

California Regional Water Quality Control Board North Coast
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

**Notice of Public Comment Period, Public Hearing
and Notice of Intent
to
Adopt Mitigated Negative Declarations and
General Waste Discharge Requirements
for Discharges of Wine, Beverage, and Food Processor Waste to Land
Order No. R1-2016-0002
and
Conditional Waiver of Waste Discharge Requirements
for Discharges of Wine, Beverage, and Food Processor Waste to Land
Order No. R1-2016-0003
In the North Coast Region**

NOTICE IS HEREBY GIVEN that California North Coast Regional Water Quality Control Board (Regional Water Board) proposes to adopt Order No. R1-2016-0002, *General Waste Discharge Requirements (WDRs) for Discharges of Wine, Beverage, and Food Processor Waste to Land*, (WBFP WDRs); Order No. R1-2016-0003, *Conditional Waiver of WDRs for Discharges of Wine, Beverage, and Food Processor Waste to Land* (WBFP Waiver); and the associated California Environmental Quality Act (CEQA) proposed Initial Studies/Mitigated Negative Declarations (Mitigated Negative Declarations).

These items will be open for public comment between October 23, 2015 and November 23, 2015.

I. Project Description

The purpose of the draft WBFP WDR and WBFP Waiver is to provide a water quality regulatory structure to prevent and/or address poor water quality conditions and adverse impacts to water resources associated with process wastewater and process solids originating from a wine, beverage or food (WBF) facility. The draft Orders require the implementation of effective source control, treatment, and control measures and a monitoring and reporting program, to address potential impacts to groundwater and surface-water quality associated with the discharge of WBF processing solid wastes, and wastewaters to land located within the North Coast Region. WBF processor waste authorized for discharge by the draft Orders includes fruit and vegetable matter, pomace, lees, soil, rinse water, wash water, cooling water, and water softener waste. The waste produced by agricultural operations associated with the growing of the fruits or vegetables is not covered by the draft Orders.

Eligible types of WBF processing facilities include, but are not limited to: wineries, breweries, cider houses, non-alcoholic beverage producers, distilleries, post-slaughter cut and wrap meat processing facilities, fruit and vegetable processors and dairy product manufacturers. Those eligible types of WBF processing facilities that produce 1,500 gallons per day (gpd) or less of process wastewater, as measured during the peak production period of the facility, and discharge that process wastewater to land may apply for coverage under the WBFP Waiver. Additionally, wineries that: produce 3,000 gpd or less of process wastewater as measured during the peak production period; discharge that process wastewater to land; and produce no more than five gallons of wastewater for each gallon of wine produced annually (5:1 wastewater to wine ratio), may apply for coverage under the WBFP Waiver. Eligible types of WBF processing facilities producing wastewater at volumes exceeding that authorized by the WBFP Waiver may apply for coverage under the WBFP WDR.

II. Document Availability

The proposed Orders and Mitigated Negatives declarations are available for public review and comment and can be downloaded from the Regional Water Board's website at: http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/

These files can also be viewed by contacting or visiting the Regional Water Board's office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California, weekdays between 8:00am and 5:00pm. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

III. Public Comments

Persons wishing to comment on the proposed Orders and Mitigated Negative Declaration for the Regional Water Board to consider, are invited to submit them in writing. To be evaluated and responded to by the Regional Water Board, and fully considered in advance of the hearing, all written comments and evidence must be *received* by the Regional Water Board no later than **5:00 p.m. on November 23, 2015**. Untimely submittal of written comments will not be accepted or responded to.

Please send comments to the attention of Rachel Prat at the North Coast Regional Water Quality Control Board to the mailing address below or electronically to the email address NorthCoast@waterboards.ca.gov or by fax to 707-523-0135.

California Regional Water Quality Control Board
North Coast Region
ATTN: Rachel Prat
5550 Skylane Blvd., Suite A
Santa Rosa, California 95403

Persons wishing to present oral comments are invited to attend the hearing and present oral comments. The hearing will take place **8:30 a.m., Thursday January 28, 2016** at 5550 Skylane Blvd. Suite A, Santa Rosa, CA.

IV. Public Hearing Procedures

A public hearing to consider adoption of the Orders and Mitigated Negative Declaration is scheduled for **January 28, 2016, at 8:30 a.m.**, in Santa Rosa, California, or as announced in the Regional Water Board's agenda. The meeting will be held at the Regional Water Board Hearing Room 5550 Skylane Boulevard, Suite A in Santa Rosa, California. Please be aware that dates and venues may change. Our Web address is <http://www.waterboards.ca.gov/northcoast> where you can access the current agenda for changes in dates and locations.

Time limits may be imposed on oral testimony at the public hearing; groups are encouraged to designate a spokesperson. Written comments submitted prior to the close of the comment period will be considered by the Regional Water Board as part of their decision making process. Changes to the proposed Orders consistent with the general purpose of the Orders may be considered by the Regional Water Board during the hearing. Testimony at the above scheduled hearing may summarize or explain timely submitted written evidence.

V. Ex parte Communications

Ex parte communications are allowed in this matter subject to the disclosure requirements of Water Code section 13287. A form to assist in this process can be found on the Regional Water Board's website at: http://www.waterboards.ca.gov/northcoast/public_notices/pdf/2013/130118_NorthCoast_disclosure.pdf.

The Regional Water Board is required to post the disclosure on its website and to distribute it via any electronic distribution list for the proposed order. Ex parte disclosures shall not constitute written comments or evidence on a proposed general order. You must provide the comments or evidence by following the procedure and timelines provided above. Ex parte communications are prohibited for a period beginning 14 days before the board meeting at which the proposed order is scheduled for board action. For communications concerning any issue in this proceeding, ex parte communications are prohibited starting on January 14, 2016. If the board does not take action on January 28, 2016, the ex parte prohibition will remain in place until the board, the Chair or the Executive Officer directs otherwise. Once lifted, the prohibition on ex parte communications may be reinstated for 14 days before the day of the board meeting to which the decision is continued. The board will provide notice via the Lyris and the interested parties email lists for this item if the prohibition is lifted or reinstated.

VI. Accessibility

Anyone requiring reasonable accommodation to participate in the public meeting should contact Patti Corsie at 707-576-2220 at least five days prior to the scheduled meeting. The meeting location is accessible to persons with disabilities. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

VII. Program and Email Subscription

Information on the Regional Water Board's Wine, Beverage & Food Processors Program, can be found at:

http://www.waterboards.ca.gov/northcoast/water_issues/programs/wine_beverage_food/

Persons wishing to receive notices related to the WBFP WDRs Order and WBFP Waiver Order should subscribe to the Wine, Beverage & Food Processors email list, under Resources, Email Subscription on the left side of the Regional Water Board's main web page at <http://www.waterboards.ca.gov/northcoast>.

VIII. Regional Water Board Staff Contact

Questions regarding the WBFP WDR Order or WBFP Waiver Order should be directed to Rachel Prat, by phone at 707-576-2542 or email at Rachel.Prat@waterboards.ca.gov or Rhonda Raymond, by phone at 707-576-2708 or email at Rhonda.Raymond@waterboards.ca.gov.

Matthias St. John
Executive Officer

October 23, 2015

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