

**AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
1 NATIONAL LIFE DRIVE, MAIN 2
MONTPELIER, VT 05620-3521**

**DRAFT INDIRECT
DISCHARGE PERMIT**

Permit No.: ID-9-0291
PIN: NS06-0252

SECTION A - "ADMINISTRATION"

In compliance with provisions of 10 V.S.A. §1263 and in accordance with the following conditions, the permittee:

Honora Winery & Vineyard, Inc.
1950 Collins Road
West Halifax, Vermont 05358

is authorized to land apply non-sewage wastewater from wine making at the Honora Winery and Vineyard facility resulting in a discharge to the groundwater and indirectly to an unnamed tributary of Branch Brook in Halifax, Vermont. **This is a permit renewal.**

A1. Permit Summary:

Expiration Date	December 31, 2021
Type of Waste	Non-sewage wastewater from wine making
Disposal System	Land Application
Design Flow	80 gallons per day during September-October (average) 2,400 gallons per year, maximum
Town	Halifax
Field Acreage	Approximately 21.6 acres (2 fields)
Drainage Basin	Deerfield River
Receiving Stream	Unnamed Tributary to Branch Brook
Drainage area at compliance point	220 acres
Estimated Low Median Monthly Flow For Receiving Stream	20,000 gallons per day
Maximum Land Application	2,000 gallons per day

A2. Compliance Schedule:

The following schedule summarizes the actions and requirements necessary for compliance with the conditions of this permit. The permittee shall complete the requirements in accordance with the dates indicated. See the designated section for specific details.

<u>Condition # & Description</u>	<u>Schedule Date</u>
A3. Apply for renewal of Indirect Discharge Permit	September 30, 2021
E1. Collect and analyze a wastewater sample	Annually in September or October
E2. Measure groundwater levels	Prior to land application of wastewater
E3. Submit disposal report	Annually, by the 30th of November

A3. Expiration Date:

This permit, unless revoked, or amended shall be valid until December 31, 2021, despite any intervening change in Water Quality Standards, the Vermont Guidelines for Land Application of Dairy Processing Wastes or the classification of receiving waters. Renewal of this Indirect Discharge permit will be subject to all rules applicable at the time of renewal.

The permittee shall apply for an Indirect Discharge Permit renewal by September 30, 2021 for continued authorization to land apply wastewater. For the purposes of Title 3, an application for renewal of this indirect discharge permit will be considered timely if a complete application is received by the expiration date.

A4. Effective Date:

This permit becomes effective the date of signature.

A5. Revocation:

The Secretary may revoke this permit in accordance with 10 V.S.A. §1267.

A6. Transfer of Permit:

This permit is not transferable without prior written approval of the Secretary. The permittee shall notify the Secretary immediately, in writing, before any sale, lease or other transfer of ownership of the property from which the permitted discharge originates. The proposed transferee shall make application for a permit to be reissued in their name. Failure to apply shall be considered a violation of this permit. Responsibility for compliance with the conditions of this permit shall be the burden of the permittee until such time as transfer of the permit to the transferee is complete. All application and operating fees must be paid in full prior to transfer of this permit. This permit shall be transferred only upon showing by the permittee or proposed transferee of compliance with the following conditions:

- a. The transferee shall be a legal entity, financially and technically competent to operate, inspect, maintain and replace the system.
- b. The transferee shall demonstrate that they have the legal authority to raise revenues for the proper operation, inspection, and maintenance of the system.
- c. The transferee shall provide a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees to the Secretary.

A7. Minor Modifications of Permit:

The Secretary may modify this permit without requiring a permit application, a public notice, or a public hearing to correct typographical errors or increase the monitoring frequency in accordance with Condition E(6) of this permit.

A8. Demonstration of Compliance:

This indirect discharge was reviewed and qualified for an Indirect Discharge Permit in accordance with Section 14-607 of the Indirect Discharge Rules (effective April 30, 2003), the Vermont Guidelines for Land Application of Dairy Processing Wastes (dated August 14, 1990), and the Groundwater Protection Rule and Strategy, Section 12-503(3), (effective February 14, 2005).

The indirect discharge of wastewater from a wine-making facility at the Honora Winery and Vineyard, via land application, satisfies the criteria of 10:1 dilution between the receiving stream flow and effluent at low median monthly flow, in accordance with the Vermont Guidelines for Land Application of Dairy Processing Wastes.

A9. Right of Agency to Inspect:

The permittee shall make arrangements to insure that the Secretary or the Secretary's authorized representative upon the presentation of their credentials, may enter upon any fields or inspect any manure lagoons being used as disposal sites.

The permittee shall allow the Secretary or the Secretary's authorized representative upon the presentation of their credentials and at reasonable times:

- a. To enter upon permittee's premises in which any effluent source, treatment or disposal system is located or in which any records are required to be kept under the conditions of the permit;
- b. To have access to and copy any records required to be kept under conditions of this permit;
- c. To inspect any monitoring equipment or method required in this permit;
- d. To sample any discharge of waste, groundwater or surface water; and
- e. To inspect any collection, treatment, pollution management and disposal facilities required by this permit.

A10. Permit Availability:

A copy of this permit shall remain at the office of the permittee and, upon request, shall be made available for inspection by the Secretary.

A11. Addition of Disposal Fields:

The permittee may add disposal fields to those listed in Condition C(1) under the following procedures:

- a. Fields to be added to the program must be evaluated in accordance with the Vermont Guidelines for Land Application of Dairy Processing Wastes.
- b. For any field that is not owned by the permittee, a written and signed disposal agreement is required between the landowner and the permittee, stating that the owner allows land application of the waste on the field.
- c. The permittee must submit an application for a permit amendment to add fields to the disposal program.

A12. Operating Fees:

This indirect discharge is subject to operating fees. The permittee shall submit the operating fees in accordance with the procedures provided by the Secretary.

SECTION B - "INDIRECT DISCHARGE"

B1. Location of Indirect Discharge:

The indirect discharge is located in the Deerfield River drainage basin in the Town of Halifax, Vermont. The field utilized for land application is located on the USGS Jacksonville, Vermont 7.5' x 15' quadrangle map at Latitude N 42° 48' 33" and Longitude W 72° 47' 27.4".

B2. Nature of Indirect Discharge:

The indirect discharge authorized by this permit is classified as a non-sewage, non-pathogenic waste. The wastewater is rinse water from crushing grapes and the fermentation process and which is collected in a 1,000 gallon holding tank. There are no chemicals used in which would end up in the rinse water. The wastewater is spread by a tractor with an attached spray tank system. The wastewater is generated at approximately 80 gallons per day during the production season, which is in the month of September. The wastewater is land applied in a 13.6-acre vineyard during the months of September or October. Assuming a total production of 2,400 gallons of wastewater during the month, only 0.09 acres are needed for land application at the approved rate of 1" /acre/year (27,152 gallons/acre/year). An additional vineyard of 8.0 acres is available as a reserve application area.

The Vermont Guidelines for the Land Application of Dairy Processing Wastes dated August 14, 1990 have been applied to this discharge due to the fact that it is a food processing waste. There must be a minimum of three-foot separation to groundwater at the time of application. The maximum allowable land disposal rate is limited to 2,000 gallons per day to provide a low median monthly stream flow to wastewater volume ratio of at least 10:1 between the receiving stream and the disposal volume.

The indirect discharge is considered a new indirect discharge of non-sewage wastes under the Indirect Discharge Rules, effective April 30, 2003.

SECTION C - "SYSTEM SPECIFICATIONS"

C1. System Specifications/ Disposal Fields:

The approved fields for land application of the winery wastewater are as follows:

<u>Field</u>	<u>Acreage</u>	<u>Owner</u>	<u>Crop</u>
Primary Field	13.6 acres	Honora Winery & Vineyard	Grapes
Reserve Field	8.0 acres	Honora Winery & Vineyard	Grapes

The discharge is to groundwater and indirectly to an unnamed tributary of Branch Brook. No construction or modifications are necessary for the operation of the disposal methods authorized by this permit.

SECTION D - "SYSTEM OPERATION"

D1. General Operating Requirements:

At all times, the wastewater from the winery shall be disposed of in a manner that will (1) not permit the surface runoff of wastewater to waters of the State; (2) not permit the disposal of wastewater when groundwater is within 36 inches of the surface; (3) not permit the disposal of wastewater at a site where seasonal runoff is occurring; and (4) not result in a violation of the Water Quality Standards.

D2. Limits on Disposal:

This permit authorizes the land application of wastewater from wine making during the months of September and October each year. The permittee shall not land apply more than 2,000 gallons per day or more than 2,400 gallons per year. The permittee may land apply wastewater during other months upon prior approval of the Secretary.

D3. Other Restrictions:

The permittee shall conduct the land application of the wastewater in accordance with the Vermont Guidelines for Land Application of Dairy Processing Wastes and the conditions of this permit.

An isolation distance of 200 feet (no application zone) shall be maintained between the area of the vineyard receiving the land applied wastewater and all property lines.

The permittee shall not allow any person to discharge or cause to be discharged from the manufacturing facility anything other than the wastewater described herein to the disposal fields.

SECTION E - "MONITORING"

E1. Wastewater Monitoring:

The wastewater to be land applied on the disposal fields shall be sampled and analyzed as follows:

<u>Parameter</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sample Frequency</u>
Biochemical Oxygen Demand (5-day)	mg/L	grab	Annually
Sodium (Na+)	mg/L	grab	Annually
Chloride (Cl-)	mg/L	grab	Annually
Total Dissolved Solids	mg/L	grab	Annually
Total Phosphorus	mg/L	grab	Annually
Total Dissolved Phosphorus	mg/L	grab	Annually
Total Kjeldahl Nitrogen (TKN)	mg/L	grab	Annually
Nitrate Nitrogen	mg/L	grab	Annually
pH	S.U.	grab	Annually

Annually means during the month of September or October.

Samples shall be taken at the line which is used to fill the holding tank.

The results of the analyses shall be submitted to the Secretary with the Annual Disposal Report as required by Condition E(3).

E2. Groundwater Levels:

The depth to groundwater (below ground surface) in observation well verified fields shall be measured and recorded prior to land application of wastewater on the field. If the depth to groundwater is less than 36", land application shall not occur.

The groundwater level measurements shall be submitted to the Secretary in the annual disposal report as required by Condition E(3).

E3. Annual Disposal Report:

Annually, by November 30th, the permittee shall submit a written report to the Secretary listing the dates of application, the fields which were utilized for disposal, and the volume of wastewater applied on each field, each day. If other methods of disposal are utilized by the permittee, the volume and destination shall be submitted.

The annual disposal report shall include the laboratory data sheets of the sampling results as required in Condition E(1), and the groundwater level measurements as required in Condition E(2).

E3. Annual Disposal Report (continued):

The report shall include a summary of any incidents that may have occurred regarding the land application program during the covered period and indicate what actions have been taken to prevent any future occurrence. The number of gallons applied on each field shall be totaled. The report shall be signed by an official of Honora Winery & Vineyard, under the following statement:

“I certify under penalty of law that I have personally examined, and am familiar with, the information submitted herein. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.”

E4. Sampling and Testing Procedures:

All wastewater sampling, preservation, handling and test procedures used to comply with the monitoring requirements herein shall conform to procedures specified in the most current edition of Standard Methods for the Examination of Water and Wastewater APHA - AWWA - WPCF, and the Vermont Water Quality Standards unless written approval of an alternate method is received from the Agency.

The laboratory utilized for analyzing the samples shall demonstrate successful participation in third party proficiency testing recognized by ISO or NELAP for all parameters and shall analyze any check sample provided by the Secretary. Failure to obtain an acceptable result for either the Secretary's check sample or successful third party proficiency testing may be a basis for requiring an alternate analytical laboratory.

E5. Miscellaneous:

The permittee shall control the application of wastewater and may be required to take additional measures as determined by the Secretary to reduce any nuisance odors.

If the permittee monitors any required parameter set forth in this permit for this treatment and disposal system more frequently or at additional locations outside the treatment facility than required by this permit, the results of such monitoring shall be submitted by the 15th day of the second month following the date of sampling. All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Secretary.

Records shall include laboratory bench sheets showing exact location, time and composites of sample as well as analytical procedures used, interim results obtained and all calculations supporting the reported test results.

E6. Additional Monitoring Requirements:

No other water quality monitoring of the system is required under this permit. However, the Secretary reserves the right to require additional monitoring of the system in accordance with Condition A(7) should operation of the system fail to meet the requirements of Section D(1).

SECTION F - "COMPLIANCE REVIEW"

If the results of any monitoring indicate there is a possibility that the Vermont Water Quality Standards may be exceeded, the Secretary may increase the frequency of effluent monitoring, or require monitoring of groundwater and/or surface water. If continued monitoring and analysis indicates that a violation of the effluent disposal rate, or a violation of the Vermont Water Quality Standards has occurred, is occurring, or is likely to occur, the Secretary may require the permittee to take appropriate corrective actions to eliminate or reduce the possibility of a violation.

The issuance of this Indirect Discharge Permit ID-9-0291, to the Honora Winery & Vineyard, Inc., by the Secretary relies upon the data, designs, judgement and other information supplied by the applicant, the applicant's consultants and other experts who have participated in the preparation of the application. The Secretary makes no assurance that this system will meet the performance objectives of the applicant and no warranties or guarantees are given or implied.

SECTION G - "EFFECTIVE DATE"

This Indirect Discharge Permit, ID-9-0291, issued to Honora Winery & Vineyard, Inc., for the discharge of non-sewage wastewater generated from wine production at the Honora Winery & Vineyard in West Halifax, Vermont is effective on this _____ day of March, 2017.

Joanna Pallito, Commissioner
Department of Environmental Conservation

By _____ **DRAFT** _____
Bryan Redmond, Director
Drinking Water and Groundwater Protection Division