



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Agency Secretary

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<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger
Governor

July 11, 2008
File No. 2138.16 (MRF)

Mustards Grill
Attn: Cindy Pawlcyn
7399 St. Helena Highway
Napa, CA 94558

Cosentino Winery
Attn: Julie Weinstock
7415 St. Helena Highway
Napa, CA 94558

Subject: Administrative Civil Liability Complaint No. R2-2008-0039

For the facility located at:

Mustards Grill and Cosentino Winery
7399 and 7415 St. Helena Highway
Napa, Napa County

Dear Ms. Pawlcyn & Ms. Weinstock:

Enclosed are a public notice and a Complaint for Administrative Civil Liability issued to Mustards Grill and Cosentino Winery for the subject site. The Complaint alleges that Mustards Grill and Cosentino Winery have violated their waste discharge requirements by failing to submit its 2006/2007 annual report by July 1, 2007, as required. The complaint proposes administrative civil liability of \$24,200.

A public hearing on this matter has been scheduled for the September 10, 2008, Water Board hearing in the Elihu M. Harris State Building, first floor auditorium, located at 1515 Clay Street, Oakland, California. The meeting agenda will be mailed to you prior to the hearing.

At this time, you have two options:

1. You can appear before the Water Board during the scheduled meeting to contest the Complaint; written comments are to be submitted no later than **5 pm on August 11, 2008**. At that time, the Board may impose the Administrative Civil Liability in the amount proposed, for a different amount, decline to seek civil liability, or refer the case to the Attorney General for judicial enforcement.

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2. You can waive the right to a hearing to contest the allegations contained in the Complaint by paying the civil liability in full or undertaking an acceptable Supplemental Environmental Project (SEP) up to \$12,100 and paying the remainder of the civil liability, all in accordance with the procedures and limitations set forth in the waiver attached to the Complaint.

If you have any questions, please call Michelle Rembaum-Fox of my staff at (510) 622-2387 or via email to mrembaumfox@waterboards.ca.gov

Sincerely,

Dyan C. Whyte
Assistant Executive Officer

Enclosures:

Public Notice
Complaint No. R2-2008-0039
Attachment 1 – SEP Information

Cc: SWRCB, Office of the Chief Counsel – Dorothy Dickey
SWRCB, Division of Water Quality – Bruce Fujimoto
SWRCB, Office of Statewide Consistency – Margie Young
Sejal Choksi, San Francisco BayKeeper