



California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



Linda S. Adams
Secretary for
Environmental
Protection

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Arnold
Schwarzenegger
Governor

13 July 2010

Ms. Jacque Wilson
Pilot Peak Vineyard & Winery, LLC
12888 Spenceville Road
Penn Valley, CA 95946

CERTIFIED MAIL
7009 1410 0002 1422 3394

NOTICE OF APPLICABILITY (NOA); CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION; ORDER NO. R5-2009-0097-0024; PILOT PEAK VINEYARD & WINERY, LLC; NEVADA COUNTY

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 submitted for Pilot Peak Vineyard & Winery, LLC 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 have determined that the Discharger meets the required conditions for approval under this Order for your facility and the proposed waste discharge. You are hereby assigned Order No. R5-2009-0097-0024.

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

Jacque Wilson (referred to as Discharger) operates Pilot Peak Vineyard & Winery, LLC located at 12888 Spenceville Road Penn Valley in Nevada County (APN 02-700-10). The winery will crush approximately 50 tons of grapes per year. The Discharger has estimated that approximately 25,000 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. The winery consists of a 2,400 square foot winery building with a 600 square foot crush pad. Wastewater generated during grape crushing and pressing activities drains from the concrete crush pad into a sunken grate and then flows via gravity into two 1,500 gallon holding tanks.

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Each tank is equipped with float alarms that will signal winery operations staff when filled to 75 percent. The wastewater that is collected in the holding tanks will be pumped into a portable tank and then transported to 40 acres of land where it will be applied to land via spray irrigation. The 40 acres of land consists of vineyards, grasses, gardens, and pasture. The Discharger indicates that the wastewater will be sprayed on not less than one acre and up to 40 acres depending on irrigation needs and the amount of saturation.

The Discharger estimates that no more than 12 tons (wet weight) of solids (grape stems, seeds, and skins) will be produced annually based on the expected volume (50 tons) to be crushed each year. The solid waste which is left over following the pressing process will be stored in large plastic covered/sealed containers under a roof at the side of the winery building. The solid waste will be then be applied to 40 acres and tilled into the soils.

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 Mr. Robin Merod at (916) 464-4697 or rmerod@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Mr. Guy Childs of the Compliance and Enforcement Section at (916) 464-4635 or gchilds@waterboards.ca.gov. All monitoring reports should be submitted to Mr. Childs by the compliance due date.

- Original Signed by Ken Landau for -

Pamela C. Creedon
Executive Officer

Enclosures (Discharger Only): General Conditional Waiver, Order No. R5-2009-0097
Electronic Copy of Annual Report Form (Compact Disc)
Standard Provisions and Reporting Requirements for
Waste Discharge Requirements, 1 March 1991

cc (Without Enclosure): Nevada County Environmental Health Department, Nevada City