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California Regional Water Quality Control Board Central Valley Region

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23 January 2008

Kristi Brown
Budge Brown Family Winery
4900 Bartlett Springs Road
Nice, CA 95464

Robert Brown
Silicatec Rental, Inc.
1701 County Road East 3
Minden, Nevada 98423

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 BUDGE BROWN FAMILY WINERY, NAPA COUNTY

Regional Water Board staff has reviewed your 20 July 2007 Report of Waste Discharge (RWD) for coverage under Regional Board Resolution No. R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a Notice of Non-Applicability for compliance with the storm water General Permit and an \$872 filing fee. Supplemental information was received on 29 August, 29 October, 29 November, and 6 December 2007. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed) is a conditional waiver of waste discharge requirements for small food processors, including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of grapes crushed and wastewater produced.

Discharge Description

Silicatec Rentals, Inc., which is owned by Robert Brown, owns the land on which Kristi Brown will operate the Budge Brown Family Winery. The winery is located at 6307 Pope Valley Road in Pope Valley, Napa (Napa County Assessor's Parcel No. 018-090-082). Silicatec Rentals, Inc and Robert Brown are hereafter referred to as Discharger.

The property consists of approximately 17.5 acres of vineyard and will contain a separate winery building that will contain sanitary wastewater system separate from the winery wastewater system. The sanitary wastewater treatment and disposal system will be regulated by Napa County.

The RWD states that the Discharger will produce up to 16,000 gallons of wine annually by crushing between 100 and 130 tons of grapes annually. The Discharger states that between 80,000 and 96,000 gallons of wastewater will be generated annually from the grape crushing activities.

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Wastewater generated during the wine making process will be filtered at the winery to remove coarse solids, metered and pumped into a series of six 8,000 gallon above ground closed top fiberglass or polyethylene holding tanks where it will be aerated. From the tanks, the effluent will be discharged to a subsurface drip irrigation system at an application rate of approximately five gallons per vine per year. Based on an 8 by 5-foot vine spacing, the amount of wastewater discharged to 17.5 acres would equal approximately 96,000 gallons of wastewater annually.

Solid/semi-solid wastes generated from the crushing and fermentation processes will consist of pomace, seeds, stems, skins and other vegetative materials. This material will be placed directly into dumpsters and hauled offsite by Upper Valley Disposal Service.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of wastewater produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual monitoring report that contains the information described in Item Nos. 1, 2 and 5 of the monitoring and reporting program must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Water Board may take enforcement action, including assessment of administrative civil liability. If the volume of wastewater increases beyond 96,000 gallons per year, or the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with a filing fee to renew the waiver, or cease the discharge.

If you have any questions regarding this letter, please do not hesitate to call Guy Childs at (916) 464-4648.

Original Signed By

PAMELA C. CREEDON
Executive Officer

Enc: Resolution No. R5-2003-0106

cc w/o enc: Napa County Department of Environmental Management, Napa County
Drew Aspegren, Napa Valley Vineyard Engineering, Inc., Saint Helena

gjc: 23 Jan-08