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California Regional Water Quality Control Board Central Valley Region

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17 January 2008

Tim and Lani Holdener
Macchia Winery
7099 East Peltier Road
Acampo, CA 95220

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 MACCHIA WINERY, SAN JOAQUIN COUNTY

Regional Water Board staff has reviewed your 13 December 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. 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 proposed amount of grapes crushed and wastewater produced.

Discharge Description

Tim and Lani Holdener (hereafter Discharger) own and operate the Macchia Winery at 7099 East Peltier Road, Acampo, San Joaquin County (Assessors Parcel No. 005-260-42). Activities at the winery will include receiving, crushing grapes, fermentation, processing into finished wines, and distribution.

The RWD states that the Discharger will crush approximately 80 tons of grapes during the first year of operation. The Discharger estimates approximately 20,000 gallons of wastewater will be produced; staff's experience indicates approximately 80,000 gallons of wastewater is a more typical wastewater generation rate. However, careful source control can significantly reduce the wastewater generation rate below the typical value and the Discharger has indicated a strong desire to reduce the wastewater generation rate. The Discharger has indicated chemical use will be minimized, however typical chemicals used in wine production include cleaning and sanitization agents.

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Winery operations will be conducted under a covered area to prevent stormwater from mixing with wastewater. Wastewater will drain via floor drains to an underground 2,000-gallon concrete holding tank. The level of wastewater in the storage tank will be monitored by the Discharger to prevent an overflow. Wastewater will be pumped out of the holding tank and hauled either to the City of Stockton or the East Bay Municipal Utilities District wastewater treatment plant. No wastewater will be applied to land.

Solid/semi-solid wastes such as pomace (skins, seeds, pulp, stems, etc.) or those generated by the processing operations will be placed in bins and returned to the vineyard where the grapes were harvested. The solids will be returned soon after crush; composting will not be performed at the winery. It is noted that the Discharger does not grow grapes or have vineyards under his control. Therefore, the semi-solid/solid wastes will be returned to the entity that grew the grapes and will be disposed of properly by that entity. As a contingency, the Discharger can rent a large dumpster and have the pomace hauled to a permitted green waste handling facility.

Conditional Waiver

Based on the information submitted in the RWD and subsequent technical reports, 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, 3, 5, and 6 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 methods 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 Timothy O'Brien at (916) 464-4616.

PAMELA C. CREEDON
Executive Officer

Enc: Resolution No. R5-2003-0106

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