



---

## Central Valley Regional Water Quality Control Board

23 February 2021

Thomas E. Dillian  
Dillian Wines  
12140 Steiner Road  
Plymouth, CA 95669

**CERTIFIED MAIL**  
**7020-0640-0000-7627-4171**

### **NOTICE OF APPLICABILITY**

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION  
ORDER R5-2020-0002-0071  
THOMAS AND LA VONNE DILLIAN  
DILLIAN WINES  
AMADOR 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 Notice of Intent (NOI) dated 25 January 2021, which stated that you intend to comply with the Tier 1 conditions of the Waiver. Dillian Wines (the winery) is located at 12138 Steiner Road, Plymouth in Amador County. The winery is owned and operated by Thomas E. Dillian and La Vonne J. Dillian. Tier 1 allows land application of up to 10,000 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 the applicable fee and obtain coverage under Tier 2 or 3 of the Waiver prior to increasing the discharge volume.

Based on the information provided in the NOI, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2020-0002-0071. A copy of the [Waiver](#) is enclosed and also available at:

([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers))

---

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](http://www.waterboards.ca.gov/centralvalley)

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 NOI.

### **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 2021 Annual Monitoring Report is due by **1 February 2022**.

### **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.

### **SALT AND NITRATE CONTROL PROGRAMS REOPENER**

The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan Amendments were conditionally approved by the State Water Board on 16 October 2019 and the Office of Administrative Law on 15 January 2020.

- a. For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternate compliance approaches that involve providing replacement drinking water to persons whose drinking water is affected by nitrates. Dischargers could comply with the new nitrate program either individually or collectively

with other dischargers. For the Nitrate Control Program, the facility falls within Non-Prioritized Groundwater Basins. Notices to Comply for Non-Prioritized Basins will be issued within two to four years after the effective date of the Nitrate Control Program.

- b. For salinity, dischargers that are unable to comply with stringent salinity requirements would instead need to meet performance-based requirements and participate in a basin-wide effort to develop a long-term salinity strategy for the Central Valley. Dischargers will receive a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments (17 January 2020). Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting).

As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of the Waiver to ensure the goals of the Salt and Nitrate Control Programs are met. This order may be amended or modified to incorporate newly applicable requirements.

### **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](mailto: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: Dillian Wines, Amador County  
Program: Non-15 Compliance  
Order: R5-2020-0002-0071  
CIWQS Place ID: 220259

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](mailto:kcroyle@waterboards.ca.gov).

A handwritten signature in brown ink, appearing to read 'Patrick Pulupa', written over a horizontal line.

for Patrick Pulupa  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2020-0002  
cc: Amador County Environmental Health, Jackson