

**FACT SHEET FOR STATE WASTE DISCHARGE  
PERMIT NO. ST-9264**

**CHATEAU FAIRE LE PONT**

**DATE OF THIS FACT SHEET – OCTOBER 19, 2007**

**SUMMARY**

Chateau Fair Le Pont (Chateau) is located in a remodeled brick warehouse in the Port of Wenatchee near Confluence State Park. The facility began operations at this location in the spring of 2004. Chateau Fair Le Pont operates a restaurant and winery at this location. The facility is seeking a new State wastewater discharge permit.

Presently Chateau processes 50 tons of grapes per year producing approximately 3,500 cases of premium wine. Ultimately production is expected to peak at 6,000 to 7,000 cases per year. The wastewater is sent to the Wenatchee publicly owned treatment works (POTW) under contract with the City of Wenatchee.

The Permittee proposes to construct a pretreatment facility based on anaerobic digestion of the winery waste. Restaurant waste is separated from the winemaking operations. Two septic tanks aligned in series will provide anaerobic digestion in the first tank and settling in the second tank with flow equalization provided in both tanks. The Permittee's engineer, Water Quality Engineers located in Wenatchee, report this anaerobic treatment is capable of removing 70 to 95% of BOD from the raw wastewater.

The Chateau's engineer estimates the average daily flow during crush at 253 gallons per day (gpd). A peaking factor of 3.5 was used to estimate a peak flow of 884 gpd. Water use for 2006 was used by the Chateau's engineer, since it is considered representative of the current wine making production rate.

Monitoring during the proposed permit will provide a better picture of the loads expected during the wine making and cleaning process. These data will be used to assess the pretreatment efficiencies of the anaerobic digestion system and allow the City to adjust its contractual agreement during the course of the permit.

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## **INTRODUCTION**

This fact sheet is a companion document to the draft State Waste Discharge Permit No. ST-9264. The Department of Ecology (Ecology) is proposing to issue this permit, which will allow discharge of wastewater to the Wenatchee publicly owned treatment works (POTW). This fact sheet explains the nature of the proposed discharge, Ecology's decisions on limiting the pollutants in the wastewater, and the regulatory and technical bases for those decisions.

Washington State law (RCW 90.48.080 and 90.48.160) requires that a permit be issued before discharge of wastewater to waters of the state is allowed. This statute includes commercial or industrial discharges to sewerage systems operated by municipalities or public entities which discharge into public waters of the state. Regulations adopted by the state include procedures for issuing permits and establish requirements, which are to be included in the permit (Chapter 173-216 WAC).

This fact sheet and draft permit are available for review by interested persons as described in Appendix A—Public Involvement Information.

The fact sheet and draft permit have been reviewed by the Permittee. Errors and omissions identified in these reviews have been corrected before going to public notice. After the public comment period has closed, Ecology will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of Ecology's response. The fact sheet will not be revised. Changes to the permit will be addressed in Appendix D—Response to Comments.

<b>GENERAL INFORMATION</b>	
Applicant	Chateau Faire Le Pont
Facility Name and Address	Chateau Faire Le Pont 389 Technology Way Wenatchee, WA 98801
Type of Facility:	Winery
Facility Discharge Location	Latitude: 47° 27' 53.38" N Longitude: 120° 19' 39.29" W
Treatment Plant Receiving Discharge	City of Wenatchee Publicly Owned Treatment Works
Contact at Facility	Name: Doug Brazil Telephone #: 509 670 8552
Responsible Official	Name: Doug Brazil Title; Winemaker and Managing Partner 389 Technology Way Wenatchee, WA 98801

## **BACKGROUND INFORMATION**

### **DESCRIPTION OF THE FACILITY**

#### **History**

Chateau, in 2004, remodeled a 1920's brick warehouse located in the Port of Wenatchee near Confluence State Park. Chateau began its restaurant and winery operations at this location in the spring of 2004.

#### **Industrial Processes**

Presently Chateau processes 50 tons of grapes per year producing approximately 3,500 cases of premium wine per year. Ultimately production is expected to peak at 6,000 to 7,000 cases per year.

Solids from barrels, tanks and casks are removed prior to washing. Solids resulting from grape crush process including skins, stems, and pulp are also removed and disposed of as solid waste.

Washing of the equipment will occur outside the building where a trench drain will collect the wastewater and convey it to the pretreatment system. The trench drain is equipped with a valve so stormwater cannot enter the system when equipment rinsing is not occurring.

## Treatment Processes

The Permittee has proposed to construct a pretreatment facility based on anaerobic digestion of the winery waste. Restaurant waste will be separated from the winemaking operations. Two tanks aligned in series will provide anaerobic digestion in the first tank and settling in the second tank. Flow equalization will be provided in both tanks. The Permittee's engineering consultant, Water Quality Engineering, located in Wenatchee, reports this anaerobic treatment is capable of removing 70 to 95% of BOD from the raw wastewater.

The first tank, with a capacity of 3,600 gallons, will be mixed with a low speed mixer to enhance treatment in complete-mix anaerobic reactor conditions. The second tank, with a capacity of 1,500 gallons, will provide for settling of suspended solids. Electrical service will be provided to permit the installation of aerobic treatment should it be needed to improve treatment of the wastewater.

Chateau's engineer estimates the average daily flow during crush at 253 gallons per day (gpd). A peaking factor of 3.5 was used to estimate a peak flow of 884 gpd. Water use for 2006 was used by the engineer since it is considered representative of the current wine making production rate.

## PERMIT STATUS

This is a new facility. An application for a permit was submitted to Ecology on August 6, 2007 and accepted on August 22, 2007.

## RAW WASTEWATER CHARACTERIZATION

Data submitted by the Permittee is based on grab samples taken in January 2007 and October 2006. Monitoring during the proposed permit will provide a better characterization of the loads expected during the wine making and cleaning process. These data will be used to assess the pretreatment efficiencies of the anaerobic digestion system and allow the City to adjust its contractual agreement, if needed, during the course of the permit.

**Table 1: Raw Wastewater Characterization**

Parameter	Average Concentration <sup>a</sup>	Minimum Concentration	Maximum Concentration
Total suspended solids (TSS)	395.2	5.3	785
Biological oxygen demand (BOD)	7920	7890	7950
pH	3.47	3.47	3.47

<sup>a</sup> All concentrations are in milligrams per liter except pH, which is in standard units.

**PROPOSED PERMIT LIMITATIONS**

State regulations require that limitations set forth in a waste discharge permit must be based on the technology available to treat the pollutants (technology-based) or be based on the effects of the pollutants to the POTW (local limits). Wastewater must be treated using all known, available, reasonable methods of prevention, control, and treatment (AKART) and not interfere with the operation of the POTW.

The more stringent of the local limits-based or technology-based limits are applied to each of the parameters of concern. Each of these types of limits is described in more detail below.

**EFFLUENT LIMITATIONS BASED ON LOCAL LIMITS**

In order to protect the Wenatchee POTW from pass-through, interference, concentrations of toxic chemicals that would impair beneficial or designated uses of sludge, or potentially hazardous exposure levels, limitations for certain parameters are necessary. These limitations are based on local limits codified in ordinance and established via a contract between the City of Wenatchee and the Permittee. Applicable limits for this discharge as agreed upon in the current contract are contained in Table 2.

**Table 2: Local Limits Established by Contract**

Parameter	Discharge Limit
Biological Oxygen Demand	1150 mg/L <sup>a</sup> Daily Maximum 450 mg/L Weekly Average <sup>b</sup>
Total Suspended Solids	1200 mg/L <sup>2</sup> Daily Maximum 460 mg/L Weekly Average <sup>b</sup>
pH	6 to 9 standard units

<sup>1</sup>“mg/L” means milligrams per liter.

<sup>2</sup>Weekly averages are based on a five (5) day week.

Pollutant concentrations in the proposed discharge with technology-based controls in place will not cause problems at the receiving POTW such as interference, pass-through or hazardous exposure to POTW workers, nor will it result in unacceptable pollutant levels in the POTW’s sludge.

The limits are detailed in the proposed permit under Special Condition S1. and as contained in the contract with the City of Wenatchee. In accordance with Special Condition S4A.5 of the permit, the Permittee is required to place a copy of the contract in Appendix A of the Operation

and Maintenance (O&M) Manual. The contract and any later modifications of the contract contained in Appendix A of the O&M manual will constitute the enforceable limits of the permit.

### **MONITORING REQUIREMENTS**

Monitoring, recording, and reporting are specified to verify that the treatment process is functioning correctly, and that effluent limitations are being achieved (WAC 173-216-110).

The monitoring schedule is detailed in the proposed permit under Special Condition S2 as contained in the contract with the City of Wenatchee. In accordance with Special Condition 4.A.5 of the permit, the Permittee is required to place a copy of the contract in Appendix A of the Operation and Maintenance (O&M) Manual. The contract and any later modifications of the contract contained in Appendix A of the O&M manual will constitute the enforceable monitoring requirements of the permit.

Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

Monitoring for Flow, BOD, TSS and pH is being required to characterize the effluent. These pollutants could have a significant impact on the receiving POTW.

### **OTHER PERMIT CONDITIONS**

#### **REPORTING AND RECORDKEEPING**

The conditions of S3. are based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-216-110 and 40 CFR 403.12 (e), (g), and (h)).

#### **OPERATIONS AND MAINTENANCE**

The proposed permit contains Special Condition S4. as authorized under WAC 173-240-150 and WAC 173-216-110. It is included to ensure proper operation and regular maintenance of equipment, and to ensure that adequate safeguards are taken so that constructed facilities are used to their optimum potential in terms of pollutant capture and treatment.

The Permittee is required to keep a current copy of the wastewater discharge contract with the City of Wenatchee in Appendix A of the O&M manual. In the event a new contract with the City is negotiated with the Permittee during the course of the proposed permit term, the Permittee is required to place the new contract in Appendix A. The limits and monitoring requirements

contained in any new contract will then constitute the enforceable limits and monitoring requirements of the proposed permit.

### **PROHIBITED DISCHARGES**

Certain pollutants are prohibited from being discharged to the POTW. These include substances which cause pass-through or interference, pollutants which may cause damage to the POTW or harm to the POTW workers (Chapter 173-216 WAC) and the discharge of designated dangerous wastes not authorized by this permit (Chapter 173-303 WAC).

### **DILUTION PROHIBITED**

The Permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.

### **SOLID WASTE PLAN**

Ecology has determined that the Permittee has a potential to cause pollution of the waters of the state from leachate of solid waste.

This proposed permit requires, under authority of RCW 90.48.080, that the Permittee develop and submit to Ecology a solid waste plan to prevent solid waste from causing pollution of waters of the state. The plan must also be submitted to the local solid waste permitting agency for approval, if required.

### **SPILL AND SLUG DISCHARGE CONTROL PLAN**

Ecology has determined that the Permittee has the potential for a batch discharge or a spill that could adversely affect the POTW therefore a spill and slug discharge control plan is required (40 CFR 403.8 (f)).

### **GENERAL CONDITIONS**

General Conditions are based directly on state laws and regulations and have been standardized for all industrial waste discharge to POTW permits issued by Ecology.

- Condition G1. requires responsible officials or their designated representatives to sign submittals to Ecology.
- Condition G2. requires the Permittee to allow Ecology to access the treatment system, production facility, and records related to the permit.
- Condition G3. specifies conditions for modifying, suspending or terminating the permit.

- Condition G4. requires the Permittee to apply to Ecology prior to increasing or varying the discharge from the levels stated in the permit application.
- Condition G5. requires the Permittee to construct, modify, and operate the permitted facility in accordance with approved engineering documents.
- Condition G6. prohibits the Permittee from using the permit as a basis for violating any laws, statutes or regulations.
- Conditions G7. relates to permit renewal and transfer.
- Condition G8. requires the Permittee to control production or wastewater discharge in order to maintain compliance with the permit.
- Condition G9. prohibits the reintroduction of removed pollutants into the effluent stream for discharge.
- Condition G10. requires the payment of permit fees.
- Condition G11. describes the penalties for violating permit conditions.

#### **PUBLIC NOTIFICATION OF NONCOMPLIANCE**

A list of all industrial users which were in significant noncompliance with Pretreatment Standards or Requirements during any of the previous four quarters may be annually published by Ecology in a local newspaper. Accordingly, the Permittee is apprised that noncompliance with this permit may result in publication of the noncompliance.

#### **RECOMMENDATION FOR PERMIT ISSUANCE**

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics. Ecology proposes that the permit be issued for 5 years.

#### **REFERENCES FOR TEXT AND APPENDICES**

Washington State Department of Ecology.

Laws and Regulations( <http://www.ecy.wa.gov/laws-rules/index.html> )

Permit and Wastewater Related Information  
(<http://www.ecy.wa.gov/programs/wq/wastewater/index.html>)

## **APPENDIX A --PUBLIC INVOLVEMENT INFORMATION**

Ecology has tentatively determined to issue a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

The Department published a Public Notice of Application and Draft (PNOA/D) on December 3, and December 10, 2007 in the Wenatchee World to inform the public that an application, draft permit and fact sheet were available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Water Quality Permit Coordinator  
Department of Ecology  
Central Regional Office  
15 West Yakima Avenue, Suite 200  
Yakima, WA 98902

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. Ecology will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-216-100). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing.

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

Ecology will consider all comments received within 30 days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. Ecology's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from Ecology by telephone, 509/457-7105, or by writing to the address listed above.

This permit was written by Richard Marcley.

## APPENDIX B -- GLOSSARY

**Ammonia**—Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

**Average Monthly Discharge Limitation**—The average of the measured values obtained over a calendar month's time.

**Best Management Practices (BMPs)**--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

**BOD<sub>5</sub>**--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD<sub>5</sub> is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

**Bypass**—The intentional diversion of waste streams from any portion of the collection or treatment facility.

**Categorical Pretreatment Standards**—National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

**Compliance Inspection - Without Sampling**--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

**Compliance Inspection - With Sampling**--A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Additional sampling may be conducted.

**Composite Sample**—A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be “time-composite”(collected at constant time intervals) or “flow-proportional” (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots).

**Construction Activity**—Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

**Continuous Monitoring** –Uninterrupted, unless otherwise noted in the permit.

**Engineering Report**—A document, signed by a professional licensed engineer, which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

**Grab Sample**—A single sample or measurement taken at a specific time or over a short period of time as is feasible.

**Industrial User**—A discharger of wastewater to the sanitary sewer which is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

**Industrial Wastewater**—Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

**Interference**— A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and;

Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in

any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

**Local Limits**—Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

**Maximum Daily Discharge Limitation**—The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

**Method Detection Level (MDL)**--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

**Pass-through**— A discharge which exits the POTW into waters of the-State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of State water quality standards.

**pH**—The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

**Potential Significant Industrial User**--A potential significant industrial user is defined as an Industrial User which does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

- a. Exceeds 0.5 % of treatment plant design capacity criteria and discharges <25,000 gallons per day or;
- b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

Ecology may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

**Quantitation Level (QL)**-- A calculated value five times the MDL (method detection level).

**Significant Industrial User (SIU)**--

- 1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;
- 2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority\* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority\* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

\*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

**Slug Discharge**—Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate which may cause interference with the POTW.

**State Waters**—Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

**Stormwater**—That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

**Technology-based Effluent Limit**—A permit limit that is based on the ability of a treatment method to reduce the pollutant.

**Total Coliform Bacteria**—A microbiological test which detects and enumerates the total coliform group of bacteria in water samples.

**Total Dissolved Solids**—That portion of total solids in water or wastewater that passes through a specific filter.

**Total Suspended Solids (TSS)**--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

**Water Quality-based Effluent Limit**—A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

## APPENDIX C -- DISCHARGE CONTRACT

### DRAFT DISCHARGE CONTRACT

Contract for Discharge of Industrial Wastewater to the City of Wenatchee Publicly Owned Treatment Works

AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between the City of Wenatchee, a Washington municipal corporation, hereinafter referred to as "City," and Chateau Faire Le Pont Winery hereinafter referred to as "Chateau Faire Le Pont ."

#### Recitals

Whereas, the City owns and operates a Publicly Owned Treatment Works (hereinafter "POTW"); and

Whereas, Chateau Faire Le Pont desires to discharge effluent from its apple slicing operation which has the potential to adversely effect the City's POTW; and

Whereas, the City and Chateau Faire Le Pont desire to enter into this special agreement pursuant to WCC 4.08.060 (4) setting forth special terms under which Chateau Faire Le Pont may discharge its apple slicing effluent to the POTW.

#### 1. DEFINITIONS:

- 1.1 Unless the context specifically indicates otherwise, the meaning of terms used in this Contract shall be set forth in Section 1.1. Terms not specifically defined herein shall be as defined in the latest revised publication "Glossary of Water and Wastewater Control Engineering" published jointly by the American Public Health Association, American Society of Civil Engineers, American Water Works Association and Water Pollution Control Federation.
  - 1.1.1 **BOD** (biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty degrees Centigrade (20 degrees C), expressed in milligrams per liter (mg/L).
  - 1.1.2 **Disposal** means lawful and authorized discharge of treated wastewater.
  - 1.1.3 **Effluent** means wastewater that has been treated to remove pollutants including but not limited to BOD and solids.
  - 1.1.4 **Flow** means the rate at which water or wastewater moves stated in terms of volume per unit time.
  - 1.1.5 **MGD** means millions of gallons per day, a unit of flow.
  - 1.1.6 **mg/L** means milligrams per liter, a unit of concentration.
  - 1.1.7 **POTW** means publicly owned treatment works.
  - 1.1.8 **TSS** (total suspended solids) means solids that either float on the surface of or are in suspension in wastewater and which are largely removable by standard laboratory filtration procedures.

2. TERM OF CONTRACT:

- 2.1 CHATEAU FAIRE LE PONT shall obtain a State Waste Discharge permit from the Washington State Department of Ecology winery making effluent discharge at 389 Technology Center Way to the City's POTW.
- 2.2 This CONTRACT shall commence on the effective date of the State Waste Discharge permit and shall continue until the expiration of the aforementioned permit.
- 2.3 This CONTRACT is issued to CHATEAU FAIRE LE PONT for the specific operation of winery at 389 Technology Center Way.
- 2.4 Termination of the State Waste Discharge permit will result in the termination of this contract.
- 2.5 The CITY reserves the right to modify or terminate this CONTRACT at any time in the event it deems modification or termination is necessary to preserve the integrity and function of the POTW. City shall notify CHATEAU FAIRE LE PONT in writing of any proposed modifications or termination thirty (30) calendar days prior to the implementation of such modifications or termination.

3. USE OF SEWERS:

- 3.1 All use by Chateau Faire Le Pont of CITY sewers shall be in compliance with all federal, state and local regulations including Wenatchee City Code Chapter 4.08.
- 3.2 This CONTRACT and the authorization to discharge can not be transferred, sold, or otherwise given to a new owner, new user, different premises, or any new or modified operation unless authorized by the CITY.
- 3.3 Any discharge by CHATEAU FAIRE LE PONT that imparts color to the wastewater which interferes with the ultraviolet disinfection process at the POTW is prohibited

4. DISCHARGE LIMITS:

4.1 Table 4-1 lists the effluent characteristics and discharge limits for CHATEAU FAIRE LE PONT to discharge industrial wastewater under the terms of this CONTRACT.

TABLE 4-1

<b>Effluent Characteristic</b>	<b>Discharge Limit</b>
BOD	1150 mg/L Daily Average Maximum 450 mg/L Weekly Average*
TSS	1200 mg/L Daily Average Maximum 460 mg/L Weekly Average*
pH	6.0 – 9.0 standard units

\* Five (5) day week

4.2 Table 4-2 lists the surcharges for Chateau Faire Le Pont’s industrial wastewater exceeding the discharge limits for BOD & TSS in 2007. Discharge limits for future years shall be set forth in an addendum to this CONTRACT. The CITY will calculate surcharges on a monthly basis and will apply any surcharges to the following month’s sewer bill.

TABLE 4-2 Surchage Table

<b>Effluent Characteristic</b>	<b>Surcharge</b>
BOD	\$195.777 per thousand pound
TSS	\$102.348 per thousand pound

4.3 Surcharges for the duration of this permit will be based on the table above plus any additional increases according to the City's water and sewer rate schedule. Calculations of surcharges will be based on monitoring results.

4.4 Table 4-3 lists the monitoring frequency for the effluent. When discharging, daily samples shall be 24-hour, flow-proportioned composite samples with exception of pH which will be a grab sample. After one (1) year without violations of this CONTRACT or the State Waste Discharge permit, monitoring may be reduced with written approval from the CITY. The CITY may also require additional monitoring at Chateau Faire Le Pont 's expense to avoid upsets or pass through at the POTW.

TABLE 4-3 Effluent Monitoring Frequency

<b>Effluent Characteristic</b>	<b>Frequency</b>
BOD	Daily
TSS	Daily
pH	Daily

5. REPORTING & INSPECTIONS

5.1 All monitoring required under the State Waste Discharge permit shall be copied to the CITY no later than the 15<sup>th</sup> day of the month following the monitoring period.

5.2 CHATEAU FAIRE LE PONT shall allow CITY staff to enter upon Chateau Faire Le Pont 's premises at 389 Technology Center Way during operating hours upon one hour advance notice by City to Chateau Faire Le Pont to:

5.2.1 Inspect any facilities, equipment (including monitoring and control equipment), practices, storage facilities or operations.

5.2.2 Have access to and copy any records that must be kept as a condition of the State Waste Discharge Permit.

5.2.3 Sample or monitor for the purpose of assuring compliance.

5.2.4 Inspect any production, manufacturing, fabricating or storage area where pollutants regulated under this CONTRACT and the State Waste Discharge Permit could originate, be stored, or be discharged to the sewer system.

5.3 CHATEAU FAIRE LE PONT shall report any accidental or slug discharges immediately to the CITY. In case of an accidental or slug discharge or any other substantial incident which may have an adverse impact on the POTW, Chateau Faire Le Pont shall contact the CITY at (509)664-3381 between 7:00 A.M. and 3:30 P.M. and after hours contact RiverCom at (509)663-9911.

5.4 CHATEAU FAIRE LE PONT shall notify the CITY for review and approval of any proposed changes to discharges at least thirty (30) calendar days prior to the modified waste stream being discharged to the POTW.

6. ENFORCEMENT

6.1 The CITY reserves the right to initiate enforcement action for any violation of this CONTRACT or Wenatchee City Code Chapter 4.08.

6.2 CHATEAU FAIRE LE PONT may be billed surcharges and fines for exceedances of the discharge limits in Table 4-1. Payment by Chateau Faire Le Pont shall be due in the normal course along with regular monthly sewer charges.

6.3 Enforcement action will be in accordance with the administrative and judicial actions under Wenatchee City Code Chapter 4.08.

SIGNED THIS \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF WENATCHEE, a Washington  
municipal corporation

By: \_\_\_\_\_  
DENNIS JOHNSON, Mayor

ATTEST:

By: \_\_\_\_\_  
VICKI REISTER, City Clerk

CHATEAU FAIRE LE PONT WINERY, INC.

By: \_\_\_\_\_

*FACT SHEET FOR STATE PERMIT NO. ST-9264*  
*CHATEAU FAIRE LE PONT*  
***EXPIRATION DATE: FEBRUARY 28, 2013***  
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**APPENDIX D -- RESPONSE TO COMMENTS**

No comments were received by the Department of Ecology.