AM  
**To:** Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>  
**Cc:** Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>; Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>; Villacorta, Claudia@Waterboards <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>; Puget, Jeremiah@Waterboards <[Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)>  
**Subject:** Re: Request for an extension to the open commenting period

Imtiaz-Ali,

We do not believe we will be able to properly revise our comments within a 2 or 3 days period after meeting with you.

We are also unsure of the process the board is intending with regard to the changes to the draft permit (yogurt/cheese enhanced discharge limits and potential discharge prohibition). Will the Draft permit be modified and re-issued? As it is now, it is not clear as to the scope of the entire draft permit we are to comment on.

We understand that the board is allowing the process to establish discharge limits due to the yogurt operation organic loading to be independent of the permit issuance, but that complicates the considerations that SWH has to undertake.

We are again requesting additional time to confer with you about the content of the permit and then perform the analysis needed to properly comment on it.

We would like to have at least a one month period to prepare comments after a meeting with you.

Thank you for your consideration,

Dave

Sent from my iPad

On Nov 21, 2017, at 2:18 PM, Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)> wrote:

David,

In-order to provide SWHs with the new technology based effluent limits for BOD and TSS, specific to yogurt and cheese processing, we would need to know the BOD demand from that specific waste stream. If you have that information, please provide it and I can gladly calculate what your new technology based effluent limits would be. See subpart C, section 405.32 for yogurt and subpart F, section 405.62 for cheese.

[https://www.ecfr.gov/cgi-bin/text-idx?SID=9b2ad535d533c8e67ed84ba64ff900de&mc=true&node=pt40.31.405&rqn=div5#se40.31.405\\_130](https://www.ecfr.gov/cgi-bin/text-idx?SID=9b2ad535d533c8e67ed84ba64ff900de&mc=true&node=pt40.31.405&rqn=div5#se40.31.405_130)

With regard to an extension on the open comment period, upper management has agreed to provide SWHs with a two week extension. Please have your comments submitted to the Regional Board by 5PM on December 15<sup>th</sup>, 2017. We are available to meet with you before then on either Monday December 11<sup>th</sup> or Tuesday December 12<sup>th</sup> to discuss your comments in person or over the phone.

Sincerely,

*Imtiaz-Ali Kalyan* | Water Resource Control Engineer

North Coast Regional Water Quality Control Board

5550 Skylane Boulevard, Suite A

Santa Rosa, CA 95403

(707)- 576-2805 | [Imtiaz-Ali.kalyan@waterboards.ca.gov](mailto:Imtiaz-Ali.kalyan@waterboards.ca.gov)

**From:** David Coleman [<mailto:coleman@brce.com>]

**Sent:** Tuesday, November 21, 2017 9:58 AM

**To:** Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>

**Cc:** Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>; Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>; Villacorta, Claudia@Waterboards <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>; Puget, Jeremiah@Waterboards <[Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)>

**Subject:** Re: Request for an extension to the open commenting period

Imtiaz-Ali. Thank you. We would also like to remind you that discharge prohibition constituent levels for BOD and TSS for discharge of dairy water to surface waters have not yet been identified. That technical omission alone should justify an review comment extension, we believe.

Thank you,

Dave

Sent from my iPad

On Nov 20, 2017, at 8:09 PM, Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)> wrote:

David,

Upper management will have to decide if we are willing to defer the permit adoption date to April 2017 in-order to allow a two month extension on the public comment period. We'll get back to you with a final decision by Wednesday.

Regards,

Imtiaz-Ali

**From:** David Coleman [<mailto:coleman@brce.com>]

**Sent:** Monday, November 20, 2017 4:09 PM

**To:** Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>

**Cc:** Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>; Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>; Villacorta, Claudia@Waterboards <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>; Puget, Jeremiah@Waterboards <[Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)>

**Subject:** Re: Request for an extension to the open commenting period

Imtiaz-Ali,

Mike and I have conferred and, unfortunately, we don't believe that we will be properly prepared to discuss all of the topics by early next week - and then wouldn't be able to adjust our public comment by the 8th if we met earlier that week.

Please consider granting a two month extension. We understand that that would entail an April adoption.

Thank you,

Dave

Sent from my iPad

On Nov 20, 2017, at 5:31 PM, Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)> wrote:

Also, would extending the open comment deadline from December 4<sup>th</sup> to December 8<sup>th</sup> provide you with sufficient amount of additional time to provide your written comments to the Regional Board?

**From:** Kalyan, Imtiaz-Ali@Waterboards

**Sent:** Monday, November 20, 2017 12:30 PM

**To:** Dougherty, Mona@Waterboards <[Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov)>; Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>

**Cc:** David Coleman <[coleman@brce.com](mailto:coleman@brce.com)>; Villacorta, Claudia@Waterboards <[claudia.villacorta@waterboards.ca.gov](mailto:claudia.villacorta@waterboards.ca.gov)>; Puget, Jeremiah@Waterboards <[Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)>

**Subject:** RE: Request for an extension to the open commenting period

Mike,

Are you and David available early next week to discuss the draft version of your new NPDES permit? This can be an opportunity for us have an interactive discussion on what the draft version of your new NPDES permit is requiring, and provide clarification wherever needed.

Monday November 27<sup>th</sup>. after 12 NOON, seems to work best for our staff. Please let me if you're available.



Sincerely,

Imtiaz-Ali

**From:** Dougherty, Mona@Waterboards  
**Sent:** Friday, November 17, 2017 10:16 AM  
**To:** Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>  
**Cc:** Kalyan, Imtiaz-Ali@Waterboards <[Imtiaz-Ali.Kalyan@Waterboards.ca.gov](mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov)>; David Coleman <[coleman@brce.com](mailto:coleman@brce.com)>  
**Subject:** Re: Request for an extension to the open commenting period

Hi Mike.

We'll be getting back to you soon. I'm on vacation and have asked out division chief to work with Ali on a response. Thx

Sent from my iPhone

On Nov 17, 2017, at 8:24 AM, Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)> wrote:

Imtiaz-Ali and Mona:

During the last few permit renewal processes, SWHI has been able to review the draft permit and meet with Water Board personnel to discuss our comments and have changes made where appropriate. This process has change and now we can only comment during the 30 day period.

This new draft permit has a lot of changes/monitoring requirements along with some discharge limits that we need to evaluate thoroughly in order to determine if we can comply. There are numerous questions and concerns that we also need to evaluate and discuss with the Water Board.

I received this draft via email on the 6<sup>th</sup> of Nov. and have been working diligently in complying questions and getting our consulting team to work with us for preparation of the Dec. 4<sup>th</sup> comment period deadline. Peoples schedules and holidays are hampering our efforts in meeting this deadline along with the changes to comply with the new permit.

We were just informed yesterday of this new discharge prohibition (11 days into the comment period) and we are expected to review and digest this change within the 30 day comment period.

SWHI maintains the NPDES permit because we know that if we give it up the chances of getting another one are slim to none. We maintain the permit so that in the future and when affordable, we will be able to treat the water to the required standards for surface water discharge.

This 30 day comment period includes 2 holidays (Veterans Day and Thanksgiving) along with weekends (around the holidays) and the day after Thanksgiving for a total of 7 days of the 30 day comment period.

We again ask our Water Board representation that we be granted an extension in order to thoroughly present all our comments for review. If your decision is to move forward without granting an extension, we will have to assume that the waterboard will not review our comments after the 30 day period.

Our common goal is to get this permit done in a timely manner, but 30 day review for comment period is stretching it. We need to thoroughly understand the implications of this permit.

I hope you reconsider our request for an extension.

Mike Babbini

**From:** Kalyan, Imtiaz-Ali@Waterboards [<mailto:Imtiaz-Ali.Kalyan@Waterboards.ca.gov>]  
**Sent:** Thursday, November 16, 2017 6:15 PM  
**To:** David Coleman <[coleman@brce.com](mailto:coleman@brce.com)>  
**Cc:** Mike Babbini <[mbabbini@sonic.net](mailto:mbabbini@sonic.net)>; Dougherty, Mona@Waterboards <[Mona.Dougherty@Waterboards.ca.gov](mailto:Mona.Dougherty@Waterboards.ca.gov)>  
**Subject:** Request for an extension to the open commenting period

Hi David,

In-order to remain fair and maintain consistency with all our permittees, the Regional Board is not able to provide SWHs with an extension to the open comment period that ends on December 4, 2017. Our Board however may be willing to accept comments after the deadline.

Sincerely,

