



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

April 12, 2016

System No. 4800812

Mr. Keith Ritthaler  
Owner  
West Wind Winery  
2974 Boies Drive  
Pleasant Hill, CA 94523-2012

**CITATION NO. 02\_04\_16C\_006**  
**TOTAL COLIFORM Maximum Contaminant Level (MCL)**  
**FOR FEBRUARY AND MARCH 2016**

Dear Mr. Ritthaler:

Enclosed is a Citation issued to the West Wind Winery (West Wind) public water system.

The West Wind water system will be billed at the State Water Resources Control Board (State Board) hourly rate (\$158 per hour) for the time spent on issuing this Citation. California Health and Safety Code Section 116577, provides that a public water system must reimburse the State Board for actual costs incurred by the State Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Board has spent approximately three hours on enforcement activities associated with this violation.

If you have any questions regarding this matter, please contact Pamela Evans at (510) 620-3457 or by email to [Pamela.evans@waterboards.ca.gov](mailto:Pamela.evans@waterboards.ca.gov).

Sincerely,

Robert Brownwood, P.E.  
San Francisco District Engineer  
State Water Resources Control Board  
Division of Drinking Water

Enclosure: Citation No. 02\_04\_16C\_006  
Compliance Certification

cc: Alameda County Environmental Health Department

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**STATE OF CALIFORNIA**  
**WATER RESOURCES CONTROL BOARD**  
**DIVISION OF DRINKING WATER**

TO West Wind Winery  
2974 Boies Drive  
Pleasant Hill, CA 94523-2012

ATTN: Keith Ritthaler, Owner

**CITATION FOR VIOLATION OF TITLE 22, CALIFORNIA CODE OF REGULATIONS (CCR),  
SECTION 64426.1 FOR THE MONTHS OF FEBRUARY AND MARCH 2016  
WATER SYSTEM NO: 4800812  
CITATION NO: 02\_04\_16C\_006  
ISSUE DATE APRIL 12, 2016**

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued thereunder.

The Division of Drinking Water (Division) of the State Water Resources Control Board (Board) hereby issues a citation, to West Wind Winery (West Wind) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64426.1.

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**APPLICABLE AUTHORITIES**

**Section 116650 of the CHSC states in relevant part:**

- (a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued thereunder, the division may issue a citation to the public water system. The citation shall be served upon 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 of 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 Division may assess a penalty in an amount not exceed one thousand dollars (\$1000) per day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

**Section 64426.1 of the CCR states in relevant part:**

- (b) a public water system is in violation of the total coliform MCL when any of the following occurs:
  - (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;....
  - (3) Any repeat sample is fecal coliform-positive or *E. coli* positive

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**STATEMENT OF FACTS**

West Wind Winery (West Wind) is a transient-noncommunity water system located at 4495 Suisun Valley Road, Suisun City, in Solano County. The water system serves a population of approximately 100 customers through one service connection. Mr. Keith Ritthaler is the owner and manager of the winery. The water system facilities are one groundwater well and the distribution system. In January 2016, West Wind collected one routine total coliform sample. The sample was total coliform-positive and *E. coli* positive. On January 18, 2016, West Wind collected one repeat sample which was absent total coliform and *E. coli*. West Wind failed to collect four repeat samples.

A public water system is required to collect five routine samples the month following a total coliform-positive. On February 22, 2016, West Wind collected five routine samples. Two samples were total coliform-positive, and negative for *E. coli*. On February 24, 2016, West Wind collected four repeat samples. All samples were negative for total coliform and *E. coli*. On March 23, 2016, West Wind collected five routine total coliform samples. Two were total coliform-positive and one *E. coli* positive. On March 24, 2016 West Wind collected five repeat samples. All were negative for total coliform and *E. coli*. West Wind failed the total coliform Maximum Contaminant Level for the months of February and March 2016.

**DETERMINATIONS**

West Wind failed the total coliform Maximum Contaminant Level (MCL) of (Section 64426.1) during the months of February and March 2016.

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**DIRECTIVES**

West Wind is hereby directed to take the following actions:

1. Comply with the total coliform MCL in all future months.
  
2. Notify your employees and visitors of the total coliform MCL violation, in conformance with Section 64463.4, and Section 64465, Title 22 of the CCR and as follows:
  - a) Complete Attachment A to include the name, address, and telephone number of a representative of West Wind as a source of additional information concerning the public notice. You must also give a written description of the corrective actions taken by the water system to prevent this violation from occurring in the future. You must use the space provided on Attachment A for this written description.
  
  - b) Post the notice contained in Attachment A, after it has been completed in accordance with (a) above, in conspicuous locations throughout the area served by the water system. Posting must begin no later than April 23, 2016 and must continue for seven days.
  
3. West Wind shall complete the attached Compliance Certification form and return it to the Division within 10 days of the public notice being given to system customers but in no case later than April 30, 2016. A copy of the notice posted within the water system must be attached to this form.

The Division reserves the right to make such modifications to this citation, as it may deem necessary to protect public health and safety. Such modification may be issues as amendments to this citation and shall be effective upon issuance.

1 Nothing in this citation relieves West Wind of its obligation to meet the requirements of the  
2 California Safe Drinking Water Act or any regulations, standard, permit, or order issued  
3 thereunder.

4 All submittals required by this citation shall be submitted to Division at the following address:  
5

6 Robert Brownwood, P.E.  
7 San Francisco District Engineer  
8 State Water Resources Control Board  
9 Division of Drinking Water  
10 850 Marina Bay Parkway, Bldg. P., 2<sup>nd</sup> Floor  
11 Richmond, CA 94804

12 **PARTIES BOUND**

13 The citation shall apply to be binding upon West Wind its officers, directors, agents,  
14 employees, contractors, successors, and assignees.

15 **SEVERABILITY**

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17 The directives of this citation are severable, and West Wind shall comply with each and every  
18 provision thereof notwithstanding the effectiveness of any provision.  
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**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Board to issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, or order issued thereunder including, but not limited to, failure to correct a violation identified in citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to public water system if the system has violated applicable laws or regulations or has failed to comply with an order of the Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

APRIL 12, 2016  
Date

Robert C. Brown  
Robert Brownwood, P.E.  
San Francisco District Engineer  
State Water Resources Control Board  
Division of Drinking Water

Attachments: Compliance Certification  
Tier 2 Notice

Certified Mail No: 7014 3490 0001 7031 1014

Cc: Solano County Environmental Health Department



## COMPLIANCE CERTIFICATION

Citation Number 02\_04\_16C\_006

Name of Water System: West Wind Winery

System Number: 4800812

### Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological sampling violations of Title 22, California Code of Regulations (CCR) for the compliance period of January – September 2015

#### Required Action

#### Date Completed

Complete Attachment A, as required in Directive 3  
Public Notification – Continuous Posting for 7 days


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Signature of Water System Representative

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Date

**Attach a copy of the notice delivered to customers.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT  
NO LATER THAN April 30, 2016**

**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.

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

**West Wind Winery Failed the Maximum Contaminant Level MCL for the Months of February and March 2016**

Our water system failed the maximum contaminant level (MCL), for coliform bacteria during the months of February and March 2016. Although this is not an emergency, as our customers have a right to know about this violation, what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

**What happened?** We are required to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. We tested for total coliform for the month of March 2016. West Wind failed the total coliform MCL during the months of February and March 2016.

**What does this mean?**

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine sampling and follow up sampling are important to periodically verify the water quality.

**What should I do?** This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA' Safe Drinking Water Hotline at (800) 426-4791.

**What corrective actions have been taken to prevent this violation from occurring in the future?**

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

(name)

\_\_\_\_\_

(address)

\_\_\_\_\_

(phone number)