



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

Water System No. 4901353

October 30, 2015

Pam Bacigalupi
Bacigalupi Vineyards
4377 Westside Road
Healdsburg, CA 95448

**CITATION NO. 02_18_15C_058
TOTAL COLIFORM MONITORING AND REPORTING VIOLATION FOR THE THIRD
CALENDAR QUARTER (JULY/AUGUST/SEPTEMBER) 2015**

Enclosed is a Citation issued to the Bacigalupi Vineyards (System) public water system.

Bacigalupi Vineyards will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) 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.

The System will receive a bill from the Division in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System 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: Bacigalupi Vineyards

Water System No: 4901353

To: Bacigalupi Vineyards
4377 Westside Road
Healdsburg, CA 95448

Issued: October 30, 2015

**CITATION FOR NONCOMPLIANCE
WITH TOTAL COLIFORM MONITORING AND REPORTING
SEPTEMBER 2015**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the Bacigalupi Vineyards (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 Bacigalupi Vineyards is classified as a transient-noncommunity water
8 system serving 1 connection with a population of 35. According to Sections
9 64423 and 64423.1, the System is required to collect 1 routine
10 bacteriological sample every calendar quarter from the distribution system
11 and report the findings to the Division database. As of the date of this
12 Citation, the Division has not received results for a routine bacteriological
13 sample collected from the distribution system of the Bacigalupi Vineyards
14 during the third calendar quarter (July/August/September) 2015.
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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

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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 third quarter 2015.
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1 Therefore, the System violated the routine monitoring and reporting of total
2 coliforms contained in Section 64423 and 64423.1.

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4 **DIRECTIVES**

5 Bacigalupi Vineyards 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 **November 27, 2015**, notify all persons served by the
12 System of the monitoring and reporting violation in conformance with
13 Title 22, CCR, Sections 64463.4 and 64465. Appendix 2: Public
14 Notification Template may be used to fulfill this directive.
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 - 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: **November, December 2015 and**
21 **January 2016**. 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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4. The System shall complete Appendix 3: Compliance Certification. Submit it together with a copy of the public notification to the Division on or before **December 11, 2015**.

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

Nothing in this Citation relieves the System of its obligation to meet the requirements 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.

All submittals required by this Citation shall be submitted to the Division at the following address: Janice M. Thomas, P.E.
State Water Resources Control Board
Division of Drinking Water
50 D Street, Suite 200
Santa Rosa, CA 95404



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PARTIES BOUND

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

SEVERABILITY

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



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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

October 30, 2015

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

Date

Appendices (3):

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



Certified Mail No. 70141200000111676900