

Central Valley Regional Water Quality Control Board

12 March 2014

Thomas Farinha
Farinha Family Winery
3065 Wintun Way
Wheatland, CA 95692

CERTIFIED MAIL
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NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2009-0097-0095, FARINHA FAMILY WINERY, YUBA COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 18 February 2014 Report of Waste Discharge (RWD) submitted by Farinha Family Winery to apply for regulatory coverage under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order R5-2009-0097* (Order). The Order, which was 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 with limited or no discharge to land.

The facility and property are owned and operated by Thomas and Jacqueline Farinha ("Dischargers"). Based on the information submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2009-0097 for the volume of wastewater to be generated and discharged annually. You are hereby assigned Order R5-2009-0097-0095. A copy of the Order is enclosed and it is also available on the internet at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD. Failure to comply with the monitoring and reporting requirements of the Order may result in enforcement action pursuant to California Water Code, Section 13261, which can include imposition of civil liability (a fine).

DISCHARGE DESCRIPTION

The Farinha Family Winery is located at 3065 Wintun Way, near Wheatland, Yuba County. The winery is located on approximately 10 acres (Yuba County APN 015-590-018-0-00). The property consists of 2.5 acres of vineyards with a single family residence and a group of small outbuildings configured to accommodate winery production activities.

On 18 June 2008, the Yuba County Community Development & Services Agency issued a Conditional Use Permit, approving a Mitigated Negative Declaration for the creation of a small winery in an unincorporated portion of Yuba County. The property is developed with a rural single-family residence with a few small outbuildings used for wine production and storage. On-site vineyard and winery activities do not include marketing events.

The RWD stated that the winery currently generates approximately 12,000 gallons of wastewater annually. Wastewater generated during crushing, bottling, and equipment cleaning is collected on a partially-covered covered concrete paved crush pad that drains into sump. Wastewater is then transferred from the sump for discharge into the nearby vineyard through portable drip-irrigation piping. A drain in sub-grade wine cellar is also connected to the sump, however the cellar is only used for bulk wine storage and there is no discharge from this location. Winery and wastewater production are not expected to increase in the near future and crushing does not occur during rain events.

The winery does not have a water softener or boiler, and wine production equipment is small enough to be washed by hand, eliminating the need for sanitizing chemicals. Storm water generated at the winery is diverted away from raw materials and winery wastes. Storm water is collected and managed separately from winery process wastewater and not allowed to leave the site. A Notice of Non-Applicability to the *General Permit for Storm Water Discharges Associated with Industrial Activities* was issued to this Discharger on 14 January 2009.

Approximately 4 tons of pomace (stems, seeds, and skins) is generated from grape crushing activities conducted between August and October each year. Crushed solids and skimmed solids recovered during fermentation (pomace and lees) are stored in portable totes and then spread evenly across the on-site vineyard owned by the Discharger.

Domestic wastewater is discharged to an on-site septic system permitted through the Yuba County Environmental Health Department. Winery wastewater is not discharged into the on-site septic system.

MONITORING AND REPORTING

The Order 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, contained in the Order.

By **February 1 of each year**, the Annual Monitoring Report form must be submitted to our office, even if there is no discharge during the reporting year.

GENERAL INFORMATION AND REQUIREMENTS

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability.

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 of the Order 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 application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on **8 October 2014**, after which you must do one of the following:

1. Submit a new application with a filing fee to obtain coverage under a subsequently adopted waiver; or
2. Submit an application with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

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

Original signed by Andrew Altevogt for:

PAMELA C. CREEDON
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc: Paul Donoho, Yuba County Environmental Health Department, Marysville