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GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

5 November 2020

Charlie Jones
Lava Cap Winery 2221
Fruitridge Road
Placerville, CA 95667

Certified Mail
7019 2280 0001 9244 0177

NOTICE OF APPLICABILITY

WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD
PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS
WITHIN THE CENTRAL VALLEY REGION
REVISED ORDER R5-2020-0002-0050
LAVA CAP FARMS, LLC.
LAVA CAP WINERY
EL DORADO COUNTY

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2020-0002 (the Waiver).

We are in receipt of your letter dated 12 August 2020, which stated that you intend to comply with the Tier 2 conditions of the Waiver. Based on the information submitted in your letter, the discharge qualifies for coverage under Tier 2 of the Waiver, which allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops. You are hereby assigned Order R5-2020-0002-0050. A copy of the [Waiver](#) is enclosed and also available at:

(https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers).

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). Winery waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

DISCHARGE DESCRIPTION

Lava Cap Winery (the winery) is located at 2221 Fruitridge Road, Placerville in El Dorado County. The winery is owned by Lava Cap Farms, LLC and operated by Lava Spring Inc. DBA. Tier 2 allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids (pomace and lees) associated with that volume of wastewater. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application and to obtain coverage under Tier 3 of the Waiver prior to increasing the discharge volume.

The winery crushes approximately 200 tons of grapes per year and generates approximately 76,000 gallons of winery process wastewater on an annual basis. Process wastewater is collected into two 1,000-gallon tanks and is then applied to 80 acres of cropped land application areas.

The Discharger estimates that approximately 50 tons (wet weight) of solids (grape stems, seeds, and skins) is produced annually. Solid waste is applied to the land application area by a manure spreader.

MONITORING AND REPORTING

Attachment B of the Waiver 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, which is also contained in Attachment B of the Waiver.

By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2020 Annual Monitoring Report is due by **1 February 2021**.

GENERAL INFORMATION AND REQUIREMENTS

The Waiver includes specific and general conditions with which you must comply, and you must maintain control over the discharge and operate in accordance with the information provided in your Notice of Intent 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 details of the proposed discharge. Failure to comply with the requirements of the Waiver 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 Notice of Intent is prohibited. Please note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

1. Submit a new Report of Waste Discharge with a filing fee to obtain coverage under a subsequently adopted waiver,

2. Submit a Report of Waste Discharge with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleysacramento@waterboards.ca.gov

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Lava Cap Winery, El Dorado County
Program: Non-15 Compliance
Order: R5-2020-0002-0050
CIWQS Place ID: 755904

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Kenny Croyle is your new point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Kenny will direct you to the appropriate Permitting staff. You may contact Kenny at (916) 464-4676 or at kcroyle@waterboards.ca.gov.



For Patrick Pulupa
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2020-0002
cc: El Dorado County Environmental Health Department, Placerville