Issuance Date:

Effective Date: July 2019

Expiration Date:

**PRELIMINARY DRAFT**

**Winery General Permit**

State Waste Discharge General Permit for

Discharges from Winemaking Facilities

**State of Washington**

**Department of Ecology**

Olympia, Washington 98504

In compliance with the provisions of

Chapter 90.48 Revised Code of Washington

(State of Washington Water Pollution Control Act)

Until this general permit expires, is modified, or is revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions that follow.

Heather R. Bartlett

Water Quality Program Manager

Washington State Department of Ecology

*This page was intentionally left blank.*

**TABLE OF CONTENTS**

[**SUMMARY OF SUBMITTALS** 1](#_Toc479663212)

[**TIMELINE OF COMPLIANCE AND SUBMITTAL DATES** 2](#_Toc479663213)

[**SPECIAL CONDITIONS** 4](#_Toc479663214)

[**S1.** **CRITERIA FOR PERMIT COVERAGE** 4](#_Toc479663215)

[A. Activities Covered under this General Permit 4](#_Toc479663216)

[B. Activities NOT Covered under this General Permit 4](#_Toc479663217)

[C. Significant Contributor of Pollutants 6](#_Toc479663218)

[D. Significant Industrial Users 6](#_Toc479663219)

[E. Geographic Area Covered under this General Permit 7](#_Toc479663220)

[**S2.** **DISCHARGE LIMITS** 7](#_Toc479663221)

[A. General Requirements 7](#_Toc479663222)

[B. POTWs 9](#_Toc479663223)

[C. Land Treatment via Irrigation to Managed Vegetation 9](#_Toc479663224)

[D. Lagoons and Other Liquid Storage Structures 13](#_Toc479663225)

[E. Road Dust Abatement 13](#_Toc479663226)

[F. Subsurface Infiltration Systems 15](#_Toc479663227)

[G. Infiltration Basins 16](#_Toc479663228)

[H. Residual Solid Winery Waste Management 17](#_Toc479663229)

[**S3.** **MONITORING REQUIREMENTS** 17](#_Toc479663230)

[A. Timing 17](#_Toc479663231)

[B. Flow Monitoring Requirements 17](#_Toc479663232)

[C. Sampling Frequencies and Locations 18](#_Toc479663233)

[D. Sampling Analysis Requirements 20](#_Toc479663234)

[E. Sampling and Analytical Procedures 24](#_Toc479663235)

[F. Flow Measurement and Continuous Monitoring Devices 25](#_Toc479663236)

[G. Laboratory Accreditation 25](#_Toc479663237)

[**S4.** **INSPECTIONS AND TRAINING** 25](#_Toc479663238)

[A. Inspections 25](#_Toc479663239)

[B. Training 26](#_Toc479663240)

[**S5.** **BEST MANAGEMENT PRACTICES** 26](#_Toc479663241)

[A. General Best Management Practices 26](#_Toc479663242)

[B. POTWs 27](#_Toc479663243)

[C. Land Treatment via Irrigation to Managed Vegetation 27](#_Toc479663244)

[D. Lagoons and Other Liquid Storage Structures 27](#_Toc479663245)

[E. Road Dust Abatement 28](#_Toc479663246)

[F. Subsurface Infiltration Systems 28](#_Toc479663247)

[G. Infiltration Basins 29](#_Toc479663248)

[H. Residual Solid Winery Waste Management 29](#_Toc479663249)

[I. Alternative Best Management Practices 30](#_Toc479663250)

[**S6.** **WINERY POLLUTION PREVENTION PLAN** 30](#_Toc479663251)

[A. General Requirements 30](#_Toc479663252)

[B. Required Elements 31](#_Toc479663253)

[**S7.** **DOMESTIC SEWAGE** 36](#_Toc479663254)

[A. Existing Facilities 36](#_Toc479663255)

[B. New Facilities 36](#_Toc479663256)

[**S8.** **RECORDKEEPING** 36](#_Toc479663257)

[A. General Recordkeeping Requirements 36](#_Toc479663258)

[B. Inspections 37](#_Toc479663259)

[C. Ecology Access to Records 38](#_Toc479663260)

[D. Public Access to Records 39](#_Toc479663261)

[**S9.** **REPORTING** 39](#_Toc479663262)

[A. Discharge Monitoring Reports 39](#_Toc479663263)

[B. Annual Reports 41](#_Toc479663264)

[C. Winery Pollution Prevention Plan 43](#_Toc479663265)

[D. Reporting Noncompliance and Spills 43](#_Toc479663266)

[E. Reporting to POTWs 44](#_Toc479663267)

[F. Assessments 44](#_Toc479663268)

[G. How to Submit Documents to Ecology 45](#_Toc479663269)

[**S10.** **APPLYING FOR PERMIT COVERAGE** 46](#_Toc479663270)

[A. When to Apply For Permit Coverage 46](#_Toc479663271)

[B. How to Apply For Permit Coverage 46](#_Toc479663272)

[C. When Permit Coverage Is Effective 47](#_Toc479663273)

[**S11.** **PERMIT ADMINISTRATION** 48](#_Toc479663274)

[A. Modification of Permit Coverage 48](#_Toc479663275)

[B. How to Renew Permit Coverage 48](#_Toc479663276)

[C. How to Transfer Permit Coverage 48](#_Toc479663277)

[D. How to Terminate Permit Coverage 49](#_Toc479663278)

[**GENERAL CONDITIONS** 50](#_Toc479663279)

[**G1.** **DISCHARGE VIOLATIONS** 50](#_Toc479663280)

[**G2.** **COMPLIANCE WITH OTHER LAWS AND STATUTES** 50](#_Toc479663281)

[**G3.** **PROPER OPERATION AND MAINTENANCE** 50](#_Toc479663282)

[**G4.** **RIGHT OF ENTRY AND INSPECTION** 50](#_Toc479663283)

[**G5.** **SIGNATORY REQUIREMENTS** 50](#_Toc479663284)

[A. Responsible Person 50](#_Toc479663285)

[B. Duly Authorized Person 51](#_Toc479663286)

[C. Changes to Authorization 51](#_Toc479663287)

[D. Certification 51](#_Toc479663288)

[**G6.** **TOXIC POLLUTANTS** 51](#_Toc479663289)

[**G7.** **REMOVED SUSBTANCES** 52](#_Toc479663290)

[**G8.** **MONITORING BEYOND PERMIT REQUIREMENTS** 52](#_Toc479663291)

[**G9.** **REDUCED PRODUCTION FOR COMPLIANCE** 52](#_Toc479663292)

[**G10.** **DUTY TO MITIGATE** 52](#_Toc479663293)

[**G11.** **PERMIT COVERAGE REVOKED** 52](#_Toc479663294)

[**G12.** **GENERAL PERMIT MODIFICATION AND REVOCATION** 53](#_Toc479663295)

[**G13.** **REPORTING A CAUSE FOR MODIFICATION OF COVERAGE** 53](#_Toc479663296)

[**G14.** **PAYMENT OF FEES** 53](#_Toc479663297)

[**G15.** **REQUEST TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT** 53](#_Toc479663298)

[**G16.** **TERMINATION OF INDIVIDUAL PERMITS UPON ISSUANCE OF GENERAL PERMIT COVERAGE** 53](#_Toc479663299)

[**G17.** **DUTY TO REAPPLY** 54](#_Toc479663300)

[**G18.** **PENALTIES FOR VIOLATING PERMIT CONDITIONS** 54](#_Toc479663301)

[**G19.** **PENALTIES FOR TAMPERING** 54](#_Toc479663302)

[**G20.** **APPEALS** 54](#_Toc479663303)

[A. Class of Dischargers 54](#_Toc479663304)

[B. Individual Discharger 54](#_Toc479663305)

[**G21.** **SEVERABILITY** 55](#_Toc479663306)

[**G22.** **BYPASS PROHIBITED** 55](#_Toc479663307)

[A. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions 55](#_Toc479663308)

[B. Bypass which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit 55](#_Toc479663309)

[C. Bypass which is anticipated and has the Potential to Result in Noncompliance of this Permit 55](#_Toc479663310)

**APPENDICES**

A ACRONYMS AND ABBREVIATIONS 56

B GLOSSARY 58

C RECOMMENDED ANALYTICAL METHODS 65

**LIST OF TABLES**

1 Required Permit Submittals 1

2 Timeline of Compliance and Submittal Dates 2

3 Production and Wastewater Generation Volumes 6

4 Group Determination 8

5 Group 1 Benchmarks for Discharges as Irrigation to Managed Vegetation 10

6 Group 2 Benchmarks for Discharges as Irrigation to Managed Vegetation 12

7 Benchmarks for Discharges as Road Dust Abatement 14

8 Benchmarks for Discharges to Subsurface Infiltration Systems 15

9 Benchmarks for Discharges to Infiltration Basins 16

10 Discharge Monitoring Periods 17

11 Wastewater Flow Monitoring Requirements 18

12 Parameters for Discharges to POTWs 20

13 Parameters for Discharges as Irrigation to Managed Vegetation as Road Dust Abatement 21

14 Parameters for Discharges to Lagoons and Other Liquid Storage Structures 22

15 Parameters for Discharges to Subsurface Infiltration Systems 23

16 Parameters for Discharges to Infiltration Basins 24

17 Discharge Monitoring Report Deadlines 39

18 Annual Report Deadlines 41

# **SUMMARY OF SUBMITTALS**

**Table 1 – Required Permit Submittals**, lists submittal requirements of the general permit in chronological order and includes the permit section of the requirement. Refer to the Special and General Conditions of this general permit for additional submittal requirements. The following table is for quick reference only. Enforceable submittal requirements are contained in the general permit narrative.

**Table 1**

**Required Permit Submittals**

| **Period of Time** | **Activity** | **Permit Section** |
| --- | --- | --- |
| 90 days after the permit effective date | Existing facilities must submit applications for coverage. | S10.A |
| Within 2 months of receiving permit coverage | Set up your WQWebDMR account and submit an Electronic Signature Account Form to Ecology, or submit an Electronic Waiver Request Form to Ecology. | S9.A |
| Within 40 days after the last day of the discharge monitoring period | Submit the Discharge Monitoring Report to Ecology. See Table 18. | S9.A |
| Within 1 year of receiving permit coverage | Submit your Winery Pollution Prevention Plan to Ecology. | S9.C |
| By March 1 every year | Submit your Annual Report for the previous year. | S9.B |
| By the end of the second year after receiving permit coverage | Existing facilities discharging to a lagoon must submit their Lagoon Assessment to Ecology. | S9.F |
| Existing facilities discharging to a subsurface infiltration system must submit their Subsurface Infiltration System Assessment to Ecology. | S9.F |
| 60 days before discharge | New facilities must submit applications for coverage. | S10.A |

# **TIMELINE OF COMPLIANCE AND SUBMITTAL DATES**

**Table 2 – Timeline of Compliance and Submittal Dates**, lists compliance and submittal requirements of the general permit in chronological order and includes the permit section of the requirement. Refer to the Special and General Conditions of this general permit for additional deadlines and important dates. The following table is for quick reference only. Enforceable requirements are contained in the general permit narrative.

**Table 2**

**Timeline of Compliance and Submittal Dates**

| **Period of Time** | **Activity** | **Permit Section** |
| --- | --- | --- |
| 90 days after the permit issuance date | Existing facilities must submit applications for coverage. | S10.A |
| Once they receive permit coverage | New facilities must comply with the benchmarks and must **not** commingle their wastewater with domestic sewage. | S2+S7 |
| Within 2 months of receiving permit coverage | Set up your WQWebDMR account and submit an Electronic Signature Account Form to Ecology, or submit an Electronic Waiver Request Form to Ecology. | S9.A |
| At the beginning of the second complete discharge monitoring period after you receive permit coverage | Monitor the volume of wastewater discharged and the number of days a discharge occurred. | S3 |
| Collect and analyze samples of discharges of wastewater from all collection and disposal facilities. | S3 |
| Within 40 days after the last day of the discharge monitoring period | Submit the Discharge Monitoring Report to Ecology. See Table 1. | S9.A |
| Within 1 year of receiving permit coverage | Develop and implement your Winery Pollution Prevention Plan. | S6 |
| Submit your Winery Pollution Prevention Plan to Ecology. | S9.C |
| By March 1 every year | Submit your Annual Report for the previous year. | S9.B |
| Starting the second year after receiving permit coverage | Existing facilities must comply with the benchmarks. | S2 |
| By the end of the second year after receiving permit coverage | Existing facilities discharging to a lagoon must submit their Lagoon Assessment to Ecology | S9.F |
| Existing facilities discharging to a subsurface infiltration system must submit their Subsurface Infiltration System Assessment to Ecology. | S9.F |
| Within 14 days of discovery | Comply with Special Condition S2.A.3 within fourteen (14) calendar days of discovering an exceedance of a benchmark. | S2 |
| Within 14 days of request | Provide Ecology (or the public upon written request) a copy of all permit-required plans and records. | S9 |
| For at least 5 years | Maintain all documents and records. | S8 |
| 60 days before discharge | New facilities must submit applications for coverage. | S10.A |

# **SPECIAL CONDITIONS**

# **S1. CRITERIA FOR PERMIT COVERAGE**

## **A. Activities Covered under this General Permit**

1. This ***general permit*** conditionally authorizes the ***discharge[[1]](#footnote-1)*** of ***pollutants*** to ***groundwaters*** or to a ***POTW*** (a ***publicly owned treatment works*** (municipal or regional wastewater-treatment plant) that has **not** been ***delegated*** permitting authority or has **not** been classified as an Ecology-approved non-delegated POTW by the Washington State Department of Ecology (Ecology)). Owners/operators of ***facilities*** where ***winery process wastewater*** (***wastewater***) is generated that meet the following conditions must[[2]](#footnote-2) apply for and obtain coverage under this general permit. Once coverage is obtained, the owner/operator is known as the “***Permittee[[3]](#footnote-3)***” and is conditionally authorized to discharge wastewater using the discharge method indicated on the Permittee’s Notice of Intent (NOI). All authorized discharges and activities must be in compliance with the terms and conditions of this general permit.
   1. The owner/operator of a ***new facility*** or an ***existing facility*** where wastewater is generated is required to seek coverage under this general permit, if the following statements apply.
2. At any stage of the winemaking process, the facility discharges wastewater:
3. To a publicly owned treatment works (municipal or regional wastewater treatment plant) that has **not** been delegated permitting authority by Ecology (referenced throughout this general permit as a “POTW”)[[4]](#footnote-4), and not been classified as an Ecology-approved non-delegated POTW by Ecology.
4. To land treatment via irrigation to managed vegetation ***(irrigation to managed vegetation)***.
5. To a ***lagoon*** or other ***liquid storage structure***.
6. As ***road dust abatement***.
7. To a ***subsurface infiltration system***.
8. To an ***infiltration basin***.
9. Special Condition S1.B does **not** apply.

## **B. Activities NOT Covered under this General Permit**

1. The general permit does **not** apply to the following.
   * + - 1. A new or existing ***winery***, vineyard, or tasting room that does **not** discharge wastewater. ***Domestic sewage*** from tasting rooms or restaurants does **not** constitute wastewater.
         2. ***Home manufacturing of alcoholic beverages***.
         3. A new or existing facility that discharges:
2. Wastewater directly to ***surface waters*** of the state. Ecology requires these discharges be covered under an individual National Pollutant Discharge Elimination System (NPDES) permit.
3. ***Stormwater*** associated with industrial activities to surface waters of the state, including storm sewer systems that discharge to surface waters of the state. Ecology may require these discharges to be covered under the NPDES Industrial Stormwater General Permit (40 Code of Federal Regulation (CFR) 122.26).
   * + - 1. A new or existing facility that discharges **all** wastewater to a:
4. Publicly owned treatment work that **has** been delegated permitting authority by Ecology (visit Ecology’s website, included below, for a list of delegated publicly owned treatment works).[[5]](#footnote-5)

<http://www.ecy.wa.gov/programs/wq/permits/winery/faqs.html>

1. Double-lined evaporation lagoon with leak detection.[[6]](#footnote-6)
2. Storage tank (either aboveground or underground) to be pumped and hauled off ***site***[[7]](#footnote-7) to a treatment facility.
   * + - 1. A facility covered by an individual permit and **not** required by Ecology to apply for coverage under the Winery General Permit.
         2. A new or existing facility where wastewater is generated that:
3. Ecology does **not** consider to be a Significant Contributor of Pollutants (Special Condition S1.C) or a Significant Industrial Users (Special Condition S1.D).
4. Discharges **all** wastewater to an Ecology-approved POTW.
5. Ecology-approved POTWs

Ecology-approved POTWs are listed on Ecology’s webpage (Ecology expects to include this link before the issuance of the Winery General Permit).

1. POTWs that are **not** currently Ecology-approved may become Ecology approved. Contact your ***Winery General Permit Coordinator*** for more information. The following is an example of the criteria Ecology will use to approve a POTW. The POTW must:

* Certify that they had **no** ***upsets*** from winery discharges and that their infrastructure is adequate and not negatively impacted by winery discharges (**not** overloaded hydraulically or overwhelmed chemically).
* Have adequate controls and a mechanism to regulate wineries including revoking authorized discharges.
* Have a user contract or agreement that includes monitoring of effluent, provides for protection against prohibited discharges which could cause pass through or interference, includes notification provisions for slug discharges, penalties for violations, and remedies if user fails to perform including revoking authorization to discharge.
* Require the winemaking facility to implement best management practices (BMPs) and notify the POTW of ***slugs*** and other discharges that could harm the POTW’s system.
  + - * 1. A new or existing facility where wastewater is generated that:

1. Ecology does **not** consider to be a Significant Contributor of Pollutants (Special Condition S1.C) or a Significant Industrial Users (Special Condition S1.D).
2. Discharges less than 53,505 gallons of wastewater per calendar year, (refer to **Table 3 – Production and Wastewater Generation Volumes)**; **OR**
3. Produces or crushes less than **all** of the following volumes per calendar year, (refer to Table 3).
4. Produces less than 7,500 cases of wine or juice per calendar year; **AND**
5. Produces less than 17,835 gallons of wine or juice per calendar year; **AND**
6. Crushes less than 119 tons of fruit per calendar year.

**Table 3**

**Production and Wastewater Generation Volumes1**

| **Not covered by the general permit if the following is true.** | **Not covered by the general permit if the following are true.** | | |
| --- | --- | --- | --- |
| **Wastewater Discharged**  **(gallons)2** | **Wine/Juice Produced**  **(cases)** | **Wine/Juice Produced**  **(gallons)** | **Fruit Crushed**  **(tons)** |
| < 53,505 | < 7,500 | < 17,835 | < 119 |
| 1 = 1 case is equivalent to 2.378 gallons. One (1) ton of fruit is equivalent to sixty-three (63) cases or one-hundred-fifty (150) gallons.  2 = Assumes three (3) gallons of wastewater is generated for every one (1) gallon of wine generated. | | | |

## **C. Significant Contributor of Pollutants**

Ecology **may** require a facility to obtain coverage under this general permit or an individual permit if Ecology determines that facility is a Significant Contributor of Pollutants. A facility is considered a Significant Contributor of Pollutants when the facility:

1. Discharges a ***significant amount*** of pollutants to waters of the state.
2. May reasonably be expected to cause a violation of any ***Washington State Water Quality Standard***.

## **D. Significant Industrial Users**

Ecology **may** require a facility to obtain coverage under this general permit or an individual permit if Ecology determines that facility is a Significant Industrial. A facility is considered a Significant Industrial User when that facility:

1. Discharges an average of twenty-five thousand (25,000) gallons per day or more of wastewater to a POTW (excluding sanitary, noncontact cooling, and blower blowdown wastewater).
2. Contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW.
3. Is designated as such by Ecology on the basis that the facility has a reasonable potential for adversely affecting the POTW’s operation or for violating any Pretreatment Standard or requirement in accordance with 40 CFR 403.8(f)(6).

## **E. Geographic Area Covered under this General Permit**

This general permit covers the activities listed in Special Condition S1.A that occur within Washington State. This general permit does **not** apply to:

1. Federal lands where a federal agency is the decision maker.
2. “Indian Country” as defined in 18 U.S.C. §1151 and trust or restricted lands except portions of the Puyallup Reservation as noted.
   1. Indian Country includes:
3. All land within any Indian Reservation notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation. This includes all federal, tribal, and Indian and non-Indian privately owned land within the reservation.
4. All off-reservation Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.
5. All off-reservation federal trust lands held for Native American Tribes.
   1. Puyallup exception

Following the Puyallup Tribe of Indians Land Claims Settlement Act of 1989, 25 U.S.C. §1773, this general permit applies to land within the Puyallup Reservation except for discharges to surface waters on land held in trust by the federal government.

# **S2. DISCHARGE LIMITS**

## **A. General Requirements**

1. General limit

Discharges must **not** cause or contribute to a violation of Washington State Water Quality Standards. Discharges **not** in compliance with these standards are prohibited.

1. Group determination

This general permit contains requirements that vary depending on the volume of wastewater you discharge. You are either in Group 1 or Group 2. The following bullets explain how to determine your group.

1. Base your group determination on data that reflects your typical annual wastewater generation. You may:
   1. Use your projections for the next year, if you have data to support this projection.
   2. Average the past three (3) years of wastewater generation data or production data.
   3. Use one (1) of the past three (3) years of wastewater generation data or production data.
2. Include in your Winery Pollution Prevention Plan (WPPP) and your initial Annual Report, a brief explanation of how you determined your group and the data you used to make the determination.
3. After following the instructions in bullet a (above), if you generate less than six-hundred thousand (600,000) gallons of wastewater in a typical year, you are a Group 1 facility. If you generate six-hundred thousand (600,000) gallons of wastewater or more in a typical year, you are a Group 2 facility. See **Table 4 – Group Determination**.

**Table 4**

**Group Determination**

| **Quantity** | **Group 1** | **Group 2** |
| --- | --- | --- |
| Gallons of wastewater per year1 | < 600,000 | ≥ 600,000 |
| 1 = If you do not know the amount of wastewater generated in a typical year, you can calculate it by following these steps.   * Determine the gallons of wine/juice produced in a typical year by multiplying the number of cases produced in a typical year by 2.387. (Convert cases to gallons of wine/juice) * Determine the gallons of wastewater generated in a typical year by multiplying the number of gallons of wine/juice produced by six (6). (Converts gallons of wine/juice to gallons of wastewater) If you can prove your facility is more water efficient and generates less than six (6) gallons of wastewater for every one (1) gallon of wine produced, then you may use the more accurate number. Include this information in your WPPP and initial Annual Report. | | |

1. Adaptive management actions

If you exceed any applicable benchmark, you must complete the following adaptive management actions for each exceedance in accordance with the following requirements.

1. Within fourteen (14) calendar days of discovering an exceedance of a benchmark:
2. Conduct an inspection to investigate the cause and possible solutions.
3. Review the WPPP and ensure that it fully complies with Special Condition S6 (Winery Pollution Prevention Plan) and contains the correct BMPs.
4. Make any necessary revisions to the WPPP to include additional BMPs with the goal of complying with the benchmarks.
5. Implement the BMPs you added or modified in your WPPP to comply with the benchmarks, and avoid future exceedances. If a BMP involves maintenance with capital construction costs greater than or equal to twenty-five thousand dollars ($25,000), the Permittee has ninety (90) days to complete the maintenance.
6. In your Annual Report (Special Condition S9.B), summarize the adaptive management actions taken.
7. Compliance with this condition does **not** relieve you from responsibility to maintain continuous compliance with the terms and conditions of this general permit or the resulting liability for failure to comply.
8. General prohibited discharges
   1. Do **not** discharge wastewater or ***leachate*** to land that is not under your control, unless the land owner approves and you document the approval. This pertains to **all** Permittees that manage residual solid winery waste.
   2. Do **not** accept trucked or hauled waste from off site to be discharged to your ***waste management system***.
   3. Comply with Special Condition S7 (Domestic Sewage).

## **B. POTWs**

1. Benchmarks

Do **not** exceed the benchmarks established by the POTW indicated on your NOI.

1. Prohibited discharges

Comply with the following requirements for the discharge of wastewater to a POTW.

1. Do **not** discharge the following to a POTW.
   1. Wastewater in excess of local limits set by the POTW accepting the discharge. Violating a local limit violates the terms and conditions of this general permit.
   2. Pollutants that may cause ***pass through***, ***interference***, or process upsets.
   3. Pollutants that may create a fire or explosion hazard, including, but not limited to, waste streams with a closed cup flashpoint of less than 60°C (140°F) using the test methods specified in 40 CFR 261.21.
   4. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
   5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F) unless Ecology, upon request of the POTW, approves alternative temperature limits.
   6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
   7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
   8. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with ***pH*** lower than 5.0 or greater than 11.0.
   9. Noncontact cooling water in significant volumes.
   10. Stormwater and other direct inflow sources, unless authorized by the POTW accepting the discharge.
   11. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.
2. Do **not** discharge wastewater to a POTW at a point other than the point designated by the POTW.
3. Do **not** dilute the wastewater discharge with stormwater or increase the use of potable water, process water, noncontact cooling water, or, in any way, attempt to dilute the wastewater as a partial or complete substitute for adequate treatment to achieve compliance with the benchmarks contained in this permit and those limits set by the POTW.

## **C. Land Treatment via Irrigation to Managed Vegetation**

1. Benchmarks
   1. Timing
2. Existing facilities

Starting the second year after you receive permit coverage, comply with the following benchmarks.

1. New facilities

Once you receive permit coverage, comply with the following benchmarks.

* 1. Group 1 facilities

1. A Group 1 facility must comply with either:
2. The maximum application rates and frequencies in **Table 5 – Group 1 Benchmarks for Discharges as Irrigation to Managed Vegetation** **and** the requirements in Special Condition S2.C.1.b.ii; **OR**
3. The benchmarks in **Table 6 – Group 2 Benchmarks for Discharges as Irrigation to Managed Vegetation and** the requirements in Special Condition S2.C.1.c.i-iv. Pretreating the wastewater before discharging to ***irrigation lands*** will permit you to apply at a greater rate.

**Table 5**

**Group 1 Benchmarks for Discharges as Irrigation to Managed Vegetation**

| **Scenario** | **Time of Year Wastewater is**  **Generated and Discharged** | **Maximum**  **Application Rate** | **Maximum**  **Application Frequency2** |
| --- | --- | --- | --- |
| 1 | Wastewater generated during crush discharged during crush1 | 1,600 gals/acre/day | 4 days/week |
| 2,100 gals/acre/day | 3 days/week |
| 3,150 gals/acre/day | 2 days/week |
| 6,300 gals/acre/day | 1 day/week |
| 2 | Wastewater generated during crush, stored, and discharged after crush1 | 5,650 gals/acre/day | 4 days/week |
| 7,500 gals/acre/day | 3 days/week |
| 11,250 gals/acre/day | 2 days/week |
| 22,500 gals/acre/day | 1 day/week |
| 3 | Wastewater generated before or after crush discharged during the growing season1 | 5,650 gals/acre/day | 4 days/week |
| 7,500 gals/acre/day | 3 days/week |
| 11,250 gals/acre/day | 2 days/week |
| 22,500 gals/acre/day | 1 day/week |
| 1 = See Special Condition S2.C.2 of the Winery General Permit for more requirements related to the discharge of wastewater to irrigation lands. | | | |
| 2 = Must have one day of rest following each day wastewater is discharged. | | | |

1. Additional requirements for Group 1 facilities that choose to comply with Special Condition S2.C.1.b.i.A (above)
2. Scenarios 1 and 2 in Table 5 (above). Wastewater generated during crush (approximately September – October) may be:
3. Discharged to irrigation lands during crush (approximately September – October) at a maximum application rate of:

* 1,600 gallons per acre per day (gallons/acre/day), 4 days per week (days/week).
* 2,100 gallons/acre/day, 3 days/week.
* 3,150 gallons/acre/day, 2 days/week.
* 6,300 gallons/acre/day, 1 day/week.

1. Stored and discharged to irrigation lands during the growing season (approximately April – November), at a maximum application rate of:

* 5,650 gallons/acre/day, 4 days/week.
* 7,500 gallons/acre/day, 3 days/week.
* 11,250 gallons/acre/day, 2 days/week.
* 22,500 gallons/acre/day, 1 day/week.

1. Scenario 3 in Table 5 (above). Wastewater generated before or after crush (approximately November – August), may be discharged to irrigation lands during the growing season (approximately April – November), at a maximum application rate of:

* 5,650 gallons/acre/day, 4 days/week.
* 7,500 gallons/acre/day, 3 days/week.
* 11,250 gallons/acre/day, 2 days/week.
* 22,500 gallons/acre/day, 1 day/week.

1. Do **not** irrigate with wastewater more than four (4) days per week or on two (2) consecutive days. There must be at least one (1) day of **not** irrigating with wastewater before and after each day you **do** irrigate with wastewater.
2. Do **not** irrigate with wastewater more than sixteen (16) days per month.
3. Do **not** apply more than twenty-one hundred (2,100) pounds of biochemical oxygen demand (BOD) per acre per month.
4. If you combine irrigation water with wastewater in an irrigation system, you must have Department of Health approved backflow prevention devices on the irrigation water source supply.
   1. Group 2 facilities

A Group 2 facility must comply with the benchmarks in Table 6 and the following requirements in bullets i – v.

**Table 6**

**Group 2 Benchmarks for Discharges as Irrigation to Managed Vegetation**

| **pH** | **Loading Rate1, 2** | | **Maximum Application Frequency3** |
| --- | --- | --- | --- |
| **BOD5** | **TOC** |
| 6.0 – 9.0 | Weekly average of  75 lbs/acre/day | Weekly average of  26 lbs/acre/day | 4 days/week |
| 1 = See Special Condition S2.C.2 for more requirements related to the discharge of wastewater to irrigation lands.  2 = To calculate the weekly average, determine the loading each day wastewater is discharged in one week, add the loading for every day wastewater is discharged, divide the total by 7 (number of days in one week).  3 = Must have at least one (1) day of rest following each day wastewater is discharged. | | | |

1. Wastewater discharged to irrigation lands must **not** have a pH less than 6.0 or greater than 9.0.
2. Do **not** exceed a weekly average loading rate of seventy-five (75) pounds (lbs) of 5-day ***biochemical oxygen demand*** (BOD5) per acre per day (/acre/day) **OR** twenty-six (26) lbs of ***total organic carbon*** (TOC) /acre/day.

To calculate the weekly average, determine the loading each day wastewater is discharged in one week, add the loading for every day wastewater is discharged, divide the total by seven (7) (number of days in one week). This calculation must be documented in your WPPP (Special Condition S6) and reported in your discharge monitoring report (DMR) (Special Condition S9.A) and Annual Report (Special Condition S9.B).

1. Do **not** irrigate with wastewater more than four (4) days per week or on two (2) consecutive days. There must be at least one (1) day of **not** irrigating with wastewater before and after each day you **do** irrigate with wastewater.
2. Do **not** irrigate with wastewater more than sixteen (16) days per month.
3. Do **not** apply more than twenty-one hundred (2,100) pounds of BOD per acre per month.
4. If you combine irrigation water with wastewater in an irrigation system, you must have Department of Health approved backflow prevention devices on the irrigation water source supply.
5. Prohibited discharges

Comply with the following requirements for the discharge of wastewater as irrigation to managed vegetation.

1. Do **not** discharge wastewater to irrigation lands in quantities that:
2. Degrade the soil so it **no** longer supports vegetation and effectively treats wastewater.
3. Cause ponding on the irrigation lands.
4. Erode the soil on the irrigation lands.
5. Cause wastewater to flow off the irrigation lands.
6. Create nuisances (objectionable odors, vectors, etc.).
7. Do **not** discharge wastewater to irrigation lands:
8. At rates which will exceed the application rates and loading rates as specified by this general permit.
9. That are frozen, snow covered, saturated, or flooded.
10. During precipitation events large enough to cause wastewater to flow off the irrigation lands.
11. That are bare or have **no** ***managed vegetation***.
12. Within fifty (50) feet of a surface water or within one hundred (100) feet of a potable water supply well.

## **D. Lagoons and Other Liquid Storage Structures**

1. Benchmarks

Maintain a minimum ***freeboard***, consistent with the design or specifications of the lagoon or other liquid storage structure, but **not** less than one (1) foot.

1. Prohibited discharges

Do **not** discharge in excess of the hydraulic capacity of the lagoon or other liquid storage structure so that there is overtopping of the lagoon/liquid storage structure to the environment.

## **E. Road Dust Abatement**

1. Benchmarks
   1. Timing
2. Existing facilities

Starting the second year after you receive permit coverage, comply with the following benchmarks.

1. New facilities

Once you receive permit coverage, comply with the following benchmarks.

* 1. Group 1 and Group 2 facilities

1. Scenarios 1 and 2 in **Table 7 – Benchmarks for Discharges as Road Dust Abatement**. Wastewater generated during crush (approximately September – October) may be:
2. Discharged to road dust abatement areas during crush (approximately September – October) at a maximum application rate of:

* 150 gallons/acre/day, 7 days per week.
* 200 gallons/acre/day, 4 days/week.
* 300 gallons/acre/day, 3 days/week.
* 450 gallons/acre/day, 2 days/week.
* 850 gallons/acre/day, 1 day/week.

1. Stored and discharged to road dust abatement areas after crush when the ground is **no** longer frozen (approximately April – November), at a maximum application rate of:

* 450 gallons/acre/day, 7 days per week.
* 750 gallons/acre/day, 4 days/week.
* 1,000 gallons/acre/day, 3 days/week.
* 1,500 gallons/acre/day, 2 days/week.
* 3,000 gallons/acre/day, 1 day/week.

1. Scenario 1 in Table 7 (below). Wastewater generated before or after crush (approximately November – August) may be discharged to road dust abatement areas anytime the ground is **not** frozen (approximately April – November), at a maximum application rate of:

* 450 gallons/acre/day, 7 days per week.
* 750 gallons/acre/day, 4 days/week.
* 1,000 gallons/acre/day, 3 days/week.
* 1,500 gallons/acre/day, 2 days/week.
* 3,000 gallons/acre/day, 1 day/week.

1. Do **not** exceed the maximum application rates and the corresponding maximum application frequencies as presented in Table 7 (below).
2. For guidance on effective dust control, see recommendations for using supplemental dust abatement water (non-wastewater), in the Fact Sheet.

**Table 7**

**Benchmarks for Discharges as Road Dust Abatement**

| **Scenario** | **Time of Year Wastewater is**  **Generated and Discharged** | **Maximum**  **Application Rate1** | **Maximum**  **Application Frequency** |
| --- | --- | --- | --- |
| 1 | Wastewater generated during crush discharged during crush1 | 150 gals/acre/day | 7 days/week |
| 200 gals/acre/day | 4 days/week |
| 300 gals/acre/day | 3 days/week |
| 450 gals/acre/day | 2 days/week |
| 850 gals/acre/day | 1 day/week |
| 2 | Wastewater generated during crush, stored, and discharged after crush1 | 450 gals/acre/day | 7 days/week |
| 750 gals/acre/day | 4 days/week |
| 1,000 gals/acre/day | 3 days/week |
| 1,500 gals/acre/day | 2 days/week |
| 3,000 gals/acre/day | 1 day/week |
| 3 | Wastewater generated before or after crush discharged during the growing season1 | 450 gals/acre/day | 7 days/week |
| 750 gals/acre/day | 4 days/week |
| 1,000 gals/acre/day | 3 days/week |
| 1,500 gals/acre/day | 2 days/week |
| 3,000 gals/acre/day | 1 day/week |
| 1 = See Special Condition S2.C.2 of the Winery General Permit for more requirements related to the discharge of wastewater as road dust abatement. | | | |

1. Prohibited discharges

Comply with the following requirements for the application of wastewater for road dust abatement.

1. Do **not** discharge wastewater to road dust abatement areas in quantities that:
2. Cause ponding on the road dust abatement areas.
3. Erode the soil on the road dust abatement areas.
4. Cause wastewater to flow off the road dust abatement areas.
5. Create nuisances (objectionable odors, vectors, etc.).
6. Do **not** discharge wastewater to road dust abatement areas:
7. That are frozen, snow covered, saturated, or flooded.
8. During precipitation events large enough to cause wastewater to flow off the road dust abatement areas.
9. Within fifty (50) feet of a surface water or within one hundred (100) feet of a potable water supply well.

## **F. Subsurface Infiltration Systems**

1. Benchmarks
   1. Timing
2. Existing facilities

Starting the second year after receiving permit coverage, a Group 2 facility (see Table 4 in Special Condition S2.A) must comply with the benchmarks in **Table 8 – Benchmarks for Discharges to Subsurface Infiltration Systems**. A Group 1 facility is **not** required to meet the benchmarks in Table 8.

1. New facilities

Once they receive permit coverage, Group 1 and Group 2 facilities must comply with the benchmarks in Table 8.

**Table 8**

**Benchmarks for Discharges to Subsurface Infiltration Systems**

| **pH** | **CBOD5** | **TSS** |
| --- | --- | --- |
| 6.0 – 9.0 | 125 mg/L | 80 mg/L |

* 1. Comply with the following benchmarks (also presented in Table 8).

1. Wastewater discharged to the subsurface infiltration system must **not** have a pH less than 6.0 or greater than 9.0.
2. Wastewater discharged to the subsurface infiltration system must **not** have a concentration greater than 125 milligrams per liter (mg/L) of ***5-day carbonaceous biochemical oxygen demand*** (CBOD5) or 80 mg/L of ***total suspended solids*** (TSS).
3. Prohibited discharges

Do **not** discharge wastewater to the subsurface infiltration system in quantities that:

1. Would cause the system to **not** effectively treat wastewater.
2. Degrade the ***drainfield*** so it **no** longer effectively treats wastewater.
3. Cause ponding on or around the drainfield.
4. Erode the soil on or around the drainfield.
5. Cause wastewater to surface and flow off the drainfield.
6. Create nuisances (objectionable odors, vectors, etc.).

## **G. Infiltration Basins**

1. Benchmarks
   1. Timing
2. Existing facilities

Starting the second year after you receive permit coverage, you must comply with the benchmarks in **Table 9 – Benchmarks for Discharges to Infiltration Basins**.

1. New facilities

Once you receive permit coverage, you must comply with the benchmarks in Table 9.

**Table 9**

**Benchmarks for Discharges to Infiltration Basins**

| **pH** | **TDS** | **Nitrate (as N)** | **Chloride** | **Sulfate** |
| --- | --- | --- | --- | --- |
| 6.5 – 8.5 | 500 mg/L | 10 mg/L | 250 mg/L | 250 mg/L |

* 1. Comply with the following benchmarks (also presented in Table 9).

1. Wastewater discharged to an infiltration basin must **not** have a pH less than 6.5 or greater than 8.5.
2. Wastewater discharged to an infiltration basin must **not** have a concentration greater than 500 mg/L of total dissolved solids (TDS), 10 mg/L of nitrate, 250 mg/L of chloride, or 250 mg/L of sulfate.
   1. Maintain a minimum freeboard, consistent with the infiltration basin design, but **not** less than one (1) foot.
3. Prohibited discharges

Do **not**:

1. Discharge wastewater to an infiltration basin that does **not** comply with the benchmarks in Table 9.
2. Discharge in excess of the hydraulic capacity of the infiltration basin so that there is overtopping of the infiltration basin to the environment.

## **H. Residual Solid Winery Waste Management**

Handle and dispose of all residual solid winey waste in compliance with local or state solid waste regulations. Do **not** allow leachate from residual solid winery waste to enter state ground or surface water.

# **S3. MONITORING REQUIREMENTS**

## **A. Timing**

1. Existing facilities

Start monitoring wastewater flow and sampling wastewater discharges at the beginning of the second complete ***discharge monitoring period*** after you receive permit coverage (see **Table 10 – Discharge Monitoring Periods**).

**Table 10**

**Discharge Monitoring Periods**

| **Group** | **Discharge Monitoring Period** |
| --- | --- |
| Group 1 | Quarter 1 = January 1 – March 31 |
| Quarter 2 = April 1 – June 30 |
| Quarter 3 = July 1 – September 30 |
| Quarter 4 = October 1 – December 31 |
| Group 2 | Each calendar month |

1. New facilities

Start monitoring wastewater flow and sampling wastewater discharges at the beginning of the first complete discharge monitoring period after you receive permit coverage (see Table 10).

## **B. Flow Monitoring Requirements**

Monitor the volume of wastewater discharged and the number of days a discharge occurred according to **Table 11 – Wastewater Flow Monitoring Requirements** (below). Record the following information, document it in your WPPP, and report it in accordance with Special Condition S9.A (Discharge Monitoring Reports). Each month wastewater is discharged, determine:

* 1. The ***total monthly flow.***
  2. A Group 1 facility may use a meter or make an estimation based on data (e.g., monthly water usage for the facility). If your total monthly flow is based on an estimation, include the following information in your WPPP and Annual Report.

1. Your calculation.
2. The data you used and the source of the data.
   1. A Group 2 facility must use a meter.
   2. The number of days a discharge occurred that month.
   3. The ***average daily flow***. Determine the average daily flow by dividing the total monthly flow by the number of days a discharge occurred that month.
   4. The ***maximum daily flow*** using a meter. This requirement applies **only** to new facilities that are also Group 2 facilities.

**Table 11**

**Wastewater Flow Monitoring Requirements**

| **Group1** | **Parameter** | **Unit** | **Sample Type** | **Measurement Frequency** |
| --- | --- | --- | --- | --- |
| Group 1 | Total monthly flow | gallons per month (gals/month) | Meter or estimate2 | Once per month |
| # of days a discharge occurred | # of days | Tally | Daily |
| Group 2 | Total monthly flow | gals/month | Meter | Once per month |
| # of days a discharge occurred | # of days | Tally | Daily |
| Maximum daily flow (new facilities only) | gals/day | Meter | Continuous3 using a meter |
| 1 = See Table 4 in Special Condition S2.A to determine if you are in Group 1 or Group 2.  2 = If your peak daily flow or total monthly flow is based on an estimation, you must show your calculation and state what data used and where you got the data.  3 = “Continuous” means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The Permittee must still collect this information if continuous monitoring is not possible. | | | | |

## **C. Sampling Frequencies and Locations**

1. Sampling frequencies
2. Group 1 facility
3. Sample wastewater once per quarter, every quarter a discharge occurs, according to Table 11. Each calendar year, you must have two (2) samples that represent high-strength wastewater **and** two (2) samples that represent low-strength wastewater. Examples of activities that generate high-strength wastewater include ***crush*** and ***racking***.
4. If your facility crushes fruit, one (1) of the four (4) samples must represent wastewater generated from crushing fruit.
5. If your facility discharges wastewater as irrigation to managed vegetation or as road dust abatement, you must sample water coming into the facility (influent) during two (2) discharge monitoring periods each year.
6. Group 2 facility
7. Sample wastewater once per month, every month a discharge occurs.
8. If your facility crushes fruit, at least one (1) sample must represent wastewater generated from crushing fruit.
9. If your facility discharges wastewater as irrigation to managed vegetation or as road dust abatement, you must sample water coming into the facility (influent) during two (2) discharge monitoring periods each year.
10. Sampling is **not** required outside of normal working hours or during unsafe conditions.
11. Collect the wastewater sample as close to the discharge point as is reasonably achievable. For discharges of wastewater:
12. To a POTW, collect the sample before the wastewater commingles with domestic sewage or is discharged to the POTW’s sewer system, whichever occurs first. Only sample wastewater (winery process wastewater). If possible, do **not** include other discharges to the POTW like domestic sewage.
13. As irrigation to managed vegetation, collect the sample before the wastewater is discharged as irrigation to managed vegetation.
14. To a lagoon or other liquid storage structure, collect the sample from the lagoon or other liquid storage structure.
15. As road dust abatement, collect the sample before the wastewater is discharged to road dust abatement areas.
16. To a subsurface infiltration system, collect the sample at the sampling port, before the wastewater is discharged to the drainfield.
17. To an infiltration basin, collect the sample before the wastewater is discharged to the infiltration basin.
18. If your facility discharges wastewater as irrigation to managed vegetation or as road dust abatement, collect the sample of influent water (water coming into the facility) before it is used in the winemaking process.

## **D. Sampling Analysis Requirements**

Document sampling information and the results of the sample analysis in your WPPP and report it in accordance with Special Condition S9.A (Discharge Monitoring Reports).

1. Permittees that discharge to a POTW

Analyze according to your agreement with the POTW listed in your NOI, but at least for the parameters listed in **Table 12 – Parameters for Discharges to POTWs**. See **Appendix C – Recommended Analytical Methods** for the recommended analytical methods.

**Table 12**

**Parameters for Discharges to POTWs**

| **Parameter** | **Unit** | **Sample Type** | **Frequency** | |
| --- | --- | --- | --- | --- |
| **Group 1** | **Group 2** |
| Average daily flow | gals/day | See Table 11 | Quarterly | Continuously |
| pH | Standard units | Meter | Quarterly | Continuously |
| BOD5 or TOCconcentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| BOD5 or TOC loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TSS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TSS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| 1 = Use the following equation to calculate the loading.  lbs/day = (Total daily gallons / 1,000,000) multiplied by daily concentration (mg/L) multiplied by 8.34  2 = “24-Hour ***Composite***” means a series of, at least three (3) individual samples collected over a 24-hour period at selected intervals based on an increment of either flow or time and combined into one (1) single container to be subsequently analyzed as one sample. | | | | |

1. Permittees that discharge as irrigation to managed vegetation or as road dust abatement
2. Analyze the sample of wastewater for the parameters listed in **Table 13 – Parameters for Discharges as Irrigation to Managed Vegetation and as Road Dust Abatement.** See Appendix C for the recommended analytical methods.
3. Analyze the sample of water coming into the winemaking facility for TDS, during two discharge monitoring periods per year. See Appendix C for the recommended analytical methods.

**Table 13**

**Parameters for Discharges as Irrigation to Managed Vegetation and as Road Dust Abatement**

| **Parameter** | **Unit** | **Sample Type** | **Frequency** | |
| --- | --- | --- | --- | --- |
| **Group 1** | **Group 2** |
| Average daily flow | gals/day | See Table 11 | Quarterly | Continuously |
| pH | Standard units | Grab | Monthly | Continuously/weekly3 |
| BOD5 or TOC concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| BOD5 or TOC loading1 | lbs/day | Calculation | Quarterly | Monthly |
| FDS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| FDS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TDS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TDS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TSS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TSS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TDS concentration of influent water | mg/L | Grab | 2 discharge monitoring periods per year | |
| 1 = Use the following equation to calculate the loading.  lbs/day = (Total daily gallons / 1,000,000) multiplied by daily concentration (mg/L) multiplied by 8.34  2 = “24-Hour Composite” means a series of, at least three (3) individual samples collected over a 24-hour period at selected intervals based on an increment of either flow or time and combined into one (1) single container to be subsequently analyzed as one sample.  3 = A new facility must continuously monitor the pH of wastewater discharges. An existing facility may continuously monitor the pH of wastewater discharges or may monitor the pH of wastewater discharges on a weekly basis. | | | | |

1. Permittees that discharge to lagoons or other liquid storage structures

Analyze the sample of wastewater for the parameters listed in **Table 14 – Parameters for Discharges to Lagoons or Other Liquid Storage Structures.** See Appendix C for the recommended analytical methods.

**Table 14**

**Parameters for Discharges to Lagoons or Other Liquid Storage Structures**

| **Parameter** | **Unit** | **Sample Type** | **Frequency** | |
| --- | --- | --- | --- | --- |
| **Group 1** | **Group 2** |
| Average daily flow | gals/day | See Table 11 | Quarterly | Continuously |
| pH | Standard units | Grab | Monthly | Continuously/weekly2 |
| BOD5 or TOC concentration | mg/L | Grab | Quarterly | Monthly |
| BOD5 or TOC loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TDS concentration | mg/L | Grab | Quarterly | Monthly |
| TDS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TSS concentration | mg/L | Grab | Quarterly | Monthly |
| TSS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| 1 = Use the following equation to calculate the loading.  lbs/day = (Total daily gallons / 1,000,000) multiplied by daily concentration (mg/L) multiplied by 8.34  2 = A new facility must continuously monitor the pH of wastewater discharges. An existing facility may continuously monitor the pH of wastewater discharges or may monitor the pH of wastewater discharges on a weekly basis. | | | | |

1. Permittees that discharge to subsurface infiltration systems

Analyze the sample of wastewater for the parameters listed in **Table 15 – Parameters for Discharges to Subsurface Infiltration Systems.** See Appendix C for the recommended analytical methods.

**Table 15**

**Parameters for Discharges to Subsurface Infiltration Systems**

| **Parameter** | **Unit** | **Sample Type** | **Frequency** | |
| --- | --- | --- | --- | --- |
| **Group 1** | **Group 2** |
| Average daily flow | gals/day | See Table 11 | Quarterly | Continuously |
| pH | Standard units | Grab | Monthly | Continuously/weekly3 |
| CBOD5 concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| CBOD5 loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TDS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TDS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TSS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TSS loading1 | mg/L | Calculation | Quarterly | Monthly |
| 1 = Use the following equation to calculate the loading.  lbs/day = (Total daily gallons / 1,000,000) multiplied by daily concentration (mg/L) multiplied by 8.34  2 = “24-Hour Composite” means a series of, at least three (3) individual samples collected over a 24-hour period at selected intervals based on an increment of either flow or time and combined into one (1) single container to be subsequently analyzed as one sample.  3 = A new facility must continuously monitor the pH of wastewater discharges. An existing facility may continuously monitor the pH of wastewater discharges or may monitor the pH of wastewater discharges on a weekly basis. | | | | |

1. Permittees that discharge to infiltration basins

Analyze the sample of wastewater for the parameters listed in **Table 16 – Parameters for Discharges to Infiltration Basins.** See Appendix C for the recommended analytical methods.

**Table 16**

**Parameters for Discharges to Infiltration Basins**

| **Parameter** | **Unit** | **Sample Type** | **Frequency** | |
| --- | --- | --- | --- | --- |
| **Group 1** | **Group 2** |
| Average daily flow | gals/day | See Table 11 | Quarterly | Continuously |
| pH | Standard units | Grab | Monthly | Continuously/weekly3 |
| BOD5 or TOC concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| BOD5 or TOC loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TDS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TDS loading1 | lbs/day | Calculation | Quarterly | Monthly |
| TSS concentration | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| TSS loading1 | mg/L | Calculation | Quarterly | Monthly |
| Nitrate | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| Chloride | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| Sulfate | mg/L | 24-Hour Composite2 | Quarterly | Monthly |
| 1 = Use the following equation to calculate the loading.  lbs/day = (Total daily gallons / 1,000,000) multiplied by daily concentration (mg/L) multiplied by 8.34  2 = “24-Hour Composite” means a series of, at least three (3) individual samples collected over a 24-hour period at selected intervals based on an increment of either flow or time and combined into one (1) single container to be subsequently analyzed as one sample.  3 = A new facility must continuously monitor the pH of wastewater discharges. An existing facility may continuously monitor the pH of wastewater discharges or may monitor the pH of wastewater discharges on a weekly basis. | | | | |

## **E. Sampling and Analytical Procedures**

1. Samples and measurements taken to meet the requirements of this general permit must represent the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including ***bypasses***, upsets, and maintenance-related conditions that may impact wastewater quality.
2. Choose the sample day and time to adequately represent the characterization of the facility’s discharges.
3. Sampling and analytical methods used to meet the wastewater monitoring requirements specified in this general permit must conform to the latest revision of the following rules and documents unless otherwise specified in this general permit or approved in writing by Ecology.
4. Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136
5. Standard Methods for the Examination of Water and Wastewater (APHA)

## **F. Flow Measurement and Continuous Monitoring Devices**

1. Select and use appropriate flow measurement, field measurement, and continuous monitoring devices and methods consistent with accepted scientific practices.
2. Install, calibrate, and maintain these devices to ensure the accuracy of the measurement is consistent with the accepted industry standard and the manufacturer’s recommendation for that type of device.
3. Calibrate monitoring devices (other than continuous monitoring devices) at the frequency recommended by the manufacturer, but at least one calibration per year.
4. Calibrate continuous monitoring instruments weekly unless you can demonstrate a longer period is sufficient based on monitoring records.
5. Document the maintenance of the flow monitoring device (as applicable), and the name and title/position of the individual monitoring the flow and, if applicable, maintaining the instruments. Keep these records in your WPPP and, if applicable, the original strip chart recordings for the continuous monitoring instrument and calibration records.
6. Do **not** use reagents beyond their expiration date.

## **G. Laboratory Accreditation**

1. Ensure that all monitoring data required by Ecology for parameters specified in this general permit are prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 Washington Administrative Code (WAC) – Accreditation of Environmental Laboratories. Flow, temperature, turbidity, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement.
2. The Permittee or laboratory must obtain accreditation for conductivity, turbidity, and pH if accreditation or registration is required for other parameters (e.g., TDS, BOD, TOC). If the Permittee only determines pH at their facility and sends samples to an accredited laboratory to be analyzed for all other required parameters, the Permittee does **not** need to be accredited.

# **S4. INSPECTIONS AND TRAINING**

## **A. Inspections**

1. Inspection frequencies

Conduct inspections as needed, but at least two (2) times per year, and especially during periods of wastewater generation and discharge.

1. Conduct and document inspections of the winemaking facility, operations, and waste management system.
2. Document inspections in accordance with Special Condition S8 (Recordkeeping) and store inspection records in the WPPP.

## **B. Training**

1. Training frequencies

Comply with the following training requirements within the first year after receiving permit coverage and at least one (1) time in the subsequent three (3) years.

1. Employees that work with wastewater and/or are responsible for pollution prevention must be trained about relevant components of this general permit and the WPPP, including:
2. Information related to spill prevention, control, and notification.
3. How to identify problems or potential problems, who to notify, and how to document that information.
4. Employees responsible for conducting inspections as required in Special Condition S4.A (Inspections), must be adequately trained to carry out the inspections.
5. Document training information in your WPPP including topics covered and employees trained.

# **S5. BEST MANAGEMENT PRACTICES**

## **A. General Best Management Practices**

The Permittee must implement the following best management practices (BMPs), and, as applicable, the BMPs in Special Condition S5.B – I. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or if the Permittee provides alternative and equally effective BMPs. The Permittee must note the rationale for the omission or substitution in their WPPP.

1. Properly operate and maintain the facility and the waste management system including systems of treatment, control, and discharge. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. If necessary to achieve compliance with this general permit, you may need to operate back-up or auxiliary facilities or similar systems.
2. Separate solids from wastewater through redundant screening and removal systems (e.g., screened floor drains, rotary drum screens, and settling basins).
3. To the extent practicable, remove fine solids (lees, bentonite, and diatomaceous earth) from wastewater.
4. Do **not** allow wastewater flows to exceed the design capacity of the waste management system as indicated on your NOI.
5. Only use and dispose of chemicals as recommended by the manufacturer. Use and dispose of pesticides and pesticide rinse water in accordance with the pesticide product label. Do **not** use the waste management system to dispose of unused, outdated, or excess chemicals.
6. Design and maintain the waste management system:
   1. To reliably accommodate the maximum daily flow of wastewater and organic loading (BOD, TOC, CBOD) generated.
   2. To minimize the generation of wastewater.
   3. To minimize the use of chemicals.
   4. To accommodate projected future growth.
   5. To beneficially reuse wastewater and residual solid winery waste wherever feasible and in compliance with this general permit.

## **B. POTWs**

1. Comply fully with all applicable ***pretreatment*** standards imposed by the POTW accepting the discharge.
2. Immediately notify the POTW of all discharges that could cause problems to the POTW, such as process spills and unauthorized discharges including slug discharges (see Special Condition S9.E (Reporting to POTWs)).

## **C. Land Treatment via Irrigation to Managed Vegetation**

1. Use best management practices when discharging wastewater as irrigation to managed vegetation to prevent:

1. Groundwater contamination.
2. The ponding of wastewater on irrigation lands.
3. The erosion of soil on irrigation lands.
4. Runoff of wastewater to any surface waters of the state or to any land **not** owned by or under your control.
5. Surface drainage through ***tile drainage***.
6. Select crops or vegetation with adequate nutrient uptake capacity and based on their tolerance to high soil moisture conditions and irrigation requirements.
7. Maintain viable and healthy vegetation on all irrigation lands that receive wastewater.
8. Apply wastewater according to the rates specified in this general permit. Use supplemental irrigation water (non-wastewater) to irrigate vegetation as needed to maintain healthy and viable vegetation and to comply with the benchmarks in Special Condition S2 (Discharge Limits).
9. Use an application system which provides even distribution of the wastewater over the irrigation lands.
10. Provide sufficient self-contained storage for all wastewater during any period when you cannot discharge to irrigation lands (i.e., the irrigation lands are frozen or saturated).
11. Maintain all irrigation agreements for lands you do **not** own, for the entire duration of the permit cycle. Keep a copy of the agreement or proof of ownership on site in your WPPP.

## **D. Lagoons and Other Liquid Storage Structures**

1. Operate and maintain the lagoon or other liquid storage structure to accommodate wastewater flows, precipitation, and stormwater flows directed to the structure.

1. Install and use depth gauges that clearly indicate the minimum required freeboard.
2. Remove accumulated solids from your lagoon or other liquid storage structure at a frequency sufficient to maintain proper operation.
3. Maintain and repair all components of the lagoon (including the embankment) and other liquid storage structure. Repair damage immediately to restore the lagoon or other liquid storage structure to design specifications.
4. Ensure that any liner in the lagoon or other liquid storage structure is **not** damaged during maintenance.
5. Control any vegetation around the lagoon or other liquid storage structure to prevent damage.
6. Lagoons constructed 6 months after the effective date of the general permit, must:
   1. Be sited, designed, constructed, and operated to ensure desired performance and safety.
   2. Be designed to contain a ***25-year, 24-hour precipitation event***.
   3. Have a permeability of less than 10-6 centimeters per second.
   4. Have a foundation or base capable of providing support for the structure and capable of withstanding hydraulic pressure gradients to prevent failure due to settlement, compression, or uplift.
   5. If you are a Group 2 facility (see Table 4 in Special Condition S2.A), prior to construction, submit to Ecology an Engineering Report completed in accordance with Chapter 173-240 WAC as it pertains to industrial wastewater facilities. Ecology must approve the Engineering Report prior to construction of the lagoon.
7. If your lagoon or other liquid storage structure is temporarily **not** in use, but will be used again, maintain the structure so that it remains in good working order.
8. If you will **no** longer use your lagoon or other liquid storage structure for managing wastewater, decommission the structure by removing all liquids and solids to minimize the risk of leftover nutrients becoming mobile and possibly entering groundwater or leaving the site as runoff.

## **E. Road Dust Abatement**

1. Use best management practices when discharging wastewater as road dust abatement to prevent:
2. Groundwater contamination.
3. The ponding of wastewater on road dust abatement areas.
4. The erosion of soil on road dust abatement areas.
5. Runoff of wastewater to any surface waters of the state or to any land **not** owned by or under the control of the Permittee.
6. Surface drainage through tile drainage.
7. Provide sufficient storage for all wastewater during any period when you cannot discharge as road dust abatement (i.e., when the ground is frozen or saturated).
8. Apply wastewater used as road dust abatement according to the application rates specified in this general permit.
9. Use and maintain an application system which provides even distribution of the wastewater over the road dust abatement area.

## **F. Subsurface Infiltration Systems**

1. Comply with Chapter 173-218 WAC – UIC Rule, and, if applicable, register your system with Ecology. More information is available at:

<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-218>.

1. Properly maintain the subsurface infiltration system according to manufacturer’s recommendations and so wastewater does **not** surface.
2. Clean the separation tanks at least once per year and when:
3. The combined ***sludge*** and scum thickness exceeds one third (1/3) of the tank depth of the first compartment.
4. The bottom of the floating scum layer is within three (3) inches of the bottom of the outlet device.
5. The top of the sludge layer is within eight (8) inches of the outlet device.
6. Operate and maintain the subsurface infiltration system to accommodate wastewater flow, precipitation, and stormwater flows directed to the system.
7. Systems designed with multiple drainfields must be alternated **no** less than semiannually, to prevent clogging and surfacing wastewater.
8. The following requirements apply to subsurface infiltration systems constructed 6 months after the effective date of the general permit.
9. Subsurface infiltration systems must:
10. Be sited, designed, constructed, and operated to ensure desired performance and safety.
11. Be designed for the volumes, rates, and characteristics of the Permittee’s wastewater.
12. **Not** extend to a depth where wastewater may pollute groundwater.
13. **Not** be located within fifty (50) feet of a surface water or within one hundred (100) feet of a potable water supply well.
14. **Not** be located within one hundred (100) feet of a ***wellhead sanitary control area***. Notify your drinking water utility if your facility will be located within the 6-month or 1-year ***wellhead protection area***. For more information, see “Source Water Protection Requirements”, on the Washington State Department of Health’s website at: <http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/SourceWater/SourceWaterProtection>.
15. If you are a Group 2 facility (see Table 4 in Special Condition S2.A), prior to construction, submit to Ecology an Engineering Report completed in accordance with Chapter 173-240 WAC as it pertains to industrial wastewater facilities. Ecology must approve the Engineering Report prior to construction of the subsurface infiltration system.

## **G. Infiltration Basins**

1. Operate and maintain the infiltration basin to accommodate wastewater flow, precipitation, and stormwater flows directed to the basin.
2. Install and use depth gauges that clearly indicate the minimum required freeboard.
3. Maintain and repair all components of the infiltration basin (including the embankment). Repair damage immediately to restore the infiltration basin to design specifications.
4. Control any vegetation around the infiltration basin to prevent damage.
5. The infiltration basin must have a foundation or base capable of providing support for the structures and capable of withstanding hydraulic pressure gradients to prevent failure due to settlement, compression, or uplift.

## **H. Residual Solid Winery Waste Management**

1. Comply with applicable local, state, and federal regulations as they pertain to solid waste management.
2. Collect all screenings, sludges, residues, and other residual solid winery waste from screens, sumps, lagoons, basins, tanks, and other structures as needed to ensure optimal operation of your waste management system.

## **I. Alternative Best Management Practices**

1. You may use BMPs other than those required in this general permit if they effectively meet the intent and requirements of this general permit.
2. Document in the WPPP and the Annual Report, the use of alternative BMPs.

# **S6. WINERY POLLUTION PREVENTION PLAN**

## **A. General Requirements**

1. Timeline

New and existing facilities

By the end of the first year after you receive permit coverage, prepare and implement a Winery Pollution Prevention Plan (WPPP) in accordance with the requirements of this general permit.

1. The WPPP must be designed and implemented to limit the discharge of pollutants from wastewater, residual solid winery waste, and other sources of ***pollution*** related to the operation of a winery, to waters of the state, for the purpose of complying with state water quality standards and this general permit. The WPPP may be maintained in an electronic format, in a non-electronic format such as a binder, or both.
2. Comply with the following general requirements.
3. Retain the WPPP on site and make it available for inspection by Ecology personnel upon request.
4. Review and update the WPPP:
   1. At a minimum of once per year.
   2. Whenever there is a ***significant process change***, including a 25% change in production volume.
   3. Whenever a benchmark is exceeded.
5. The WPPP must specify the BMPs necessary to:
   1. Comply with the requirements of this general permit.
   2. Prevent, control, and treat pollution from discharges of wastewater.
6. If you omit a BMP or use an alternative BMP, explain in the WPPP the BMP that was omitted or the alternative BMP that was used and provide your rationale for the omission or substitution.
7. If you or Ecology determines that the WPPP is, or would be, ineffective in achieving the benchmarks in Special Condition S2 (Discharge Limits), you must:
   1. Review the WPPP for compliance with this general permit and make appropriate revisions to the WPPP to identify any necessary changes to the facility within fourteen (14) business days of discovery or notification of deficiency by Ecology.
   2. Immediately begin implementing and maintaining appropriate source control and/or treatment BMPs. You must address problems **no** later than forty-five (45) calendar days from the date of discovery or notification. If installation of necessary BMPs is **not** feasible within forty-five (45) calendar days, Ecology may approve additional time if an extension is requested within the initial forty-five (45) day response period.
8. Maintain a summary of changes and revisions made to the WPPP, including the date the edit was made and the name of the person making the edit.

## **B. Required Elements**

Your WPPP must include the following elements (as applicable) and adhere to the following requirements.

* 1. Facility overview

Describe your facility and operations, and include the following information.

1. A description of the facility, including:
2. The maximum volume of wine and wastewater the waste management system was designed to handle, including the typical daily volume of wastewater generated (gallons per day) and typical monthly flow (gallons per month) during crush and outside of crush.
3. General production (cases and gallons per year).
4. Total volumes of annual and monthly wastewater discharges for each discharge method (gallons per month and gallons per year).
5. Water usage data (gallons per year).
6. Your group determination and the method and data used to make the determination.
7. A list or description of major activities that generate wastewater throughout the year. Identify approximately which months these major activities occur.
8. A site log book that contains a record of when the following have or will occur.
9. Installation and maintenance of BMPs.
10. Site inspections.
11. Sampling and analysis.
12. Scheduled reporting to Ecology (Annual Report and discharge monitoring reports (DMRs)).
13. Review of the WPPP.
14. The person(s) responsible for compliance with this general permit (either by name or title, or both).
15. Unless you discharge **all** wastewater to a POTW, include information about existing site conditions (depth to groundwater, total acreage, topography, drainage, soils, vegetation, etc.). This is intended to be a general description of existing site conditions. A professional report or assessment is **not** required.
16. A process flow diagram or schematic diagram showing the components of your waste management system including tank volume, from source water to final discharge (include all storage and discharge methods that you use).
17. A list or description of chemical additives used in the winemaking process or to maintain the waste management system that could become part of the wastewater.
18. If an element of Special Conditions S6 (Winery Pollution Prevention Plan) is **not** addressed on site, but needs to be to prevent pollution, include the construction/implementation schedule for when you will address the missing element.
19. Adaptive management actions you will take and when you will take them (as necessary) in accordance with Special Condition S2.A.3 (Adaptive Management Actions).
20. Procedures for the cleanup in the event of a waste management system upset, spill, or failure; or a spill or leak of chemicals or petroleum products. Include actions to prevent, contain, or reduce discharges to waters of the state, and notification requirements in accordance with Special Condition S9 (Reporting).
    1. Storage/discharge operations

This section is equivalent to an operations and maintenance manual and must include information in bullet a (below). Include information from bullets b – h (below) if that storage/discharge method is used at your facility.

* 1. General requirements

Describe all storage/discharge methods used at your facility and include the following information.

1. A description of discharge practices under normal and non-routine circumstances.
2. A description of how you will achieve the benchmarks in Special Condition S2 (Discharge Limits) including the initial treatment (solids separation, pH neutralization, etc.) and pretreatment methods (as applicable).
3. Instructions for the operation and maintenance of the storage/discharge methods during normal operations and upset conditions.
4. Engineering reports (as required) and engineering calculations for the waste management system.
5. BMP maintenance records.
   1. POTW

Include the following information.

1. The name of the POTW, name and contact information for your contact at the POTW, and a copy of your contract/user agreement with the POTW accepting the discharge.
2. A description of equipment and facilities for preventing, containing, or treating slug discharges.
3. A list of all materials, which when discharged to the POTW accepting the discharge, are designated Dangerous Waste by the procedures set forth in WAC 173-303-070, the normal quantity maintained on the premises for each listed material; and a map showing where they are located.
4. A description of the reporting system which will be used to alert facility management and legal authorities in the event of a slug discharge. The reporting system must be used to immediately notify the POTW operator, and appropriate state, federal, and local authorities of any slug discharges.
   1. Irrigation to managed vegetation

Include the following information.

1. The benchmarks you chose to comply with and indicated on your NOI. Include information about your compliance approach (time of year you plan to discharge, when to analyze wastewater samples, if/how you will treat the wastewater before it is discharged, your application frequency, etc.).
2. The application method (drip line, spray field, or other) and a description of how volumes are measured.
3. Information about the irrigation lands (total size in acres, soil type, slope, depth to groundwater, proximity to surface water and groundwater wells, etc.).
4. The crop or vegetation being grown and the nutrient requirements of that crop or vegetation.
5. The application rate of the wastewater within the rates specified in this general permit.
6. A schedule of when wastewater will be applied to irrigation lands, when supplemental irrigation water (non-wastewater) will be applied to irrigation lands, and periods of rest for each irrigation land.
7. A record for each day wastewater is applied as irrigation to managed vegetation, including:
8. The date wastewater was applied and the amount of wastewater applied.
9. The total size (acres) of the irrigation lands receiving the wastewater.
10. General observations about the health of the vegetation.
11. Weather conditions on the day of application.
12. Noting if any ponding or runoff occurred, or if nuisances (odors or flies) were observed.
13. A record for the entire irrigation season. Include the following information.
14. The total volume of wastewater applied to irrigation lands.
15. The total volume of supplemental irrigation water (non-wastewater) applied to irrigation lands.
16. The name and phone number of the facility operator responsible for compliance with the benchmarks applicable to discharges as irrigation to managed vegetation.
17. Copies of written agreements that authorize the Permittee to apply wastewater to property **not** owned by the Permittee. Include an address or coordinates of the irrigation lands, the receiving party’s name, the volume of wastewater to be applied, and the total size of the irrigation lands.
    1. Lagoon and other liquid storage structure

Include the following information.

1. The number of lagoons/liquid storage structures, total volume of each in gallons, facultative or not, aerobic or not, number of aerators (if any), describe the liner material (if applicable), and detention time in days.
2. Documents related to the design, installation, and maintenance of the lagoon or other liquid storage structure.
3. The Lagoon Assessment developed in accordance with Special Condition S9.F (Assessments).
   1. Road dust abatement

Include the following information.

* + 1. A description of the road dust abatement areas, including:

1. A map indicating the location of the road dust abatement area, the boundaries of the road dust abatement area, and the distance to the property boundary and any surface water.
2. The total surface area of the road dust abatement area and subareas.
   * 1. A description of the proposed usage, including:
3. The total maximum daily discharge rates expressed as gallons/acre/day.
4. The total maximum annual discharge rate expressed as gallons/acre/year.
5. The discharge schedule.
6. The application method, equipment that will be used, equipment calibration information, and how the volume of wastewater applied will be measured.
   * 1. A record for each day wastewater is applied as road dust abatement, including:
7. The volume of wastewater applied.
8. The volume of supplemental dust abatement water (non-wastewater) applied.
9. The length of road that received the wastewater.
10. Weather conditions on the day of application.
11. Noting if any ponding or runoff occurred, or if nuisances (odors or flies) were observed.
    1. Subsurface infiltration system

Include the following information.

1. The number of tanks, total volume of each tank, retention time in each tank, number of drainfields, total size of each drainfield, and rotation schedule.
2. Documents related to the design, installation, and maintenance of the subsurface infiltration system.
3. The Subsurface Infiltration System Assessment developed in accordance with Special Condition S9.F (Assessments).
   1. Infiltration basin

Include the following information.

1. The number of basins and total volume of each in gallons.
2. Documents related to the design, installation, and maintenance of the infiltration basin.
   1. Residual solid winery waste management

Document how wastes and leachate will be managed to comply with this general permit and applicable requirements of the jurisdictional health department.

1. Include the following information.
2. A description, source, generation rate, and disposal method for all residual solid winery wastes generated on site.
3. A description of any contingency plans for residual solid winery waste handling.
4. Document the following information each time residual solid winery waste is exported from your facility.
5. The name and contact information of the entity that hauled the waste and of the entity responsible for the final discharge location.
6. The date the export occurred and the destination of the waste.
   1. Facility Map

The facility map must include a scale or include relative distances between significant structures and drainage systems and indicate which way is north. The facility map must also clearly indicate the location of the following items.

1. Property lines, buildings, roads, and paved areas.
2. Surface water locations (including wetlands and drainage ditches).
3. Drainage patterns and drainage features.
4. Structures related to the storage and discharge methods used at your facility (lagoons, subsurface infiltration systems, infiltration basins, etc.).
5. Location of irrigation lands and road dust abatement areas.
6. Residual solid winery waste storage structures.
7. Any wellhead sanitary control areas, wellhead protection areas, and groundwater wells, noting their use (e.g. drinking, irrigation).
   1. Sampling plan

Include the following information to help you comply with the sampling requirements.

* + 1. The name or position of the person responsible for conducting sampling.
    2. A list of all sampling locations and their unique identifying number.
    3. A flow diagram indicating at what stage in the waste management process samples are collected.
    4. Procedures for sample collection and handling.
    5. Procedures for sending samples to a laboratory.
    6. A list of parameters for analysis, holding times and preservatives, laboratory quantitation levels, and analytical methods.
    7. Instructions for logging into Ecology’s Water Quality Permitting Portal (WQWebDMR) – Discharge Monitoring Report (DMR) to submit results to Ecology (unless Ecology approved your waiver request).
    8. The results of all samples analyzed and the required information included in Special Condition S9.A (Discharge Monitoring Report).
  1. Exported wastewater

Document the following information each time wastewater is pumped and hauled off site to a treatment facility (not discharged through one of the discharge methods listed in Special Condition S1.A.)

* 1. Name and contact information of the entity that hauled the wastewater and of the entity responsible for the final discharge location.
  2. Date the export occurred and the destination of the wastewater.
  3. Adaptive management actions

Document the following information each time a benchmark is exceeded (in accordance with Special Condition S2.A.3 (Adaptive Management Actions)).

* 1. The benchmark that was exceeded and how much it was exceeded by.
  2. Describe the cause and identify the dates it was discovered.
  3. Describe the adaptive management actions taken (modifying existing BMPs, implementing new BMPs, etc.) and the dates the adaptive management actions were completed.
  4. Describe the status of any outstanding adaptive management actions.
  5. Recordkeeping

Keep on site, all records and documents necessary to demonstrate compliance with this general permit. The following are examples of records and documents that must be stored in the WPPP. The WPPP may be maintained in an electronic format, in a non-electronic format such as a binder, or both.

* 1. A copy of your completed NOI. The original must be sent to Ecology.
  2. Sampling records including the chain of custody for each sample analyzed.
  3. Inspection records.
  4. Training records.
  5. Documentation related to the maintenance of the flow monitoring device (as applicable). Include the name and title/position of the individual monitoring the flow and, if applicable, maintaining the instruments. Include the original strip chart recordings for the continuous monitoring instrument and calibration records (as applicable).
  6. Land agreements (as appropriate), (see Special Condition S5.C.8).

**S7. DOMESTIC SEWAGE *(INCORRECT LANGUAGE)***

The following applies to facilities that do **not** discharge **all** wastewater to a POTW.

**A. Existing Facilities**

1. Wastewater that has come in contact with domestic sewage must **not** be discharged:
   1. As irrigation to managed vegetation.
   2. To a lagoon or aboveground liquid storage structure.
   3. As road dust abatement.
   4. To an infiltration basin.
2. If you discharge wastewater and domestic sewage to the same subsurface infiltration system, comply with the following requirements.
   1. Compliance deadline

By the end of the fourth year after receiving permit coverage, wastewater and domestic sewage must **not** be treated by the same subsurface infiltration system. The Permittee must discharge wastewater to a separate subsurface infiltration system or use another discharge method.

* 1. Compliance requirements for the 5th year of permit coverage

By the start of the fifth year after receiving permit coverage, domestic sewage must not come in contact with wastewater.

**B. New Facilities**

Wastewater must **not** contact domestic sewage.

# **S7. DOMESTIC SEWAGE *(CORRECT LANGUAGE)***

The following applies to facilities that do **not** discharge **all** wastewater to a POTW.

## **A. Existing Facilities**

Wastewater that has come in contact with domestic sewage must **not** be discharged:

1. As irrigation to managed vegetation.
2. To a lagoon or aboveground liquid storage structure.
3. As road dust abatement.
4. To an infiltration basin.

## **B. New Facilities**

Wastewater must **not** contact domestic sewage.

# **S8. RECORDKEEPING**

## **A. General Recordkeeping Requirements**

1. Maintain at the permitted facility, all records and documents from any activities required by this general permit including monitoring, sampling, and inspection records and all data used to complete the application for this general permit per Special Condition S10 (Applying for Permit Coverage).
2. Maintain these records and documents at the permitted facility for a minimum of five (5) years. The records and documents may be maintained in an electronic format, in a non-electronic format, or both.
3. Extend the period of records retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

## **B. Inspections**

Document inspections and store the inspection records in your WPPP. Include information from bullets 2 – 8 (below) if that storage/discharge method is used at your facility.

1. Each inspection record must:
2. Include the date, time, and name and title/position of the inspector.
3. Include verification that the WPPP was reviewed and updated, if needed.
4. Include an assessment of all BMPs, noting the:
5. Effectiveness of the BMPs.
6. Locations of BMPs that need maintenance.
7. Reason maintenance is needed and a schedule for maintenance.
8. Locations where additional or different BMPs are needed and the rationale for the additional or different BMPs.
9. Note if wastewater, leachate from residual solid winery waste, or stormwater that came in contact with either, discharged from the site or entered surface water.
10. Note if non-routine maintenance was performed on the waste management system since the last inspection.
11. Include the statement: “I certify that this report is true, accurate, and complete to the best of my knowledge.” The inspector must sign and date the inspection report.
12. POTWs

The inspection record must include a description of any abnormalities observed at the facility and the actions taken to correct any problems. Such abnormalities include, but are not limited to, backup of flow, sewer system overflows, and pipe failures on site.

1. Irrigation to managed vegetation

The inspection record must include:

1. A basic description of the health of the crops or managed vegetation that received wastewater irrigation.
2. Observations about the condition of the irrigation lands (field saturation, runoff, erosion, nuisances (odors, flies, etc.))
3. A description of any abnormalities observed and the actions taken to correct any problems. Such abnormalities include, but are not limited to, ponding, runoff, or overland flow.
4. Lagoons and other liquid storage structures

The inspection record must include:

1. A measurement of available freeboard.
2. A measurement of the depth of settled solids. This information must be collected at a minimum of one (1) time every three years.
3. Observations of algal growth, odors, vectors, or other potential nuisance conditions.
4. Observations of the condition of the berms and other lagoon components.
5. A description of any abnormalities observed and the actions taken to correct any problems. Such abnormalities include, but are not limited to, high liquid levels, rapid changes in liquid levels, holes or cracks, washouts, liner deterioration, berm wall deterioration, and overflows.
6. Road dust abatement

The inspection record must include:

* + 1. Observations of the condition of the road dust abatement areas, note any nuisances (odors, flies, etc.).
    2. A description of any abnormalities observed and the actions taken to correct any problems. Such abnormalities include, but are not limited to, ponding, erosion, runoff, or overland flow.

1. Subsurface infiltration systems

The inspection record must include:

1. A measurement of the solids accumulated in the tanks of your subsurface infiltration system, including:
2. The sludge depth and scum thickness in each compartment (inlet and outlet) of each septic tank (in feet).
3. The distance between the bottom of the scum layer and the bottom of the outlet device (in inches).
4. The distance between the top of the sludge layer and the bottom of the outlet device (in inches).
5. Noting if the outlet baffle filter needs to be cleaned.
6. Observations about the conditions of the drainfield (e.g., dry or saturated, health of the vegetation, any odors, the presence of standing water inside the inspection port, etc.).
7. A description of any abnormalities observed and the actions taken to correct any problems. Such abnormalities include, but are not limited to, system backups or blockages, ponding, runoff, or overland flow.
8. Infiltration basins

The inspection record must include:

1. A measurement of available freeboard.
2. Observations of algal growth, odors, vectors, or other potential nuisance conditions.
3. Observations of the condition of the berms and other basin components.
4. A description of any abnormalities observed and the actions taken to correct any problems. Such abnormalities include, but are not limited to, high liquid levels, rapid changes in liquid levels, holes or cracks, washouts, berm wall deterioration, and overflows.
5. Residual solid winery waste management

If you store residual solid winery waste, inspect the solids storage area and note if there is evidence of liquid (leachate, stormwater, wastewater, etc.) leaving the solids storage.

## **C. Ecology Access to Records**

Make all records and documents available for review by Ecology personnel and provide a copy of any and all records and documents required by this general permit to Ecology within fourteen (14) business days upon request.

## **D. Public Access to Records**

Provide access to, or a copy of, all permit-required plans and records to the public when requested in writing. Upon receiving a written request from the public:

1. Provide a copy of the plans and records to the requestor within fourteen (14) business days of receipt of the written request; **OR**
2. Notify the requestor within ten (10) business days of receipt of the written request of the location and times within normal business hours when the requestor may view the plans and records, and provide access to the plans and records within fourteen (14) business days of receipt of the written request; **OR**
3. Provide a copy of the plans and records to Ecology, where the requestor may view the records, within fourteen (14) business days of a request; or may arrange with the requestor for an alternative, mutually agreed upon location for viewing and/or copying of the plans and records. If access to the plans and records is provided at a location other than at an Ecology office, the Permittee will provide reasonable access to copying services for which it may charge a reasonable fee.

# **S9. REPORTING**

## **A. Discharge Monitoring Reports**

1. Submit a Discharge Monitoring Report (DMR) form to Ecology, whether or **not** there was a discharge during that discharge monitoring period. Group 1 facilities must submit DMRs on a quarterly basis and Group 2 facilities must submit DMRs on a monthly basis.
2. Submit DMRs to Ecology on or before the DMR reporting deadline (approximately forty (40) calendar days after the last day of the discharge monitoring period), see **Table 17 – Discharge Monitoring Report Deadlines**. Start monitoring wastewater flow and sample wastewater discharges at the beginning of the second complete discharge monitoring period after you receive permit coverage (see Special Condition S3.A (Monitoring Requirements)).

**Table 17**

**Discharge Monitoring Report Deadlines**

| **Group** | **Discharge Monitoring Period** | **DMR Due Date** |
| --- | --- | --- |
| Group 1 | Quarter 1 = January 1 – March 31 | May 10 |
| Quarter 2 = April 1 – June 30 | August 10 |
| Quarter 3 = July 1 – September 30 | November 10 |
| Quarter 4 = October 1 – December 31 | February 10 |
| Group 2 | Each calendar month | 40 days after the last day of the discharge monitoring period |

1. The DMR must contain the following information.
   1. Flow monitoring information
2. The total gallons of wastewater discharged per month for the entire waste management system.
3. For each discharge method, the total gallons of wastewater discharged per month.
4. The number of days a discharge occurred that month.
5. The average daily flow.
6. For new facilities that are also Group 2 facilities, the maximum daily flow.
   1. Discharges as irrigation to managed vegetation
7. For Group 1 facilities, the application rate (gals/acre/day), the application frequency (days/week), and if the wastewater was generated during crush.
8. For Group 2 facilities, the loading rate (lbs/acre/day), the application rate (gals/acre/day), and the application frequency (days/week).
   1. Discharges as road dust abatement
9. The application rate (gals/acre/day), the application frequency (days/week), and if the wastewater was generated during crush.
   1. Sample information for each sample taken
10. Date and time of sampling.
11. Sample point (where the sample was taken).
12. Method of sampling and method of sample preservation (if applicable).
13. Name and title/position of the individual who performed the sampling.
14. Whether the sample represents high-strength wastewater or low-strength wastewater.
15. The activity occurring at the facility that affected the strength of the wastewater (crush, racking, bottling, cleaning, etc.)
    1. Analysis information for each sample taken
16. Dates the analysis was performed.
17. Individual or lab which performed the analysis.
18. Analytical techniques or methods used.
19. Method detection limit and the laboratory quantitation level (as appropriate).
20. Results of all analyses (including parameter name, concentration detected, and units).
21. If you conduct monitoring/sampling more frequently than, or analyze a parameter not, required by this general permit, then the results of the monitoring/sampling and analysis must be included in your DMR.
22. If you discharge to a POTW and the POTW accepting the discharge analyzes your wastewater, include that data from that analysis in your DMR.
23. The DMR must be signed and certified in accordance with General Condition G5 (Signatory Requirements).
24. Submit your DMR whether or not the facility was operational or a discharge occurred.
25. How to submit DMRs
    1. Submit DMRs electronically using Ecology’s Water Quality Permitting Portal (WQWebDMR) – Discharge Monitoring Report (DMR), unless you apply for, and Ecology approves, an Electronic Reporting Waiver[[8]](#footnote-8). If you received an Electronic Reporting Waiver from Ecology, you must submit your DMR to the appropriate regional Ecology office (see Special Condition S9.G (How to Submit Documents to Ecology).
    2. Within two (2) months of receiving permit coverage, comply with either of the following.
26. Set up your WQWebDMR account and submit an Electronic Signature Account Form (ESAF) to Ecology.

For instructions on how to set up your WQWebDMR, visit Ecology’s website at: <http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html>.

1. Submit an ***Electronic Waiver Request*** form (ECY 070-381) to the appropriate regional Ecology office see Special Condition S9.G (How to Submit Documents to Ecology).

## **B. Annual Reports**

1. Timing

Submit your Annual Report to Ecology by March 1st of the year following the completed permit year (see **Table 18 – Annual Report Deadlines**). The Annual Report must address the previous calendar year, as shown in Table 18.

**Table 18**

**Annual Report Deadlines**

| **Timeframe** | **Deadline** |
| --- | --- |
| July 1, 2019 to December 31, 2020 | March 1, 2021 |
| January 1, 2021 to December 31, 2021 | March 1, 2022 |
| January 1, 2022 to December 31, 2022 | March 1, 2023 |
| January 1, 2023 to December 31, 2023 | March 1, 2024 |
| Every year until this general permit is revised. | March 1 every year |

1. Contents

The Annual Report must contain the following information.

1. Annual totals and monthly totals for:
   1. Gallons of wastewater discharged in the previous year.
   2. Gallons of wastewater discharged for each discharge method, in the previous year.
   3. Gallons of water used at the facility or the gallons of water used in the production portion of your facility, in the previous year.
2. The average number of gallons of wastewater discharged per gallon of wine produced at your facility, in the previous year.
3. Production totals
4. Indicate which of the following categories best represents the total tons of fruit crushed at your facility in the previous year.

| **Crushed greater than**  **or equal to:** | | **Crushed less than:** |
| --- | --- | --- |
| (tons) |  | (tons) |
| 0 |  | 40 |
| 40 |  | 119 |
| 119 |  | 159 |
| 159 |  | 333 |
| 333 |  | 667 |
| 667 |  | 1,333 |
| 1,333 |  | 2,667 |
| 2,667 |  | 5,333 |
| 5,333 |  | 10,667 |
| 10,667 |  | 21,333 |
| 21,333 |  | 42,667 |
| 42,667+ |  |  |

1. Indicate which of the following categories best represents the total gallons of wine/juice produced at your facility in the previous year.

| **Produced greater than**  **or equal to:** | | **Produced less than:** |
| --- | --- | --- |
| (gallons) |  | (gallons) |
| 0 |  | 5,945 |
| 5,945 |  | 17,835 |
| 17,835 |  | 23,780 |
| 23,780 |  | 50,000 |
| 50,000 |  | 100,000 |
| 100,000 |  | 200,000 |
| 200,000 |  | 400,000 |
| 400,000 |  | 800,000 |
| 800,000 |  | 1,600,000 |
| 1,600,000 |  | 3,200,000 |
| 3,200,000 |  | 6,400,000 |
| 6,400,000+ |  |  |

1. Production schedule
   1. Start and end of crush (dates).
   2. Start and end of racking (or fining and bottling) (dates).
2. A brief description or list of the main processes that generated wastewater, including the month the activity occurred.
3. If you omit a BMP or use an alternative BMP, state the BMP that was omitted or the alternative BMP that was used and provide your rationale for the omission or substitution.
4. Confirmation that you reviewed and, if necessary, updated your WPPP. Include the date and name of the individual that conducted the review.
5. A summary of any adaptive management actions taken due to a benchmark exceedance or the violation of a prohibited discharge (in accordance with Special Condition S2.A.3 (Adaptive Management Actions)). Describe the nature of the exceedance, adaptive management action taken/or planned, steps to be taken to prevent a recurrence, and any other pertinent information.
6. In your initial Annual Report only, include your group determination and the method and data used to make the determination.
7. If you discharge wastewater as irrigation to managed vegetation, document the following.
   1. Dates wastewater was discharged as irrigation to managed vegetation.
   2. The total volume of wastewater discharged as irrigation (gallons per acre) for each irrigation land.
   3. The total volume of supplemental irrigation water (non-wastewater) applied for each irrigation land.
   4. The application system used to irrigate with wastewater (drip line, spray, etc.).
8. If you discharge wastewater as road dust abatement, document the following.
   1. Dates wastewater was applied.
   2. The total amount of wastewater discharged as road dust abatement (total gallons and total gallons per acre) for the calendar year.
   3. The application system used to apply the wastewater (watering truck, etc.).

## **C. Winery Pollution Prevention Plan**

1. New and existing facilities

Submit your WPPP to Ecology by the end of the first year after receiving permit coverage, in accordance with Special Condition S6 (Winery Pollution Prevention Plan).

## **D. Reporting Noncompliance and Spills**

Take the following actions when unable to comply with a permit condition or a spill of oil or hazardous materials (e.g. pesticides, cleaning agents, etc.) occurs that could impact public health or the environment. Cause for noncompliance includes breakdown of waste treatment equipment, accidents caused by human error or negligence, or other causes such as acts of nature.

1. Immediately take action to stop, contain, clean up unauthorized discharges or otherwise stop the noncompliance, and correct the problem.
2. Report to Ecology any noncompliance that may endanger public health or the environment. Notify Ecology in person, by phone, or by email within twenty-four (24) hours of the time you become aware of the noncompliance. Special Condition S9.G (How to Submit Documents to Ecology) lists contact information for the Ecology Offices.
3. You must also provide a written submission to Ecology within five (5) calendar days of the time that you became aware of any event required to be reported. The written submission must contain pertinent information including the following.
4. A description of the noncompliance and its cause.
5. The period of noncompliance, including dates and times.
6. The estimated time noncompliance is expected to continue if it has not been corrected.
7. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Updates that will be included in your WPPP to address and prevent future noncompliance.

## **E. Reporting to POTWs**

Notify the POTW that accepts the wastewater discharge when any significant abnormality is discovered. Such abnormalities include, but are not limited to, backup of flow, sewer system overflows, and pipe failures on site.

## **F. Assessments**

1. Existing Lagoon Assessment
2. Conduct an assessment of each lagoon constructed before the effective date of this general permit. Submit the Existing Lagoon Assessment to Ecology by the end of the second year after you receive permit coverage.

If Ecology previously conducted an assessment of your lagoon and that assessment meets the following requirements, you may submit the results of that assessment. If your assessment meets the following requirements, you are **not** required to conduct a new assessment.

1. Use the NRCS Engineering Technical Note 23 (NRCS Assessment Procedure for Existing Waste Storage Ponds) to assess each lagoon. The Washington NRCS Engineering Technical Note 23 may be accessed here:

<https://efotg.sc.egov.usda.gov/references/public/WA/ENG_TECH_NOTE_23_010413.pdf>.

1. If the assessment results in a risk category of 3A, 3B, 3C, or 4, you have six (6) months to develop a plan to address the deficiencies noted by the assessment and eighteen (18) months to begin implementing the plan.
2. If the assessment determines that there is two (2) feet or less of vertical separation from the water table (including seasonal high water table) to the bottom of the lagoon (measured from the outside of the earthen liner), you have:
3. Six (6) months to develop a plan to address this deficiency so there is a minimum of two (2) feet of vertical separation between the bottom of the lagoon and the water table; **AND**
4. Eighteen (18) months to begin implementing the plan.
5. Existing Subsurface Infiltration System Assessment
6. Conduct an assessment of each subsurface infiltration system constructed before the effective date of this general permit. Submit the Existing Subsurface Infiltration System Assessment to Ecology by the end of the second year after you receive permit coverage.
7. Do **not** damage the subsurface infiltration system while conducting the assessment.
8. The assessment must include the following information (as applicable) unless obtaining the information would damage the subsurface infiltration system. If information was **not** obtained, document in the assessment the reason why the information was **not** obtained.
9. Note if the subsurface infiltration system was designed to treat wastewater (winery process wastewater).
10. Include the design capacity of the subsurface infiltration system.
11. Include the number of drainfields, size of each drainfield, number of inspection ports in each drainfield, and rotational frequency of each drainfield.
12. Note the type of system, whether gravity or dosed.
13. List the native soils present beneath the subsurface infiltration system including porosity, depth to groundwater, and the seasonal variation of the water table.
14. Note any of the following possible signs the system is overloaded or may be failing.
15. Problems with your tank

* Overflowing or near overflowing of the tank.
* High solids accumulation in the tank.
* Odors around the tank.

1. Problems with the drainfield or surrounding environment

* Wastewater ponding or surfacing.
* Odors around the drainfield.
* Presence of contamination (e.g. nitrates, bacteria) in your well water.

1. History of the subsurface infiltration system failing.

## **G. How to Submit Documents to Ecology**

1. Electronic submittals

Use the Water Quality Permitting Portal (WQWebPortal) to submit **all** documents, data, and submittals required in this general permit. For more information about the WQWebPortal, visit <http://www.ecy.wa.gov/programs/wq/permits/paris/portal.html>.

To access the WQWebPortal, you must register for Secure Access Washington (SAW). For additional information about SAW, visit <http://support.secureaccess.wa.gov/>.

All electronic submittals (documents, data, reports, etc.) must be approved and signed by a responsible person in accordance with General Condition G5 (Signatory Requirements). To approve and sign the electronic submittal, the responsible person must first create an electronic signature account.

For information about submitting Annual Discharge Monitoring Reports, visit <http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html>.

1. Electronic Reporting Waiver

If you are unable to submit electronically (for example, you do **not** have access to the internet), you must contact Ecology to request an Electronic Reporting Waiver form and submit the completed form to Ecology.

If Ecology grants your Electronic Reporting Waiver, required documents and reports must be postmarked or delivered to the appropriate Ecology Regional Office by the reporting deadline associated with that document. Address the envelope/package to the Department of Ecology, Water Quality Program, Winery General Permit – (title of document, such as DMR); and use the appropriate address depending on the county where your facility is located.

1. Central Regional Office

(Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, and Yakima counties)

509-575-2490

1250 West Alder Street, Union Gap, WA 98903-0009

1. Eastern Regional Office

(Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman counties)

509-329-3400

4601 North Monroe, Spokane, WA 99205-1295

1. Ecology Headquarters

360-407-6000

300 Desmond Drive SE, Lacey, WA 98503

1. Northwest Regional Office

(Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom counties)

425-649-7000

3190 160th Avenue SE, Bellevue, WA 98008-5452

1. Southwest Regional Office

(Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum counties)

360-407-6300

300 Desmond Drive SE, Lacey, WA 98503

# **S10. APPLYING FOR PERMIT COVERAGE**

## **A. When to Apply For Permit Coverage**

The owner/operator seeking coverage under this general permit must apply for permit coverage within the following time limits.

1. Existing facilities

The owner/operator of an existing facility must apply no later than ninety (90) days after the effective date of this general permit. Upon submittal of a complete Notice of Intent (NOI), Ecology will issue a decision on permit coverage pursuant to Special Condition S10.C (When Permit Coverage is Effective). Once permit coverage is issued, the owner/operator who applied for coverage, becomes the Permittee.

1. New facilities

The owner/operator of a new facility must apply for coverage no later than sixty (60) days prior to the start of the activity that may discharge any wastewater to waters of the state. Upon submittal of a complete Notice of Intent (NOI), Ecology will issue a decision on permit coverage pursuant to Special Condition S10.C (When Permit Coverage is Effective). Once permit coverage is issued, the owner/operator who applied for coverage, becomes the Permittee.

## **B. How to Apply For Permit Coverage**

The owner/operator seeking coverage under this general permit must do the following.

1. Submit to Ecology, a complete and accurate Notice of Intent (NOI) using Ecology’s Water Quality Permitting Portal – Permit Coverage Notice of Intent form. The NOI must be submitted electronically unless the applicant applies for, and Ecology approves, an Electronic Reporting Waiver.
   1. Electronic submittal

Use the Water Quality Permitting Portal (WQWebPortal) to submit a complete and accurate NOI to Ecology. For more information about the WQWebPortal, visit <http://www.ecy.wa.gov/programs/wq/permits/paris/portal.html>. To access the WQWebPortal, you must first register for Secure Access Washington. For additional information about SAW, visit <http://support.secureaccess.wa.gov/>.

* 1. Electronic Reporting Waiver

If you are unable to submit your NOI electronically (for example, you do not have access to the internet), you must send your complete and accurate NOI to the appropriate Ecology Regional Office listed in Special Condition S9.G (How to Submit Documents to Ecology).

1. The NOI must be signed in accordance with General Condition G5 (Signatory Requirements). The Responsible Person, in accordance with General Condition G5 (Signatory Requirements), must sign the signature page of the NOI and submit it to Ecology.
2. Public notice
   1. Existing facilities

The owner/operator of an existing facility is not required to publish a public notice when submitting their initial NOI. The owner/operator of an existing facility with coverage under the Winery General Permit (Permittee) wanting to modify their permit coverage must comply with the public notice requirements stated in Special Condition S10.B (How to Apply for Permit Coverage).

* 1. New facilities

1. The owner/operator of a new facility must:
2. Provide public notice.
3. Use the Public Notice Template on the NOI.
4. Publish the public notice once a week for two weeks with at least seven (7) days between publications in a single newspaper of general circulation in the county where the facility is located.
5. Certify in their NOI that they met the public notice requirement.
6. The second date of the public notice starts a thirty (30)-day public comment period. At the end of the thirty (30)-day public comment period, Ecology will consider any received comments about the applicability of this general permit to the applicant before issuing a decision on permit coverage pursuant to Special Condition S10.C (When Permit Coverage is Effective).
7. ***State Environmental Policy Act (SEPA)***

The owner/operator of a new facility must meet the SEPA requirements in WAC 173-226-200 and certify in their NOI that they met the SEPA requirement.

## **C. When Permit Coverage Is Effective**

1. Permit coverage begins on the day the approval letter is issued to the applicant from Ecology.
2. If the applicant does **not** receive notification from Ecology, permit coverage automatically commences on whichever of the following dates occurs last.
   1. The 31st day after Ecology receives a complete NOI packet.
   2. The 31st day after the end of a 30-day public comment period.
   3. The effective date of this general permit.
3. Ecology may need additional time to review the application if:
   1. The NOI packet is incomplete.
   2. Ecology requires additional site-specific information.
   3. Members of the public request a public hearing about the applicability or non-applicability of this general permit to the operation proposed for coverage.
   4. Members of the public submit comments.
   5. More information is necessary to determine if coverage under this general permit is appropriate.

# **S11. PERMIT ADMINISTRATION**

## **A. Modification of Permit Coverage**

Before implementing a significant process change that could impact the quality or quantity of the waste discharge, contact Ecology to determine if you are required to apply for a permit modification.

If Ecology determines you must modify your permit before implementing a significant process change, you must:

1. Complete a NOI and sign it in accordance with General Condition G5 (Signatory Requirements). With the submittal, the Permittee must also demonstrate that the proposed change has complied with the SEPA review.
2. Submit the complete and signed NOI to Ecology at least sixty (60) days before implementing the proposed significant process change. See Special Condition S9.G (How to Submit Documents to Ecology) for submittal instructions. Submission of the NOI does **not** relieve the Permittee of the duty to comply with the terms and conditions of the general permit.
3. Complete the public notice requirements in WAC 173-226-130(5) as part of a complete application for Modification of Coverage (Special Condition S10.B (How to Apply for Permit Coverage)).

## **B. How to Renew Permit Coverage**

Permittees requiring renewal of coverage under this general permit must submit a complete and accurate renewal NOI to Ecology **no** later than one hundred eighty (180) days prior to the expiration date of this general permit. Submit the renewal NOI in accordance with Special Condition S9.G (How to Submit Documents to Ecology).

If you submit a complete and accurate renewal NOI, as described above, coverage under this general permit will continue.

## **C. How to Transfer Permit Coverage**

1. Coverage under this general permit will automatically transfer from the original Permittee (current permit holder) to the new owner/operator (proposed Permittee) if all of the following conditions are met.
2. The existing Permittee and proposed Permittee submit to Ecology a complete and signed (by the existing Permittee and the proposed Permittee) Transfer of Coverage form (found on Ecology’s website at (placeholder)) containing a specific date for transfer of permit responsibility, coverage, and liability. The Transfer of Coverage form must be signed in accordance with General Condition G5 (Signatory Requirements) and submitted in accordance with Special Condition S9.G (How to Submit Documents to Ecology).
3. The volume and characteristics of the wastewater and management practices remain substantially unchanged.
4. As part of the transfer, the old Permittee must supply the new Permittee with copies of all permit documents, based on current facility conditions, used to comply with this general permit. The old Permittee should contact Ecology regarding any Confidential Business Information.
5. The original Permittee remains responsible for, and subject to, all permit conditions and permit fees until the transfer of permit coverage is effective.
6. Once coverage under this general permit has been transferred, the new Permittee is required to comply with the existing permit documents provided by the old Permittee until the new Permittee updates the documents to reflect any changes the new Permittee makes to the facility.

## **D. How to Terminate Permit Coverage**

You may request termination of permit coverage by submitting to Ecology a Notice of Termination (NOT) form, found on Ecology’s webpage (placeholder), signed in accordance with General Condition G5 (Signatory Requirements). You will continue to incur an annual permit fee (Chapter 173-224 WAC) until Ecology approves your Notice of Termination application.

1. You may request Ecology terminate your permit coverage when you:
2. Are in compliance with this general permit;
3. Have no outstanding fees, penalties, or enforcement actions;
4. Submitted all required reports to Ecology; and
5. Meet at least one of the following conditions.
   * 1. You demonstrate that you **no** longer discharge wastewater to waters of the state.
     2. You demonstrate that you qualify for an exemption as stated in Special Condition S1.B (Activities NOT Covered under This General Permit).
6. To request termination of permit coverage, you must submit the complete Notice of Termination signed in accordance with General Condition G5 (Signatory Requirements) to Ecology in accordance with Special Condition S9.G (How to Submit Documents to Ecology).
7. You will continue to incur an annual permit fee (Chapter 173-224 WAC) until Ecology approves your signed NOT application and cancels your permit coverage.
8. Ecology may deny your NOT application if you have not met the eligibility requirements. If Ecology approves your NOT application, Ecology will send a letter to you notifying you that your permit coverage is terminated.

# **GENERAL CONDITIONS**

# **G1. DISCHARGE VIOLATIONS**

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. Any permit noncompliance including the discharge of any pollutant more frequently than, or at a concentration in excess authorized by this general permit, constitutes a violation of the terms and conditions of this general permit and the Washington State Water Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

# **G2. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this general permit excuses the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

# **G3. PROPER OPERATION AND MAINTENANCE**

The Permittee must, at all times, properly operate and maintain all facilities or systems of collection, treatment, and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this general permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary systems which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this general permit.

# **G4. RIGHT OF ENTRY AND INSPECTION**

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law, at reasonable times:

1. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this general permit;
2. To have access to and to copy any records required to be kept under the terms and conditions of this general permit;
3. To inspect any facilities, equipment (including sampling and control equipment), practices, methods, or operations required under this general permit;
4. To inspect any collection, treatment, pollution management, or discharge facilities; and
5. To sample any discharge of pollutants.

# **G5. SIGNATORY REQUIREMENTS**

## **A. Responsible Person**

1. All documents, data, reports, etc., submitted to Ecology must be signed and certified:
2. In the case of corporations, by a responsible corporate officer or duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.
3. In the case of a partnership, by a general partner.
4. In the case of a sole proprietorship, by the proprietor.
5. In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
6. All permit applications (NOI, Modification of Coverage, Transfer of Coverage, Notice of Termination) must be signed:
   1. In the case of corporations, by a responsible corporate officer.
   2. In the case of a partnership, by a general partner.
   3. In the case of sole proprietorship, by the proprietor.
   4. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

## **B. Duly Authorized Person**

All reports required by this general permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

## **C. Changes to Authorization**

If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or included with any reports, information, or applications to be signed by an authorized representative.

## **D. Certification**

Any person signing a document under this section must make the following certification.

“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

# **G6. TOXIC POLLUTANTS**

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Federal Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

# **G7. REMOVED SUSBTANCES**

Collected screenings, grit, solids, sludge, filter backwash, or other pollutants removed in the course of treatment or control of wastewater must not be re-suspended or reintroduced to the final effluent stream for discharge to State waters.

# **G8. MONITORING BEYOND PERMIT REQUIREMENTS**

If the Permittee performs monitoring to document compliance with this permit beyond that required by this general permit, sampling and analysis must conform to the latest revision of the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136 (or as applicable in 40 CFR subchapters N [Parts 400–471] or O [Parts 501-503]).

Ecology may specify alternative methods for parameters without limits and for those parameters without an EPA approved test method in 40 CFR Part 136.

# **G9. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee, in order to maintain compliance with their general permit coverage, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

# **G10. DUTY TO MITIGATE**

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this general permit that has a reasonable likelihood of adversely affecting human health or the environment.

# **G11. PERMIT COVERAGE REVOKED**

Pursuant with Revised Code of Washington (RCW) 43.21B and Chapter 173-226 WAC, the Director may require any ***discharger*** authorized by this general permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following.

1. Violation of any term or condition of this general permit;
2. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts;
3. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
4. A determination that the permitted activity endangers human health or the environment, or contributes to violations of water quality standards;
5. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
6. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this general permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

# **G12. GENERAL PERMIT MODIFICATION AND REVOCATION**

This general permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following.

1. When a change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this general permit;
2. When effluent limitation guidelines or standards are promulgated pursuant to the Federal Water Pollution Control Act or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
3. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
4. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this general permit are unacceptable.

# **G13. REPORTING A CAUSE FOR MODIFICATION OF COVERAGE**

A Permittee who knows, or has reason to believe, that any activity has occurred or will occur which will constitute cause for modification or revocation under General Condition G5 above, or 40 CFR 122.62, must report such plans, or such information to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this general permit will be required. Ecology may then require submission of a new NOI under this, or an application for an individual permit. Submission of a new application does not relieve the permittee of the duty to comply with all the terms and conditions of the existing permit until the new NOI has been approved and corresponding permit has been issued.

# **G14. PAYMENT OF FEES**

The Permittee must submit payment of fees associated with this general permit as assessed by Ecology. Ecology may revoke this permit coverage or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

# **G15. REQUEST TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT**

Any discharger authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger must submit to Ecology an application as described in Chapter 173-216 WAC with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request.

Ecology will either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

# **G16. TERMINATION OF INDIVIDUAL PERMITS UPON ISSUANCE OF GENERAL PERMIT COVERAGE**

Any previously issued individual permit will remain in effect until terminated in writing by Ecology, except that continuation of an expired, or expiring, individual permit (pursuant to Chapter 173-220-180 (5) WAC) will terminate upon coverage under this general permit.

# **G17. DUTY TO REAPPLY**

To maintain coverage under this general permit, the Permittee must reapply for coverage at least one hundred and eighty (180) days prior to the specified expiration date of this general permit. An expired permit and coverage under this general permit continues in force and effect until Ecology issues a new permit (coverage) or until Ecology cancels it. Only those facilities that have reapplied for coverage under this general permit are covered under the continued general permit.

# **G18. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this general permit will be deemed guilty of a crime, and upon conviction thereof will be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit will incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation will be a separate and distinct offense, and in case of a continuing violation, every day's continuance will be deemed to be a separate and distinct violation.

# **G19. PENALTIES FOR TAMPERING**

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this general permit will, upon conviction, be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance, shall, upon conviction, be punished by a fine of not more than ten thousand dollars ($10,000) per violation, by imprisonment for not more than 6 months per violation, or by both fine and imprisonment.

# **G20. APPEALS**

The terms and conditions of this general permit are subject to appeal.

## **A. Class of Dischargers**

The permit terms and conditions as they apply to the appropriate class of dischargers, are subject to appeal within thirty (30) days of issuance of this general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC.

## **B. Individual Discharger**

The permit terms and conditions as they apply to an individual discharger, are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

An appeal of the coverage of this general permit to an individual discharger is limited to the applicability or non-applicability of this general permit to that same discharger. Appeal of this general permit coverage of an individual discharger will not affect any other individual dischargers. If the terms and conditions of this general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

# **G21. SEVERABILITY**

The provisions of this general permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, will not be affected thereby.

# **G22. BYPASS PROHIBITED**

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (A, B, or C) is applicable.

## **A. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions**

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten days before the date of the bypass.

## **B. Bypass which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit**

This bypass is permitted only if:

1. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
2. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
3. Ecology is properly notified of the bypass as required in condition S9E of this permit.

## **C. Bypass which is anticipated and has the Potential to Result in Noncompliance of this Permit**

The Permittee must notify Ecology at least thirty days before the planned date of bypass. The notice must contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above must be considered during preparation of the engineering report or facilities plan and plans and specifications and must be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to issuing an administrative order for this type bypass:

1. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
2. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
3. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

**APPENDIX A**

**ACRONYMS AND ABBREVIATIONS**

BMP Best Management Practices

BOD5 Biochemical Oxygen Demand (subscript 5 indicates the length of incubation period at 20 degrees Celsius in days)

CBOD5 Carbonaceous Biochemical Oxygen Demand (subscript 5 indicates the length of incubation period at 20 degrees Celsius in days)

CFR Code of Federal Regulations

DMR Discharge Monitoring Report

Ecology Washington State Department of Ecology

ESAF Electronic Signature Account Form

FDS Fixed dissolved solids

gals/day Gallons per Day

lbs Pounds

mg/L Milligrams per liter

NOI Notice of Intent

NPDES National Pollutant Discharge Elimination System

POTW Non-Delegated Publicly Owned Treatment Works

RCW Revised Code of Washington

SEPA State Environmental Protection Act

TDS Total Dissolved Solids

TOC Total Organic Carbon

TSS Total Suspended Solids

WAC Washington Administrative Code

WPPP Winery Pollution Prevention Plan

WQWebDMR Ecology’s Water Quality Permitting Portal

**APPENDIX B**

**GLOSSARY**

|  |  |  |
| --- | --- | --- |
| 25-year, 24-hour precipitation event |  | The maximum 24 hour precipitation event with a probable reoccurrence interval of once in 25 years. |
| Average daily flow |  | The average daily flow is determined by dividing the total monthly flow by the number of days a discharge occurred that month. Measured in gallons per day. |
| Best management practice |  | Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. |
| Biochemical oxygen demand (BOD5) |  | The quantity of oxygen required for aerobic bacteria to oxidize the organic decomposable matter in water under standard laboratory procedures in five days at 20°C, expressed in milligrams per liter (mg/L). It is an index to the degree of organic pollution in water. The measure of how much oxygen is used by microorganisms breaking down organic matter over a five-day period. |
| Bonded |  | Legal winemaking or warehousing facilities under bond to the Government for payment of taxes on the wine made or stored there. |
| Bypass |  | The diversion of waste streams from any portion of a treatment facility. |
| Carbonaceous biochemical oxygen demand (CBOD5) |  | A method defined test measured by the depletion of dissolved oxygen by biological organisms in a body of water in which the contribution from nitrogenous bacteria has been suppressed. The measure of how much oxygen is used by microorganisms breaking down organic matter over a five-day period. |
| Composite sample |  | The combined mixture of not less than four “discrete samples” taken at selected intervals based on an increment of either flow or time. Volatile pollutant discrete samples must be combined in the laboratory immediately prior to analysis. Each discrete sample must be no less than 200 ml and must be collected and stored in accordance with the most recent edition of the *Standard Methods for Examination of Water and Wastewater*. |
| Crush |  | The specific process of breaking the fruit skins to begin fermentation. Used generally, as “the crush,” it designates the total procedure of winemaking steps preceding fermentation. |
| Delegated |  | A publicly owned treatment works which administers a pretreatment program that meets the criteria established in 40 CFR, parts 403.8 and 403.9 and has been approved by Ecology. Permittees that discharge to a Delegated POTW do not need a permit from Ecology for those discharges, but will be permitted by the actual publicly owned treatment works. |
| Director |  | The Director of the Washington State Department of Ecology or his/her authorized representative. |
| Discharge monitoring period |  | The period of time the Permittee is required to collect and analyze wastewater samples. The discharge monitoring period for Group 1 facilities is quarterly and for Group 2 facilities is monthly. |
| Discharge point |  | The location where a discharge leaves the Permittee’s facility. Discharge point also includes the location where a discharge enters the ground on-site (e.g., through a Permittee’s treatment facilities/BMPs designed to infiltrate). |
| Discharger |  | An owner or operator of any facility, operation or activity subject to regulation under *chapter 90.48 RCW*. |
| Discharge to groundwater |  | The discharge of water into an unlined impoundment or onto the surface of the ground that allows the discharged water to percolate, or potentially percolate, to groundwater. Discharge to groundwater, discharge to land, and discharge to ground all have the same meaning. |
| Domestic sewage |  | Used water from residences and institutions that carries bodily wastes (primarily feces and urine), washing water, food preparation wastes, laundry wastes, and other waste products of normal living. Domestic sewage is the primary source of pathogens (disease-causing microorganisms) and putrescible organic substances. |
| Drainfield |  | Subsurface wastewater disposal facilities used to remove contaminants and impurities from wastewater. Also called a leachfield. |
| Electronic Waiver Request |  | Permission from Ecology to submit paper applications, submittals, and DMRs instead of submitting them electronically. Permittees must submit a completed “Electronic Waiver Request” form (ECY 070-381) to receive a waiver. Ecology typically only grants Electronic Waivers to permittees that do not have a computer, printer, or internet connection. |
| Erosion |  | The wearing away of the land surface by precipitation, running water, ice, wind or other geological agents, including processes such as gravitational creep. Erosion also means the detachment and movement of soil or rock fragments by water, wind, ice or gravity. |
| Existing facility |  | A facility that begins activities that result in a discharge, or a potential discharge to waters of the state*,* prior to the effective date of the general permit. |
| Facility |  | The actual individual premises where process or industrial wastewater is discharged. |
| Fixed dissolved solids |  | The amount of residue of total, suspended, or dissolved solids left by a filtered liquid sample that has been evaporated to dryness at 550 degrees C. The portion of total dissolved solids in wastewater that consists of inorganic constituents. |
| Freeboard |  | The vertical distance between the uppermost horizontal surface level of a lined lagoon’s contents and the lowermost horizontal surface level of the lined lagoon’s crown. |
| General permit |  | A permit which covers multiple, characteristically similar dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each individual discharger. |
| Groundwater |  | Water in a saturated zone or stratum beneath the land surface or a surface water body. |
| Groundwater quality |  | The chemical, physical, and biological characteristics of water, normally with respect to its suitability for a particular purpose. |
| Home manufacturing of alcoholic beverages |  | The production of alcoholic beverages at home for personal consumption. Those engaged in winemaking activities at home for personal use do not need to obtain coverage under the Winery General Permit. |
| Infiltration basin |  | A structure where treated wastewater (winery process wastewater) is discharged and allowed to infiltrate into the ground. |
| Interference |  | A discharge by an industrial user to a POTW, which alone or in conjunction with other discharges from other sources, inhibits or disrupts the POTW and its treatment processes, operations or sludge processes causing the POTW to violate its NPDES or State Waste Discharge permit. |
| Irrigation land |  | Land consisting of managed vegetation where wastewater is applied for treatment. Irrigation lands are part of the land treatment system. |
| Irrigation to managed vegetation |  | The controlled application of wastewater to irrigation lands for treatment. This is also known as “land treatment”. Irrigation to managed vegetation includes discharging to crops, landscaped areas, or other vegetated areas as long as the vegetation is healthy and maintained. |
| Irrigation water |  | Non-wastewater (winery process wastewater) used to irrigate managed vegetation. |
| Lagoon |  | A structure constructed and used for the purpose of holding wastewater. |
| Leachate |  | Water or other liquid that has percolated through raw material, product, or waste and contains substances in solution or suspension as a result of the contact with these materials. |
| Lees |  | The solids remaining after clarifying wine via settling or centrifugation (consisting of yeast, sediment, bacteria, grape pulp, etc.). |
| Liquid storage structure |  | A structure used for the purpose of holding wastewater. |
| Managed vegetation |  | Vegetation (crop or landscape) that is maintained and is used to provide additional treatment for wastewater (winery process wastewater). The vegetation must be healthy and viable. |
| Maximum daily flow |  | The total volume of wastewater that was discharged on the one day of that month with the greatest flow. |
| Monthly average flow |  | The monthly average flow is determined by dividing the total monthly flow by the amount of calendar days in that month. Measured in gallons per day. |
| New facility |  | A facility which begins activities that result in a discharge, or a potential discharge to waters of the state*,* on or after the effective date of this general permit. |
| Pass through |  | A discharge which exits the POTW into waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any NPDES permit requirement. |
| Permittee |  | Includes, but is not limited to, an individual, company, firm, corporation, association, partnership, co-partnership, joint ventures, commercial entity, industry or private corporation that holds coverage under this general permit. |
| pH |  | The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral and large variations above or below this value are harmful to most aquatic life. |
| Pollutant |  | Any substance discharged, that if discharged directly, would alter the chemical, physical, thermal, biological or radiological integrity of the waters of the state, or would be likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to any legitimate beneficial use, or to any animal life, either terrestrial or aquatic. |
| Pollution |  | Contamination or other alteration of the physical, chemical, or biological properties of waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life. |
| POTW |  | A publicly owned treatment works (municipal or regional wastewater treatment plant) that **has not** been delegated permitting authority by Ecology. |
| Pretreatment |  | The reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes or by other means, except by diluting the concentration of the pollutants. |
| Publicly owned treatment works |  | A municipal or regional wastewater treatment plant. |
| Racking |  | The process of decanting, siphoning, or pumping wine from one container to another to clarify it by leaving the sediment behind. |
| Representative sampling |  | Collecting an array of samples to accurately represent the nature of the discharge for parameters of concern. Many factors contribute to variability of pollutants in a discharge including quantity of water, time and date of sampling, and physical events and location of discharge. |
| Residual solid winery waste |  | Solid waste that is a byproduct of operations that produce wine. Examples include fruit skins, stems, and seeds. |
| Road dust abatement |  | The discharge of wastewater to unpaved roads (i.e., winery roads) or unpaved driveways/parking lots for the purpose of dust suppression. |
| SEPA |  | The Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment. |
| Significant amount |  | Amounts of pollutants that are amenable to treatment or prevention, or that have the potential to cause or contribute to a violation of Washington State Water Quality Standards or Washington State Sediment Standards. |
| Significant Contributor of Pollutants |  | A facility that Ecology determines to be responsible for the discharge of a significant amount of pollutants to waters of the state or may reasonably be expected to cause a violation of any Washington State Water Quality Standard. |
| Significant Industrial User |  | A facility that discharges an average of twenty-five thousand (25,000) gallons per day or more of wastewater to a POTW (excluding sanitary, noncontact cooling, and blower blowdown wastewater); contributes a process wastestream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by Ecology on the basis that the facility has a reasonable potential for adversely affecting the POTW’s operation or for violating any Pretreatment Standard or requirement in accordance with 40 CFR 403.8(f)(6). |
| Significant process change |  | Any modification of the facility that would change the characteristics of the discharge, including changing the volume and type or concentrations of pollutants, or include for coverage a new activity that was not previously covered. Examples of a significant process change that could impact the quality or quantity of the waste discharge include:   * Adding, removing, or revising authorized activities listed in your NOI. * Adding, removing, or revising a discharge to groundwater or to a POTW. * Adding a new type of storage or discharge method. * Changing the land where wastewater is applied. * Changing the volume of wastewater you generate by 25% or more than the volume indicated on your NOI. |
| Site |  | The land or water area where any facility or activity is physically located or conducted. |
| Sludge |  | Material that settled to the bottom of a wastewater collection, treatment, or storage device. |
| Slug |  | Any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge. |
| Stormwater |  | Rainfall and snowmelt runoff. |
| Subsurface infiltration system |  | An onsite system that treats wastewater (winery process wastewater) before discharging it to a drainfield where additional treatment occurs. The subsurface infiltration system includes the system that treats the wastewater and the drainfield.  A subsurface infiltration system constructed before the effective date of the general permit may be designed to treat wastewater (winery process wastewater) or may not be (an example is a septic system designed to treat domestic sewage).  A subsurface infiltration system constructed 6 months after the effective date of the general permit is designed for the volumes, rates, and characteristics of the wastewater (winery process wastewater). |
| Surface water |  | Includes lakes, rivers, ponds, streams, wetlands, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington. |
| Tile drainage |  | A type of drainage system that removes excess water from soil below the surface. |
| Total dissolved solids |  | Those solids that are capable of passing through a glass fiber filter (1.0 – 1.5 μm) and dried to a constant weight at 180 degrees centigrade. |
| Total monthly flow |  | The total volume of wastewater discharged in that month. Measured in gallons per month. |
| Total organic compound |  | The amount of carbon found in an organic compound. Total organic compound is a term that describes the measurement of organic contaminants in water. |
| Total suspended solids |  | The particulate material in wastewater that does not pass through a glass fiber filter. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion. |
| Upset |  | An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with permit wastewater limitations due to factors beyond the reasonable control of the discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance or careless/improper operation thereof. |
| Washington State Water Quality Standards |  | Washington State Water Quality Standards include: Surface Water Quality Standards (Chapter 173-201A Washington Administrative Code (WAC)), Ground Water Quality Standards (Chapter 173 – 200 WAC), Sediment Management Standards (Chapter 173-204 WAC), and human health-based criteria in the National Toxics Rule (40 CFR 131.36). |
| Waste management system |  | A system designed and operated for the purpose of collecting and managing wastewater to minimize adverse impacts of wastewater on the environment. |
| Wastewater or winery process wastewater |  | Water or liquid-carried waste from industrial or commercial processes. In this general permit, “wastewater” refers specifically to winery process wastewater. Wastewater is primarily generated during the cleaning of winemaking equipment and facilities. Examples include bottle and barrel rinse water, equipment/floor wash water, lees, and byproducts of the winemaking process. Winery waste does not include waste produced by agricultural operations associated with the growing of fruit or domestic sewage. |
| Water quality standards |  | Includes chapters: 173-200 WAC (Water Quality Standards for Groundwater of the State of Washington) and 173-201A WAC (Water Quality Standards for Surface Waters of the State of Washington). In the absence of other definitions as set forth herein, the definitions as set forth in 40 CFR, part 403.3 will be used for circumstances concerning the discharge of wastewater. |
| Waters of the state |  | Includes those waters as defined as *“*waters of the state*”* as defined in Chapter 90.48 RCW. This includes groundwater*,* lakes, rivers, ponds, streams, wetlands, inland waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington. |
| Wellhead protection area |  | The portion of a well’s, well field’s, or spring’s zone of contribution defined as such using WHPA criteria established by the Washington Department of Health. |
| Wellhead sanitary control area |  | The area immediately around the drinking water wellhead. |
| Winery |  | A facility that processes fruit, fruit juice, must, or wine and converts it into wine ready for bottling or converts it into liquids used by other wineries. |
| Winery General Permit Coordinator |  | The Ecology staff that assists the Permittee in administering the Winery General Permit. |
| Winery process wastewater |  | See definition for “wastewater”. |

a

**APPENDIX C**

**Recommended Analytical Methods**

| **Parameter** | **Recommended Analytical Protocol** | **Detection Level1** | **Quantitation Level2** |
| --- | --- | --- | --- |
| Flow | Calibrated device | N/A | N/A |
| pH | SM 4500-H+ B | N/A | N/A |
| 5-day carbonaceous biochemical oxygen demand (BOD5) | SM 5210-B 3 | 2 mg/L | 2 mg/L |
| 5-day biochemical oxygen demand (CBOD5) | SM 5210-B 3 | 2 mg/L | 2 mg/L |
| Total organic carbon (TOC) | SM 5310-B/C/D | 1 mg/L | 1 mg/L |
| Total dissolved solids (TDS) | SM 2540 C | 20 mg/L | 20 mg/L |
| Total suspended solids (TSS) | SM 2540-D | 5 mg/L | 5 mg/L |
| Fixed dissolved solids (FDS) | SM 2540 E | 10 mg/L | 10 mg/L |
| Nitrate (as N) | SM 4500-NO3- E/F/H | 100 μg/L | 100 μg/L |
| Chloride | SM 4500-Cl B/C/D/E and  SM 4110 B | Sample and limit dependent | |
| Sulfate (as mg/L SO4) | SM 4110-B | 0.2 mg/L | 0.2 mg/L |
| 1 = Detection level (DL) or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR part 136, Appendix B.  2 = Quantitation Level (QL) also known as Minimum Level of Quantitation (ML) – The lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest to (1, 2, or 5) x 10n, where n is an integer. (64 FR 30417).  The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias) achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency December 2007). | | | |

1. The text of this general permit contains words or phrases in bold and italics. These words or phrases are the first usage in the permit and are defined in Appendix B. [↑](#footnote-ref-1)
2. In this general permit, the word “must” denotes an action that is mandatory. [↑](#footnote-ref-2)
3. The requirements in this general permit are directed to the Permittee unless specified otherwise. The term “you” and “your” also refers to the Permittee. [↑](#footnote-ref-3)
4. The owner/operator of the winemaking facility must obtain written certification from the POTW (and contributory collections system, if applicable) accepting the facility’s wastewater. The certification must be included in the Permittee’s Notice of Intent. [↑](#footnote-ref-4)
5. Unless Ecology determines that the facility is a Significant Contributor of Pollutants (see Special Condition S1.C) or a Significant Industrial Users (see Special Condition S1.D). [↑](#footnote-ref-5)
6. Unless Ecology determines that the facility is a Significant Contributor of Pollutants (see Special Condition S1.C). [↑](#footnote-ref-6)
7. Unless Ecology determines that the facility is a Significant Contributor of Pollutants (see Special Condition S1.C). [↑](#footnote-ref-7)
8. Ecology typically only grants Electronic Reporting Waivers to Permittees that do not have a computer, printer, or internet connection. [↑](#footnote-ref-8)