



# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



Linda S. Adams  
Secretary for  
Environmental  
Protection

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Arnold  
Schwarzenegger  
Governor

2 August 2010

Mr. Tom Jones  
Lava Cap Winery  
2221 Fruitridge Road  
Placerville, CA 95667

CERTIFIED MAIL  
7010 0290 0000 8536 3905

**NOTICE OF APPLICABILITY (NOA); CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION; ORDER NO. R5-2009-0097-0020; LAVA CAP WINERY; EL DORADO 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 Lava Cap Winery 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. R5-2009-0097-0020.

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](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 Waste Discharge Requirements, and with the information submitted in the RWD.

**DISCHARGE DESCRIPTION**

Tom Jones (referred to as Discharger) owns and operates Lava Cap Winery located at 2221 Fruitridge Road, Placerville in El Dorado County (APN 085-48-17). The winery will crush approximately 250 tons of grapes per year. The Discharger has estimated that approximately 88,000 gallons of winery process wastewater will be produced on an annual basis. Therefore, no more than 100,000 gallons of wastewater per year will be land applied. All activities producing wastewater will be conducted under the cover of a permanent roof structure and/or inside a covered building. Process wastewater gravity flows into a series of floor drains and is piped into two 750 gallon poly tanks. The tank levels are monitored and recorded to determine

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the volume of wastewater generated per month. The vineyard is irrigated with a drip system. Process wastewater will be transported to the vineyard in a trailer-mounted 1,000 gallon poly tank, and application will be made directly from the trailer through a pipe manifold via an onboard pump. Wastewater will be distributed as evenly as possible over the 55 acre vineyard, with at least a seven day rest period between wastewater applications to any one area. The land application area will be rotated with each application. Wastewater will not be applied during periods of precipitation, when soil is saturated, or when standing water is present in the land application area.

The Discharger estimates that no more than 65 tons (wet weight) of solids (grape stems, seeds, and skins) will be produced annually based on the expected volume (250 tons) to be crushed each year. Solids are collected in half ton bins and immediately applied onto the vineyard via a tractor pulled manure spreader. No storage of solids wastes occurs. The solid waste is spread as a soil amendment at the rate of approximately 1.1 tons/acre/year onto the 55 acres of vineyard.

### **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 Ms. Lixin Fu at (916) 464-4689 or lfu@waterboards.ca.gov.

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

- Original Signed by Ken Landau for -

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): El Dorado County Environmental Management Dept., Placerville