

California Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

Fact Sheet

**GENERAL WASTE DISCHARGE REQUIREMENTS
FOR DISCHARGES OF WINERY WASTE TO LAND**

Q. What are General Waste Discharge Requirements? How do they differ from an individual permit?

- A. An individual set of Waste Discharge Requirements (WDRs) is the basic regulatory mechanism used by the Regional Water Quality Control Board (Regional Water Board). Nearly all wineries that utilize a surface treatment system (usually a pond) presently have WDRs. When a class of facilities has certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, flow ranges, and treatment standards, the Regional Water Board can opt to issue General WDRs.

The principal difference between General and individual WDRs is the manner in which they are issued. Individual WDRs can be adopted only by action of the Regional Water Board. By contrast, coverage under General WDRs can ordinarily be authorized by the Executive Officer.

Q. Why issue a General Permit instead of individual permits?

- A. General WDRs allow a unified approach to similar facilities, and can simplify the permitting process. The issuance of individual WDRs requires Regional Water Board staff to draft requirements applicable to the discharge in question. They are labor intensive and require Board action to take effect, which can take a period of four to six months from application to adoption. Individual WDRs are best used when the design of the regulated facility warrants requirements tailored to its specific situation. However, general WDRs are appropriate when the need for specific requirements is not as important, such as when an entire class of discharges has similar characteristics. In those cases, General WDRs enable the Regional Water Board to uniformly regulate the class of discharges. General WDRs also reduce workload because determinations that an individual discharger is covered can be delegated to the Executive Officer. In most cases, coverage determinations under General WDRs can be made in six to eight weeks.

Q. How will waste discharge requirements be different for wineries with subsurface systems (septic tanks and leachfields)?

- A. In the past the Regional Water Board has issued few permits for subsurface systems, and has relied on county permitting authorities. Because not all counties have the same permitting requirements, not all wineries have been subject to the same environmental regulation. However, the surge in the number of new wineries opting to use these systems has led to unknown water quality impacts and concerns about the efficiency and effects of all these systems. This general permit is intended to cover those subsurface systems.

Q. Do the General WDRs significantly increase the regulatory burden on the industry?

- A. Wineries that presently have older individual WDRs that obtain coverage under these General WDRs will not experience any significant change in regulatory oversight because the requirements are similar. Subsurface systems will receive some new monitoring requirements, but these are either qualitative (visual inspections) or simple volume or depth measurements (depth of sludge, volume of wastewater). There will be little change to the regulation of surface systems. Because not all counties have the same permitting requirements, and the Regional Water Board has often relied on county permitting processes to address environmental concerns, not all wineries have been subject to the same level of regulation. The General WDRs will bring all wineries in all counties in the region to the same level of water quality protection, and will result in a “level playing field” for the industry. There will be a significant outreach effort by Regional Water Board staff to extend coverage under these General WDRs to all eligible wineries.

Q. What are the costs associated with the General WDRs? What is the economic impact?

- A. The annual fee for subsurface systems will be \$400, whereas surface systems will pay an annual fee of \$2700.

The General WDRs contain specific requirements for the protection of groundwater. Wineries with surface treatment ponds will need to demonstrate that there is no significant impact on groundwater from their ponds. Various methods of demonstration will be acceptable, with an increasing degree of demonstration for greater potential threat to water quality and the size of the facility. In most cases the one-time associated cost will be small.

Q. What is the application process, and when is the deadline?

- A. Wineries that were recently issued individual WDRs will keep them for now. Wineries that have older WDRs (generally more than five years old) will be contacted by Regional Water Board staff about the need for filing a Notice of Intent (NOI) for the General WDRs. This is presently standard procedure for individual WDRs. Those wineries that have received waivers of WDRs from the

Regional Water Board will also be contacted. The NOI will replace the Form 200, the application form for the individual WDRs. Those wineries that have not been regulated by the Regional Water Board will have six months from the date of adoption of the General WDRs to submit an NOI.

Q. Who will be subject to the General WDRs?

- A. Generally, those who produce less than 200 gallons of wine for personal consumption are not considered to be commercial wineries. The Sonoma County Permit Resource Management Department uses this standard, as does the California Alcohol Beverage Control Board. The final determination of applicability will be made by the Executive Officer on the basis of potential threat to water quality, as indicated by the NOI.

Q. Why do I have to publish a public notice in the newspaper and post a notice at the site?

- A. Under the California Environmental Quality Act (CEQA), the public is required to receive notice of a discretionary action (such as issuing the General WDRs by a public agency.) This requires a public notice in a general circulation newspaper, and another public notice posted at the site. A general circulation newspaper is :

1. issued at least once a week (daily newspapers are included in this description);
2. intended for general distribution and circulation; and
3. sold at fixed prices to subscribers and readers without regard to business, trade, profession or class.

Basically, any daily or weekly newspaper that is sold to the public in general is a "newspaper of general circulation." The public notice, which is included with the Notice of Intent, is also posted at the site (such as a fence post, gate, phone pole, or the like) is intended to let the immediate neighbors know of the planned operation of a winery wastewater system.