

Central Valley Regional Water Quality Control Board

7 May 2015

Mr. Dan R. Costa
Dan R. Costa, Inc.
1269 Spring Creek Dr.
Ripon, CA 95366

CERTIFIED MAIL
7013 1090 0001 3130 4278

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS,
WINERIES, AND RELATED AGRICULTURAL PROCESSORS
WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2015-0005-0008
DAN R. COSTA, INC., SAN JOAQUIN COUNTY**

On 21 June 2010, the Executive Officer of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) issued a Notice of Applicability to Farinha Family Winery (the Winery) for coverage under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order R5-2009-0097*. Order R5-2009-0097 expired in October 2014, and was subsequently replaced by Resolution R5-2015-0005, which was adopted by the Central Valley Water Board on 5 February 2015 (the Waiver).

We are in receipt of your Notice of Intent dated 22 April 2015, which stated that you intend to comply with the conditions of Tier 1 of the Waiver for the discharge of winery waste at 17239 E. Louise Avenue, Escalon, San Joaquin County (APN 203-21-016). The facility is located on approximately 40 acres. Wastewater is produced from fresh cut vegetable processing. Tier 1 allows land application of up to 10,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids associated with that volume of wastewater. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application and the applicable fee and obtain coverage under Tier 2 or 3 of the Waiver prior to increasing the discharge volume.

You are hereby assigned Order R5-2015-0005-0008. A copy of the Waiver is enclosed and is also available on the internet 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). Winery waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the Notice of Intent.

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. Your first Annual Monitoring Report is due by **1 February 2016**.

GENERAL INFORMATION AND REQUIREMENTS

The Order 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 Notice of Intent and this Notice of Applicability.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, ownership, and location 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 Notice of Intent is prohibited.

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

1. Submit a new Notice of Intent with a filing fee (if required) to obtain coverage under a subsequently adopted waiver; or
2. Submit a Notice of Intent 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: Dan R. Costa, Inc., San Joaquin County		
Program: Non-15 Compliance	Order: R5-2015-0005-0008	CIWQS Place ID: 754572

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 NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Brendan Kenny 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, Brendan will direct you to the appropriate Permitting staff. You may contact Brendan at (916) 464-4635 or at bkenny@waterboards.ca.gov.


For PAMELA C. CREEDON
Executive Officer

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

Cc (w/o enc.): Rodney Estrada, San Joaquin County Environmental Health Dept., Stockton