



Ron Chapman, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH
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EDMUND G. BROWN JR.
Governor

March 15, 2013

Water System No. 4900946

Victor Trentadue
Trentadue Winery
19170 Geyserville Avenue
Geyserville, CA 95441

**RE: CITATION NO. 02-18-13C-011/MAXIMUM CONTAMINANT LEVEL VIOLATION
FOR JANUARY 2013**

Enclosed is a Citation issued to the Trentadue Winery (System) water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation.

You will receive a bill sent from our Fee Billing Unit in Sacramento by August 1, 2013. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact Cindi Lee of my staff at (707) 576-2422 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

Enclosure

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Trentadue Winery

Water System No: 4900946

To: Trentadue Winery
19170 Geyserville Avenue
Geyserville, CA 95441

Issued: March 15, 2013

CITATION FOR NONCOMPLIANCE

With Title 22 of the California Code of Regulations Section 64426.1

Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit or order issued thereunder.

Applicable Authorities

Section 116650 of the CHSC states in relevant part:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon



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the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations (CCR), Section 64426.1 states in relevant part:

A public water system is in violation of the total and fecal coliform MCL (maximum contaminant level) when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or

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- (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or
- (4) Any repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample is total coliform-positive.

STATEMENT OF FACTS

The Division of Drinking Water and Environmental Management of the Department of Public Health (Department) has received laboratory results for thirteen bacteriological samples collected during January 2013 from the water system of Trentadue Winery. All samples were analyzed for the presence of coliform bacteria. Two of the thirteen samples tested positive for total and *E. coli* coliform bacteria.

DETERMINATIONS

The Department has determined that Trentadue Winery failed to comply with the maximum contaminant level (MCL) for total and fecal coliform bacteria during the month of January 2013. That is a violation of Section 64426.1, Title 22, of the California Code of Regulations. The Department hereby issues a citation to the Trentadue Winery for failure to comply with Section 64426.1, Title 22, of the California Code of Regulations.

Directives

Trentadue Winery is hereby directed to take the following actions:

- 1. Comply with Section 64426.1 in all future monitoring periods.

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2. Pursuant to Section 64424(d), Title 22 of the CCR, the Water System shall collect five (5) routine bacteriological samples by **April 19, 2013**. The results of these samples shall be submitted with the attached Compliance Certification form.

3. A representative of Trentadue Winery shall complete the attached Compliance Certification form and return it to the Department by **April 26, 2013**.

All documents required by this Citation shall be submitted to the Department at the following address: Janice M. Thomas, P.E., District Engineer
Department of Public Health
Drinking Water Field Operations Branch
50 D Street, Suite 200
Santa Rosa, CA 95404

Civil Penalty

Sections 116650(d) and 116650(e) of the California Health and Safety Code allow for the assessment of a civil penalty for failure to comply with requirements of Chapter 4. Failure to comply with any provision of this citation may result in the Department imposing a civil penalty of up to two hundred dollars (\$200.00) per day as of the date of violation of the provision.

Janice M. Thomas
Janice M. Thomas, P.E.,
Sonoma District Engineer
Drinking Water Field Operations Branch

March 15, 2013
Date

Attachments

Certified Mail No. 7012 2210 0002 16740472



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COMPLIANCE CERTIFICATION

Citation Number 02-18-13C-011

Name of Water System: **Trentadue Winery**

System Number: **4900946**

Certification

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by the Trentadue Winery were notified of the maximum contaminant level violation(s) of Title 22, California Code of Regulations (CCR) for the compliance period of January 2013. In addition, I certify that the **Trentadue Winery** has complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
5 Bacteriological Samples Collected & Analyzed	<input type="text"/>
_____	_____
Signature of Water System Representative	Date

Attach a copy of the laboratory results from the 5 water samples.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT
NO LATER THAN APRIL 26, 2013**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.