



California Regional Water Quality Control Board Central Valley Region

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9 August 2006

Vito Accardi
Accardi Vineyards
7924 Timm Road
Vacaville, CA 95688

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 ACCARDI VINEYARDS, LLC, SOLANO COUNTY

Regional Water Board staff has reviewed your 13 February 2002 Report of Waste Discharge (RWD) for coverage under Resolution R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included several supplemental submittals, a copy of the *Notice of Intent* for compliance with the storm water General Permit and an \$872 filing fee. Our review finds the RWD to be substantially complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed), adopted by the Regional Water Board on 11 July 2003, is a conditional waiver of waste discharge requirements for small food processors including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater to be produced.

Discharge Description

Vito Accardi (Discharger) owns and operates the Accardi Vineyards at 7924 Timm Road, Vacaville, in Solano County. The Discharger estimates that they will crush no more than 12 tons per year. The winery is on 5.0 acres and one acre of the vineyard will receive the wastewater application. The Discharger estimates approximately 1,500 gallons of wastewater will be generated on an annual basis.

All activities producing wastewater will be conducted under the cover of an enclosed building equipped with drains to collect wastewater. Wastewater will be screened in a drain, collected in a tank, and then pumped directly to the vineyard on a regular basis for distribution. No wastewater will be applied during times of precipitation or when the soil is saturated. Wine making activities will be curtailed or modified to prevent the application of wastewater when climatic or soil conditions do not allow application. The primary method of wastewater disposal will be overland flow to one acre of the vineyard.

Based on the typical volume and strength of wastewater that will be produced, the anticipated maximum hydraulic and agronomic loading rates for the proposed disposal area fall within an acceptable range. Based on staff calculations, the proposed one acre land application area

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should have adequate hydraulic and nutrient uptake capacity to receive the total wastewater discharge from this facility and remain protective of groundwater and surface water quality.

The Discharger has identified Best Management Practices that will be implemented to minimize wastewater strength and potential odor problems, and to prevent hydraulic or nutrient overloading. Those practices include source control and management of winemaking activities consistent with climatic conditions. Wastewater data will be compiled and included in an annual report.

Approximately four tons of solid waste will be produced by the facility consisting of grape seeds, stems, skins, and lees. Solid waste will be spread on the vineyard and tilled into the soil if needed to prevent odors. As a contingency solid waste management option, the Discharger can transport the waste to a landfill for disposal.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of wastewater produced. This letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual report that contains the information described in Items No. 1, 2, and 5 of the monitoring and reporting program must be submitted by **1 February** of each year. The report must include the Alcohol and Tobacco Tax and Trade Bureau (TTB) *Report of Wine Premises Operations* (ATF F5120.17) clearly showing the tons of grapes crushed of each year.

If the Discharger violates the terms or conditions of the waiver including non-submittal of the annual monitoring report, the Regional Water Board may take enforcement action, including assessment of administrative civil liability. Based on the site conditions described in the RWD, staff estimates that Accardi Vineyards can crush and apply the wastewater from the equivalent of twelve tons of grapes. If the weight of grapes exceeds twelve tons per year or the method of winery wastewater and solids disposal change from those described in the RWD, the Discharger must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time the Discharger must submit a new RWD with filing fee to renew the waiver, or cease the discharge.

If you have any questions, please contact George W. Lockwood at (916) 464-4697.

- Original Signed by Jack E. Del Conte for -

PAMELA C. CREEDON
Executive Officer

enc: General Order No. R5-2003-0106

cc: w/o enc Birgitta Corsello, Solano County Department of Resource Management, Fairfield