

## Central Valley Regional Water Quality Control Board

10 April 2017

Glenn Bianchi  
Modern Development Company, LP  
3333 West Coast Highway, Suite 400  
Newport Beach, CA 92663

**CERTIFIED MAIL**  
**7016 2710 0000 2529 4518**

### **NOTICE OF APPLICABILITY**

#### ***WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION***

**ORDER R5-2015-0005-0080  
MODERN DEVELOPMENT COMPANY, LP  
BIANCHI VINEYARDS EMERALD GLEN WINERY  
FRESNO 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) and Notice of Intent (NOI) dated 3 March 2017, which states that you intend to comply with the Tier 2 conditions of the Waiver. Tier 2 allows land application of up to 100,000 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 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 to obtain coverage under Tier 3 of the Waiver or obtain individual waste discharge requirements prior to increasing the discharge volume.

Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2015-0005-0080. A copy of the Waiver is enclosed and also available 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 Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). The

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

### **DISCHARGE DESCRIPTION**

Bianchi Vineyards Emerald Glenn Winery is a winery owned by Glenn Bianchi at 5806 Modoc Avenue near Kerman in Fresno County. The winery was previously regulated under Waste Discharge Requirements Order R5-2014-0087. According to the NOI, the winery will only store wine in onsite tanks and will generate less than 100,000 gallons of wastewater annually. Wastewater will be limited water used for rinsing and cleaning tanks. The discharge will be stored in onsite tanks and discharged as needed for irrigation of a 7 acre vineyard. The discharge will primarily take place from April through September.

No residual solids are expected to be generated.

Waste Discharge Requirements Order R5-2014-0087 will be rescinded at a future meeting of the Central Valley Water Board.

### **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 2017 Annual Monitoring Report is due by **1 February 2018**.

### **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 this Notice of Applicability.

Please review this Notice of Applicability 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 Conditions of Discharge (Attachment A) of the Waiver 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 RWD with a filing fee (if required) 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:

centralvalleyfresno@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: Bianchi Vineyards Emerald Glenn Winery, Fresno County		
Program: Non-15	Order: R5-2015-0005-0080	CIWQS Place ID: 209453

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  
Fresno Office  
1685 E Street  
Fresno, CA 93706

If you find it necessary to make a change to your permitted operations or have any questions regarding this matter, please contact Daniel Benas at (559) 445-5500 or via email at: Daniel.Benas@waterboards.ca.gov.

  
for PAMELA C. CREEDON  
Executive Officer

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

cc w/o encl: Fresno County Environmental Health, Fresno