



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

17 August 2010

Steve and Elizabeth Millier
Milliaire Winery
3468 Murphys Grade Road
Murphys, CA 95247

CERTIFIED MAIL
7010 0290 0000 8536 4018

NOTICE OF APPLICABILITY (NOA); CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION; ORDER NO. R5-2009-0097-0012; MILLIAIRE WINERY; CALAVERAS 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 Milliaire Winery 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). Milliaire Winery is located at 3468 Murphys Grade Road, Murphys in Calaveras County (APN 57-009-002 & 57-009-015). 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. R5-2009-0097-0012.

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

Steve and Elizabeth Millier (referred to as Discharger) own the Milliaire Winery. The winery will crush approximately 80 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. Therefore, less than 100,000 gallons of wastewater per year will be land applied. The Discharger estimates that 12.4 tons (wet weight) of solids (grape stems, seeds, and skins) will be produced annually based on the expected volume (80 tons) to be crushed each year.

Milliaire Winery does not grow grapes. Wastewater will be applied by spray irrigation to 0.53 acres of native grasses.

Process wastewater is collected into a 2,600 gallon storage tank. The discharger will use a tape measure to measure the wastewater depth in the tank and calculate the volume to determine the amount of wastewater generated per month. Solids will be stored in covered bins or under a roof to ensure stormwater will not come in contact with the solids. These solids will be returned to the grape growers under contract with Milliaire Winery.

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 Ms. Lixin Fu at (916) 464-4689 or lfu@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Ms. Mary Boyd of the Compliance and Enforcement Section at (916) 464-4676 or mboyd@waterboards.ca.gov. All monitoring reports should be submitted to Ms. Boyd 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): Calaveras County Environmental Health Department, San Andreas