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## Central Valley Regional Water Quality Control Board

07 April 2022

M2 Vintners, Inc.  
M15, LLC  
PO Box 266  
Acampo, CA 95220

**CERTIFIED MAIL**  
7021-0950-0000-9918-6522

### **NOTICE OF APPLICABILITY**

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD  
PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS  
WITHIN THE CENTRAL VALLEY REGION  
ORDER R5-2020-0002-0097  
M15 LLC, M2 VINTNERS, INC, SAN JOAQUIN 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 Report of Waste Discharge (RWD) dated 14 March 2022, which stated that you intend to comply with the Tier 2 conditions of the Waiver. Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2020-0002-0097. A copy of the Waiver is enclosed and also available at the [State Water Boards Adopted Orders \(waivers\) webpage](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)).

You should 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.

### **DISCHARGE DESCRIPTION**

M2 Vintners, Inc. (the winery) is located at 2900 East Peltier Road, Acampo in San Joaquin County. The winery is owned by M15, LLC. and operated by M2 Vintners, Inc. 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. A minimum of one acre of land application area per

100,000 gallons of discharged wastewater and associated residual solids is required. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility.

The winery processes approximately 125 tons of grapes per year and generates approximately 50,000 gallons of winery process wastewater on an annual basis. The Discharger estimates that approximately 12 tons (wet weight) of solids (grape stems and skins) are produced annually.

The majority of the wastewater from the winery is generated during the processing season which runs from approximately August to October. Wastewater is generated during the rest of year from washing the tanks and barrels. Wastewater is collected in floor drains and then pumped to two 5,000-gallon storage tanks. The wastewater is then applied to 17 acres of land application areas (LAAs) via flood irrigation.

Solids consist of stems and skins and are collected in storage bins. The solids are then spread out evenly over vineyards in the LAAs and tilled into the soil using a tractor.

## **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 **2022 Annual Monitoring Report** is due by **1 February 2023**.

## **SALT AND NITRATE CONTROL PROGRAMS**

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 (Resolution 2019-0057) and by the Office of Administrative Law on 15 January 2020 (OAL Matter No. 2019-1203-03). 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 may comply with the new nitrate program either individually or collectively with other dischargers. For the Nitrate Control Program, the facility falls within Priority 2 Groundwater Basins. Notices to Comply for Priority 2 Basins will be issued within two to four years after the effective date of the Nitrate Control Program.

For salinity, dischargers that are unable to comply with stringent salinity requirements will instead need to meet performance-based requirements and participate in a basinwide effort to develop a long-term salinity strategy for the Central Valley. Dischargers received a Notice to Comply with instructions and obligations for the Salt Control Program within one

year of 17 January 2020, the effective date of the amendments. The Discharger has selected 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 this Order 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. More information regarding this regulatory planning process can be found on the [Central Valley Water Board CV-SALTS website](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) ([https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity))

## 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 RWD and this Notice of Applicability (NOA).

Please review this NOA 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 RWD is prohibited. If the method of waste disposal changes from that described in your RWD, you must submit an updated RWD to describe the new operation.

Please note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

1. Submit a new NOI with a filing fee (if required) to obtain coverage under a subsequently adopted waiver,
2. Submit a NOI 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](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: M2 Vintners, Inc., San Joaquin County  
Program: Non-15 Compliance  
Order: R5-2020-0002-0097  
CIWQS Place ID: 796220

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 NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Brendan Kenny 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, Brendan will direct you to the appropriate Permitting staff. You may contact Brendan at [bkenny@waterboards.ca.gov](mailto:bkenny@waterboards.ca.gov).

for Patrick Pulupa  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2020-0002

cc w/o enc: San Joaquin County Environmental Health Department, Stockton