

## Central Valley Regional Water Quality Control Board

6 August 2015

Steve and Elizabeth Millier  
Milliaire Winery  
P.O. Box 1554  
3468 Murphys Grade Road  
Murphys, CA 95247

**CERTIFIED MAIL**  
**7012 0470 0000 9903 7429**

### **NOTICE OF APPLICABILITY**

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS,  
WINERIES, AND RELATED AGRICULTURAL PROCESSORS  
WITHIN THE CENTRAL VALLEY REGION  
ORDER R5-2015-0005-0043  
STEVE AND ELIZABETH MILLIER, MILLIAIRE WINERY, CALAVERAS 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 11 June 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 R5-2015-0005-0043. A copy of the Waiver is enclosed and also available at:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](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**

Milliaire Winery (the winery) is located at 3468 Murphys Grade Road, Murphys in Calaveras County. The winery is owned and operated by Steve and Elizabeth Millier. 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 90 tons of grapes per year and generates approximately 45,000 gallons of winery process wastewater on an annual basis. Process wastewater is collected into a 3,000-gallon storage tank and then is applied to 0.53 acres of land application area with native grasses. The winery does not generate residual solids (grape stems, seeds, and skins).

## **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: Milliaire Winery, Calaveras County		
Program: Non-15 Compliance	Order: R5-2015-0005-0043	CIWQS Place ID: 240828

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. Mary Boyd 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, Mary will direct you to the appropriate Permitting staff. You may contact Mary at (916) 464-4676 or at [mboyd@waterboards.ca.gov](mailto:mboyd@waterboards.ca.gov).

  
For PAMELA C. CREEDON  
Executive Officer

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

cc: Brian Moss, Calaveras County Environmental Health, San Andreas