

ITEM: 17

SUBJECT: The Wine Group LLC, Franzia Sanger Winery, Fresno County

BOARD ACTION: *Consideration of Waste Discharge Requirements (WDRs) and Time Schedule Order*

BACKGROUND: In 1992, The Wine Group LLC (Discharger) purchased the Franzia Sanger Winery (Winery). The Winery produces wine and grape juice concentrate products. Wastewater consists of cleaning and sanitation wastewater, ion-exchange regeneration waste, boiler blowdown, refrigeration unit condenser cooling water, and filter backwash. Wastewater is discharged to a 150-acre land application area (LAA), adjacent to Byrd Slough, part of the Kings River distributary system.

The Discharger submitted a 2011 Report of Waste Discharge (RWD) to increase discharge flows to 70 mgd and to increase its 150-acre LAA by 53 acres. The Discharger has been regulated under a NPDES Permit that allowed condenser discharge to the Fink Ditch and allowed 0.3 mgd of winery wastewater and 0.3 mgd of stillage to be discharged to the 150-acre LAA. However, the Winery no longer discharges cooling water to Fink Ditch and ceased stillage discharges in 2000.

Past discharges have degraded/polluted groundwater below the 150-acre LAA with salts, iron, manganese, and arsenic. The degradation/pollution is due to the shallow depth to groundwater, coarse grained permeable soils, and historic practices that resulted in uneven waste application. The proposed WDRs set a cycle average BOD loading limit of 100 lbs/acre/day for both the 150-acre LAA and the 53-acre LAA, and require the even application of wastes. The WDRs require the submittal of nutrient management and salinity control plans.

A Time Schedule Order (TSO) requires implementation of practices to abate discharges that have resulted in groundwater pollution. It also requires the Discharger to survey domestic wells within one mile of 150-acre LAA and the new 53-acre LAA and to sample wells that could be impacted by the discharges. The TSO requires assessment of the horizontal and vertical extent of elevated iron, manganese, and arsenic in groundwater beneath and downgradient of the 150-acre LAA. If necessary, the TSO requires implementation of additional measures to meet water quality objectives.

ISSUES: Written comments were received from The Wine Group LLC and Ms. Jo Anne Kipps. Revisions were made to the WDRs and TSO to address some of the comments. Full responses to comments are in the agenda package. A short summary of issues and staff's responses below:

1. The Discharger states that a Wine Institute study shows BOD loading rates higher than 100 lbs/acre/day can be applied to LAAs with percolate BOD removal of 80 to nearly 100 percent. The Discharger also states that the California League of Food

Processors (CLFP) Manual notes that loading rates higher than 100 lbs/acre/day can be successfully applied when detailed planning, good operation, and even distribution is employed. The Discharger requests the cycle average BOD loading rate to the new 53-acre LAA be increased to 150 lbs/acre/day.

Response: BOD removal data in the Wine Institute Study had significant variability, and site conditions in the LAAs may be significantly different than those studied. The 53-acre LAA is to be flood irrigated with winery wastewater using long checks – the same method that caused pollution in the 150-acre LAA. The Wine Institute results and CLFP Manual, while useful, do not demonstrate that the requested loading rate will be protective of groundwater at the Winery.

2. Ms. Kipps requests that the Discharger survey domestic wells potentially impacted by the discharge due to the groundwater pollution at the 150-acre LAA.

Response: The TSO has been modified to require a survey of domestic wells within one mile the LAAs and sampling of those wells that could be affected by the discharges.

3. Ms. Kipps states the three year schedule to comply with the loading limits in the WDRs is too long, and the Discharger should be able to comply within one year by renting sprinklers.

Response: The best compliance solution may be something other than sprinklers. One year does not allow sufficient time for the Discharger to explore its options, design, fund, and implement a technical solution to meet the requirements of the WDRs.

4. Ms. Kipps requests that the WDRs and TSO be revised to respond to comments and be recirculated for public comment to residences and businesses within a one mile radius from the LAA's.

Response: The revisions to the WDRs and TSO are minor, and the legal requirements for soliciting public comment have been met. The WDRs and TSO were not recirculated for public comment.

RECOMMENDATION: Adoption the proposed Waste Discharge Requirements and Time Schedule Order.

Mgmt. Review \_\_\_\_\_

Legal Review \_PEP\_

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