

## Central Valley Regional Water Quality Control Board

27 January 2014

Dan Panella  
Oak Farm Vineyards, LLC  
23627 N. Devries Road  
Lodi, CA 95242

**CERTIFIED MAIL**  
**7012 0470 0000 9903 6958**

***NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2009-0097-0093, OAK FARM VINEYARDS, SAN JOAQUIN COUNTY***

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 10 September 2013 Report of Waste Discharge (RWD) submitted by Oak Farm Vineyards 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 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 with limited or no discharge to land.

The facility and property are owned and operated by Dan Panella (“Discharger”). 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 volume of wastewater to be generated and discharged annually. You are hereby assigned Order R5-2009-0097-0093. 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](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. Failure to comply with the monitoring and reporting requirements of the Order may result in enforcement action pursuant to California Water Code, Section 13261, which can include imposition of civil liability (a fine).

### **DISCHARGE DESCRIPTION**

Oak Farm Vineyards is located at 23627 N. Devries Road, near Lodi, San Joaquin County. The winery is located on approximately 73 acres (San Joaquin County APN 003-040-03 and 003-040-20). The property currently consists of 60 acres of vineyards and a cluster of rural agricultural buildings configured to accommodate winery production activities and public access marketing events.

On 22 February 2013, the San Joaquin County Community Development Department issued a Notice of Determination, approving a Negative Declaration for the relocation of an off-site wine cellar into a small winery, which will be expanded in three phases over ten years. The initial phase included the construction of a 4,400 square foot wine production building and an 800 square foot crush pad. Later development phases will include the construction of a 2,000 square foot multipurpose winery building, two 4,000 square foot wine production buildings, an 800 square foot covered dock, a kitchen, and wine tasting room to accommodate marketing events.

The RWD stated that the winery currently generates approximately 55,000 gallons of wastewater annually and wastewater flows will increase to 60,500 gallons per year in the next five years. Wastewater generated during crushing, bottling, and equipment cleaning is collected on a concrete paved crush pad that drains into a sump. Wastewater is then conveyed from the sump into two 1,500 gallon aboveground storage tanks for later discharge into an adjoining 25 acres of vineyards either via flood irrigation through a series of checks, or with a water truck for spray application. The remainder of the 60 acre vineyard is drip irrigated from an on-site agricultural supply well.

Because the crush pad is covered and crushing does not occur during rain events, storm water generated at the winery does not come in contact with raw materials. Storm water is collected and managed separately from winery process wastewater.

Sanitation chemicals used during facility operations include sodium percarbonate (300 gallons per year), citric acid (300 gallons per year) peroxide acetic acid (500 gallons per year), and sodium carbonate (300 gallons per year). Facility operations are performed to manage the proper use, storage, and disposal of these materials.

Approximately 7 tons of pomace (stems, seeds, and skins) is generated from grape crushing activities conducted between August and November each year. Crushed solids and skimmed solids recovered during fermentation (pomace and lees) are stored in half-ton containers and then spread evenly and disced into the soil at vineyards owned by the Discharger.

Domestic wastewater is discharged to an on-site septic system permitted through the San Joaquin County Environmental Health Department. Winery wastewater is not discharged into the on-site septic system.

## **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.

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 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**, after which you must do 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 a 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](mailto: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](mailto:bkenny@waterboards.ca.gov). All monitoring reports must be submitted to Mr. Kenny by the compliance due date.

*Original signed by Andrew Altevogt 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