CALIFORNIA
Water Boards

GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

April 4, 2019

System No. 4901316

Richard Rued, Owner
Rued Vineyards
3863 Dry Creek Road
Healdsburg, CA 95448

CITATION NO.02_18_19C_030
TOTAL COLIFORM MONITORING VIOLATION
FOR FEBRUARY 2019

Enclosed is Citation No. 02_18_19C_030 (hereinafter "Citation"), issued to the Rued Vineyards (hereinafter "System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately 1 hour on enforcement activities associated with this violation.

The System will receive a bill sent from the State Water Board 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.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Lareina Earls of my staff at (707) 576-2698 or me at (707) 576-2145.

Sincerely,

Janice M. Oakley

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

Enclosures

Certified Mail No. 7018 0040 0000 0180 1152

CC: Jason Lish / Certified Operator / 1300 Moody Lane, Geyserville, CA 95441
Leslye Choate / Sonoma County Environmental Health
Nathan Quarles / Sonoma County PRMD

Citation No.02_18_19C_030

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Rued Vineyards

Water System No: 4901316

Attention: Richard Rued
3863 Dry Creek Road
Healdsburg, CA 95448

Issued: April 4, 2019

CITATION FOR NONCOMPLIANCE WITH

CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64424(a)(1)

TOTAL COLIFORM MONITORING VIOLATION

FEBRUARY 2019

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section

116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No.02_18_19C_030 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Rued Vineyards (hereinafter "System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64424(a)(1).

STATEMENT OF FACTS

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants and the monitoring and reporting requirements as specified in regulations adopted by the State Water Board that pertain to maximum contaminant levels.

CCR, Title 22, Section 64424(a)(1), states that a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.

When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one

sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.

The State Water Board received laboratory results for one (1) bacteriological sample collected during February 2019 from the System. One (1) sample tested positive for total coliform bacteria. None of the total coliform positive samples showed the presence of Escherichia coli (*E. coli*) bacteria. As of the date of this Citation, the State Water Board has received no repeat sample results for the required repeat bacteriological samples during February 2019.

DETERMINATION

The System was required to collect five (5) repeat bacteriological samples during February 2019 following one (1) total coliform-positive routine sample. The System failed to collect the required number of repeat bacteriological analytical samples for February 2019. Therefore, the State Water Board has determined that the System has failed to comply with drinking water standards pursuant to CHSC, Section 116555(a)(1) and CCR, Title 22, Section 64424(a)(1) during FEBRUARY 2019.

DIRECTIVES

The System is hereby directed to take the following actions:

1. The System shall collect and report the bacteriological sample in accordance with CCR, Title 22, Section 64423, in all future compliance periods.

2. On or before **May 6, 2019** notify all persons served by the System of the violation of CCR, Title 22, Section 64424(a)(1), in conformance with

Sections 64463.4(b) and (c) and 64465. Appendix 1: Notification Template shall be used to fulfill this Directive, unless otherwise approved by the State Water Board.

- Posting of the Public Notification in conspicuous places within the area served by the water system. The notice shall remain posted for a minimum of seven (7) consecutive days and;

- By one of the following secondary methods to reach persons not likely to be reached by posting;

  By publication in a local newspaper or newsletter distributed to customers, by internet posting of the notice or by direct delivery to each customer served by the System. If the water system opts to issue the notice via internet website, the public notice shall remain posted for a minimum of seven (7) consecutive days.

  The System must determine which option will be used to conduct the secondary distribution of the notice and notify the State Water Board of their decision no later than **May 6, 2019.**

3. Submit the information required by CCR, Title 22, Section 64426(b)(2) on or before **May 6, 2019**

Templates for the Level 1 Assessment may be obtained at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/rtcr.shtml

4. Pursuant to CCR, Title 22, Section 64424(d), collect, have analyzed for total coliform bacteria, and electronically data transmittal by the laboratory, five (5) routine bacteriological samples as listed in the most recent District approved Bacteriological Sample Siting Plan (BSP), by **May 6, 2019**.

5. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 2 and the results of 5 five (5) routine samples to the State Water Board on or before **May 6, 2019.**

All submittals required by this Citation shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted.

Janice M. Oakley, P.E., Sonoma District Engineer
dwpdist18@waterboards.ca.gov

The State Water Board reserves the right to make 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 SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

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

SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

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

order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Janice M. Oakley April 4, 2019

Janice M. Oakley, P.E., Sonoma District Engineer Date

Appendices (2):

1. Notification Template
2. Compliance Certification Form

Certified Mail No. 7018 0040 0000 0180 1152

APPENDIX 1. NOTIFICATION TEMPLATE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Por favor hable con alguien que lo pueda tradúcir.

Bacteriological Monitoring Requirements Not Met for Rued Vineyards During February 2019

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During February 2019 we did not meet all monitoring requirements for bacteria and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- The table below lists the contaminant we did not properly test for during the February 2019, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were **OR** will be taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples were OR will be taken

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done? _____

_____

[Describe corrective action]_____

_____

We anticipate resolving the problem within [estimated time frame]

_____

For more information, please contact:

[Name of Contact] _____

[Phone Number] or _____

[Mailing Address] _____

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Rued Vineyards in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

State Water System ID: 4901316. Date distributed: _____

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number:02_18_19C_030

Name of Water System: Rued Vineyards

System Number: 4901316

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring violation of California Code of Regulations, Title 22, Section 64424(a)(1) for the compliance period of February 2019 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method(s) Used: _____	
(Citation Directive 3) Complete and Submit Level 1 Assessment	
(Citation Directive 4) Collect five (5) routine bacteriological samples and have samples analyzed for Total Coliform & E.coli bacteria and electronically submitted to the Division.	

_____ _____

Signature of Water System Representative Date

Attach a copy of the public notice distributed to water system's customers with a copy of the laboratory results from the 5 routine bacteriological samples.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN MAY 6, 2019

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars ($5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than $25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.