

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
NORTH COAST REGION**

**CLEANUP AND ABATEMENT ORDER AND
INVESTIGATIVE ORDER NO. R1-2024-0039**

**AMENDING CLEANUP AND ABATEMENT ORDER AND
INVESTIGATIVE ORDER NO. R1-2024-0036**

for

**Vintage Wine Estates, Inc.
(Ray's Station Winery)
Process Wastewater WDID No. 1B180163RMEN**

Mendocino County

This Cleanup and Abatement Order (Order) amends Cleanup and Abatement and Investigative Order No. R1.-2024-0036 by incorporating minor revisions and extending several deadlines of the Required Actions, as well as correcting minor typographical errors. This Order is issued to Vintage Wine Estates, Inc. (Discharger) based on provisions of California Water Code (Water Code) section 13304, which authorizes the North Coast Regional Water Quality Control Board (Regional Water Board) to issue a Cleanup and Abatement Order, and Water Code section 13267, which authorize the Regional Water Board to require the preparation and submittal of technical and monitoring reports.

FINDINGS

The Assistant Executive Officer finds, with respect to the Discharger's acts, or failure to act, the following:

1. Purpose of the Order: This Order requires the Discharger to clean up and abate the effects of threatened unauthorized discharges of process wastewater, from the Facility (defined below) to groundwater, a water of the state¹, and threatened surface water discharges to the waters of the state, including the Russian River. Unauthorized discharges of process wastewater create an imminent threat to waters of the state, the environment, and public health. This Order requires immediate

¹ The Regional Water Board administers and enforces the Porter-Cologne Water Quality Control Act which authorizes the Regional Water Board to regulate discharges of waste into "waters of the state." (Wat. Code, § 13260.) "Waters of the state" means "any surface water or groundwater, including saline waters, within the boundaries of the state." (Wat. Code, § 13050 subd. (e).) All waters of the United States that are within the borders of California are also waters of the state.

investigation and cleanup actions to prevent further harm and unauthorized discharges consistent with the *Porter-Cologne Water Quality Control Act* (Wat. Code § 13000 *et seq.*), the *Water Quality Control Plan for the North Coast Region* (Basin Plan), State Water Resources Control Board (State Water Board) Resolution 92-49, *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304* (Resolution 92-49), and other applicable State and Regional Water Board plans, policies, and regulations.

2. Responsible Party: The Discharger is the owner and operator of the Ray's Station Winery located at 13300 Buckman Drive, Hopland, California 95449 (Facility). As the owner and operator of the Facility, the Discharger has caused or permitted, or threatened to cause or permit, waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state, which creates, or threatens to create, a condition of pollution or nuisance. The Discharger has the legal ability to control the activities at the Facility that resulted in the discharge and/or threatened discharge of waste to waters of the state.
3. Facility Description: The Discharger is enrolled for coverage under the Regional Water Board General Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land in the North Coast Region (WBFP WDR), Order No. R1-2016-0002². The process wastewater system serving the Facility is subject to the WBFP WDR as per an August 30, 2021, Regional Water Board Notice of Coverage (NOC) letter. Facility process wastewater is screened for solids and pumped to the wastewater treatment pond system located onsite. The wastewater treatment pond system consists of two lined aeration ponds (Pond 1 and Pond 2), one process wastewater treated effluent storage pond, and five Rapid Infiltration Basins (RIB) for disposal. Effluent is sampled at an above ground pipe outlet located on the west side of the second lined aeration pond and prior to discharge into the effluent storage pond. Each RIB is 0.26 acres in size and is designed to dispose up to 66,400 gallons per wet loading/drying cycle. The wastewater treatment pond system is designed to produce effluent in compliance with the WBFP WDR effluent limitations for above ground reuse or disposal. Trash, recyclables, and waste oil are temporarily stored and disposed of by contractors. Processed solids were previously temporarily stored in the solids disposal area located on the southeast corner of the Facility and sold to vendors. No process solids exist onsite as of a Facility inspection conducted on May 24, 2024.³

² The WBFP WDR can be found online at: [WBFP WDR](https://www.waterboards.ca.gov/northcoast/water_issues/programs/wine_beverage_fo_od/) (https://www.waterboards.ca.gov/northcoast/water_issues/programs/wine_beverage_fo_od/).

³ Other portions of the Facility not relevant to this Order are enrolled for coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ, as

The process wastewater treatment system is designed to treat an average daily flow of 91,100 gallons per day of process wastewater during the Facility's peak production period as described in its Technical Information Form.

A municipal drainage ditch along Highway 175 and adjacent to the Facility conveys stormwater run-off from the Facility southward down Buckman Drive to the McDowell Valley Vineyard Pond, located approximately 2,000 feet southwest of the Facility. The McDowell Valley Vineyard Pond is an onstream pond and a tributary to the Russian River, a water of the state. The entire Russian River watershed is listed as impaired for sediment and temperature under Clean Water Act section 303(d).

Watershed Setting: Discharges to groundwater from the Facility go to the Ukiah Hydrologic Subarea of the Upper Russian River Hydrologic Area. The beneficial uses of groundwater impacted by the Facility's discharge are defined in the Water Quality Control Plan for the California Regional Water Quality Control Board, North Coast Region (Basin Plan). The beneficial uses within the Ukiah Hydrologic Subarea of the Upper Russian River Hydrologic Area are municipal and domestic supply (MUN), agricultural water supply (AGR), industrial service supply (IND), industrial process supply (PRO), aquaculture (AQUA), and Native American culture (CUL).

The beneficial uses applicable to surface waters in the Ukiah Hydrologic Subarea within the Upper Russian River are as follows: municipal and domestic supply (MUN), agricultural water supply (AGR), industrial service supply (IND), industrial process supply (PRO), groundwater recharge (GWR), freshwater replenishment (FRSH), navigation (NAV), hydropower generation (POW), water contact recreation (REC-1), non-contact water recreation (REC-2), commercial and sport fishing (COMM), warm freshwater habitat (WARM) cold freshwater habitat (COLD), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and/or early development (SPWN), shellfish harvesting (SHELL), and aquaculture (AQUA). Beneficial uses of any specifically identified water body generally apply to all its tributaries.

4. Background: In 2019, in coordination with Reed International LTD, the Facility conducted an investigation of the lined process wastewater pond subdrains to determine the presence of sulfate reducing anerobic microbes in the underdrain water located beneath Pond 1 and Pond 2. After a substantial population of sulfate reducing anerobic microbes were found within the underdrain, the resulting corrective action taken in 2019 was to cap the underdrain to eliminate the

amended in 2015 and 2018, (Industrial General Permit) as of July 1, 2015. The Industrial General Permit can be found online at: [Industrial General Permit](https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html) (https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html).

subsurface water discharge to the drainage ditch along Highway 175.

On June 17, 2024, a Facility representative notified Staff of an upcoming potential discharge of partially treated wastewater after being notified by Facility staff of a "ballooning" effect on the liners of Pond 1 and Pond 2. The Facility representative informed Staff the ballooning effect was a result of capping the underdrain in 2019. Hours later, Staff was notified that a rupture of the liner in Pond 1 was identified, and immediate action was required to prevent discharges to the drainage ditch along Highway 175 and prevent further discharges and potential discharges to waters of the state.

On June 20, 2024, Cleanup and Abatement Order and Investigative Order No. R1-2024-0036 was issued by the Regional Water Board Assistant Executive Officer to the Discharger. Order No. R1-2024-0036 directed the Discharger to take steps to clean up and abate the effects of threatened unauthorized discharges of process wastewater from the Facility to waters of the state.

On July 3, 2024, Staff received a letter containing requests for revisions and extensions to Order No. R1-2024-0036 from the Discharger. This Cleanup and Abatement Order and Investigative Order No. R1-2024-0039 supersedes Order No. R1-2024-0036. This Order incorporates minor revisions and several extensions to the Required Actions below as requested by the Discharger, as well as corrects minor typographical errors.

5. Factual Basis of Order: The Discharger's activities at the Facility, 1) threatens to cause discharges of partially treated process wastewater into groundwater, a water of the state, and 2) threatens to cause or permit waste to be discharged where it is, or probably will be, discharged to waters of the state, and creates and/or threatens to create a condition of pollution or nuisance. The Facility is located in the McDowell Valley Groundwater Basin. According to the Department of Water Resources Bulletin 118 significant water-bearing formations that occur in McDowell Valley include Dissected Alluvium and Continental Deposits largely of gravelly and sandy clay, with thin gravel, sand and gravel, and some thick sections of clay. A well log from T13/R11-Section 22 suggests the alluvium in this valley may have a thickness of over 200 feet. No published specific water level data for alluvium in McDowell Valley is readily available. However, based on information available in neighboring groundwater basins (Sanel and Ukiah Valley) first encountered groundwater is estimated to be between 10 and 20 feet below surface grade and the alluvium deposits serve as viable domestic, municipal, and agricultural water supplies. In fact, three water supply wells are located on the property and serve the facility for drinking water and process water supplies.

Given the failure of the liner beneath Pond 1, the partially treated process wastewater has the potential to degrade groundwater quality and adversely affect the MUN and AGR beneficial uses beneath the Facility and beneath neighboring

properties. As discharges continue, the plume of polluted groundwater could spread under hydraulic loading pressures and subsurface groundwater flows.

6. Water Quality Objectives: The Basin Plan designates beneficial uses (Chapter 2) as noted above and establishes water quality objectives (Chapter 3) for the protection of those uses. Beneficial uses of any specifically identified water body generally apply to all of its tributaries. Water quality objectives for groundwater as contained in the Basin Plan, chapter 3, include, but are not limited to, the following:

- a. Bacteria: In groundwaters used for domestic or municipal supply (MUN), the median of the most probable number of coliform organisms over any 7-day period shall be less than 1.1 MPN/100 ml, less than 1 colony/100 ml, or absent (State Department of Health Services).
- b. Chemical Constituents: Groundwaters shall not contain concentrations of chemical constituents in amounts that cause nuisance or adversely affect beneficial uses.
- c. Tastes and Odors: Groundwaters shall not contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.
- d. Toxicity: Groundwaters shall not contain toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in, humans or that adversely affects beneficial uses. This objective applies regardless of whether the toxicity is caused by a single substance or the synergistic effect of multiple substances.

7. Property Features or Conditions Impacting or Threatening to Impact Water Quality and Beneficial Uses:

The failure of the liner in Pond 1 and potential damage to the liner in Pond 2 create an imminent threat to groundwater quality and beneficial uses and a threat of unauthorized discharge to surface waters. Partially treated process winery wastewater has the potential to degrade water quality. Given that the effluent data from the fully treated process wastewater indicates salts and nutrients above effluent limitation⁴ and water quality objectives, the partially treated wastewater is assumed to have a higher concentration of these constituents of concern. The pond liner failure and discharge of partially treated process wastewater has the potential to:

⁴ As evidenced by effluent violations of the WBFP WDR for Nitrate (as N), Sodium, Chloride, Nitrite a N, and Ammonia (as N) as demonstrated in self-monitoring reports (SMRs) submitted by the Discharger covering September 30, 2021, through December 31, 2023.

- a. Impact the domestic drinking water beneficial use (MUN) that is established for the purpose of protecting human health.
 - b. Impact the agricultural supply beneficial use (ARG) established to protect irrigation supplies from harming crops with elevated concentrations of salts.
8. Findings of Threatened Pollution: The discharge of partially treated process wastewater from Pond 1 threaten to further alter the quality of waters of the state and potentially alter the quality of waters of the state to a degree that unreasonably affects waters for beneficial uses. Therefore, the threatened discharges of waste create a condition of threatened pollution subject to this Order in accordance with Water Code section 13304.
9. Legal and Regulatory Authority: Water Code section 13304, subdivision (a) states, in relevant part:

A person who has discharged or discharges waste into waters of this state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and causes, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts....Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.

- a. "Waste" is defined by Water Code section 13050, subdivision (d) to include, "sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal."
- b. "Pollution" is defined by Water Code section 13050, subdivision (l)(1) as, an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either waters of the state for beneficial use or facilities which serve these beneficial uses.

10. Cleanup and Abatement Action Necessary: Cleanup and abatement is necessary to ensure that threatened discharges of waste to waters of the state threatening to create a condition of pollution, are appropriately cleaned up, that background water quality conditions are restored, and that any impacts to beneficial uses are mitigated.

The unauthorized discharge of treated process wastewater to groundwater could alter the quality of waters of the state to a degree which would unreasonably affect waters of the state for beneficial uses. The current condition of pollution is a violation of applicable water quality regulations and the issuance of this Order pursuant to Water Code section 13304 is appropriate and consistent with the policies of the Regional Water Board.

11. Technical Reports Required: Water Code section 13267, subdivision (a) provides that the Regional Water Board may investigate the quality of any water of the state within its region in connection with any action relating to the Basin Plan. Water Code section 13267, subdivision (b) provides that the Regional Water Board, in conducting an investigation, may require a discharger to furnish, under penalty of perjury, technical or monitoring program reports. The burden, including costs, of these technical reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

The technical reports required by this Order pursuant to Water Code section 13267 are necessary to investigate the quality of waters of the state and to protect the waters of the state.

This Order requires three types of technical reports, including a Corrective Action Plan (CAP), weekly progress reports, and a CAP Completion Report. Additional reporting necessary through Required Actions 2, 4, and 5 have been included in the cost analysis of the CAP, below. Regional Water Board staff estimate that the total cost of preparing and submitting all reports is between approximately \$7,283 – \$19,782. The burden of compiling these reports, including the costs of the technical or monitoring reports required by this Order, bear a reasonable relationship to the need for these reports and the benefit to be gained by these reports, as discussed below:

- a. The CAP is a technical report that is necessary to: (1) assess immediate site conditions to identify the nature and magnitude of the threatened unauthorized discharge to waters of the state, (2) determine the appropriate cleanup and abatement work to prevent and/or minimize the mobilization and transport of wastewater to waters of the state; and (3) create a plan along with an implementation schedule that will guide the scope of work to cleanup and abate the threat of discharge from the Facility. The anticipated benefits from the CAP include protection from actual and threatened waste discharges that impact beneficial uses and water quality objectives. In addition, by requiring the Discharger to submit a CAP, the Regional Water Board or its

delegated officer will have the opportunity to review and approved the scope of the proposed abatement actions to confirm that the proposed work is designed to adequately remediate site conditions and prevent further impacts to beneficial uses of waters of the state.

The CAP requirements (i.e., field inspection and report preparation) are comparable to that of preparing an Interim Remedial Action Workplan or Remedial Action Plan as identified in the State Water Resources Control Board, August 2018, Underground Storage Tank Cleanup Fund Guidelines (2018 Cost Guidelines Update)⁵, which are estimated to cost between \$1,919 and \$5,894, respectively. The burden, including costs, of preparing and submitting the CAP therefore bears a reasonable relationship to the need for this planning and assessment report to cleanup, abate, and stabilize the Facility to mitigate further impacts to waters of the state.

- b. A weekly progress report is a technical report necessary to ensure that the implementation of all major cleanup and abatement related events and activities, including but not limited to completion of identified remediation and cleanup actions to demonstrate that tasks are implemented as planned, evaluate the effectiveness of cleanup measures and corrective actions, and identify needed improvements. The benefit of weekly progress reports ensures all cleanup and abatement related activities are on schedule to appropriately restore impacted beneficial uses and abate the threat of future impacts to waters of the state. Observation and maintenance of all cleanup and abatement activities is required to ensure that the anticipated water quality benefits are achieved and maintained. The scope of weekly progress reports (i.e., field inspection and report preparation) is comparable to that of preparing a Cleanup Progress Report or Site Assessment Report as described in the 2018 Cost Guidelines Update, which are estimated to cost between \$2,682 and \$6,944, respectively. The burden, including costs, of preparing and submitting weekly progress reports bears a reasonable relationship to the need for the report as assurance to demonstrate remedial actions are accomplished to ensure the protection of water quality.
- c. The CAP Completion Report is a technical report that is necessary to demonstrate that the Discharger has successfully implemented and completed the CAP activities in accordance with the implementation schedule set forth in the CAP and this Order. The benefit derived from a CAP Completion Report is documented evidence that remedial activities (as well

⁵ Estimates based on the "Underground Storage Tank Cleanup Fund 2018 Cost Guidelines Update" dated August 2018, which can be found here: [2018 Cost Guidelines Update](https://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/cost_guidelines/2018_cost_guidelines_update.pdf)
(https://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/cost_guidelines/2018_cost_guidelines_update.pdf).

as best management practices) were implemented to ensure that cleanup, abatement, and stabilization activities adequately prevent potential discharges to waters of the state. The scope of a CAP Completion Report (i.e., field inspection and report preparation) is comparable to that of preparing a Cleanup Progress Report or Site Assessment Report as described in the 2018 Cost Guidelines Update, which are estimated to cost between \$2,682 and \$6,944, respectively. The burden, including costs, of preparing and submitting a CAP Completion Report bears a reasonable relationship to the need for the report as assurance to demonstrate remedial actions are accomplished as proposed in the CAP and the completed CAP Facility conditions ensure the protection of water quality.

12. **Notification:** Regional Water Board staff notified the Discharger of its intent to issue this Order during a virtual meeting on June 19, 2024, discussing current conditions and the Discharger's plan to address the emergency conditions at the Facility. Due to the urgent need to address the imminent threat to waters of the state, the environment, and public health, this Order has been issued as expeditiously as possible. The Discharger can seek changes or comment on this Order once it is issued. Moreover, under Water Code section 13320, it can petition the State Water Resources Control Board for review as explained in Required Action, paragraph 11, below.

13. **California Environmental Quality Act:** Issuance of this Order is being taken for the protection of the environment and to enforce the laws and regulations administered by the Regional Water Board and, as such, is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, sections 15061, subdivision (b)(3), 15306, 15307, 15308, and 15321. This Order generally requires the Discharger to submit plans for approval prior to implementation of cleanup, abatement, and restoration activities at the Facility. Mere submittal of plans is exempt from CEQA as submittal will not cause a direct or indirect physical change in the environment and/or is an activity that cannot possibly have a significant effect on the environment. CEQA review at this time would be premature and speculative, as there is simply not enough information concerning the Discharger's proposed cleanup, abatement or restoration activities and possible associated environmental impacts. To the extent that the Order requires earth-disturbing and re-vegetation activities not to exceed five acres in size and to assure restoration of stream habitat and prevent erosion, this Order is exempt from provisions of CEQA pursuant to California Code of Regulations, title 14, section 15333. If the Regional Water Board determines that implementation of any plan required by this Order will have a significant effect on the environment that is not otherwise exempt from CEQA, the Regional Water Board will conduct the necessary and appropriate environmental review prior to implementation of the applicable plan. The Discharger will bear the costs, including the Regional Water Board's costs, of determining whether implementation of any plan required by this Order will have a significant effect on the

environment and, if so, in preparing any documents necessary for the Regional Water Board to satisfy its environmental review obligations under CEQA. If necessary, the Discharger and a consultant acceptable to the Regional Water Board shall enter into a memorandum of understanding with the Regional Water Board regarding such costs prior to undertaking any environmental review.

REQUIRED ACTIONS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13304 and 13267, the Discharger shall clean up any wastes and abate the threatened impacts to water quality in accordance with the scope and schedule set forth below and provide the technical reports as required below.

1. The Discharger must **immediately** cease all unauthorized discharge from Pond 1 and prevent all unauthorized discharge from the Facility.
2. **By July 26, 2024**, the Discharger shall submit a characterization of all waste(s) that have discharged to land and/or groundwater beneath the Facility, and/or off-site or have the potential to further transport and/or discharge, into surface waters including the Russian River from the Facility since June 17, 2024. The description should include the timing and events that took place leading up to and after all discharges, source of discharge, concentrations of constituents of concern as identified in the WFP WDR, and an approximate amount (volume) of process wastewater that discharged from each process wastewater pond to waters of the state.
3. **By July 26, 2024**, the Discharger shall submit a **Corrective Action Plan (CAP)** for Assistant Executive Officer approval. The CAP shall be prepared by an appropriately licensed professional for the completion of short-term abatement measures necessary to abate any wastes and to prevent unauthorized discharges of process wastewater to groundwater and surface waters of the state, including the Russian River. The Discharger shall implement the CAP per the Assistant Executive Officer approved schedule of implementation. The CAP shall include, but not be limited, to the following:
 - a. Description of proposed abatement measures that are necessary to prevent and minimize process wastewater transport and discharge from the Facility including proposed activities to remediate the Pond 1 liner with oversight and documentation by a qualified professional.
 - b. Proposed actions to mitigate and/or reduce odor during the liner remediation process.

- c. Identification of all locations of controllable discharge points or other sites where waste has discharged, or threatens to discharge, to waters of the state, and identification of all areas of immediate concern.
 - d. Proposed activities to abate discharges to waters of the state and any other areas with the potential to discharge or impact waters of the state.
 - e. A proposed schedule outline to be implemented including all proposed abatement and remediation measures to Pond 1.
 - f. A proposed completion date of all CAP related activities as identified above and proposed report of completion submittal date.
4. **By July 26, 2024**, the Discharger shall submit a plan and proposed schedule for Assistant Executive Officer approval to investigate the Pond 2 liner. The plan shall include identification of all locations of threatened discharges to waters of the state and any identification of areas of immediate concern, with oversight and documentation by a qualified professional. The Discharger shall implement the plan per the Assistant Executive Officer approved schedule.
 - a. The plan shall include proposed activities and schedule to remediate and/or repair the Pond 2 liner, with documentation and oversight by a qualified professional if the investigation determines necessary.
5. **By July 5, 2024**, the Discharger shall submit a plan and proposed schedule to notify neighboring residents of abatement and remediation actions at the Facility including efforts to control any odors that may worsen during abatement and remediation efforts.
6. **Submit weekly progress reports beginning July 9, 2024**, through CAP completion, to the Regional Water Board. The progress reports shall evaluate the effectiveness of cleanup measures and corrective actions, identify needed improvements, provide an update on all major cleanup and abatement related events and activities, including but not limited to completion of identified cleanup and abatement actions to demonstrate that tasks are implemented as planned.
7. **Once the Regional Water Board Assistant Executive Officer, or their designee, approves the CAP**, the Discharger shall complete the work as specified in the approved CAP, by the approved completion date. The Discharger must notify Regional Water Board staff in writing (e-mail is appropriate) at least 24 hours in advance of commencing activities outlined in the approved CAP.
8. **No later than the submittal date in the approved CAP**, the Discharger shall provide a report of completion of the CAP to the Regional Water Board. This report shall include a summary and photographs of the completed cleanup and

abatement measures. Include photographs of all areas where corrective action has taken place, clearly keyed to site map(s).

GENERAL REQUIREMENTS AND NOTICES

1. Duty to Use Qualified Professionals: The Discharger shall provide technical and monitoring reports prepared under the direction of appropriately qualified professionals. In preparing the technical reports, any engineering or geologic evaluations and judgments shall be performed by or under the direction of registered professionals pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. Reports submitted by or on behalf of the Discharger shall include a statement of qualifications and registration numbers of the responsible lead professional. The lead professional shall sign and affix their registration stamp to the report.
2. Signatory Requirements: All technical reports submitted by the Discharger shall include a cover letter signed by the Discharger, or a duly authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to his/her knowledge, the report is true, complete, and accurate. The Discharger shall also state in the cover letter whether he/she will implement the recommendations/proposals provided in the report and the schedule for implementation. Any person signing a document submitted under this Order shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

3. Notice of Change in Ownership or Occupancy: The Discharger shall file a written report on any changes in the Facility's ownership or occupancy. This report shall be filed with the Regional Water Board no later than 30 days prior to a planned change and shall reference the number of this Order.
4. Reasonable Access: The Discharger shall allow the Regional Water Board, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to enter at reasonable times to inspect the Facility and any records that must be kept under the conditions of this Order for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code.

5. Cost Recovery: Pursuant to Water Code section 13304, the State or Regional Water Board is entitled to all reasonable costs it actually incurs to investigate and abate the effects of unauthorized discharges of waste and to oversee/supervise the cleanup of such waste, or other restoration action, required by this Order.
6. Delayed Compliance: If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Regional Water Board Assistant Executive Officer or their designee, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as a delay is recognized but no later than 10 days prior to the compliance date. An extension may only be granted by modification of this Order or by a letter from the Assistant Executive Officer or their designee.
7. Potential Liability: If the Discharger fails to comply with the requirements of this Order, this matter may be referred to the Attorney General for judicial enforcement or a complaint for administrative civil liability may be issued by the Regional Water Board. Failure to comply with this Order may result in the assessment of an administrative civil liability of up to \$5,000 per day of violation cleanup and abatement requirements under Water Code section 13304 and up to \$1,000 per day of violation of technical reporting requirements under Water Code section 13267. (Wat. Code, §§ 13350, 13268.) The Regional Water Board reserves the right to take any enforcement actions authorized by law, including, but not limited to, violation of the terms and conditions of this Order.
8. No Limitation of Water Board Authority: This Order in no way limits the authority of the Regional Water Board to institute additional enforcement actions or to require additional investigation and cleanup of the Facility consistent with the Water Code. This Order may be revised as additional information becomes available.
9. Modifications: Any modification to this Order shall be in writing and approved by the Regional Water Board or its delegated officer.

Requesting Review by the State Water Board: Any person aggrieved by this, or any final action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et al. The State Water Board must receive the petition no later than 5:00 p.m., 30 days following the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received on the next business day. Copies of the law and regulations applicable to filing petitions may

Ray's Station Winery
Order No. R1-2024-0039
Process Wastewater WDID: 1B180163RMEN

be found on the Internet at: [Filing Petition](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)
(http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be
provided upon request.

This Order is effective upon the date of signature.

Joshua Curtis
Assistant Executive Officer

240039_RaysStation_ECAO