

California Regional Water Quality Control Board

San Diego Region

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Arnold Schwarzenegger
Governor

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July 14, 2009

Mr. Leon Santoro Vice President Orfila Vineyard, Inc. 13455 San Pasqual Road Escondido, CA 92025 CERTIFIED MAIL 7009 0820 0001 7183 6589

In reply refer to: 246181:adai

Dear Mr. Santoro:

SUBJECT: NOTICE OF VIOLATION NO. R9-2009-0122

ORFILA VINEYARD

Enclosed is Notice of Violation (NOV) No. R9-2009-0122 for Orfila Vineyard. The basis for this NOV was the monitoring data contained in the 2007 and 2008 annual lab reports submitted by the Orfila Vineyard, Inc. (Orfila) in accordance with Order No. 87-100.

Please take steps to implement the necessary follow-up actions to ensure that the violations do not occur in the future. These violations subject Orfila to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (Regional Board), including administrative enforcement orders requiring Orfila to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation; 1 referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

The next monitoring report to be submitted is the 2009 annual monitoring report due by November 30, 2009. In the subject line of any response, please include the requested "in reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Ms. Cathryn Henning at (858)-636-3161 or at chenning@waterboards.ca.gov.

Sincerely,

Julie Chan P.G.

Supervising Engineering Geologist

Groundwater Basins Branch

JC:rwm:clh:ad



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¹ Under authority of California Water Code section 13350.

IN THE MATTER OF)	NOTICE OF VIOLATION
)	NO. R9-2009-0122
County of San Diego)	
Orfila Vineyard)	
13455 San Pasqual Road)	In reply refer to:
Escondido, CA 92025	j	246181: adai

Waste Discharge Requirements: Order No. 87-100

Facility: Orfila Vineyard

YOU ARE HEREBY NOTIFIED THAT:

The Orfila Vineyard, Inc. (Orfila) violated Order No. 87-100, *Waste Discharge Requirements for Orfila Vineyard, Inc., San Diego County.* These violations subject Orfila to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (Regional Board), including administrative enforcement orders requiring Orfila to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;² referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

The Regional Board reviewed the following annual monitoring reports required by Order No. 87-100:

PERIOD	REPORT DATE	DATE RECEIVED	
January - December 2007	October 9, 2007	October 19, 2007	
January - December 2008	October 13, 2008	October 16, 2008	

Summary of Violations

- 1. The Monitoring Program No. 87-100 Section A.12 requires the monitoring reports to be signed by an authorized person. Both monitoring reports were not signed in accordance with this Directive.
- 2. The Monitoring Program No. 87-100 Section B.2 states that the monthly volume of wastewater discharged to the percolation ponds shall be reported annually. Both monitoring reports lacked this data.
- 3. The Monitoring Program No. 87-100 Section C states that a log of the quantity and type of solid wastes hauled for disposal and the point of disposal shall be

² Under authority of California Water Code section 13350.

July 14, 2009

submitted annually. Both monitoring reports lacked this data.

Questions pertaining to the issuance of this Notice of Violation are to be directed to Cathryn Henning at (858)-636-3161 via e-mail at chenning@waterboards.ca.gov. Written correspondence should be directed to the following address:

Ms. Julie Chan Supervising Engineering Geologist California Regional Water Quality Control Board, San Diego Region 9174 Sky Park Court, Suite 100 San Diego, CA 92123-4340

Julie Chan, P.G.

Supervising Engineering Geologist

Groundwater Basins Branch

July 14, 2009

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