

**New York State Department of Environmental Conservation (NYSDEC)
Water and Materials Management Requirements**

Frequently Asked Q & A Regarding Wineries, Cideries, Breweries

1. What are my options to dispose of my wastewater?

There are a few options to dispose of wastewater from wineries, cideries and breweries:

- a. discharge to a properly permitted septic system;
- b. discharge to a publicly owned treatment works (the sanitary sewer system to the local wastewater treatment plant); or
- c. hold in a tank and hire a registered hauler to truck the wastewater to a publicly owned treatment works; or
- d. land applied to agricultural fields using good farming practices (see Question 5 for more information).

2. What are my options to dispose of my organic solids – grape and apple pomace and grains?

Solid wastes from your winery, cidery or brewery includes grape skins, waste grapes, twigs, stems, seeds or used grains. Handling or disposing of this material can include one or more of the following options. These wastes can be:

- a. composted or land applied;
 - b. sold or given away to farmers as feed for animals; or
 - c. hauled away to a solid waste facility such as a landfill or anaerobic digester.
- See Question 5 for more information on regulatory requirements for these options.

3. How do I know if my on-site septic system is designed to handle the wastewater from my winery? I don't want to cause my septic system to fail - replacing a leach field is expensive and messy.

Contact an environmental engineer who is familiar with septic systems. If you have the plans or specifications for the system, have them handy. The engineer will evaluate the size of your tank and the extent of your leach field and consider the volume and strength of the wastewater you generate to determine if your system is adequate. The engineer may require some laboratory analysis of your wastewater. The wastewater you generate from your operation may be too strong for the type of bacteria in your septic system, which could also cause problems. It may have a high biological oxygen demand (BOD) or be too acidic. Seasonal operations such as wineries which discharge a large amount of wastewater during a short period during the year can cause a "shock loading" condition which can disrupt the operation of a septic system and cause problems. Also, do not discharge solids to your septic system, such as grape or apple pomace or mash, because solids can plug your leach field and cause the system to fail.

4. Do I need a permit from DEC for my septic system?

Yes, a State Pollutant Discharge Elimination System (SPDES) permit is required for the septic system. You may contact the DEC Regional Office to begin the

permit application process. To streamline the permitting process for this type of wastewater discharges, the NYSDEC is currently drafting a general permit for discharges of winery wastewater of less than 10,000 gallons per day to groundwater. The permit will ensure that septic systems at wineries, cideries and breweries are designed to safely handle the type of wastewater generated.

5. Do I need a permit or a registration to dispose of my solids on my own property or at an off-site location?

If you are disposing of solids by using it as animal feed, a Beneficial Use Determination (BUD) from the DEC is required. If you would like to compost on your own property, the compost facility is exempt from the state's solid waste regulations. Land application of pomace, stems, leaves, and similar materials is exempt provided the land application follows good farming practices. Registration with the DEC is required for either land application of grains, or composting any of the waste streams at an off-site location, such as a local farm. Registration is a simple process and there is a no fee, but there are some basic practices that must be followed to ensure that nearby waterbodies are not polluted from runoff. If the material is taken to a landfill or an anaerobic digester, the operator of those facilities is responsible for compliance with the appropriate regulations.

6. I have a stream at the bottom of my hill. If my septic system fails, can I cause a problem to the stream? How would I know if my septic system is failing? What kind of problems could occur in the stream? Could I be fined?!

Typically when a septic system fails, wastewater will "back up" into buildings or pool on the ground. The wastewater has a strong odor of septage, and is a public health risk and an environmental problem. Once on the ground surface, this wastewater could discharge to a waterbody, either by overland flow or as a component of stormwater runoff. Raw sewage can cause fish kills and water quality violations. The DEC responds to citizen complaints, and may send an Environmental Conservation Officer to investigate and issue a ticket. Discharges of this type are a violation of the New York State Environmental Conservation Law, and are subject to enforcement.

7. I am thinking of opening a distillery. Does this guidance apply to me too?

Yes and no. The distilling process may have some wastes streams in common with food processors, but may also have unique waste streams that require other management techniques. Contact the Regional Materials Management Engineer for further information.

8. Who should I call for more information?

Contact your DEC regional office. For information on water related topics, contact the Regional Water Engineer. For information on solid waste regulations (NYCRR Part 360) contact the Regional Materials Management Engineer.

<http://www.dec.ny.gov/about/50230.html>