



California Regional Water Quality Control Board

Central Valley Region



Robert Schneider, Chair

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Terry Tamminen
Secretary for
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Governor

30 December 2003

Stephen and Elizabeth Millier
Milliaire Winery
P.O. Box 15554
3468 Murphy's Grade Road
Murphys, CA 95247

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 MILLIAIRE WINERY, CALAVERAS COUNTY

Regional Board staff has reviewed your 7 October 2003 Report of Waste Discharge (RWD) and subsequent information 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 a \$400 filing fee. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed), adopted by the Regional Board on 11 July 2003, 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

Stephen and Elizabeth Millier (Discharger) own Milliaire Winery at 3468 Murphys Grade Road in Murphys, Calaveras County. The Discharger estimates that approximately 30 tons of grapes are crushed, approximately 2,500 cases of wine are produced, and approximately 18,000 gallons of wastewater are generated annually at the facility. All activities producing wastewater will be conducted under the cover of an enclosed building and process wastewater will be piped directly to a 2,500-gallon aboveground tank, where it will be stored until disposal.

The primary method of disposal will be the spray irrigation of winery landscaping and an area containing forage grasses. The landscaping area consists of approximately 0.3 acres and the grass/forage area consists of approximately 0.23 acres. The Discharger has estimated the volume and strength of wastewater that will be produced, and has calculated the expected hydraulic and agronomic loading rates for the proposed disposal area. Based on the estimated figures, it appears that the proposed disposal area has adequate hydraulic and nutrient uptake capacity to receive the total wastewater discharge from this facility and remain protective of groundwater and surface water quality. However, the Discharger has proposed to monitor both the volume and strength of

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wastewater produced, in order to prevent overload of the disposal area. If, based upon this monitoring, the assumed capacity of the disposal area is reached, the remaining wastewater will be hauled by Sweet Pea Septic or Roto-Rooter, licensed septic haulers, to the Sierra Septic Company facility in Ione or the Tuolumne Utilities District wastewater treatment facility in Sonora.

Pomace will be stored in covered bins or under a roof so that stormwater will not contact the solids. The primary method of disposal of these solids will be to return them to growers for application on growers' vineyards. If this does not occur, the solids will be disposed of at the county landfill. Grape stems may be segregated from other solid material and used at the facility for landscaping purposes.

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 report must be submitted by **1 February of each year**. The results of additional monitoring proposed in the RWD must be included in the annual report.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If 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 filing fee to renew the waiver, or cease the discharge.

Additionally, you must install a flow meter if your annual production exceeds 80 tons of grapes crushed. If your total annual flow exceeds 100,000 gallons per year, the waiver is no longer applicable to your facility and you must submit a Report of Waste Discharge (RWD) for individual Waste Discharge Requirements.

If you have any questions, please contact Scott Kranhold at (916) 464-4689. Please note that our office has moved; all correspondence should be sent to the address at the top of this letterhead.

--Original Signed By--

THOMAS R. PINKOS
Executive Officer

encl: General Order No. R5-2003-0106

cc: Brian Moss, Calaveras County Environmental Health Department, San Andreas