
Central Valley Regional Water Quality Control Board

17 May 2022

Nostra Vita Winery, Inc.
1150 W. Turner Road
Lodi, CA 95242

CERTIFIED MAIL
7021-0950-0000-9918-5174

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2020-0002-0098
NOSTRA VITA WINERY, INC., 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 4 April 2022, which stated that you intend to comply with the Tier 2 conditions of the Waiver. 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 R5-2020-0002-0098. A copy of the Waiver is enclosed and is also available at the [State Water Boards Adopted Orders \(waivers\) webpage](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers) (http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers).

You should 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 RWD.

DISCHARGE DESCRIPTION

Nostra Vita Winery, Inc. (the winery) is located at 1150 West Turner Road, Lodi in San Joaquin County. The winery is owned and operated by Nostra Vita Winery, Inc. 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. A minimum of one acre of land application area per 100,000 gallons of discharged wastewater and associated residual solids is required. Any

process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility.

The winery discharges approximately 75,000 gallons of winery process wastewater on an annual basis within the 40-acre parcels owned by the Discharger for landscaping and wine grape irrigation. The wastewater is applied using drip irrigation and a water tank to ensure even application and no runoff. The winery does not currently apply solids to land, but as allowed under the Waiver for Tier 2 facilities, land application of residual solids associated with up to 100,000 gallons of process wastewater per year as a soil amendment is permitted.

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 **2022 Annual Monitoring Report** is due by **1 February 2023**.

SALT AND NITRATE CONTROL PROGRAMS

The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. For the Nitrate Control Program, the facility falls within Priority 2 Groundwater Basins. Notices to Comply for Priority 2 Basins will be issued within two to four years after the effective date of the Nitrate Control Program.

For salinity, the Discharger has selected Option 2 (Alternative Option for Salt Permitting). As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this Order to ensure the goals of the Salt and Nitrate Control Programs are met. More information regarding this regulatory planning process can be found on the [Central Valley Water Board CV-SALTS website](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity)

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 (NOA).

Please review this NOA 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 RWD is prohibited. If the method of waste disposal changes from that described in your RWD, you must submit an updated RWD to describe the new operation.

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 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: Nosta Vita Winery, Inc., San Joaquin County
Program: Non-15 Compliance
Order: R5-2020-0002-0098
CIWQS Place ID: 880768

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 bkenny@waterboards.ca.gov.

for Patrick Pulupa
Executive Officer

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

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