



California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



Linda S. Adams
Secretary for
Environmental
Protection

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

Arnold
Schwarzenegger
Governor

21 June 2010

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

CERTIFIED MAIL
7009 1410 0002 1422 3332

NOTICE OF APPLICABILITY (NOA); CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION; ORDER NO. R5-2009-0097-0019; DAN R. COSTA, INC.; SAN JOAQUIN COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received your application including the Report of Waste Discharge (RWD) and application fee of \$1,226 submitted for Dan R. Costa, Inc. 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). Based on the information in the application, we have determined that the Discharger meets the required conditions for approval under this Order for your facility and the proposed waste discharge. You are hereby assigned Order No. R5-2009-0097-0019.

The Order, 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 Order is enclosed and may be viewed on our website at http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#Waivers. You are urged to familiarize yourself with the contents of the entire Order which prescribes mandatory discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the General Order, Standard Provisions and Reporting Requirements for WDRs, and with the information submitted in the RWD.

DISCHARGE DESCRIPTION

Dan R. Costa (referred to as Discharger) owns and operates Dan R. Costa, Inc. located at 17239 E. Louise Avenue, in San Joaquin County (APN 203-21-016). At the facility, wastewater is produced from fresh cut vegetable processing. The operation will increase in size over the next five years and will process a maximum of 400 tons of vegetables per year at its peak. The Discharger has estimated that approximately 98,000 gallons of process wastewater will be produced on an annual basis when fully expanded and thus no greater than 100,000 gallons of wastewater will be applied to land annually. All activities producing wastewater will be located under the cover of an enclosed building. Wastewater will be collected in a central floor drain that flows into a sump pump station of approximately

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100 gallons where it is then pumped into the 2 feet by 1,200 feet agricultural irrigation pipeline for irrigation of the onsite agricultural crops on the 30 acre land application area at a rate of approximately 165 gallons per acre per month. Application will not be made to the crops during periods of rain or on saturated soils. Operations will be postponed if the system becomes full when land application is not feasible due to precipitation events.

The Discharger estimates that no more than 240 tons (wet weight) of solids will be produced annually based on the expected maximum volume (400 tons) to be processed each year. All residual solid waste from vegetable processing will be composted onsite and then discharged to land as a soil amendment. The application rate will not exceed 1-10 tons per acre as soil samples recommend. Solid waste will be transported to the land application area using harvest bin trailers and solid waste spreaders.

MONITORING AND REPORTING

This Order includes specific monitoring requirements that you must implement and reporting requirements you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program (MRP) 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

This Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance to the information provided in your application.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements in the Order may result in an enforcement action as authorized by provisions of the California Water Code. If the discharge violates the terms or conditions above, the Central Valley Water Board may take enforcement action, including assessment of administrative civil liability which is a monetary penalty.

Discharge of waste material other than described in the application is prohibited. If the method of waste disposal changes from that described in your application, you must submit a new *Report of Waste Discharge Technical Information* form describing the new operation.

Please note that the Order will expire on 8 October 2014, at which time either (1) a new application with a filing fee will be necessary for regulatory coverage under a subsequently adopted new Order, or (2) the discharge must cease.

If you have any questions regarding submitting an updated report of waste discharge, or questions about making changes to your permitted operations, please contact Mr. Tim O'Brien, at (916) 464-4616 or tobrien@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Brendan Kenny of the Compliance and Enforcement Section at (916) 464-4635 or bkenny@waterboards.ca.gov. All technical reports and monitoring reports should be submitted to Mr. Kenny by the compliance due date.

Original signed by

Pamela C. Creedon
Executive Officer

Enclosures (Discharger Only): General Conditional Waiver, Order No. R5-2009-0097
Electronic Copy of Annual Report Form (Compact Disc)
Standard Provisions and Reporting Requirements for
Waste Discharge Requirements, 1 March 1991

cc (Without Enclosure): San Joaquin County Environmental Health Department, Stockton