

Permit Number: 1400-A  
Expiration Date: October 31, 2017

**GENERAL WATER POLLUTION CONTROL FACILITIES PERMIT**

Department of Environmental Quality  
811 SW Sixth Avenue  
Portland, OR 97204

**Issued pursuant to ORS 468B.050**

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**ISSUED TO:**

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**SOURCES COVERED BY THIS PERMIT:**

This permit covers wineries and seasonal fresh pack operations whose wastewater flow does not exceed 25,000 gallons per day and is only disposed of by land application for beneficial reuse. Operations covered under this permit must not significantly alter its product from its original state by cooking, pickling, slaughtering, or other mechanical or thermal processes.

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Lauri Aunan, Administrator  
Water Quality Division

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November 7, 2007  
Effective Date

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**PERMITTED ACTIVITIES**

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a wastewater collection, treatment, control and disposal system in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

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Unless specifically authorized by this permit, by another NPDES or WPCF permit, or by Oregon Administrative Rule, any other direct or indirect discharge to waters of the state is prohibited, including discharge to an underground injection control system.

## HOW TO APPLY FOR COVERAGE UNDER THIS GENERAL PERMIT

### New Application Requirements

1. Winery and fresh pack operators seeking coverage under this 1400-A General Permit (2007-2017) for the first time and persons registered for coverage under the 1400-A General Permit issued in 2000 who did not submit a renewal application prior to the expiration date of the permit must do the following:
  - a. Applicants must complete an application. Applicants may obtain an Oregon Department of Environmental Quality (DEQ) application form by:
    - i. Mail or in person from the DEQ regional offices provided below, or
    - ii. Downloading the application from the DEQ website.
  - b. Applicants must submit a completed application to any of the DEQ offices provided below, requesting coverage under this permit at least 30 days prior to the planned activity. DEQ may accept applications filed less than 30 days from the planned activity on a case by case basis.
  - c. Applicants must submit all applicable fees with the application.
  - d. DEQ will review the application information and will take one of the following actions:
    - i. Issue written notice of approval.
    - ii. Request additional information.
    - iii. Deny coverage under this permit. The applicant will be notified if the applicant's operation cannot be approved for coverage under the General Permit, and that the applicant may need to obtain an individual permit.

### Permit Renewal Requirements

1. Permittees registered under this General Permit can operate until the expiration date provided on the cover page (unless terminated or extended under Other Applicable Conditions, below). Winery and fresh pack operators requiring renewal of this General Permit must submit a complete renewal application form to DEQ no later than September 1, 2017, 60 days prior to the expiration date of this permit indicated on the cover page. The DEQ Director may grant permission to submit the application less than 60 days in advance but no later than the permit expiration date.
2. DEQ will review the application and will take one of the following actions:
  - a. Issue written notice of approval.
  - b. Request additional information.
  - c. Deny coverage under this permit. The applicant will be notified if the applicant's operation cannot be approved for coverage under the General Permit, and that the applicant may need to obtain an individual permit.

**Other Application Conditions**

1. Coverage under this permit will continue for a permittee after the expiration date if the permittee submits a complete renewal application as described above.
2. If DEQ does not receive a renewal application as described above, coverage under this General Permit is no longer valid and the operation must cease.
3. Any person not wishing to be covered or limited by this General Permit may apply for an individual permit in accordance with the procedures in OAR 340-045-0030.

**DEQ Regional Office Locations**

Northwest Region  
2020 SW 4th Avenue, Suite 400  
Portland, OR 97201  
Tel. No. (503) 229-5263

Western Region  
750 Front Street NE, Suite 120  
Salem, OR 97301-1039  
Tel. No. (503) 378-8240

Eastern Region  
700 SE Emigrant, Suite 330  
Pendleton, OR 97801  
Tel. No. (541) 276-4063

**SCHEDULE A****Land Application Limitations**

1. No direct discharge to public waters is permitted. All process wastewater must be collected, adequately screened to remove solids and land applied on the property where it is generated in accordance with a Wastewater Management Plan. The terms in the Wastewater Management Plan will become additional conditions as part of registration under this permit.
2. Waste solids from the processing facility and the wastewater control system:
  - a. May be land applied on the property where it is generated as fertilizer or soil amendment provided the rate of application does not exceed the capacity of the land or associated crop to assimilate the waste solids; or
  - b. May be used to feed livestock provided the solids are stored in a manner to prevent any associated leachate from entering public waters and creating nuisance odors.
  - c. That are not used as fertilizer, soil amendment, or as livestock feed must be disposed of either at a landfill permitted by DEQ or in another place and manner approved by DEQ.
3. Sanitary wastes must be kept separate from the process wastewater and disposed of to a municipal sewerage facility or an on-site wastewater treatment system which is installed, operated and maintained in accordance with DEQ requirements and in a manner which will prevent inadequately treated sanitary wastes from entering any waters of the state or from surfacing and becoming a nuisance or health hazard.
4. If the Wastewater Management Plan includes the construction of a lagoon, pond, or open tank, they must be operated to minimize odors (i.e., use of short residence times, aeration, etc.). An artificial liner may be required in a pond or lagoon if groundwater could be adversely affected.
5. The Wastewater Management Plan for land application of wastewater must use sound irrigation practices in order to prevent:
  - a. Surface runoff, groundwater contamination, or subsurface drainage through drainage tile;
  - b. The creation of odors, fly and mosquito breeding or other nuisance conditions; and
  - c. The overloading of land with nutrients or organics.
6. The Wastewater Management Plan must include, at a minimum, the following information:
  - a. A flow diagram of all wastewater collection and disposal systems;
  - b. Wastewater volumes in gallons per day;
  - c. Wastewater strength in biochemical oxygen demand (BOD-5), total nitrogen, and pH;
  - d. The period of time that the land application of wastewater will occur;
  - e. A description of the soils and acreage of the land application location;

- f. A description of any waste solids to be generated from the processing plan and the wastewater control facility and how they will be disposed;
- g. A description of any chemical additives used in the product or process, that could become part of the process wastewater;
- h. A description of wastewater discharge holding ponds or lagoons.

The permittee must retain the Wastewater Management Plan at the facility, and submit the plan to DEQ upon request. DEQ may require revisions to the Wastewater Management Plan if an adverse impact to groundwater quality is suspected for a facility covered by this permit.

- 7. Prior to constructing or modifying the wastewater disposal operation, detailed plans and specifications must be approved in writing by DEQ as required by OAR 340 Division 52.

## **SCHEDULE B**

### **Minimum Monitoring and Reporting Requirements**

- 1. The permittee must monitor the operation and efficiency of all collection and disposal facilities. An annual report that describes the facility wastewater management events for the calendar year must be prepared by January 15 of each year. The permittee must retain the report at the facility for at least three years. The report shall include, but not be limited to:
  - a. The days the land application system was in operation;
  - b. Daily observations of the land application system;
  - c. A description of any failures of the collection or land application system;
  - d. Daily volume of process wastewater land applied and application location; and
  - e. The type and volume of any screenings or solids land applied and application location.

## **SCHEDULE D**

### **Special Conditions**

- 1. DEQ may revoke a general permit as it applies to any person and require such person to apply for and obtain an individual permit if:
  - a. The permittee is not in compliance with the terms and conditions of this general permit; or
  - b. Changes in the wastewater discharge demonstrate that the source or activity no longer qualifies for this general permit.

2. Permit Specific Definition:

*Agronomic application rate* [OAR 340-093-0030 (4)] means land application of no more than the optimum quantity per acre of compost, sludge or other materials. In no case shall such application adversely impact the waters of the state. Such application shall be designed to:

- a) Provide the amount of nutrient, usually nitrogen, needed by crops or other plantings, to prevent controllable loss of nutrients to the environment;
- b) Condition and improve the soil comparable to that attained by commonly used soil amendments; or
- c) Adjust soil pH to desired levels.

If adverse impacts to groundwater quality are suspected from a facility covered under this permit, DEQ may require the permittee to perform a groundwater investigation.

3. Reference Sources:

Oregon State University, Oregon Crop Water Use and Irrigation Requirements, 1992

Oregon State University, Fertilizer Guides

<http://extension.oregonstate.edu/catalog/details.php?sortnum=0134&name=Fertilizer+Guides&sort=titlea>

DEQ, Guidelines for Land Application of Industrial Wastewaters, 1992

<http://www.deq.state.or.us/WQ/pubs/guides/landapplindww.pdf>

**SCHEDULE F  
WPCF GENERAL CONDITIONS**

**SECTION A. STANDARD CONDITIONS**

1. Duty to Comply with Permit

The permittee must comply with all conditions of this permit. Failure to comply with any permit condition is a violation of Oregon Revised Statutes (ORS) 468B.025 and grounds for an enforcement action. Failure to comply is also grounds for the Department to modify, revoke, or deny renewal of a permit.

2. Property Rights and Other Legal Requirements

Issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, or authorize any injury to persons or property or invasion of any other rights, or any infringement of federal, tribal, state, or local laws or regulations.

3. Liability

The Department of Environmental Quality or its officers, agents, or employees may not sustain any liability on account of the issuance of this permit or on account of the construction or maintenance of facilities or systems because of this permit.

4. Permit Actions

After notice by the Department, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to the following:

- a. Violation of any term or condition of this permit, any applicable rule or statute, or any order of the Commission;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

5. Transfer of Permit

This permit may not be transferred to a third party without prior written approval from the Department. The Department may approve transfers where the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of this permit and the rules of the Commission. A transfer application and filing fee must be submitted to the Department.

6. Permit Fees

The permittee must pay the fees required by Oregon Administrative Rules.

**SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS**

1. Proper Operation and Maintenance

At all times the permittee must maintain in good working order and properly operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to comply with the terms and conditions of this permit.

2. Standard Operation and Maintenance

All waste collection, control, treatment, and disposal facilities or systems must be operated in a manner consistent with the following:

- a. At all times, all facilities or systems must be operated as efficiently as possible in a manner that will prevent discharges, health hazards, and nuisance conditions.
- b. All screenings, grit, and sludge must be disposed of in a manner approved by the Department to prevent any pollutant from the materials from reaching waters of the state, creating a public health hazard, or causing a nuisance condition.
- c. Bypassing untreated waste is generally prohibited. Bypassing may not occur without prior written permission from the Department except where unavoidable to prevent loss of life, personal injury, or severe property damage.

3. Noncompliance and Notification Procedures

If the permittee is unable to comply with conditions of this permit because of surfacing sewage; a breakdown of equipment, facilities or systems; an accident caused by human error or negligence; or any other cause such as an act of nature, the permittee must:

- a. Immediately take action to stop, contain, and clean up the unauthorized discharges and correct the problem.
- b. Immediately notify the Department's Regional office so that an investigation can be made to evaluate the impact and the corrective actions taken, and to determine any additional action that must be taken.
- c. Within 5 days of the time the permittee becomes aware of the circumstances, the permittee must submit to the Department a detailed written report describing the breakdown, the actual quantity and quality of waste discharged, corrective action taken, steps taken to prevent a recurrence, and any other pertinent information.

Compliance with these requirements does not relieve the permittee from responsibility to maintain continuous compliance with the conditions of this permit or liability for failure to comply.

4. Wastewater System Personnel

The permittee must provide an adequate operating staff that is duly qualified to carry out the operation, maintenance, and monitoring requirements to assure continuous compliance with the conditions of this permit.

**SECTION C. MONITORING AND RECORDS**

1. Inspection and Entry

The permittee must at all reasonable times allow authorized representatives of the Department to:

- a. Enter upon the permittee's premises where a waste source or disposal system is located or where any records are required to be kept under the terms and conditions of this permit;
- b. Have access to and copy any records required by this permit;
- c. Inspect any treatment or disposal system, practices, operations, monitoring equipment, or monitoring method regulated or required by this permit; or
- d. Sample or monitor any substances or permit parameters at any location at reasonable times for the purpose of assuring permit compliance or as otherwise authorized by state law.

2. Averaging of Measurements

Calculations of averages of measurements required for all parameters except bacteria must use an arithmetic mean; bacteria must be averaged as specified in the permit.

3. Monitoring Procedures

Monitoring must be conducted according to test procedures specified in the most recent edition of **Standard Methods for the Examination of Water and Wastewater**, unless other test procedures have been approved in writing by the Department and specified in this permit.



#### 4. Retention of Records

The permittee must retain records of all monitoring and maintenance information, including all calibrations, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. The Department may extend this period at any time.

### **SECTION D. REPORTING REQUIREMENTS**

#### 1. Plan Submittal

Pursuant to Oregon Revised Statute 468B.055, unless specifically exempted by rule, construction, installation, or modification of disposal systems, treatment works, or sewerage systems may not commence until plans and specifications are submitted to and approved in writing by the Department. All construction, installation, or modification shall be in strict conformance with the Department's written approval of the plans.

#### 2. Change in Discharge

Whenever a facility expansion, production increase, or process modification is expected to result in a change in the character of pollutants to be discharged or in a new or increased discharge that will exceed the conditions of this permit, a new application must be submitted together with the necessary reports, plans, and specifications for the proposed changes. A change may not be made until plans have been approved and a new permit or permit modification has been issued.

#### 3. Signatory Requirements

All applications, reports, or information submitted to the Department must be signed and certified by the official applicant of record (owner) or authorized designee.

### **SECTION E. DEFINITIONS**

1.  $BOD_5$  means five-day biochemical oxygen demand.
2.  $TSS$  means total suspended solids.
3.  $FC$  means fecal coliform bacteria.
4.  $NH_3-N$  means Ammonia Nitrogen.
5.  $NO_3-N$  means Nitrate Nitrogen.
6.  $NO_2-N$  means Nitrite Nitrogen.
7.  $TKN$  means Total Kjeldahl Nitrogen.
8.  $Cl$  means Chloride.
9.  $TN$  means Total Nitrogen.
10. "*Bacteria*" includes but is not limited to fecal coliform bacteria, total coliform bacteria, and E. coli bacteria.
11. *Total residual chlorine* means combined chlorine forms plus free residual chlorine.
12.  $mg/l$  means milligrams per liter.
13.  $ug/l$  means micrograms per liter.
14.  $kg$  means kilograms.
15.  $GPD$  means gallons per day.
16.  $MGD$  means million gallons per day.

17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
18. *Composite sample* means a combination of samples collected, generally at equal intervals over a 24-hour period, and based on either time or flow.
19. *Week* means a calendar week of Sunday through Saturday.
20. *Month* means a calendar month.
21. *Quarter* means January through March, April through June, July through September, or October through December.