



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

January 25, 2018

Dave Warner
Deputy Air Pollution Control Officer
San Joaquin Valley Air Pollution Control District
1990 East Gettysburg Avenue
Fresno, CA 93726

Dear Mr. Warner:

Thank you for your email dated January 23, 2018, which summarizes our discussions regarding Best Available Control Technology (BACT) determinations for wine fermentation tanks located at facilities in the San Joaquin Valley Air Pollution Control District's jurisdiction. We concur with the approach outlined in your email regarding the control technology determinations that will be made after August 18, 2017, for new and modified wine fermentation tanks.

We also concur that the approach will resolve BACT-related concerns previously raised by EPA for wine fermentation projects deemed complete by the District prior to August 18, 2017, specifically, the following projects:

Facility	Project Number(s)
Delicato Vineyards	N-1152244
Bear Creek Winery	N-1153192
CBUS Ops (dba Woodbridge Winery)	N-1143210
E&J Gallo Winery	C-1133347, N-1162653, N-1162686

Thank you for your attention and cooperation in resolving these issues. If you have any further questions regarding this or any other permitting issues, please feel free to contact me at 415-972-3851 or Gerardo C. Rios, Manager of our Permits Office.

Sincerely,

Matthew J. Lakin
Acting Air Division Director

cc:

Delicato Vineyards, Christine Campbell, (via email at christine.campbell@delicato.com)
Bear Creek Winery, Craig Rous, (via email at craig.rous@bearcreekwinery.net)
E & J Gallo Winery, Chris Savage, (via email at chris.savage@ejgallo.com)
Woodbridge Winery, Wendy Garcia, (via email at wendy.garcia@cbrands.com)

From: Dave Warner [<mailto:dave.warner@valleyair.org>]
Sent: Tuesday, January 23, 2018 10:19 AM
To: Rios, Gerardo <Rios.Gerardo@epa.gov>
Cc: Arnaud Marjollet <Arnaud.Marjollet@valleyair.org>
Subject: Our Discussions Regarding BACT for Winery Fermentation Tanks

Dear Mr. Rios,

This email is to confirm the agreement that the San Joaquin Valley Air Pollution Control District and the federal EPA have come to regarding determinations of Best Available Control Technology for wine fermentation tanks. The August 18, 2017, Achieved in Practice BACT determination for fermentation tanks by the Santa Barbara APCD establishes an additional data point that was not available and therefore was not considered in SJV Air District BACT determinations made prior to that date. While BACT determinations by the District are project-by-project determinations that must not be pre-judged, we do agree that Achieved in Practice BACT determinations by other agencies establish a minimum level of control for future BACT determinations. We agree that future BACT determinations by the San Joaquin Valley for projects deemed complete after August 18, 2017, must consider any determination by Santa Barbara, or by other agencies, at the time the SJV District performs the BACT determinations.

In turn, we ask for EPA's concurrence that this approach resolves any related potential BACT-related objections to projects deemed complete before the date in question. Below is a list of projects to which this approach applies, all of which were deemed complete prior to August 18, 2017. Note that there are two categories of projects. The first four are projects for which the District issued ATCs, but did not issue COCs. They will be submitted to you for comment as significant modifications, once we have confirmed our agreement and have received and processed the appropriate Significant Modification applications from the wineries. Group two are for projects for which the District issued a preliminary notice to EPA that we intended to issue the permits. EPA staff commented that the tanks should be double-mitigated, and so we haven't yet issued these permits. Although staff is still preparing a response to EPA on this issue, the fermentation tanks do trigger BACT, and were deemed complete well before August 2017, and therefore would be covered by this agreement:

Group 1:

Facility # C-447, E & J GALLO WINERY, Project C-1133347, deemed complete 01/02/2014
Facility # N-96, BEAR CREEK WINERY, Project N-1153192, deemed complete 11/06/2015
Facility # N-2321, CBUS OPS INC (DBA WOODBRIDGE WINERY), Project N-1143210, deemed complete 04/27/2016
Facility # N-266, DELICATO VINEYARDS, Project N-1152244, deemed complete 07/16/2015

Group 2

Facility # N-1237, E & J GALLO WINERY, Project N-1162653, deemed complete 09/09/2016
Facility # N-1237, E & J GALLO WINERY, Project N-1162686, deemed complete 03/06/2017

Please provide your response as soon as possible so that we can contact the facilities and provide them guidance on moving forward.

Thanks,

Dave Warner
Deputy Air Pollution Control Officer
San Joaquin Valley Air Pollution Control District