



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

24 July 2013

CERTIFIED MAIL
7011 2970 0003 8939 4935

John L. Smith
Oakstone Winery, Inc.
6460 Slug Gulch Road
Fair Play, CA 95684

CERTIFIED MAIL
7011 2970 0003 8939 4928

Steve Ryan
Barrel Head Wines, LLC.
6470 Irish Acres Road
Fair Ryan, CA 95684

REVISED NOTICE OF APPLICABILITY (NOA); CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION; ORDER NO. R5-2009-0097-0029 (REV.1); OBSCURITY CELLARS WINERY; EL DORADO COUNTY

On 7 January 2010 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 for Obscurity Cellars 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 determined that the proposed discharge meets the required conditions for approval under this Order for your facility and the proposed waste discharge. On 13 July 2010 the Executive Officer issued a Notice of Applicability and assigned Order R5-2009-0097-0029.

Your 19 March 2013 RWD stated that the winery is now operated by Barrel Head Wines, LLC and that Oakstone Winery, Inc. will continue to manage the land application of winery waste. This revised NOA reflects the change in operations.

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.

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

John L. Smith (referred to as Discharger) owns and Barrel Head Wines, LLC. operates Obscurity Cellars Winery located at 6470 Irish Acres Road, Fair Play in El Dorado County (APN 95-260-65). John L. Smith owns the land and buildings and manages the wastewater discharge. John L. Smith is responsible for compliance. The winery will crush approximately 20 tons of grapes per year producing approximately 1,500 cases of wine annually. The discharger estimated that approximately 2,500 gallons of winery process wastewater will be produced on an annual basis and thus no greater than 100,000 gallons of wastewater will be applied to land annually. All activities producing wastewater will be conducted inside a covered building. Process wastewater will be piped directly into a 1,100 gallon above ground holding tank. Visual observations of the tank will be made on a daily basis to determine when the tank needs to be pumped. Wastewater will be hauled via a trailer mounted tank and disposed of on a five acre vineyard surrounding the winery. Application of wastewater will be made directly from the trailer through a pipe manifold.

The Discharger estimates that no more than four tons (wet weight) of solids (grape stems, seeds, and skins) will be produced annually based on the expected volume (20 tons) to be crushed each year. Residual solids from the winery operation are taken directly from the presses, placed in half ton plastic bins, and spread evenly throughout the five acre vineyard using an agricultural spreader or by workers off the back of a truck or trailer.

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 : Conditional Waiver, Order No. R5-2009-0097

cc w/o enc: El Dorado County Environmental Management Dept., Placerville
Dan Hinrichs, DJH Engineering, Placerville