

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

2 June 2015

Mark and Lynette Lucchesi
16261 East River Road
Ripon, CA 95366

CERTIFIED MAIL
7013 2250 0000 3465 0011

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS,
WINERIES, AND RELATED AGRICULTURAL PROCESSORS
WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2015-0005-0036
MARK LUCCHESI, LUCCA WINERY, SAN JOAQUIN 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 completed Report of Waste Discharge (RWD) Technical Information Form and completed Form 200 dated 4 May 2015, which describes your proposed operations and land application of waste and that you intend to comply with the Tier 2 conditions of the Waiver. Based on the information provided in the completed Technical Information Form, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2015-0005-0036. 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 completed RWD Technical Information Form.

DISCHARGE DESCRIPTION

Lucca Winery (the winery) is located at 16261 E. River Road, near the City of Ripon in San Joaquin County. The winery is owned by and operated by Mark and Lynette Lucchesi (Discharger). 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 is located on approximately 20 acres of land (APN 245-190-017) that includes one wine processing and barrel storage building, a private residence, and the remainder of the land consisting of a peach orchard. The facility currently does not have a self-regenerating water softener, boiler, or other activities that generate brine wastewater.

The Discharger estimates that the volume of winery process wastewater produced is approximately 20,000 gallons annually. The crushing of 50 to 80 tons of grapes occurs during a two month period on a 40-foot by 50-foot concrete paved wash station that is sloped inward to a drain connected to a 2,000 gallon concrete sump located beneath the wash station. Storm water in contact with the wash station is collected and stored in the concrete sump. Away from the wash station, all other storm water is retained on-site. Wastewater generated during crushing, bottling and racking and contact storm water is stored in the concrete sump and then transferred to a portable 500 gallon tank to be periodically spray-applied to the nearby peach orchard Land Application Area (LAA).

Crush solids and recovered skimmed solids during fermentation are separated out by hand and temporarily stored in plastic crates at the wash station or in a nearby building. Approximately 8 tons of pomace (grape stems, seeds, and skins) are produced each year, with approximately 3 tons produced during each month of crush. During the crush season, pomace is applied to a nearby peach orchard LAA using a tractor with discing equipment. Solids are spread at a uniform thickness within the top 3 to 6 inches of soil. Because the peach orchard is at a slightly lower elevation than access roads that surround the perimeter of the property, this elevation difference provides tailwater containment and prevents storm water runoff.

Domestic wastewater is collected separately from the process wastewater. Domestic wastewater will be collected in a septic tank and discharged to a nearby leachfield system, which is permitted through San Joaquin County. The use of septic systems for process wastewater discharge is inappropriate.

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. The Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year, by **February 1** of each 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: Lucca Winery, San Joaquin County		
Program: Non-15 Compliance	Order: R5-2015-0005-0036	CIWQS Place ID: 786331

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 NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Brendan Kenny is your new point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted

Mark Lucchesi
Lucca Winery

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operations, Brendan will direct you to the appropriate Permitting staff. You may contact Brendan at (916) 464-4635 or at bkenny@waterboards.ca.gov.

For 
PAMELA C. CREEDON
Executive Officer

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

cc (w/o encl): Mr. Rodney Estrada, San Joaquin County Environmental Health Dept., Stockton