



California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair

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Linda S. Adams
Acting Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

15 February 2011

Robert H. Brown
Budge Brown Family Winery
6307 Pope Valley Rd.
Napa, CA 94567

CERTIFIED MAIL
7010 0290 0000 8536 4377

NOTICE OF APPLICABILITY (NOA), CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER NO. R5-2009-0097-0039, BUDGE BROWN FAMILY WINERY, NAPA COUNTY.

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 27 October 2010 Report of Waste Discharge (RWD) for regulatory coverage under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order No. R5-2009-0097* (Order) and determined that the RWD is complete. You are hereby assigned Order No. R5-2009-0097-0039.

The Order, adopted by the Central Valley Water Board on 8 October 2009, is a conditional waiver of waste discharge requirements for small wineries and small food processors. The Order is enclosed and it is also available on the website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers.

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD.

DISCHARGE DESCRIPTION

Budge Brown Winery owns and operates the Budge Brown Family Winery located at 6307 Pope Valley Road in Napa County (APN 18-090-082). The winery is located on land owned by Silicatec Rentals, Inc. The two entities are owned by the same individual, Robert H. Brown, and are hereafter collectively referred to as Discharger.

The Discharger will process approximately 30 tons of grapes annually for wine production. The Discharger anticipates an increase in crushed grapes and wine production over the next five years, however, wastewater volumes will remain below 100,000 gallons annually.

Process wastewater is generated from winemaking, bottling, facility washdown, and cleaning activities. The winery facility does not have a boiler. Wastewater is collected in five 10,000-gallon tanks, and then applied to the land application areas through drip irrigation. The land application area is approximately 17.5 acres consisting of grapes with cover crops.

Domestic wastewater is collected separately from the process wastewater. Domestic wastewater is treated through a standard leachfield system and regulated by the Napa County Environmental Management Department.

Residual solids (pulp, skins, and stems from the winemaking process) will be used or disposed of as follows: (1) hauled off-site to a permitted facility (Upper Valley Disposal or equivalent facility), (2) used on-site as cattle feed, (3) composted onsite, or (4) land applied to the 17.5-acre vineyard as a soil amendment. Land application of the residual solids will be collected and applied directly to the fields with a tractor-pulled spreader.

MONITORING AND REPORTING

The Order includes specific monitoring requirements for you to implement and reporting requirements 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, contained in the Order. The *Annual Monitoring Report* form must be submitted to our office by **1 February of each year**, even if there is no discharge during the reporting year.

GENERAL INFORMATION AND REQUIREMENTS

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements of the Order may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability.

Discharge of waste material not described in the RWD is prohibited. If the method of waste disposal changes from that described in your application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on 8 October 2014, at which time either (1) a new application with a filing fee will be necessary for regulatory coverage under a subsequently adopted new Order, (2) you seek coverage under an individual or other order, or (3) the discharge must cease.

If you have any questions regarding submitting an updated RWD, or questions about making changes to your permitted operations, please contact Ms. Lani Andam at (916) 464-4723 or landam@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Mr. Guy Childs of the Compliance and Enforcement Section at (916) 464-4635 or gchilds@waterboards.ca.gov. All monitoring reports should be submitted to Mr. Childs by the compliance due date.

Original signed by Frederick Moss

Pamela C. Creedon
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc w/o enc: Sheldon Sapoznik, Napa County Environmental Management, Napa
Drew Aspegren, Napa Valley Vineyard Engineering, Inc., St. Helena