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## Central Valley Regional Water Quality Control Board

18 April 2014

**CERTIFIED MAIL**  
**7012 2210 0002 1419 5717**

Jim Augustine and Mercy Gonzalez  
Gargiulo Inc./BHN Research  
15000 Old US 41 N  
Naples, FL 34110

**CERTIFIED MAIL**  
**7012 2210 0002 1419 5724**

Joseph Heidrick  
36826 County Road 24  
Woodland, CA 95695

***NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER NO. R5-2009-0097-0096, GARGIULO INC./BHN RESEARCH, JOSEPH HEIDRICK, BHN RESEARCH & SEED, YOLO COUNTY***

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 10 March 2014 Report of Waste Discharge (RWD) submitted by Laugenour and Meike on behalf of Gargiulo Inc./BHN Research and Joseph Heidrick 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 R5-2009-0097-0096. 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. Failure to comply with the monitoring and reporting requirements of the Order may result in enforcement action pursuant to California Water Code, Section 13261, which can include imposition of civil liability (a fine).

### **DISCHARGE DESCRIPTION**

Gargiulo, Inc./BHN Research owns and operates the BHN Research & Seed facility, a tomato seed research facility, which is located at 37648 County Road 19A in the City of Woodland in

Yolo County (APN 025-330-020). The tomato seed research facility and designated land application areas are located on land owned by Joseph Heidrick. Garguilo, Inc./BHN Research and Joseph Heidrick are hereafter referred to as Dischargers.

Wastewater at the facility is generated between the months of July and September in two locations, in the lab and at a covered outdoor concrete work area. A lab pulper machine is used to separate seeds and skins from tomato fruit samples grown onsite. At the concrete pad, a seed extractor machine crushes the fruit and extracts seeds. Process wastewater is generated from the rinsing of the tomato pulper and extractor machines. The wastewater generated from the lab and concrete area is collected in four 500-gallon tanks and later applied to the land application area using a liquid spreader. The land application area consists of approximately 30 acres of land, which will be cropped with wheat that will be harvested in June each year.

The Discharger anticipates approximately 7,000 gallons per year of wastewater for land application. Approximately 110 pounds of residual solids will be produced and land applied to the same 30-acre land application area as a soil amendment.

Domestic wastewater is discharged to a septic tank and leach field system, which is permitted by Yolo County Environmental Health Department.

### **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. By **1 February of each year**, the *Annual Monitoring Report* form must be submitted to our office, 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 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 Mr. Brendan Kenny of the Compliance and Enforcement Section at (916) 464-4635 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 Kenneth Landau for

PAMELA C. CREEDON  
Executive Officer

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

cc w/enc: Javier Martinez, BHN Research and Seed, Woodland

cc w/o enc: David Limburg, Yolo County Environmental Health Department, Woodland  
Todd Tommeraason, Laugenour and Meikle, Woodland