



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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

Water System No. 4901317

August 7, 2014

Steve Zichichi  
Zichichi Winery  
8626 W. Dry Creek Road  
Healdsburg, CA 95448

**CITATION NO. 02-18-14C-027**  
**TOTAL COLIFORM MONITORING AND REPORTING VIOLATION FOR SECOND CALEDAR QUARTER 2014**

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

Zichichi Winery will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$126.00) for the time spent on issuing this Citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

Zichichi Winery will receive a bill sent from our Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on Zichichi Winery for the current fiscal year.

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  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

Enclosures

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STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Zichichi Winery

**Water System No:** 4901317

**To:** Zichichi Winery  
8626 W. Dry Creek Road  
Healdsburg, CA 95448

**Issued:** August 7, 2014

**CITATION FOR NONCOMPLIANCE  
WITH TOTAL COLIFORM MONITORING AND REPORTING  
2<sup>nd</sup> CALENDAR QUARTER (APRIL/MAY/JUNE) 2014**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the Zichichi Winery (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64423 and 64423.1.

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

1 order issued thereunder. A copy of the *Applicable Statutes and Regulations*  
2 is located in Appendix 1, which is attached hereto and incorporated by  
3 reference.  
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6 **STATEMENT OF FACTS**

7 Zichichi Winery is classified as a transient-noncommunity water system with  
8 1 connection serving a population of approximately 35. According to  
9 Sections 64423 and 64423.1, the System is required to collect one routine  
10 bacteriological sample per calendar quarter from the distribution system and  
11 report the findings to the Division database. As of the date of this Citation,  
12 the Division has not received results for a routine bacteriological sample  
13 collected from the distribution system of the Zichichi Winery during the 2<sup>nd</sup>  
14 quarter (April/May/June) 2014.  
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17 **DETERMINATIONS**

18 The System violated Title 22, CCR, Sections 64423 and 64423.1, Routine  
19 Sampling. Section 64423 defines a violation of routine monitoring as  
20 collecting fewer than the minimum number of required samples. Section  
21 64423.1 defines a violation of reporting after the tenth day of the following  
22 month.  
23

24  
25 The System took fewer than the minimum number of samples and did not  
26 report the findings, if any, to the Division during the 2<sup>nd</sup> calendar quarter of  
27



1 2014. Therefore, the System violated the routine monitoring and reporting  
2 of total coliforms contained in Section 64423 and 64423.1.  
3

4 **DIRECTIVES**

5 Zichichi Winery is hereby directed to take the following actions:  
6

- 7
- 8 1. Comply with Sections 64423 and 64423.1, Title 22, CCR in all future  
9 monitoring periods.
  
  - 10
  - 11 2. On or before **September 16, 2014**, notify all persons served by the  
12 System of the MCL violation in conformance with Title 22, CCR,  
13 Sections 64463.4 and 64465. Appendix 2: Public Notification  
14 Template may be used to fulfill this directive.  
15
  
  - 16
  - 17 3. The System shall collect one bacteriological water sample per month  
18 from the distribution system for the next three consecutive months.  
19 Specifically, one bacteriological water sample must be collected in  
20 each of the following three months: **August, September, and**  
21 **October 2014**. The results of these samples must be submitted  
22 directly to this Division by the analytical laboratory, and they must be  
23 received no later than the tenth day of the month following sampling.  
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1           4. The System shall complete Appendix 3: Compliance Certification.  
2           Submit it together with a copy of the public notification to the Division  
3           on or before **September 26, 2014**.  
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6           The Division reserves the right to make such modifications to this Citation,  
7           as it may deem necessary to protect public health and safety. Such  
8           modifications may be issued as amendments to this Citation and shall be  
9           effective upon issuance.

10  
11           Nothing in this Citation relieves the System of its obligation to meet the  
12           requirements of the California Safe Drinking Water Act (CHSC, Division 104,  
13           Part 12, Chapter 4, commencing with Section 116270), or any regulation,  
14           standard, permit or order issued thereunder.  
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17           All submittals required by this Citation shall be submitted to the Division  
18           at the following address:   Janice M. Thomas, P.E.  
19    State Water Resources Control Board  
20    Division of Drinking Water  
21    50 D Street, Suite 200  
22    Santa Rosa, CA 95404

23    **PARTIES BOUND**

24           This Citation shall apply to and be binding upon the System, its owners,  
25           officers, directors, agents, employees, contractors, successors, and  
26           assignees.  
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**SEVERABILITY**

The directives of this Citation are severable, and the System shall comply with each provision thereof notwithstanding the effectiveness of any provision.

**FURTHER ENFORCEMENT ACTION**

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Division to: issue additional citations with assessment of penalties if the System continues to fail to correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the System has violated applicable law or regulations or has failed to comply with orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

Janice M. Thomas      August 7, 2014

Janice M. Thomas, P.E., Sonoma District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

Date



List of appendices on next page.

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Appendices (3):

1. Applicable Statutes and Regulations
2. Public Notification Template
3. Compliance Certification

Certified Mail No. 7012 3460 0002 6459 4577



## **APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 02-18-14C-027**

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 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 64423 states in relevant part:

- (a) Each water supplier shall collect routine bacteriological water samples as follows:
  - (3) The minimum number of samples for transient-noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.

California Code of Regulations (CCR), Section 64423.1 states in relevant part:

- (c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month.

California Code of Regulations (CCR), Section 64463.4 states in relevant part:

- (c) A water system shall deliver the notice, in a manner designed to reach person served, within the required time period as follows:
  - (2) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give public notice by:
    - A. Posting in conspicuous locations throughout the area served by the water system; and
    - B. Using one or more of the following methods to reach persons not likely to be reached by a public posting:
      - 1. Publication in a local newspaper or newsletter distributed to customers;
      - 2. E-mail message to employees or students;
      - 3. Posting on the Internet or intranet; or
      - 4. Direct delivery to each customer.

APPENDIX 2. PUBLIC NOTIFICATION TEMPLATE (TIER 2)

**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.

**Zichichi Winery Failed to Test for Coliform Bacteria in 2<sup>nd</sup> Quarter 2014**

Our water system failed to test the drinking water for coliform bacteria during the 2<sup>nd</sup> quarter (April/May/June) 2014. Although this is not an emergency, as our customers, you 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 by state regulations 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. During June 2014 we did not test for coliform bacteria and, therefore, cannot be sure of the bacteriological quality of the drinking water during that time.

**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 and follow up sampling are important to periodically verify the water quality. Our failure to test the drinking water for bacteria during June 2014 was a violation of Section 64423, Title 22 of the California Code of Regulations (CCR).

**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's 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 Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

*(name)*

\_\_\_\_\_

*(address)*

\_\_\_\_\_

*(phone number)*

**APPENDIX 3. COMPLIANCE CERTIFICATION**

**Citation Number 02-18-14C-027**

**Name of Water System: Zichichi Winery**

**System Number: 4901317**

I certify that the users of the water supplied by this water system were notified of the monitoring and reporting violations of Title 22, California Code of Regulations (CCR), Sections 64423 and 64423.1 for the compliance period of June 2014 and that the following actions, as directed in 02-18-14C-027 have been completed.

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Continuous Posting for 7 Days and Other Notification Methods completed.	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the notice posted in the system and a copy published via other notification methods.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN SEPTEMBER 26, 2014**

**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.