

## General Order for Winery Process Water

### Overview

Winemaking is an important industry that annually generates \$71 billion for the California economy and \$220 billion nationally. The wine industry creates and supports 485,000 jobs nationally through direct employment, supplier, and ancillary industries, which supply goods and services to the industry or whose services depend on wine industry's economic activity.

Winemaking also generates process water that has the potential to degrade groundwater quality depending on winery-specific activities, size, and treatment processes. The primary concerns for winery process water that effects groundwater quality are nitrogen, salinity, and biochemical oxygen demand.

The General Waste Discharge Requirements for Winery Process Water (order) applies statewide and includes requirements to ensure winery operations effectively mitigate adverse impacts to water quality.

### Why is the Winery Order needed?

Only about 16 percent, or 589, of 3,612 bonded wineries in California have existing permits or conditional waivers to dispose of winery waste to land. The Wine Institute estimates 2,036 of 3,612 bonded wineries may be subject to this order. This order addresses this backlog of winery permitting by providing consistent statewide enrollment and standard requirements for how winery wastewater is effectively disposed while avoiding potential impacts to groundwater and surface waters of the state. The streamlining efforts are intended to allow existing regional water board resources to focus on compliance instead of issuing regional or site-specific orders.

The order was requested by winemakers to address the inconsistencies in permitting statewide for winery process water. The State Water Resources Control Board has collaborated with the wine industry and other stakeholders by soliciting and incorporating feedback through the development of this General Order.

### Adopted Items and Components in the General Order

- Tiered enrollment and requirements based on gallons of winery process water produced annually,
- Tier-based land application and subsurface disposal area limits and reporting
- Subsurface disposal limit alternative through discharger-requested groundwater monitoring, requiring regional water board approval

- General specifications and prohibitions for process-water treatment systems, ponds, land application, and subsurface disposal areas
- Groundwater monitoring for the highest production tier, with alternatives for land application disposal areas
- Annual reporting requirements and fees, as applicable
- Use of sustainability programs and/ or salt and nutrient management plans to assist in order compliance
- Multi-year enrollment and compliance implementation schedule
- Resolution to adopt the California Environmental Quality Act Mitigated Negative Declaration

## Order Considerations

- Costs and feasibility -The Wine Institute is estimating nearly \$4.2 billion in 2020 and \$3.7 billion over the next 10 years in revenue losses from the 2020 pandemic and wildfires, respectively. In recognition of this, the following considerations were made:
  - Allowing options for wineries to tailor the order to fit their site-specific situation to meet order requirements, including controlling nitrogen and salts, and reporting on order compliance
  - Tiering the requirements for a winery to upgrade ponds and disposal areas, monitor process water, and report compliance relative to the winery's waste production and associated threat to water quality
  - After an approved fee schedule, allowing a winery up to three years to enroll and up to five years to comply with the order based upon regional water board approval
- Fee Schedule
  - On March 9, 2021, stakeholders will have the opportunity to participate in a public fee workshop.
  - In Spring 2021, a proposed fee schedule will be brought to the State Water Board for adoption consideration.

## Development and Outreach

This order was developed under regulatory authority of Water Code Sections 13260 and 13263 in consultation and collaboration with industry, environmental, tribal, regulatory, and public interest stakeholder groups, which are further detailed in a [July 3, 2020 Fact Sheet](#).

Ex parte stakeholder communication from stakeholders were also received after the public comment period closed on August 5, 2020. These ex parte comments were considered and reflected in the final language of the adopted order. More information

can be found on the [General Winery Order program page](https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/winery_order.html).  
([https://www.waterboards.ca.gov/water\\_issues/programs/waste\\_discharge\\_requirements/winery\\_order.html](https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/winery_order.html)).

## **Remaining Schedule**

- Staff public fee workshop on March 9, 2021.
- Board meeting to consider adoption of the fee schedule in spring 2021.
- Past schedule leading up to the January 20, 2021 adoption of this order is available on the [July 3, 2020 Fact Sheet](#).

*(This Fact Sheet was last updated on January 21, 2021)*