

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 82-14

ORDER REQUIRING CHRISTIAN BROTHERS GREYSTONE WINERY,
MONT LA SALLE VINEYARDS TO CEASE AND DESIST FROM
DISCHARGING WASTE CONTRARY TO REQUIREMENTS PRESCRIBED
BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN FRANCISCO BAY REGION

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. On July 17, 1979, the Board adopted Order No. 79-88, waste discharge requirements for the Christian Brothers Greystone Winery, St. Helena, Napa County. This Order prohibits the bypass or overflows of wastewater to waters of the State, requires the maintenance of minimum freeboard in waste storage ponds, and requires protection for the ponds from erosion and washout from a flood having a predicted frequency of once in 100 years.
2. Numerous violations of Regional Board Order No. 79-88 occurred early in the 1981-82 rainy season. These violations have resulted and threaten to further result in discharges of waste to waters of the State.
3. Inspections by Board staff and Napa County Health Department conducted during late 1981 and early 1982 indicated that the wastewater facilities at the Greystone Winery were not adequate to meet the waste discharge requirements contained in Order No. 79-88.
4. On December 15, 1981, Cleanup and Abatement Order No. 81-006 was issued to Greystone Winery requiring the submittal of a wastewater facilities plan and a time schedule for the implementation of that plan.
5. On January 13, 1982 the Christian Brothers Greystone Winery, Mont La Salle Vineyards (hereinafter Discharger) submitted a plan and time schedule for the upgrading of storage pond and waste disposal system. The plan and time schedule submitted by the Discharger are incomplete and therefore not acceptable to the Executive Officer.
6. On March 17, 1982 the Board adopted Order No. 82-13, revised waste discharge requirements for the Discharger, wherein an annual pond system management report is required by the Discharger to assure that wastewater system improvements will be managed in accord with the design and construction so as to prevent violations of Board requirements.

7. Order No. 82-13 states:

" A. Specifications

...

6. Ponds shall be protected against erosion, washout and flooding from a flood having a predicted frequency of once in 100 years.

7. A minimum freeboard of two feet shall be maintained in all ponds at all times.

...

B. Prohibitions

1. There shall be no bypass or overflow of waste to waters of the State from the collection, treatment, storage, or disposal system.

2. The waste shall not be allowed to escape from the Discharger's disposal area into waters of the State via surface flow, resurfacing after percolation or airborne spray.

..."

8. On March 17, 1982, at a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, California, after due notice to the Discharger and all interested and affected persons and agencies, the Regional Board conducted a public hearing at which the Discharger appeared and evidence was received concerning the discharge.

9. The Discharger is violating and threatening to violate requirements listed in Finding 7 of this Order.

10. This action is an Order to enforce waste discharge requirements adopted by the Board. This action is therefore exempt from CEQA pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT:

A. The Discharger shall cease and desist from discharging wastes contrary to requirements listed in Finding 7 of this Order.

B. Compliance with Specification A.6, and A.7; Prohibition B.1, and B.2 of this Board's Order No. 82-13 shall be completed in accord with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1. Complete Design	May 1, 1982
2. Begin Construction	July 1, 1982
3. Complete Construction	October 1, 1982
4. Full Compliance	November 1, 1982

- C. The Discharger is required to provide the Board by April 15, 1982 and monthly thereafter, a report, under penalty of perjury, on progress towards compliance with the provisions of this Order.
- D. If, in the determination of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer is authorized to take the following action after approval of the Board Chairman:
- . request the Attorney General to take the appropriate enforcement action against the Discharger, including injunction and civil monetary remedies, if appropriate.
- E. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on March 17, 1982.

FRED H. DIERKER
Executive Officer