
North Coast Regional Water Quality Control Board

February 28, 2017

Mr. Kenneth Wilson
Mazzocco Vineyards and Winery
438 Matheson Street
Healdsburg, CA 95448

Dear Mr. Kenneth Wilson:

Subject: **Notice of Violation** of Waste Discharge Requirements Order No. 88-109 and Monitoring and Reporting Program Order No. 88-109 for the Mazzocco Vineyards & Winery Facility located at 1400 Lytton Springs Road, Sonoma County

File: Mazzocco Vineyards, Inc., 1400 Lytton Springs Road, Healdsburg
WDID No. 1B88048RSON

Mazzocco Vineyards, Inc. (Discharger) is hereby given notice that it has violated Waste Discharge Requirements Order No. 88-109 (Order) and Monitoring and Reporting Program Order No. 88-109 (MRP) for the failure to submit quarterly self-monitoring reports for the above-referenced Facility.

This Notice requires that by March 31, 2017, the Discharger must submit eight delinquent quarterly self-monitoring reports, specifically four quarterly monitoring reports for 2015 and four quarterly monitoring reports for 2016. Please submit the delinquent reports electronically to NorthCoast@waterboards.ca.gov.

Background

The Discharger owns and operates the Mazzocco Vineyards & Winery (Facility). The Facility is located at 1400 Lytton Springs Road, north of Healdsburg, Sonoma County. A seasonal tributary to the Russian River, Dry Creek, flows through the property. The Facility's maximum reported production rate is 30,000 cases of wine per year. The maximum permitted daily process wastewater flow from the Facility is 4,500 gallons per day. Winery waste is screened to remove solids, and pH neutralized. Process wastewater

flow is measured as the wastewater is diverted to the pond system, which consists of an aerated process wastewater treatment pond and a settling pond that are operated in series. The settling pond is equipped with an automatic float lever that activates a submerged pump when the pond level reaches a pre-set depth. Excess process wastewater in the settling pond is pumped to vineyard land for irrigation.

Applicable Requirements

The Order, adopted August 24, 1988, requires that the Discharger comply with the following provision:

***Discharge Provisions 2.** "The Discharger shall comply with ... Monitoring and Reporting Program No. 88-109 and the General Provisions for Monitoring and Reporting and any modifications to these documents as specified by the Executive Officer."*

The MRP requires the Discharger to comply with the following provision:

***Reporting Provision:** "Monitoring reports shall be submitted to the Regional Board on a quarterly basis. The monitoring reports shall be arranged in such a manner so that the data is clearly illustrated. During periods of no discharge the reports shall indicate no discharge."*

Alleged Violations

The Discharger violated Discharge Provision 2 of the Order and the Reporting Provision of the MRP by failing to submit quarterly self-monitoring reports for the Facility, specifically those reports that were due January, April, July, and October of 2015, and January, April, July, and October of 2016. These reports are delinquent unless the Discharger can provide evidence that the reports were previously submitted to the North Coast Regional Water Quality Control Board. Delinquent reports received after their due date are deemed late reports.

Required Actions

The Discharger must comply with all requirements of the Order and MRP. You must correct the conditions of non-compliance with the Order and MRP immediately but no later than March 31, 2017. Delinquent self-monitoring reports must be submitted to the Regional Water Board at NorthCoast@waterboards.ca.gov.

Please note that correcting the conditions of non-compliance with the Order and MRP does not preclude additional enforcement action for the violations alleged in this notice. The Regional Water Board reserves its rights to fully enforce the law against any violation and

threatened violation by taking enforcement actions such as a cease and desist order, time schedule order, administrative civil liabilities, and referral to the State Attorney General. Administrative liabilities may be assessed beginning with the date that a violation first occurred, and not as of the date of this notice. The liabilities can be up to \$5,000 per day per violation pursuant to Water Code section 13350.

If you have any questions regarding this matter, please contact Rhonda Raymond at (707) 576-2708 or Rhonda.Raymond@waterboards.ca.gov

Sincerely,

Claudia E. Villacorta, P.E., Chief
Point Source & Groundwater Protection Division Chief

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Certified Mail Return Receipt Required