

wastewater **SPECIAL WINERY REQUIREMENTS**

Wastewater isn't a waste of time.

In the past several decades we've seen dozens of different industries have to comply with storm water regulations. Industries which vary from manufacturing plants to corp yards – in fact, even some school districts have become a regulated industry. But, until recently, one of California's most up and coming industries hasn't had its own specific set of regulations – that being the wine industry. In this month's edition of **The Rain Events**, we are going to be taking a closer look at the General Waste Discharge Requirement for Winery Process Water Order which now regulates California wineries and any of their wastewater discharges.

Unlike the Industrial General Permit and the Construction General Permit which deal with discharges to water bodies, "the Waste Discharge Requirements (WDR) Program regulates all discharges of waste to land. Waste discharge requirements adopted under the WDR Program protect surface water by either prohibiting discharge of a pollutant to waters of the U.S. or prescribing requirements for discharge to surface waters that are not waters of the U.S., and they protect groundwater by prescribing waste containment, treatment, and control requirements."¹ Typically, one of two WDRs are issued to facilities – individual WDRs (sometimes referred to as specific WDRs) or general WDRs. An individual WDR is created by the Water Board for a unique facility which doesn't quite fit into any other WDR category. Whereas general WDRs are widely used for more common industries like agriculture, dairies, forestry, and now wineries.

Due to the size of the wine industry in California, the Water Board developed a general WDR to govern the discharge of winery process water and wastewater

associated with the making, cleaning, or maintaining of wineries. The Order was initially adopted because of the large number of existing wineries without any form of WDRs (according to a 2020 estimate listed in the Winery Order, only 16% of wineries are permitted by WDRs). *It is estimated that 57% of wineries will be eligible for permit coverage*, while the other 43% are likely to be exempt due to factors such as wastewater not being discharged to land. It appears that *"the State Water Board intends for this General Order (Winery Order) to be the primary permitting mechanism for wineries in the state."*² On January 20, 2021 the State adopted this new Winery Process Water Order, and enrollment for wineries is now open. The Water Board has provided a detailed [Winery Order Notice of Intent Guide](#) which helps dischargers walk through the filing process. It should be noted that this Order is not for all wineries (since not all wineries meet the minimum requirements or are already permitted under another order), and that this Order is only

applicable for operations which include the production of grape juice or wine (breweries, distilleries, or event venues located at a winery or any other such things are not regulated under this Order). *"To be considered exempt, a winery must produce less than 10,000 gallons of process water per year and agree to the following criteria:*

The Discharger shall not discharge waste:

- To surface waters or surface water drainage courses.
- That is classified as "hazardous," as defined in California Code of Regulations (CCR), title 23, division 3, chapter 15, article 2, section 2521, or classified as "designated," as defined in Water Code, division 7, chapter 3, section 13173.
- That is untreated or partially treated from the treatment system.
- To land not owned, operated, controlled, or contracted by the Discharger.

The Discharger shall implement the following management practices:

- Manage winery product, winery waste, and winery waste areas (e.g., storage, loading, conveyance, treatment, and disposal areas) to prevent, mitigate, and promptly clean up any spills.
- Maintain all winery waste within property boundaries and within appropriate onsite use areas (e.g., loading, processing, storage, treatment, disposal, and reuse areas).
- Manage winery waste to minimize nuisance conditions (e.g., objectionable odors; mosquitoes in ponds, ditches, and other open storage areas).
- Manage stormwater that contacts winery waste as process water. Protect stored process solids from precipitation to minimize process water generation.

A winery may be asked to provide documentation that substantiates a discharger's compliance with these criteria in obtaining a local use permit from a county or city permitting authority. The Water Boards are not required to review or provide exemption certifications. Therefore, the winery will need to work directly with the county or city permitting authority on the required documentation.”³

However, if your winery is eligible for a WDR, it will fall into one of the four tiers the Winery Order has designated for wineries based on the amount of process water they produce per year. The Order's **first tier** becomes effective for any winery which produces over 10,000 gallons of process water per year, the **second tier** for facilities which produce up to 300,000 gallons of process water per year, the **third tier** for facilities with up to 1,000,000 gallons of process water per year, and the **fourth tier** of the Winery Order regulates facilities which produce up to 15 million gallons of water per year. Wineries which are smaller or larger than these tier specifications are either exempt or will be handled differently.

To determine if this Order is applicable to your facility, you will have to look at what you are producing (does it fall within the wine and grape juice specification?), and how much process water your facility is producing per year – this may require the help of a flow meter and may take some digging for information. Be prepared! It may

take a little bit of work, since you're not only going to have to determine how much processed water is being produced per year, but also where your discharges go. Are you discharging to land, tank and haul, or something else? Using all the information you gather, you will have to submit an [electronic Notice of Intent](#), a technical report (the outline for which is included in [Attachment C](#)), and pay any associated fees. When that process is complete, the Regional Water Board will review your application and issue a Notice of Applicability – thus the winery becomes enrolled under the new Winery Order, and it all becomes a matter of compliance and implementation.

In a nutshell, wineries are now required to properly dispose, monitor, and balance all water discharges – discharges including mechanisms such as land application for irrigation purposes, pond storage, or subsurface disposal. The process water, any discharges of chemicals, juice, wine, or cleaning water must be under the effluent limits listed in the new Order. The removal and disposal of solids from the winery process is also being regulated so as to reduce over-abundance of nitrogen in the soil as well as any nuisance odors (think those giant stinky piles of crushed grape skins and stems that are used to amend the soil after each harvest) and ground water degradation. Pollutants of concern that are highlighted and addressed in this new Order are nitrogen, salts, and biochemical oxygen demand (BOD). Too much salt or nitrogen being added to the soil from these waste process water discharges can have negative effects on the quality and balance of the soil and water. Too much salt is definitely not a good thing—take a lesson from ancient history and remember what the Romans allegedly used to do to the farmlands of their enemies... spread salt all over the soil so that nothing would grow.

Established wineries must get their facilities up to date with the new requirements as quickly as possible but not take longer than 5 years, and **new wineries cannot open and be operational unless they are designed to accommodate the new regulations and file for a WDR 180 days before operations begin.**

As mentioned before, the four tiers of coverage are based on the number of gallons of process water produced at a winery per year. Each of these tiers have specific regulations and requirements which build upon each other (you can see what is specifically required in each tier [HERE](#)). The different tiers require things like best management practices, good housekeeping, source control, solids management, odor control, salt control, adequate process water ponds, proper land application, adequate discharge setbacks, subsurface disposal systems, and groundwater monitoring and reporting—which if you've been around storm water for any time, this should be familiar territory.

So what's the big deal with Waste Discharge Requirements? Is this just another type of permit? Actually, WDRs are for facilities that aren't necessarily having storm water discharges to water bodies. But don't be fooled—just because a facility doesn't discharge to a water body, does not mean it doesn't affect water quality (For example, if you are discharging winery process water to your land which contains chemicals, those chemicals will eventually find their way into the ground water and ultimately can end up in your drinking water. Yuck!) Improper wastewater discharges to land can be equally detrimental to water quality – hence the reason for WDRs. It should also be noted that just because you have a WDR doesn't mean you don't need coverage by the Industrial General Permit, and just because you have IGP coverage doesn't mean you don't need a WDR. Some facilities only need one or the other, while some end up needing both! If in doubt of what your facility needs, talk with the Water Board's [Storm Water Help Desk](#).

¹[Waste Discharge Requirements for Wastewater](#)

² Winery Order Page 18, Point 59

³https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/winery_order.html

The Rain Events

Lead Editor: John Teravskis
QSD/QSP, QISP, CPESC, ToR, CESSWI
jteravskis@wgr-sw.com
(209) 334-5363 ext. 110 or (209) 649-0877

Supporting Editors:

Aaron Ortiz, QISP, ToR, aortiz@wgr-sw.com
(209) 334-5363 ext. 114
Rebekah Burnett, rburnett@wgr-sw.com

Attention

Need a SWPPP for your facility? Or a
QISP to do inspections for you?

Yes

Remind me later

contact us for a quote

aortiz@wgr-sw.com | 209.334.5363 x110

StormCon®



*Celebrating 25 Years of
Innovation and Collaboration in Stormwater*



AUGUST 26-28, 2025 | ORLANDO, FLORIDA

GAYLORD PALMS RESORT & CONVENTION CENTER

REGISTER TODAY: [STORMCON.COM](https://stormcon.com)

Owned by:



Presented by:



Supported by:



figuring out where to
purchase BMPs
doesn't have to be
this complicated...





COMPLIANCE

STORM WATER AWARENESS WEEK | SEPT 22-26, 2025

DEADLINE: AUGUST 27TH

HOST A WORKSHOP

sign up to host a 1-hour online workshop during
Storm Water Awareness Week 2025

find out more at stormwaterawareness.org

Storm Water Contest...

Each month, we invite our readers to participate in a contest to test their knowledge of the Industrial General Permit and show their storm water compliance program. We enter all submittals to our monthly newsletter question into a drawing and one person is selected at random to receive a \$25 gift card.

When you do your monthly inspection, what three things should you be looking for?

Congratulations to Matt who answered, *"The three things you should look for during your monthly inspection are indications of prior current or potential: unauthorized NSWDS, authorized NSWDS, and situations that could cause an unauthorized NSWDS or contaminate water runoff."* We hope you enjoy your next treat from Starbucks!

...This Month's Contest

What are the 4 Tiers of the Winery Discharge Requirements?

We need industrial storm water sleuths to help us with this month's question. Submit your answers by Friday, September 5th. Email your answer to jteravskis@wgr-sw.com. One winner will be selected by a random drawing to receive a \$25 gift card to Starbucks.

GET SOCIAL:



WWW.WGR-SW.COM

WANT TO STRENGTHEN YOUR CRAFT? CHECK OUT [FORGE](#) - AN ONLINE LEARNING PLATFORM.