EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

29 May 2015

Charlie Jones
Lava Cap Winery
2221 Fruitridge Road
Placerville, CA 95667

CERTIFIED MAIL
7012 0470 0000 9903 7375

NOTICE OF APPLICABILITY

WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION ORDER R5-2015-0005-0027 LAVA CAP FARMS, LLC., LAVA SPRING, INC., LAVA CAP WINERY, EL DORADO COUNTY

On 5 February 2015, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2015-0005* (the Waiver).

We are in receipt of your Report of Waste Discharge (RWD) dated 30 April 2015, which stated that you intend to comply with the Tier 2 conditions of the Waiver. Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2015-0005-0027. A copy of the Waiver is enclosed and also available at:

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

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). Winery waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

DISCHARGE DESCRIPTION

Lava Cap Winery (the winery) is located at 2221 Fruitridge Road, Placerville in El Dorado County. The winery is owned and operated by Lava Cap Farms, LLC. Tier 2 allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids (pomace and lees) associated with that volume of

wastewater. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application and to obtain coverage under Tier 3 of the Waiver prior to increasing the discharge volume.

The winery crushes approximately 200 tons of grapes per year and generates approximately 67,050 gallons of winery process wastewater on an annual basis. Process wastewater is collected into two 1,000-gallon tanks and then is applied to 80 acres of land application area.

The Discharger estimates that approximately 26 tons (wet weight) of solids (grape stems, seeds, and skins) is produced annually. Solid waste is applied to the land application area by a manure spreader.

MONITORING AND REPORTING

Attachment B of the Waiver 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, which is also contained in Attachment B of the Waiver.
By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2015 Annual Monitoring Report is due by **1 February 2016**.

GENERAL INFORMATION AND REQUIREMENTS

The Waiver includes specific and general conditions with which you must comply and you must maintain control over the discharge and operate in accordance with the information provided in your RWD 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 details of the proposed discharge. Failure to comply with the requirements of the Waiver 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 RWD, you must submit an updated RWD to describe the new operation. Please note that the Waiver will expire on **5 February 2020**, after which you must do one of the following:

1. Submit a new RWD with a filing fee to obtain coverage under a subsequently adopted waiver,

2. Submit a RWD with a filing fee to apply for individual or general Waste Discharge Requirements, or

3. Cease the discharge.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to:

centralvalleysacramento@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Lava Cap Winery, El Dorado County		
Program: Non-15 Compliance	Order: R5-2015-0005-0027	CIWQS Place ID: 755904

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

> Central Valley Regional Water Quality Control Board
> ECM Mailroom
> 11020 Sun Center Drive, Suite 200
> Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Paul Sanders is your new point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Paul will direct you to the appropriate Permitting staff. You may contact Paul at (916) 464-4817 or at psanders@waterboards.ca.gov.

For PAMELA C. CREEDON
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2015-0005

cc: El Dorado County Environmental Management Dept., Placerville