



California Regional Water Quality Control Board Central Valley Region

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10 April 2007

Mr. Dan Martinez
Berryessa Gap Vineyards
15 Main Street
Winters, CA 95694

CERTIFIED MAIL
7005 1160 0004 0127 3036

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 BERRYESSA GAP VINEYARDS, YOLO COUNTY

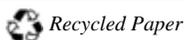
Regional Water Board staff has reviewed your 30 January 2007 Report of Waste Discharge (RWD) to apply for coverage under Regional Water Board Resolution No. R5-2003-0106, the *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a Notice of Intent to comply with the *NPDES General Permit for Discharges of Storm Water Associated with Industrial Activities* and an \$872 filing fee. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed) is a conditional waiver of waste discharge requirements for small food processors, including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of grapes crushed and wastewater produced.

Discharge Description

Martinez and Moreno (Discharger) owns and operates the Berryessa Gap Vineyards winery at 27260 Highway 128 in Winters, Yolo County (APNs 030-270-09 and 030-270-18). The winery crushed approximately 70 tons of grapes during 2006. The Discharger estimates that approximately 80,000 gallons of wastewater will be generated each year, with monthly totals ranging from 4,400 to 13,200 gallons. The crush pad is in an uncovered area. Wastewater from the crush pad, other outdoor processing areas, and indoor processing areas will be collected in a sump prior to storage in a 5,000-gallon above-ground tank. Wastewater will be periodically removed from the tank and land applied to approximately 75 net acres of plums and grapes south of the winery (APNs 030-180-281, 030-180-321, and 030-180-311). Wastewater will be applied using a tanker truck equipped with a water spray bar of the type typically used for dust control on roads. The storage tank is large enough to contain at least one month of wastewater during the rainy season (when flows are lower than the crush period) to account for days when wastewater cannot be land applied due to adverse weather or saturated soil conditions. The Discharger's Wastewater Disposal Operation and Maintenance

California Environmental Protection Agency



Plan provides details of water, nutrient, and salinity loadings, as well as operational practices that appear adequate to protect both groundwater and surface water quality.

Approximately 30 tons per year of solids (grape stems, seeds, skins, and lees) are screened from the process wastewater into bins. These solids will be applied to 50 acres of orchard that do not receive land applications of winery wastewater. Solids will be removed from the winery each day for land application and will not be allowed to accumulate on-site. The solids will be applied by manure spreader prior to the rainy season.

Conditional Waiver

Based on the information submitted in the RWD and subsequent information provided by the Discharger, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater and process solids produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual monitoring report that contains the information described in Items No. 1, 2, and 5 of the monitoring and reporting program must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Water Board may take enforcement action, including assessment of administrative civil liability. If the winery crushes more than 80 tons of grapes per year, the annual volume of wastewater increases beyond 100,000 gallons per year, or the methods of winery wastewater and/or solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with a filing fee to renew the waiver, or cease the discharge.

If you have any questions, please call Anne Olson at (916) 464-4740.

- Original Signed by Jack E. Del Conte for -

PAMELA C. CREEDON
Executive Officer

Enc: General Order No. R5-2003-0106

cc w/o enc: Bruce Sarazin, Yolo County Environmental health Department, Woodland