



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

7 September 2012

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

CERTIFIED MAIL
7010 1670 0002 0652 1794

NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER NO. R5-2009-0097-0075, LUCCA WINERY, SAN JOAQUIN COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 6 July 2012 Report of Waste Discharge (RWD) submitted by Lucca Winery to apply 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). The Order, which was 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.

Based on the information submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2009-0097 for the projected volume of wastewater to be produced. You are hereby assigned Order No. R5-2009-0097-0075. A copy of the Order is enclosed and it is also available on the internet at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD and during the RWD review process.

DISCHARGE DESCRIPTION

Mark and Lynette Lucchesi (Discharger) own and operate the Lucca Winery, which is located at 16261 E. River Road, near the City of Ripon in San Joaquin County (APN 245-190-017). The Discharger estimates that approximately 20,000 gallons of winery process wastewater will be produced annually, including the crushing of 3 tons of grapes during two months of the year. Crushing activities will occur on a 40-foot by 50-foot concrete paved wash station that will be sloped inward to a drain connected to a 2,000 gallon concrete tank located beneath the wash station. Storm water in contact with the wash station will also be collected and stored in the 2,000 gallon tank. Beyond the wash station, all other storm water will also be retained on-site.

Wastewater generated during crushing, bottling and racking and contact storm water will be stored in the 2,000 gallon tank and then transferred to a portable 500 gallon tank to be periodically spray-applied to a nearby 20-acre peach orchard Land Application Area (LAA).

Crush solids and recovered skimmed solids during fermentation will be separated out by hand and temporarily stored in plastic crates at the wash station or in a nearby building. Approximately 3 tons of pomace (grape stems, seeds, and skins) will be produced each year, with approximately 1.5 tons produced during each month of crush. During the crush season, pomace will be applied to a nearby 20-acre peach orchard LAA using a tractor with discing equipment. Solids will be spread as generated 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 should provide adequate tailwater containment and prevent stormwater 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

The Order 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, contained in the Order. **By February 1 of each year**, the *Annual Monitoring Report* form must be submitted to our office, even if there is no discharge during the reporting year.

GENERAL INFORMATION AND REQUIREMENTS

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements of the Order 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 application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on **8 October 2014**, at which time you must provide one of the following:

1. Submit a new application with a filing fee to obtain coverage under a subsequently adopted waiver; or
2. Submit an application with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

If you have any questions regarding submitting an updated RWD, or questions about your permit obligations, please contact Mr. Scott Armstrong of the Discharge to Land Permitting Unit, at (916) 464-4616 or sarmstrong@waterboards.ca.gov.

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

Original signed by Rick Moss for

PAMELA C. CREEDON
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc: Mr. Rodney Estrada, San Joaquin County Environmental Health Dept., Stockton