



# California Regional Water Quality Control Board

## San Francisco Bay Region



Linda S. Adams  
Agency Secretary

1515 Clay Street, Suite 1400, Oakland, California 94612  
(510) 622-2300 • Fax (510) 622-2460  
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger  
Governor

July 11, 2008  
File No. 2138.16 (MRF)

Rutherford Grove Winery  
Attn: Andy Pestoni  
PO Box 552  
Rutherford, CA 94573

**Subject: Administrative Civil Liability Complaint No. R2-2008-0050**

For the facility located at:

Rutherford Grove Winery  
1673 St. Helena Highway  
Rutherford, Napa County

Dear Mr. Pestoni:

Enclosed are a public notice and a Complaint for Administrative Civil Liability issued to Rutherford Grove Winery for the subject site. The Complaint alleges that Rutherford Grove Winery has violated its waste discharge requirements by submitting its 2006/2007 annual report on April 30, 2008, 303 days past the July 1, 2007, deadline. The complaint proposes administrative civil liability of \$11,100.

A public hearing on this matter has been scheduled for the September 10, 2008, Water Board meeting 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 hearing 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.
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 \$5,550 and paying the remainder of the civil liability,

*Preserving, enhancing, and restoring the San Francisco Bay Area's waters for over 50 years*

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](mailto:mrembaumfox@waterboards.ca.gov)

Sincerely,

Dyan C. Whyte  
Assistant Executive Officer

Enclosures:

Public Notice  
Complaint No. R2-2008-0050  
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 Youngs  
Sejal Choksi, San Francisco BayKeeper