



**California Regional Water Quality Control Board**  
**Central Valley Region**  
**Katherine Hart, Chair**



**Matthew Rodriguez**  
*Secretary for  
Environmental Protection*

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**Edmund G. Brown Jr.**  
*Governor*

28 September 2011

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

**CERTIFIED MAIL**  
**7010 3090 0000 5045 0022**

***NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER NO. R5-2009-0097-0064, MARTINEZ AND MORENO, BERRYESSA GAP VINEYARDS, YOLO COUNTY***

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 30 August 2011 Report of Waste Discharge (RWD) submitted by Martinez and Moreno to apply for regulatory coverage under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order No. R5-2009-0097* (Order). The Order, which was adopted by the Central Valley Water Board on 8 October 2009, is a conditional waiver of waste discharge requirements for small wineries and small food processors.

The RWD contains the information required and the discharge as described in the RWD qualifies for coverage under the Order. You are hereby assigned Order No. R5-2009-0097-0064. A copy of the Order is enclosed and it is also available on the internet at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers).

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD.

**DISCHARGE DESCRIPTION**

Martinez and Moreno (Discharger) owns and operates Berryessa Gap Vineyards winery, which is located at 27260 Highway 128 near Winters in Yolo County (APN 030-270-021).

The Discharger will crush up to 80 tons of grapes each year through 2014, and estimates that up to 100,000 gallons of winery process wastewater will be produced annually. Wastewater generated in crushing, bottling and racking will be collected in a concrete sump and pumped to 5,000-gallon plastic tank. The wastewater is used to drip irrigate a 50-acre plum orchard.

***California Environmental Protection Agency***



Approximately 30 tons of residual solids (grape stems, seeds, and skins) will be produced each year. The solids will be applied to the plum orchard with a manure spreader. Solids will be spread daily as generated at a thickness no greater than ¼-inch.

### **MONITORING AND REPORTING**

The Order 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, contained in the Order. The *Annual Monitoring Report* form must be submitted to our office by **1 February of each year**, even if there is no discharge during the reporting year.

### **GENERAL INFORMATION AND REQUIREMENTS**

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements of the Order 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 application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on 8 October 2014, at which time you must do one of the following:

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

If you have any questions regarding submitting an updated RWD, or questions about making changes to your permitted operations, please contact Ms. Lani Andam at (916) 464-4723 or [landam@waterboards.ca.gov](mailto:landam@waterboards.ca.gov).

All compliance and enforcement questions should be directed to Brendan Kenny of the Compliance and Enforcement Section at (916) 464-44635 or [bkenny@waterboards.ca.gov](mailto:bkenny@waterboards.ca.gov). All monitoring reports must be submitted to Mr. Kenny by the compliance due date.

Original signed by

PAMELA C. CREEDON  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc w/o enc: Yolo County Environmental Health Department, Woodland