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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

In Re: Heber Public Utilities District

To: Laura Fischer
General Manager
1078 Dogwood Road, Suite 103
Heber, CA 92249

CITATION FOR NONCOMPLIANCE

Citation No. 05-14-13C-001

Issued on January 4, 2013

Section 116650, Chapter 4, Part 12, Division 104 of the California Health and Safety Code (H&S Code), authorizes the California Department of Public Health, Division of Drinking Water and Environmental Management (CDPH) to issue a citation for failure to comply with the requirements of Chapter 4, the California Safe Drinking Water Act, or any regulation, permit, standard, citation, or order issued or adopted thereunder.

VIOLATION

CDPH has determined that Heber Public Utility District (hereinafter Heber PUD) has violated provisions contained in the H&S Code and Title 22, California Code of Regulations (CCR). These violations include, but are not limited to, the following:

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1. H&S Code, Section 116555(a)(3): Specifically, Heber PUD failed to provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.
2. CCR, Section 64533: Specifically, Heber PUD failed to meet the primary drinking water standard for the Total Trihalomethanes (TTHM) Maximum Contaminant Level (MCL) for the third quarter of 2012.

ENFORCEMENT HISTORY

On November 8, 2006, a Citation for Noncompliance (No. 05-14-06C-018) was issued for failure to meet the TTHM MCL during the second and third quarters of 2006.

On February 13, 2007, a Citation for Noncompliance (No. 05-14-07C-009) was issued for failure to meet the TTHM MCL during the fourth quarter of 2006.

On March 29, 2012, a Citation for Noncompliance (No. 05-14-12C-005) was issued for failure to meet the TTHM MCL during the first quarters of 2012.

BACKGROUND

Heber PUD operates a municipal water system that supplies domestic water to approximately 1,572 service connections and a population of 6,180. Heber PUD's source of water supply is Colorado River water purchased from Imperial Irrigation District (IID).

The system receives its raw water from the All American Canal via the Central Main Canal

1 and through Dogwood Canal, and treats the raw water through an accredited alternative
2 filtration technology surface water treatment plant.

3 The Disinfection Byproduct Rule (DBPR) applies to community and non-transient non-
4 community water systems that treat their water with a chemical disinfectant in any part of
5 the treatment process or which provide water that contains a chemical disinfectant. Heber
6 PUD uses free chlorine as the primary disinfectant. Based on the system's population
7 size, Heber PUD is required to collect one sample in the distribution system per quarter for
8 TTHMs and Haloacetic Acids (HAA5) analysis.

9
10 TTHM monitoring requirements are specified in CCR, Title 22, Section 64534 and 64534.2
11 and compliance determinations are specified by CCR, Title 22, Section 64535 and
12 64535.2. A public water system shall not exceed 80 parts per billion (ppb) for TTHM in the
13 drinking water supplied to the public based on a running annual arithmetic average,
14 computed quarterly, of quarterly arithmetic averages of all samples collected pursuant to
15 CCR, Title 22, Section 64534.2(a).

17 CHRONOLOGY OF EVENTS & CORRECTIVE ACTIONS TAKEN

18
19 As shown in the table below, since 2011 Heber PUD's Running Annual Average (RAA)
20 exceeded the TTHM MCL in the first, third, and fourth quarters of 2012.

Year	Quarter	Sample Date	Date Submitted to CDPH	Quarterly Average (ppb)	RAA (ppb)
2011	4Q	12/7/11	1/5/12	69	70.5
2012	1Q	2/21/12	3/9/12	82	82.3
	2Q	5/7/12	5/24/12	67	78.3
	3Q	9/19/12	10/8/12	120	84.5
	4Q	12/11/12	12/28/12	70	84.8



1

2 All samples were collected at the approved sample location, in accordance with sampling
3 requirements for the DBPR. All samples were submitted to the laboratory within the
4 holding time of the approved analytical method. All results were reported to CDPH,
5 electronically or physically, by the 10th day of the month following receipt of the laboratory
6 results. See Enclosure 2: Laboratory Analytical Results: 4th Quarter 2011 through 4th
7 Quarter 2012.

8

9 October 22, 2012: Heber PUD staff provided CDPH with proof of direct mail public
10 notification for the third quarter TTHM MCL violation.

11

12 December 28, 2012: Heber PUD staff provided CDPH with proof of direct mail public
13 notification for the fourth quarter TTHM MCL violation.

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DIRECTIVES

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Heber PUD shall hereby comply with the following directives:

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1. Forthwith, cease and desist from failing to comply with the H&S Code, Section

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116555(a)(1) and (3) by complying with primary and secondary drinking water

20

standards and by ensuring that the system is provided with a reliable and adequate

21

supply of pure, wholesome, healthful, and potable water.

22

23

2. Forthwith, cease and desist from failing to comply with the primary drinking water

24

standard for TTHMs per CCR, Section 64533.

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- 1 3. Heber PUD shall continue collecting one sample each quarter for TTHM and HAA5
2 analysis at the CDPH approved sampling location. The results shall be reported to
3 CDPH within 10 days after the end of each quarter in accordance with CCR, Title 22,
4 Section 64537.
- 5
6 4. Heber PUD shall give public notice in accordance with CCR, Section 64463.4 within 30
7 days of the date of this citation for failure to meet the TTHM MCL for the third quarter
8 2012. Public notice shall be via 1. mail or direct delivery to each customer, and 2.
9 posting notice on the internet and/or local newspaper. Heber PUD shall submit a draft
10 notice to CDPH for review and approval prior to giving public notice.
- 11
12 5. Within 10 days of conducting public notifications, a copy of the notice and the "Proof of
13 Notification" certification shall be submitted to CDPH using the enclosed form, see
14 Enclosure 1.
- 15
16 6. Heber PUD shall repeat public notification every three months for as long as the TTHM
17 MCL violation continues in accordance with CCR, Section 64463.4.
- 18
19 7. By July 1, 2013, Heber PUD shall report the 2012 TTHM MCL violation in its 2012
20 Consumer Confidence Report, in accordance with CCR, Section 64481(g)(1).
- 21
22 8. By February 28, 2013, Heber PUD shall submit a revised TTHM Compliance Plan,
23 including cost estimates for any proposed modifications, that evaluates options for
24 meeting the TTHM standard, including at a minimum the following:



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- a. Treatment plant optimization including an evaluation of mixing energy requirements for raw water and primary coagulation, as well as raw water conditioning with pre-oxidants (e.g. potassium permanganate);
- b. Raw pond total organic control measures such as:
 - i. Algae control plan;
 - ii. Organic sediment removal plan;
- c. Disinfection optimization including:
 - i. Pipe installation to allow the reservoirs to be operated in series;
 - ii. Tracer study to establish chlorine contact basin baffling factor and/or baffling modification of the existing facilities;
 - iii. Evaluation of water age management options;
- d. Treatment such as:
 - i. Post filtration granular activated carbon (GAC);
 - ii. Post chlorine contact basin DBP removal technology;

9. By **January 31, 2012**, Heber PUD shall submit a draft jar testing plan and jar testing log to CDPH for review.

10. By **February 10, 2013**, and each subsequent month, as part of the Monthly Summary of Monitoring for the Surface Water Treatment Regulations, Heber PUD shall submit a copy of the jar testing log for the prior month to CDPH's records.

All submittals required by this citation shall be sent to:

Sean Sterchi, P.E.

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District Engineer
California Department of Public Health
Drinking Water Program
1350 Front Street, Room 2050
San Diego, CA 92101

CIVIL PENALTY

Sections 116650 (d) and (e) of the Health and Safety Code provides for the assessment of a penalty for failure to comply with the requirements of the California Safe Drinking Water Act. Failure to comply with any provision of this citation may result in CDPH imposing a penalty not to exceed one thousand dollars (\$1,000) per day per violation as of the date of violation of any provision of this citation.

1/4/13	
Date	Sean Sterchi, P.E.
	District Engineer
	California Department of Public Health
	Drinking Water Program

Enclosures: 1) "Proof of Notification" Certification Form
2) Laboratory Analytical Results: 4th Quarter 2011 through 4th Quarter 2012

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health, Imperial County
Public Health Department

Quarterly TTHM Report for Disinfection Byproducts Compliance (in µg/L or ppb)

System Name: HEBER PUBLIC UTILITY DISTRICT System No.: 1310007-001 Year: 2012 Quarter: 4th

Year:	2010				2011				2012				2013				2014			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
Quarter:	1/4	4/21	8/16	11/15	2/15	5/25	8/8	12/7	2/21	5/7	9/19	12/11								
Sample Date (month/date):	56.0	58.0	100.0	51.0	35.0	83.0	95.0	69.0	82.0	67.0	120.0	70.0								
Site 1																				
Site 2																				
Site 3																				
Site 4																				
Site 5																				
Site 6																				
Site 7																				
Site 8																				
Site 9																				
Site 10																				
Site 11																				
Site 12																				
Quarterly Average	56.0	58.0	100.0	51.0	35.0	83.0	95.0	69.0	82.0	67.0	120.0	70.0								
Running Annual Average				66.3	61.0	67.3	66.0	70.5	82.3	78.3	84.5	84.8								
Meets Standard?*	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
Number of Samples Taken	1	1	1	1	1	1	1	1	1	1	1	1	1							

Identify the sample locations in the table below.

Sample Location

1	Samples are collected at Mc Cabe Cove at the last hydrant at the
2	farthest end of the distribution system.
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Signature [Signature] Date 12/28/12

*If, during the first year of monitoring, any individual quarter's average will cause the running annual average of that system to exceed the standard, then the system is out of compliance at the end of that quarter.

DEC 4 2012



E.S.BABCOCK & Sons, Inc.

Environmental Laboratories est. 1906

Client Name: Heber Public Utility District
Contact: Francisco Rodriguez
Address: 1078 Dogwood Rd. Ste. 103 P.O. Box H
Heber, CA 92249

Analytical Report: Page 2 of 9
Project Name: No Project
Project Number: 4th Quarter 2012

Report Date: 24-Dec-2012

Work Order Number: B2L1312
Received on Ice (Y/N): Yes Temp: 6 °C

Laboratory Reference Number

B2L1312-01

Sample Description Matrix Sampled Date/Time Received Date/Time
Mc Cabe Cove Water 12/11/12 09:00 12/12/12 9:20

Table with 8 columns: Analyte(s), Result, RDL, Units, Method, Analysis Date, Analyst, Flag. Rows include Aggregate Organic Compounds, Volatile Organic Compounds by EPA 524.2, and Haloacetic Acid by Standard Methods 6251B.

mailing
P.O. Box 432
Riverside, CA 92502-0432

location
6100 Quail Valley Court
Riverside, CA 92507-0704

P 951 653 3351
F 951 653 1662
www.babcocklabs.com

NELAP no. 02101CA
CA Elap no. 2698
EPA no. CA00102

Quarterly TTHM Report for Disinfection Byproducts Compliance (in µg/L or ppb)

System Name: HEBER PUBLIC UTILITY DISTRICT System No.: 1310007-001 Year: 2012 Quarter: 3rd

Year:	2010				2011				2012				2013				2014			
	Quarter	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr			
Sample Date (month/date):	1/4	4/21	8/16	11/15	2/15	5/25	8/8	12/7	2/21	5/7	9/19									
Site 1	56.0	58.0	100.0	51.0	35.0	83.0	95.0	69.0	82.0	67.0	120.0									
Site 2																				
Site 3																				
Site 4																				
Site 5																				
Site 6																				
Site 7																				
Site 8																				
Site 9																				
Site 10																				
Site 11																				
Site 12																				
Quarterly Average	56.0	58.0	100.0	51.0	35.0	83.0	95.0	69.0	82.0	67.0	120.0									
Running Annual Average				66.3	61.0	67.3	66.0	70.5	82.3	78.3	84.5									
Meets Standard?*	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>																		
(check box)	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>														
Number of Samples Taken	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1			

Identify the sample locations in the table below.

Site	Sample Location
1	Samples are collected at Mc Cabe Cove at the last hydrant at the farthest end of the distribution system.
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Comments: During the 3rd quarter sampling period of 2012 we experience an algae bloom in our ponds that resulted in higher organics and thus higher TTHM's than usual for this time of the year.

Signature: [Signature] Date: 10/5/12

*If, during the first year of monitoring, any individual quarter's average will cause the running annual average of that system to exceed the standard, then the system is out of compliance at the end of that quarter.



E.S.BABCOCK&Sons, Inc.
Environmental Laboratories *est 1906*

Client Name: Heber Public Utility District
Contact: Francisco Rodriguez
Address: 1078 Dogwood Rd. Ste. 103 P.O. Box H
Heber, CA 92249

Analytical Report: Page 2 of 6
Project Name: No Project
Project Number: 3rd Quarter 2012

Report Date: 26-Sep-2012

Work Order Number: B21117
Received on Ice (Y/N): Yes Temp: 5 °C

Laboratory Reference Number
B21117-01

<u>Sample Description</u>	<u>Matrix</u>	<u>Sampled Date/Time</u>	<u>Received Date/Time</u>
Mc Cabe Cove	Water	09/10/12 09:00	09/11/12 7:33

Analyte(s)	Result	RDL	Units	Method	Analysis Date	Analyst	Flag
Volatile Organic Compounds by EPA 524.2							
Total Trihalomethanes	120	0.50	ug/L	EPA 524.2	09/19/12 02:04	jes	NHST
Bromodichloromethane	36	0.50	ug/L	EPA 524.2	09/19/12 02:04	jes	
Bromoform	2.7	0.50	ug/L	EPA 524.2	09/19/12 02:04	jes	
Chloroform	58	0.50	ug/L	EPA 524.2	09/19/12 02:04	jes	
Dibromochloromethane	20	0.50	ug/L	EPA 524.2	09/19/12 02:04	jes	
Surrogate: 1,2-Dichloroethane-d4	104	% 50-150		EPA 524.2	09/19/12 02:04	jes	
Surrogate: Bromofluorobenzene	101	% 50-150		EPA 524.2	09/19/12 02:04	jes	
Surrogate: Toluene-d8	96.8	% 50-150		EPA 524.2	09/19/12 02:04	jes	
Haloacetic Acid by Standard Methods 6251B							
HAA5	41	2.0	ug/L	SM 6251B	09/14/12 02:25	jhr	
Monochloroacetic Acid	5.6	2.0	ug/L	SM 6251B	09/14/12 02:25	jhr	
Dichloroacetic Acid	18	1.0	ug/L	SM 6251B	09/14/12 02:25	jhr	
Trichloroacetic Acid	11	1.0	ug/L	SM 6251B	09/14/12 02:25	jhr	
Monobromoacetic Acid	1.8	1.0	ug/L	SM 6251B	09/14/12 02:25	jhr	
Dibromoacetic Acid	4.6	1.0	ug/L	SM 6251B	09/14/12 02:25	jhr	
Surrogate: 2,3-Dibromopropionic acid	98.4	% 70-130		SM 6251B	09/14/12 02:25	jhr	

LABORATORY
OCT - 8 - 2012

mailing
P.O. Box 432
Riverside, CA 92502-0432

location
6100 Quail Valley Court
Riverside, CA 92507-0704

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www.babcocklabs.com

NELAP no. 02101CA
CA Elap no. 2698
EPA no. CA00102



E.S.BABCOCK & Sons, Inc.
Environmental Laboratories *est. 1966*

Client Name: Heber Public Utility District
Contact: Francisco Rodriguez
Address: 1078 Dogwood Rd, Ste. 103 P.O. Box H
Heber, CA 92249

Analytical Report: Page 2 of 7
Project Name: No Project
Project Number: 4th Quarter TTHMs HAA5 201

Report Date: 19-Dec-2011

Work Order Number: **A1L0897**
Received on Ice (Y/N): Yes Temp: 2 °C

Laboratory Reference Number
A1L0897-01

<u>Sample Description</u>	<u>Matrix</u>	<u>Sampled Date/Time</u>	<u>Received Date/Time</u>
McCabe Cove	Water	12/07/11 08:30	12/08/11 9:20

Analyte(s)	Result	RDL	Units	Method	Analysis Date	Analyst	Flag
Volatile Organic Compounds by EPA 524.2							
Total Trihalomethanes	69	0.50	ug/L	EPA 524.2	12/15/11 22:21	jes	
Bromodichloromethane	23	0.50	ug/L	EPA 524.2	12/15/11 22:21	jes	
Bromoform	2.9	0.50	ug/L	EPA 524.2	12/15/11 22:21	jes	
Chloroform	24	0.50	ug/L	EPA 524.2	12/15/11 22:21	jes	
Dibromochloromethane	18	0.50	ug/L	EPA 524.2	12/15/11 22:21	jes	
Surrogate: 1,2-Dichloroethane-d4	103	% 50-150		EPA 524.2	12/15/11 22:21	jes	
Surrogate: Bromofluorobenzene	99.4	% 50-150		EPA 524.2	12/15/11 22:21	jes	
Surrogate: Toluene-d8	97.2	% 50-150		EPA 524.2	12/15/11 22:21	jes	
Haloacetic Acid by Standard Methods 6251B							
HAA5	22	5.0	ug/L	SM 6251B	12/15/11 02:39	kos	
Monochloroacetic Acid	2.4	2.0	ug/L	SM 6251B	12/15/11 02:39	kos	
Dichloroacetic Acid	8.2	1.0	ug/L	SM 6251B	12/15/11 02:39	kos	
Trichloroacetic Acid	5.3	1.0	ug/L	SM 6251B	12/15/11 02:39	kos	
Monobromoacetic Acid	1.9	1.0	ug/L	SM 6251B	12/15/11 02:39	kos	
Dibromoacetic Acid	4.4	1.0	ug/L	SM 6251B	12/15/11 02:39	kos	
Surrogate: 2,3-Dibromopropionic acid	100	% 70-130		SM 6251B	12/15/11 02:39	kos	

mailing
P.O. Box 432
Riverside, CA 92502-0432

location
6100 G Valley Court
Riverside, CA 92507-0704

P 951 653 3351
F 951 653 1662
www.babcocklabs.com

NELAP no. 02101CA
CA Elap no. 2698
EPA no. CA00102

Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. _____

Consumers Notified _____ Yes _____ No

If not, Explain: _____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Department approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated: _____

Signature of Person Serving Notice

**** Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Department within 10 days of posting the notification.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars (\$25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.