

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2008-0147

AMENDING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2006-0037
FOR
GUENOC WINERY, INC.
GUENOC WINERY
LAKE COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board), finds:

1. On 5 May 2006, the Regional Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2006-0037, prescribing requirements for Guenoc Winery in Lake County. Guenoc Winery, Inc. (Discharger) owns and operates the winery.
2. Winery process wastewater is screened, treated in a bioreactor, clarified, and discharged to a Class II surface impoundment. Wastewater is removed from the impoundment, blended with fresh water, and used to irrigate a 54-acre pasture (DDA-2). The Class II surface impoundment is regulated under WDRs Order No. R5-2007-0026 and the treatment and land disposal systems are regulated under WDRs Order No. R5-2006-0037.
3. Prior to construction of the bioreactor and the Class II surface impoundment, minimal treatment was provided, and the wastewater was discharged to a series of five unlined treatment and storage ponds before land application. Due to the extreme salinity and organic content of the waste, the discharge caused significant groundwater degradation.
4. The waste was categorized as a designated waste in accordance with California Water Code (CWC) section 13173. The Discharger agreed to provide further treatment and a Class II surface impoundment for effluent storage to prevent further pollution.
5. The Discharger could not comply with the groundwater limitations of the previous WDRs until the proposed improvements were completed. Therefore, Order No. R5-2006-0037 was adopted with a companion Cease and Desist Order (CDO Order No. R5-2006-0038) to provide a time schedule to complete the Class II surface impoundment and other compliance projects.
6. The Effluent Limitations of Order No. R5-2006-0037 state:

“Wastewater discharged to Pond A (or the existing wastewater ponds prior to construction of Pond A) and to DDA-2 shall not exceed the following monthly average effluent limits, or any lower limits necessary to comply with the Groundwater Limitations:

<u>Constituent</u>	<u>Units</u>	<u>Discharge to Pond A</u>	<u>Discharge to DDA-2¹</u>
Biochemical Oxygen Demand	mg/L	180	90
Total Dissolved Solids	mg/L	900	450
Total Suspended Solids	mg/L	60	50
Total Kjeldahl nitrogen	mg/L	10	5
pH	mg/L	6.8 - 7.2	6.8 - 7.2
Chloride	mg/L	18	2.6

¹ Measured as the blended wastewater and supplemental irrigation water.”

Pond A is the Class II surface impoundment and DDA-2 is the pasture, which receives a blend of treated effluent and fresh water.

7. On 9 May 2008, the Discharger requested that the WDRs be amended to increase the salinity limits for treated effluent that is now discharged to the Class II Surface impoundment, and relax the pH limits for wastewater discharged to the surface impoundment and the land application area.
8. On 15 August 2008, the Discharger’s consultant submitted additional information regarding the chloride effluent limit for blended wastewater discharged to DDA-2. The information indicates that the 2.6 mg/L chloride limit was calculated incorrectly, and that the limit was intended to be 9 mg/L. The Discharger can achieve 9 mg/L, but cannot comply with the current 2.6 mg/L limit.
9. With regard to the treated effluent discharged from the bioreactor to Pond A:
 - a. Because Pond A is a Class II surface impoundment with a double liner and leachate collection and recovery system, there is no need to impose pH limits on the discharge from the treatment system to the pond. Adjustment of pH would require addition of more salt, which is contrary to the intent of the WDRs and CDO.
 - b. The pond lining system prevents release of salinity constituents and the Discharger uses supplemental irrigation water to control the salinity of waste that is discharged to DDA-2. Therefore, the effluent limits for dissolved solids and chloride in the effluent discharged into Pond A are not necessary to protect water quality.
 - c. Effluent limits for biochemical oxygen demand, suspended solids, and nitrogen in the effluent discharged into Pond A are appropriate to compel optimal operation of the wastewater treatment system.
10. With regard to the discharge of treated wastewater from Pond A to DDA-2:
 - a. Most soils have excellent buffering capacity, so there is no reason to impose stringent pH limits on the discharge to DDA-2. Information in the WDRs indicates

that there is at least 5 to 10 feet of clay and silty clay soil underlying DDA-2, so a pH range of 6.0 to 9.5 should adequately protect groundwater quality.

- b. The original effluent limits for biochemical oxygen demand, dissolved solids, suspended solids, and nitrogen in the blended wastewater discharged to DDA-2 are appropriate to protect groundwater quality.
 - c. The statistically determined background groundwater concentration for chloride is 18.2 mg/L. As stated in Finding Nos. 26 and 30 of Order No. R5-2006-0037, the projected chloride concentration of 7 to 9 mg/L in the blended wastewater should not cause groundwater degradation. Therefore, it is reasonable to increase the effluent limit for chloride in the blended wastewater to 9 mg/L.
11. If the Discharger complies with all other limits and discharge specifications of Order No. R5-2006-0037, deleting the salinity limits for the discharge to Pond A and relaxing the pH limits for both discharges should not adversely affect groundwater quality.
 12. The action to amend WDRs Order No. No. R5-2006-0037 is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) because it involves no expansion of the project (14 California Code of Regulations (CCR) section 15301); it is an action taken by a regulatory agency to assure the protection of the environment; and the regulatory process involves procedures for protection of the environment (14 CCR section 15308).
 13. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
 14. The Regional Water Board, in a public meeting, heard, and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Order No. R5-2006-0037 is amended solely to change the Effluent Limitations. Pursuant to Sections 13263 and 13267 of the California Water Code, Guenoc Winery, Inc., its agents, successors and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with amended Order No. R5-2006-0037 as follows:

1. The Effluent Limitations of WDRs Order No. R5-2006-0037 shall be amended as follows:

The discharges to Pond A and DDA-2 shall not exceed the following monthly average effluent limits:

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<u>Constituent</u>	<u>Units</u>	<u>Discharge to Pond A</u>	<u>Discharge to DDA-2¹</u>
Biochemical Oxygen Demand	mg/L	180	90
Total Dissolved Solids	mg/L		450
Total Suspended Solids	mg/L	60	50
Total Kjeldahl nitrogen	mg/L	10	5
pH	pH units		6.0 to 9.5
Chloride	mg/L		9

¹ Applies to the blend of wastewater and supplemental irrigation water.

2. Attachment C, which is attached hereto and forms part of this Resolution, replaces the site plan included as Attachment C of the WDRs.

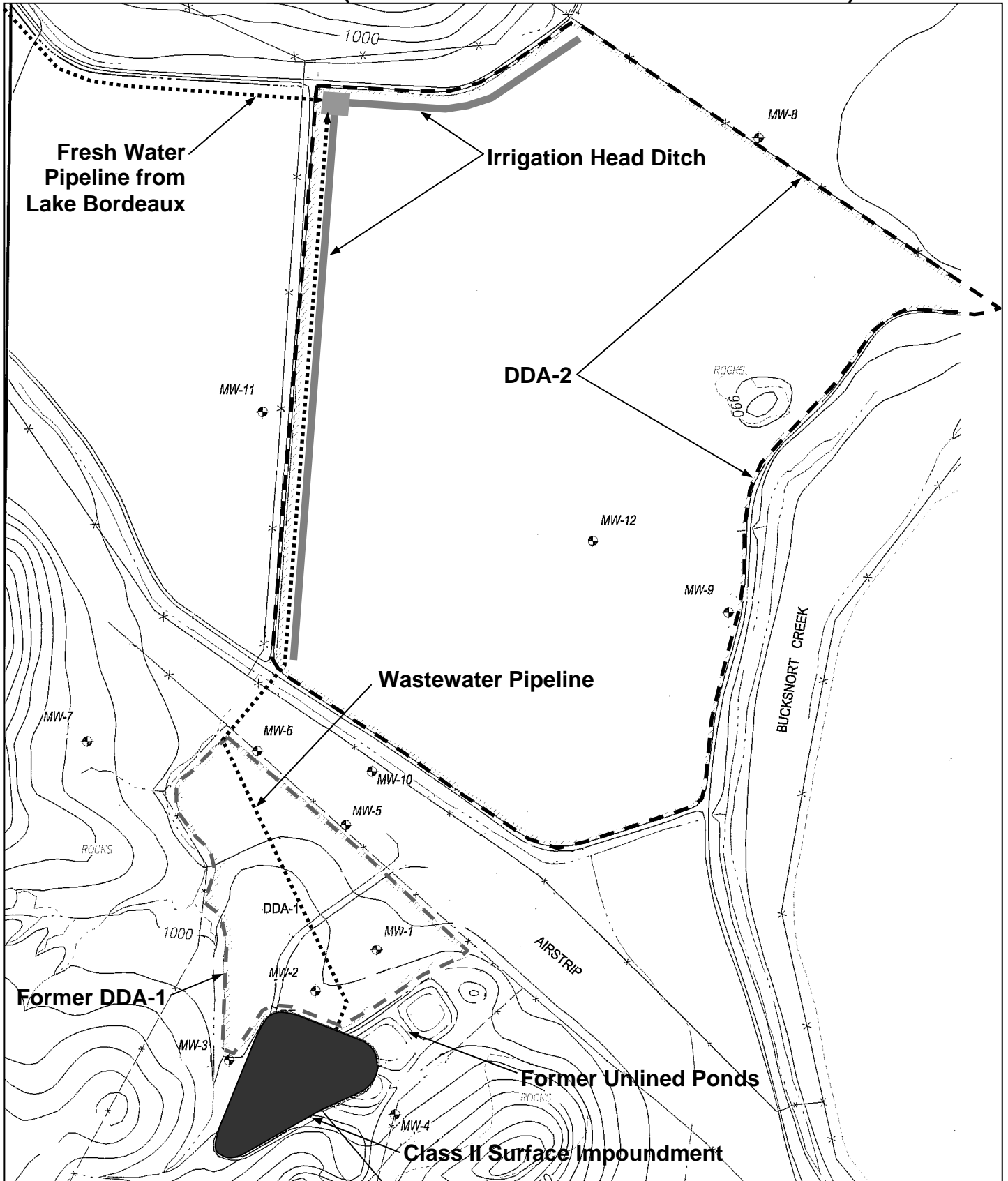
This Order is effective as of the date of adoption.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 11 September 2008.

PAMELA C. CREEDON, Executive Officer

ALO: 9/24/08

ATTACHMENT C (AMENDED BY RESOLUTION NO. R5-2008-0147)



Drawing Reference:
2005 RWD and First
Quarter 2008 Groundwater
Monitoring Report, EBA
Engineering

SITE PLAN
GUENOC WINERY, INC.
GUENOC WINERY
LAKE COUNTY
ORDER NO. R5-2006-0037



Approx. Scale: 1" = 360'