



Central Valley Regional Water Quality Control Board

28 August 2020

Joseph and Kay Berghold
Berghold Vineyards
8215 E. Hwy 12
Lodi, CA 95240

CERTIFIED MAIL
7019 2280 0001 9243 9652

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2020-0002-0042
JOSEPH AND KAY BERGHOLD,
BERGHOLD VINEYARDS,
SAN JOAQUIN COUNTY**

On 20 February 2020, 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 R5-2020-0002* (the Waiver).

We are in receipt of your Notice of Intent (NOI), dated 7 August 2020, which stated that you intend to comply with Tier 2 conditions of the Waiver. Based on the information provided in the NOI, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2020-0002-0042. A copy of the Waiver is enclosed and also available at the [State Water Boards Adopted Orders \(waivers\) webpage](#) (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). Wine waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the NOI.

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 (pomace and lees) 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

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permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application and to obtain coverage under Tier 3 of the Waiver prior to increasing the discharge volume.

Discharge Description

Berghold Vineyards (the Facility) is located at 17343 N. Cherry Road, Lodi in San Joaquin County. The Facility is owned by Joseph and Kay Berghold and operated by Berghold Wine Sales, LLC. The Facility processes approximately 110 tons of grapes per year and generates approximately 50,000 gallons of wastewater on an annual basis.

Process wastewater is generated from processing grapes and facility cleaning. Wastewater collects in two pump stations, where it is then pumped into a 10,000 gallon above ground storage tank. The wastewater is used to irrigate 72 acres of land application areas (LAAs) cropped with wine grapes and cover crops grown between the rows of grapes. Roads surround the LAAs, which act as berms to prevent any wastewater from running off-site.

Approximately 20 tons of solids are generated annually, including grape stems, seeds, skins, and pomace. The solids are temporarily stored in bins, then spread onto the fields or sent off-site.

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 2020 Annual Monitoring Report is due by **1 February 2021**.

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 NOI and the Notice of Applicability.

Please review this Notice of Applicability carefully to ensure 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. Discharges of wastes not described in the Conditions of Discharge (Attachment A) of the Waiver is prohibited.

Please note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

1. Submit a new NOI with a filing fee (if required) to obtain coverage under a subsequently adopted waiver.
2. Submit a NOI 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 correspondences should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents 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: Berghold Vineyards, San Joaquin County		
Program: Non-15 Compliance	Order: R5-2020-0002-0042	CIWQS Place ID: 818237

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

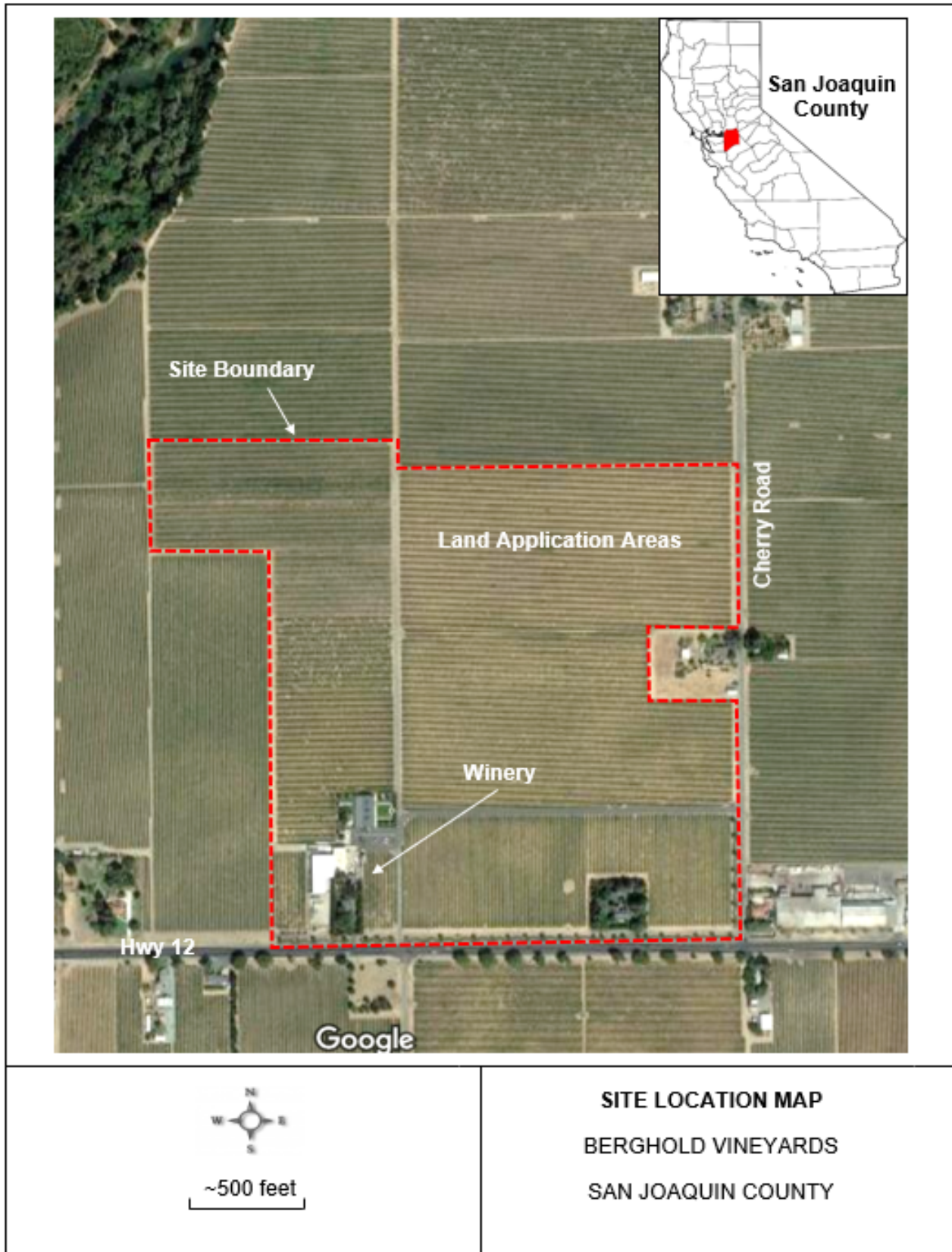
Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

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 Patrick Pulupa, Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2020-0002

cc w/o encl: San Joaquin County Environmental Health Department, Stockton



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