



**San Joaquin Valley**  
AIR POLLUTION CONTROL DISTRICT



DEC 04 2012

Mr. Matthew Belair  
Delicato Vineyards  
12001 S. Highway 99  
Manteca, CA 95336

**Re: Final - Authority to Construct / Certificate of Conformity (Minor Mod)  
Project # N-1120366**

Dear Mr. Belair:

The Air Pollution Control Officer has issued Authorities to Construct (N-266-640-1 and N-266-641-1) with Certificates of Conformity to Delicato Vineyards. Modification of the organic material receiving, storage, and mixing operation (ATC Permit N-266-640-1) and organic material open windrow composting operation (ATC Permit N-266-641-1) for compliance with Rule 4566 (Organic Material Composting Operation).

Enclosed are the Authorities to Construct and invoice. The application and proposal were sent to US EPA Region IX on October 16, 2012. No comments were received following the District's preliminary decision on this project.

Prior to operating with modifications authorized by the Authority to Construct, you must submit an application to modify the Title V permit as an administrative amendment in accordance with District Rule 2520, Section 11.5.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Rupi Gill, Permit Services Manager, at (209) 557-6400.

Sincerely,

David Warner  
Director of Permit Services

DW:KC/st

Enclosures

**Sayed Sadredin**  
Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585



**San Joaquin Valley**  
AIR POLLUTION CONTROL DISTRICT



**HEALTHY AIR LIVING™**

**DEC 04 2012**

Gerardo C. Rios, Chief  
Permits Office  
Air Division  
U.S. EPA - Region IX  
75 Hawthorne St  
San Francisco, CA 94105

**Re: Final - Authority to Construct / Certificate of Conformity (Minor Mod)  
Project # N-1120366**

Dear Mr. Rios:

The Air Pollution Control Officer has issued Authorities to Construct (N-266-640-1 and N-266-641-1) with Certificates of Conformity to Delicato Vineyards. Modification of the organic material receiving, storage, and mixing operation (ATC Permit N-266-640-1) and organic material open windrow composting operation (ATC Permit N-266-641-1) for compliance with Rule 4566 (Organic Material Composting Operation).

Enclosed are copies of the Authorities to Construct. The application and proposal were sent to US EPA Region IX on October 16, 2012. No comments were received following the District's preliminary decision on this project.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Rupi Gill, Permit Services Manager, at (209) 557-6400.

Sincerely,

David Warner  
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## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-266-640-1

**ISSUANCE DATE:** 11/28/2012

**LEGAL OWNER OR OPERATOR:** DELICATO VINEYARDS  
**MAILING ADDRESS:** 12001 S HIGHWAY 99  
MANTECA, CA 95336

**LOCATION:** 12001 S HIGHWAY 99  
MANTECA, CA 95336

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF THE ORGANIC WASTE AND FEEDSTOCK MATERIAL RECEIVING, STORAGE AND MIXING OPERATION TO INCLUDE PERMIT CONDITIONS FOR COMPLIANCE WITH DISTRICT RULE 4566.

### CONDITIONS

1. This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
2. Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
5. All materials for processing shall be maintained adequately moist to prevent visible emissions in excess of 20% opacity. [District Rule 4101]

CONDITIONS CONTINUE ON NEXT PAGE

**YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT.** This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APOC

DAVID WARNER, Director of Permit Services

N-266-640-1 : Nov 29 2012 9:42AM - CHANK : Joint Inspection NOT Required

6. The permittee is allowed to receive the following wastes for the composting operation: green waste, food waste, and construction wood waste. Green waste is defined as any organic waste material generated from gardening, agriculture, or landscaping activities including, but not limited to grass clippings, leave, tree and shrub trimmings, and plant remains. Food waste is defined as table scraps, vegetable and fruit peelings, meat, bones and fish, egg shells, solid dairy products, coffee grounds, bread and toast, paper waste including, but not limited to, napkins, towels, plates, coffee filters, and tea bags. Construction wood waste is defined as any untreated wood materials, including but not limited to, lumber, paper, and cardboard from construction. [District Rule 2010]
7. The permittee is prohibited to receive the following wastes for the composting operation: biosolids, animal manure, and poultry litter. Biosolids is defined as organic material resulting from the treatment of sewage sludge or wastewater. Animal manure is defined as non-human animal excretions and waste, including, but not limited to, dried solids and urine from cows, cattle, or swine. Poultry litter is defined as poultry excretions and waste, including, but not limited to, dried solids and urine from chickens, turkeys, geese, or ducks. [District Rule 2010]
8. The quantity of organic waste materials received at this facility shall not exceed 900 wet-tons in any single day and 82,000 wet tons in any one calendar year. For the purposes of this permit, organic waste material is considered to be green waste, food waste, and construction wood waste. [District Rules 2201 and 4566]
9. PM10 emissions from the receiving, handling, and mixing of the organic waste materials shall not exceed 0.00167 lb-PM10/wet-ton of material received and processed. [District Rule 2201]
10. VOC emissions from the storage and processing of the organic waste materials shall not exceed 10.63 lb-VOC/wet-ton of material stored and processed. [District Rule 2201]
11. NH3 emissions from the storage and processing of the organic waste materials shall not exceed 3.18 lb-NH3/wet-ton of material stored and processed. [District Rule 2201]
12. The operator shall perform one of the following to organic materials within 10 days of receipt at the facility to satisfy the stockpile requirements: (a). Remove the organic material from the facility; (b). Place the organic material in the active-phase composting windrow and start active phase composting; (c). Cover the organic material with a waterproof cover that have at least a six-foot overlap of adjacent sheets and be securely anchored. [District Rule 4566]
13. A daily operations log shall be maintained and shall include the following: (a) The date, type, and weight (in wet tons) of each organic material received; (b). The date each stockpile was initially formed; (c). The date and action taken on each stockpile to satisfy the stockpile requirements; (d). Total quantity and type of each organic waste material stored for composting (in wet tons); (e). Total quantity and type of each organic waste material mixed for composting (in wet tons); and (f). Any other information necessary to demonstrate compliance with Rule 4566. [District Rules 1070 & 4566]
14. A cumulative annual log shall be maintained and shall indicate the total quantity and type of each organic waste material received (in wet tons). The records shall be updated at least monthly. [District Rule 1070]
15. All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070 & 4566]
16. The facility shall be in full compliance with all applicable stockpile requirements of District Rule 4566 on and after August 18, 2012. [District Rule 4566]
17. All bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]
18. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 or Rule 8011. [District Rule 8041]
19. Any new or existing public or private paved or unpaved road, road construction project, or road modification project shall be implement the control measures and design criteria of, and comply with the requirements of District Rule 8061 (Paved and Unpaved Roads), unless specifically exempted under Section 4.0 of Rule 8061. [District Rule 8061]

CONDITIONS CONTINUE ON NEXT PAGE

20. Water, gravel, roadmix or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District approved control measure shall be applied to unpaved vehicle travel areas as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in District Rule 8011. [District Rules 8011 and 8071]
21. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, the permittee shall apply water, gravel, road mix or chemical/organic dust stabilizers/suppressants, vegetative materials or other District approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with requirements for a stabilized unpaved road as defined in District Rule 8011. [District Rules 8011 and 8071]
22. Whenever any portion of the site becomes inactive, the permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in District Rule 8011. [District Rules 8011 and 8071]
23. This permit does not authorize the facility to operate without the required permits from other local, state or federal agency and does not authorize the violation of any conditions established for this facility in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state or federal agency. [District Rules 2070 and 2080, and Public Resources Code 21000-21177: California Environmental Quality Act]



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-266-641-1

**ISSUANCE DATE:** 11/28/2012

**LEGAL OWNER OR OPERATOR:** DELICATO VINEYARDS  
**MAILING ADDRESS:** 12001 S HIGHWAY 99  
MANTECA, CA 95336

**LOCATION:** 12001 S HIGHWAY 99  
MANTECA, CA 95336

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF THE OPEN WINDROW ACTIVE AND CURING PHASE ORGANIC MATERIAL COMPOSTING OPERATION TO INCLUDE PERMIT CONDITIONS AND INSTALL AN INDEPENDENT WATERING SYSTEM FOR COMPLIANCE WITH DISTRICT RULE 4566.

### CONDITIONS

1. This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
2. Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
5. All materials for processing shall be maintained adequately moist to prevent visible emissions in excess of 20% opacity. [District Rule 4101]
6. PM10 emissions from the organic material composting operation shall not exceed 0.6 pounds in any single day. Compliance with this condition shall be demonstrated using the following equation:  $PM10 \text{ Emissions (lb/day)} = 0.00066 \text{ lb-PM10/wet-ton} \times \text{Total daily quantity of material transferred from the feedstock piles to active-phase composting windrows (in wet-tons/day)}$ . [District Rule 2201]

CONDITIONS CONTINUE ON NEXT PAGE

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Seyed Sadreidin, Executive Director / FCO

DAVID WARNER, Director of Permit Services

N-266-641-1 Nov 28 2012 9:42AM - C:\A\A\ Joint Inspection NOT Required

7. VOC emissions from the organic material composting operation shall not exceed 360.2 pounds in any single day. Compliance with this condition shall be demonstrated using the following equation:  $\text{VOC Emissions (lb/day)} = 0.06966 \text{ lb-VOC/wet-ton} \times \text{Total daily quantity of active phase composting piles utilized onsite (in wet-tons/day)} + 0.0095 \text{ lb-VOC/wet-ton} \times \text{Total quantity of curing phase composting piles utilized onsite (in wet-tons/day)}$ . [District Rule 2201]
8. NH<sub>3</sub> emissions from the organic material composting operation shall not exceed 86.0 pounds in any single day. Compliance with this condition shall be demonstrated using the following equation:  $\text{NH}_3 \text{ Emissions (lb/day)} = 0.017 \text{ lb-NH}_3/\text{wet-ton} \times \text{Total daily quantity of active phase composting piles utilized onsite (in wet-tons/day)} + 0.0019 \text{ lb-NH}_3/\text{wet-ton} \times \text{Total daily quantity of curing phase composting piles utilized onsite (in wet-tons/day)}$ . [District Rule 2201]
9. The total quantity of organic materials composted shall not exceed 82,000 wet tons in any one calendar year. [District Rules 2201 & 4566]
10. The operator shall implement at least three turns of each organic material composting windrow during the active-phase of the composting process. [District Rule 4566]
11. The operator shall install, maintain, and utilize an independent watering system to apply water to the surface of each active-phase composting windrow prior to turning. The operator shall test each windrow within three hours before turning for adequate water by taking a sample of the organic material in the windrow and passing a "Ball Test". The "Ball Test" is performed by taking a sample of the compostable material from at least three inches below the surface, between the vertical midpoint and the peak of the windrow and forming the sample into a ball using hand pressure. There should be at least enough water in the material to form a ball when compressed by hand, but the ball may break when tapped. If the material cannot form a ball or crumbles during the ball test, then application of additional water to the windrow prior to turning is required until the material passes the ball test. If a rain event occurs prior to turning the windrow, application of additional water to the surface of the windrow will not be required if the material passes the ball test as previously described. [District Rule 4566]
12. A daily operations log shall be maintained and shall include the following: (a). The date and time the organic material from the windrow was tested for adequate water content using the "Ball Test" and indicate if the material passed the ball test. If the windrow material did not pass the ball test indicate the corrective action taken; (b). The date and time each windrow was turned; (c). Total quantity of organic material transferred from the feedstock piles to the active-phase composting windrows (in wet tons); (d). Total quantity of active phase composting piles utilized onsite (in wet tons); (e). Total quantity of curing phase composting piles utilized onsite (in wet tons); and (f). Any other information necessary to demonstrate compliance with Rule 4566. [District Rules 1070 & 4566]
13. A cumulative annual log shall be maintained and shall include the following: (a). Total quantity of active-phase composting piles utilized onsite (in wet tons); (b). Total quantity of curing phase composting piles utilized onsite (in wet tons). The records shall be updated at least monthly. [District Rule 1070]
14. All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rules 1070 & 4566]
15. The facility shall be in full compliance with all applicable composting requirements of District Rule 4566 for a Watering System on and after August 18, 2012. [District Rule 4566]
16. All bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]
17. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of rule 8041 or Rule 8011. [District Rule 8041]
18. Any new or existing public or private paved or unpaved road, road construction project, or road modification project shall implement the control measures and design criteria of, and comply with the requirements of District Rule 8061 (Paved and Unpaved Roads), unless specifically exempted under section 4.0 of Rule 8061. [District Rule 8061]

CONDITIONS CONTINUE ON NEXT PAGE

19. Water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure shall be applied to unpaved vehicle travel areas as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in District Rule 8011. [District Rules 8071 and 8011]
20. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, the permittee shall apply water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in District Rule 8011. [District Rules 8071 and 8011]
21. Whenever any portion of the site becomes inactive, the permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in District Rule 8011. [District Rules 8071 and 8011]
22. This permit does not authorize the facility to operate without the required permits from other local, state or federal agency and does not authorize the violation of any conditions established for this facility in the Conditional Use Permit (CUP), Special Use Permit (SUP), Site Approval, Site Plan Review (SPR), or other approval documents issued by a local, state or federal agency. [District Rules 2070 and 2080, and Public Resources Code 21000-21177: California Environmental Quality Act]