

## Winery Wastewater Treatment Permit

**Industrial and commercial facilities, including wineries, that discharge wastewater into waters of the state are required to have a DOE permit**

The Washington Department of Ecology (DOE) has authority to control and prevent water pollution under the Water Pollution Control Law, Chapter 90.48 RCW. Industrial and commercial facilities, including wineries, that discharge wastewater into waters of the state are required to have a DOE permit.

DOE began to develop a general permit for winery wastewater in May 2014. Working with the Washington Wine Institute, DOE established a Technical Advisory Group of winery owners, sewage treatment plant operators and industry representatives to assist in developing the general permit.

A Preliminary Draft of the General Permit was released in April 2017, with a formal draft released in November 2017. The final Winery General Permit was issued in May 2018 and will become effective on July 1, 2019. DOE is currently accepting feedback about a proposed fee structure for the Winery General Permit.

### Will this affect my winery?

The General Permit applies to all of Washington State except for Federal lands, federally-owned facilities and Indian Country (as defined by 18 U.S.C. Section 1151, except for certain portions of the Puyallup Reservation).

The General Permit does NOT apply to:

- A winery that produces less than 7,500 cases or 17,835 gallons of wine or juice per calendar year;
- A winery that discharges less than 53,505 gallons of wastewater per calendar year;
- A facility that produces only mead or hard cider;
- Home manufacturing of wine; or
- All domestic sewage from tasting rooms or otherwise

A winery that uses the following method(s) for wastewater discharge is NOT required to apply for coverage under the General Permit:

- A winery that discharges all wastewater to public wastewater treatment plants with delegated permitting authority (a list of these treatment plants is available at: <https://ecology.wa.gov>);
- A winery that discharges all wastewater to a Listed Wastewater Treatment Plant (list available at <https://ecology.wa.gov> and in Appendix C of the General Permit );
- A winery that discharges all wastewater to a double-lined evaporation lagoon with leak detection; or
- A winery that discharges all wastewater to a contained storage tank to be pumped and hauled to an off-site treatment facility.

### Who must apply for coverage under the Winery General Permit?

A decision tree to help you determine if you must apply for a General Permit is available on the DOE website at: <https://ecology.wa.gov/Regulations/Permits-certifications/Winery-permit#dolneed>.

In general, if your winery meets the following criteria, you will need to apply for coverage under the General Permit:

- A winery that is covered by an individual DOE permit.
  - DOE will work with the winery to determine whether it should remain covered by the individual permit or the General Permit.
- A winery that discharges more than 53,505 gallons of wastewater per calendar year must apply for coverage under the General Permit.
  - The General Permit applies to wineries that use one or more of the following 6 methods for winery wastewater discharge:
    - To a public wastewater treatment plant that is not approved by DOE;
    - For land treatment (irrigation of managed vegetation);
    - To a lagoon or other liquid storage facility;
    - To be used for road dust abatement;
    - To a subsurface infiltration system; and/or
    - To an infiltration basin.

### What does the Winery General Permit require?

Non-exempt wineries must submit an application for coverage under the General Permit within 90 days after it becomes effective.

New wineries are required to apply for coverage under the General Permit 180 days before beginning to discharge wastewater. New wineries must publish a public notice, using the DOE's Notice of Intent template, once a week for two weeks, with a 30-day public review period. All new wineries must comply with the State Environmental Policy Act.

The General Permit establishes requirements based on how many gallons of wastewater a winery discharges each year. Wastewater discharge can be determined based on an average discharge over the past three years, discharge data from one of the past three years, or a projection for the upcoming year, whichever provides a more accurate representation:

- Group 1 requirements: less than 600,000 gallons of wastewater discharge per year;
- Group 2 requirements: 600,000 gallons or more of wastewater discharge per year.

Winery requirements under the General Permit include:

- Setting up an electronic account with DOE;
- Monitoring total monthly wastewater discharge volumes and recording the number of days that discharge occurs each month;
- Quarterly collection and analysis of wastewater discharge samples for all wineries that discharge wastewater to an infiltration basin, for all wineries that discharge to a waste water treatment plant that requires the winery to analyze wastewater samples, and for Group 2 wineries that discharge wastewater to:
  - Land treatment on managed vegetation, or
  - A subsurface infiltration system.
- Submitting a quarterly discharge monitoring report to DOE;

- Developing and implementing a winery pollution prevention plan and submit it to DOE by the end of the second year of permit coverage;
- Complying with Best Management Practices such as removing solids from wastewater, proper disposal of pesticides and chemicals, training for staff; maintaining all documents and records for a minimum of 5 years;
- Conducting a minimum of two documented inspections per year; and
- Implementing adaptive management actions if a DOE benchmark is exceeded.

Wineries that discharge wastewater into a lagoon that existed before the General Permit was issued will be required to submit a lagoon assessment, while those that discharge to a subsurface infiltration system that existed before the General Permit will need to submit a subsurface infiltration assessment to DOE.

Additional information on the Winery General permit, including Frequently Asked Questions, is available at: <https://ecology.wa.gov/Regulations/Permits-certifications/Winery-permit#dolneed>.

### What is the fee for the Winery General Permit?

DOE is currently developing the fee categories and amounts that will apply to the Winery General Permit. Two options have been developed for the draft fee structure, which will amend Chapter 173-224 WAC, Water Quality Permit Fees.

Option 1 divides wineries into seven categories based on an annual production rate of <24,999 to >1,200,000 gallons per year. Annual permit fees for Option 1 range from \$383, for the lowest production rate, to \$25,786 for wineries producing more than 1,200,000 gallons per year.

Option 2 divides wineries into 10 categories based on production of <24,999 gallons per year to >1,999,000 gallons per year. Annual permit fees for Option 2 range from \$296 for wineries that produce less than 24,999 gallons per year to \$33,196 for the highest level of production.

Comments on the proposed fee structure should be provided to DOE by **December 7, 2018** via email to: [wqfee\\_unit@ecy.wa.gov](mailto:wqfee_unit@ecy.wa.gov).

### Public Workshops:

DOE is planning to conduct public workshops to discuss the General Permit and its requirements before the permit becomes effective in July 2019. Information on the date and location of these workshops will be provided when available.

### What is Winegrowers doing for you?

Together with the Washington Wine Institute, Winegrowers will continue to monitor progress on the winery general permit fee development process and keep stakeholders informed.

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