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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: **University of California Davis – Desert Research
and Extension Center**

1004 E. Holton Road

El Centro, CA 92243

Attn: Mr. Guangyao Wang, Director

**CITATION FOR VIOLATION OF TITLE 22, CALIFORNIA CODE OF
REGULATIONS, SECTION 64533**

WATER SYSTEM NO. 1300571
CITATION NO. 05-14-14C-003
Issued on September 2, 2014

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter “Board”), acting by and through its Division of Drinking Water (hereinafter “Division”) and the Deputy Director for the Division (hereinafter “Deputy Director”), hereby issues a citation to the University of California Davis – Desert Research and Extension Center (hereinafter,

1 UC DREC) (1004 E. Holton Road, El Centro, CA 92243) for violation of California
2 Code of Regulations (CCR), Title 22, Section 64533 subsection (a).

3
4 **APPLICABLE AUTHORITIES**

5
6 **Section 116650 of California Health and Safety Code provides:**

7 "116650. Citations.

8 (a) If the department determines that a public water system is in violation
9 of this chapter or any regulation, permit, standard, citation, or order issued or adopted
10 thereunder, the department may issue a citation to the public water system. The
11 citation shall be served upon the public water system personally or by certified mail.
12 Service shall be deemed effective as of the date of personal service or the date of
13 receipt of the certified mail. If a person to whom a citation is directed refuses to accept
14 delivery of the certified mail, the date of service shall be deemed to be the date of
15 mailing.

16 (b) Each citation shall be in writing and shall describe the nature of the
17 violation or violations, including a reference to the statutory provision, standard, order,
18 citation, permit, or regulation alleged to have been violated.

19 (c) A citation may specify a date for elimination or correction of the
20 condition constituting the violation.

21 (d) A citation may include the assessment of a penalty as specified in
22 subdivision (e).

23 (e) The department may assess a penalty in an amount not to exceed
24 one thousand dollars (\$1,000) per day for each day that a violation occurred, and for
25 each day that a violation continues to occur. A separate penalty may be assessed for
26 each violation."
27



1 California Code of Regulations, Title 22, Section 64533, subsection (a) provides,
2 in relevant part:

3
4 “(a) Using the monitoring and calculation methods specified in sections 64534,
5 64534.2, 64535, and 64535.2, the primary MCLs for the disinfection byproducts shown
6 in table 64533-A shall not be exceeded in drinking water supplied to the public.

7
8 **Table 64533-A**

9 Maximum Contaminant Levels and Detection Limits for
10 Purposes of Reporting Disinfection Byproducts

<i>Disinfection Byproduct</i>	<i>Maximum Contaminant Level (mg/L)</i>	<i>Detection Limit for Purposes of Reporting (mg/L)</i>
Total trihalomethanes (TTHM)	0.080	
Bromodichloromethane		0.0010
Bromoform		0.0010
Chloroform		0.0010
Dibromochloromethane		0.0010
...”		

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21 California Code of Regulations, Title 22, Section 64535.2, subsection (a)
22 provides, in relevant part:

23 “64535.2. Determining Disinfection Byproducts Compliance.(a) During the
24 first year of monitoring for disinfection byproducts under sections 64534.2(a), (b), and
25 (c), the system shall comply with paragraphs (1) through (3). During the first year of
26 monitoring for TTHM and haloacetic acids (HAA5) under section 64534.2(d), the
27 system shall comply with paragraphs (1) through (3) at each monitoring location:
28



1 (3) The sum of the first, second, and third quarter's results, divided by
2 four shall not exceed the MCLs specified in section 64533."

3 **Citation No. 05-14-07C-005 (Issued on January 22, 2007), Directives Nos. 1 and 2**
4 **provides:**

- 5 1. *Cease violating the DBPR MCLs of the CCR, Title 22, Section*
6 *64533.*
- 7 2. *By December 31, 2007, UC DREC shall submit a feasibility*
8 *study that evaluates the feasibility of several options to meet*
9 *the TTHM standard [...].*

10
11 **Citation No. 05-14-11C-010 (Issued on May 2, 2011), Directives Nos. 2 and 3**
12 **provides:**

- 13 2. *Forthwith, cease and desist from failing to comply with the*
14 *primary drinking water standard for TTHMs per CCR section*
15 *64533.*
- 16 3. *By July 31, 2011, UC DREC shall submit a feasibility study,*
17 *including cost for proposed modifications that evaluates the*
18 *feasibility of several options to meet the TTHM standard [...].*

19
20 **STATEMENT OF FACTS**

21 **BACKGROUND**

22 The UC DREC water system is operated under Water Supply Permit No. 05-14-11P-
23 006, issued on May 11, 2011. The system is located near El Centro in Imperial
24 County, California and is owned and operated by the University of California. The



1 water system purchases raw water from Imperial Irrigation District via the Ash Canal
2 and currently treats it via microfiltration and free chlorine disinfection. The system is
3 classified as a non-transient non-community water system and provides water to
4 approximately 47 residents and employees year-round with a transient population of
5 up to approximately 2,000 per month during January-February Farm Smart tour
6 season. There are ten residential service connections, seven commercial connections
7 and one agricultural/industrial connection on the site. The employee and resident
8 population has fluctuated over the years, which has resulted in the system being
9 classified as a community water system in 2002; reclassified as a transient non-
10 community (TNC) water system, and thus not required to comply with the TTHM MCL,
11 sometime between January 2007 and January 2010; and reclassified as a non-
12 transient non-community (NTNC) water system in October 2010 after a system
13 inspection performed by the Division.

14
15 During 2004 through 2009, the water system consisted of prechlorination, followed by
16 four pressure filters, which then fed eight underground cisterns.

17
18 On January 1, 2004, the federal Stage 1 Disinfection Byproduct Rule took effect,
19 which required community water systems and non-transient non-community water
20 systems that use a chemical disinfectant to monitor for TTHMs and haloacetic acids
21 (HAA5) at the location of maximum residence time in the distribution system.

22 23 ENFORCEMENT HISTORY

24 The following enforcement actions were previously issued to this system for TTHM
25 MCL violations:

26



1 April 29, 2005: A Notice of Violation was issued for exceedance of the TTHM MCL for
2 fourth quarter 2004.

3

4 January 22, 2007: Citation No. 05-14-07C-005 was issued for exceedance of the
5 TTHM MCL for the following quarters: the fourth quarter of 2004, all four quarters of
6 2005, and the third quarter of 2006; and for exceedance of the HAA5 MCL for the first
7 and second quarters of 2005.

8

9 May 2, 2011: Citation No. 05-14-11C-010 was issued for exceedance of the TTHM
10 MCL for the following quarters: 4th quarter 2006, all four quarters of 2007, 2008, and
11 2009, first quarter 2010 and first quarter 2011.

12

13 Details regarding the above enforcement actions are summarized below.

14

15 UC DREC collected quarterly samples beginning in January 1, 2004 and first
16 exceeded the TTHM MCL in fourth quarter 2004. The running annual averages for
17 fourth quarter 2004 through third quarter 2006 are shown below:

18



Stage 1 DBPR TTHM Monitoring Chronology 2004 - 2006

TTHM Monitoring Quarter	Months Included in Quarter	TTHM Result (µg/L)	RAA (µg/L)	Addressing Citation No.
1 st Qtr. 2004	Feb 2004	109	-	NA
2 nd Qtr. 2004	May 2004	72	-	NA
3 rd Qtr. 2004	Aug 2004	98	-	NA
4 th Qtr. 2004	Nov 2004	67	87	NOV & 05-14-07C-005
1 st Qtr. 2005	Jan – Mar, 2005	129	92	05-14-07C-005
2 nd Qtr. 2005	Apr – Jun, 2005	74	92	05-14-07C-005
3 rd Qtr. 2005	Jul – Sept, 2005	123	98	05-14-07C-005
4 th Qtr. 2005	Oct – Dec, 2005	44	92	05-14-07C-005
1 st Qtr. 2006	Jan – Mar, 2006	72	78	NA
2 nd Qtr. 2006	Apr – Jun, 2006	70	77	NA
3 rd Qtr. 2006	Jul – Sept, 2006	184	93	05-14-07C-005
4 th Qtr. 2006	Oct – Dec, 2006	39	91	05-14-11C-010

Stage 1 DBPR HAA5 Monitoring Chronology 2004 - 2006

TTHM Monitoring Quarter	Month(s) Sampled	HAA5 Result (µg/L)	RAA (µg/L)	Addressing Citation No.
1 st Qtr. 2004	Feb 2004	28	-	NA
2 nd Qtr. 2004	May 2004	10	-	NA
3 rd Qtr. 2004	Aug 2004	138	-	NA
4 th Qtr. 2004	Nov 2004	27	51	NA
1 st Qtr. 2005	Feb 2005	128	76	05-14-07C-005
2 nd Qtr. 2005	May 2005	28	80*	05-14-07C-005
3 rd Qtr. 2005	Aug 2005	45	57	NA
4 th Qtr. 2005	Nov 2005	24	56	NA
1 st Qtr. 2006	Feb 2006	13	28	NA
2 nd Qtr. 2006	May 2006	25	27	NA
3 rd Qtr. 2006	Aug 2006	50	28	NA

1 *No additional HAA5 violations have occurred since May 2005.

2

3 On April 29, 2005, a Notice of Violation (NOV) was issued to UC DREC for exceeding

4 the TTHM MCL for the fourth quarter of 2004. The NOV required a plan to be

5 submitted to lower the TTHMs, which the system submitted in June 2005 and revised

6 in September 2005. The system lowered chlorine residuals by 30-40% to



1 approximately 0.5 mg/L in summer and 0.8 mg/L in winter beginning in June 2005. As
2 shown in the tables above, this brought the system back into compliance with HAA5
3 MCLs; however, the TTHM MCL was only met in two quarters of 2006 and was
4 exceeded for all other quarters.

5
6 Citation No. 05-14-07C-005 was issued on January 27, 2007 for the following
7 violations: fourth quarter 2004 – TTHM MCL; first, second, third and fourth quarter
8 2005 – TTHM MCL; first and second quarter of 2005 – HAA5 MCL; and third quarter
9 2006 – TTHM MCL. Directive No. 2 of Citation No. 05-14-07C-005 required UC DREC
10 to submit a feasibility study to meet the TTHM standard by December 31, 2007. The
11 system submitted a permit application in January 2008 and began submitting
12 information on replacing the existing plant, which consisted of an unapproved contract
13 clarifier filtration technology, with an approved technology, a Memcor microfiltration
14 unit. The system believed erroneously that installation of a microfiltration plant would
15 not require them to meet any Giardia inactivation through chlorine disinfection and
16 thus the chlorine residual through the storage tank could be lowered significantly. Due
17 to delays in ordering and installing the plant, the plant was not installed until
18 December 2010.

19
20 In 2009, the existing underground cisterns used for water storage were replaced with
21 a new 30,000 gallon bolted steel water tank. In December 2010, the system replaced
22 its existing pressure filter plant with a Pall Aria AP-2 microfiltration unit.

23
24 On May 2, 2011, CDPH issued Citation No. 05-14-11C-010 for the TTHM violations
25 between fourth quarter 2006 and first quarter 2011, a total of 15 quarters, as shown in
26 the table below. Directive No. 3 of Citation No. 05-14-11C-010 required UC DREC to
27 submit a feasibility study to meet the TTHM standard by July 31, 2011.



Stage 1 DBPR TTHM Monitoring Chronology 2006 - 2011

<i>TTHM Monitoring Quarter</i>	<i>Months Included in Quarter</i>	<i>TTHM Result (µg/L)</i>	<i>RAA (µg/L)</i>	<i>Addressing Citation No.</i>
4 th Qtr. 2006	Oct – Dec, 2006	39	91	05-14-11C-010
1 st Qtr. 2007	Jan – Mar, 2007	79	93	05-14-11C-010
2 nd Qtr. 2007	Apr – Jun, 2007	83	96	05-14-11C-010
3 rd Qtr. 2007	Jul – Sept, 2007	139	85	05-14-11C-010
4 th Qtr. 2007	Oct – Dec, 2007	61	90	05-14-11C-010
1 st Qtr. 2008	Jan – Mar, 2008	88	93	05-14-11C-010
2 nd Qtr. 2008	Apr – Jun, 2008	101	97	05-14-11C-010
3 rd Qtr. 2008	Jul – Sept, 2008	127	94	05-14-11C-010
4 th Qtr. 2008	Jul – Sept, 2008	73	97	05-14-11C-010
1 st Qtr. 2009	Jan – Mar, 2009	101	101	05-14-11C-010
2 nd Qtr. 2009	Apr – Jun, 2009	113	104	05-14-11C-010
3 rd Qtr. 2009	Jul – Sept, 2009	110	99	05-14-11C-010
4 th Qtr. 2009	Oct – Dec, 2009	47	93	05-14-11C-010
1 st Qtr. 2010	Jan – Mar, 2010	60	83	05-14-11C-010
2 nd Qtr. 2010	Apr – Jun, 2010	102	80	NA
3 rd Qtr. 2010	Jul – Sept, 2010	92	75	NA
4 th Qtr. 2010	Jul – Sept, 2010	66	80	NA
1 st Qtr. 2011	Jan – Mar, 2011	99	90	05-14-11C-010

1 In response to Citation No. 05-14-11C-010, the following correspondence was
 2 exchanged between UC DREC and the Division:

3
 4 June – September 2011: UC DREC conducting TTHM profiling of the plant process
 5 and distribution system, experimented with reducing the chlorine residual and
 6 conducted studies to determine how to design a spray aeration system.

7
 8 April 12, 2012: UC DREC submitted a technical memo, in response to Directive No. 3
 9 of Citation No. 05-14-11C-010, with an evaluation of a variety of TTHM reduction
 10 technologies and costs. The technical memo proposed either renting granular
 11 activated carbon (GAC) treatment or installing a spray aeration system.

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May 23, 2012: UC DREC submitted a permit application and operations plan to add a second tank and a spray aeration system for TTHM removal.

VIOLATION OF DIRECTIVE 3 CITATION NO. 05-14-11C-010

June 6, 2012: In response to Directive No. 3, UC DREC submitted a plan (**Attachment No. 3**) to install spray aeration treatment before the end of September 2012.

January 8, 2013: UC DREC sent the Division an email indicating that there was a delay in implementing the aeration system and the system would get back to the Division soon with a schedule for installation. A schedule was never provided.

April 5, 2013: Via email, the Division asked for an update on the installation schedule.

April 11, 2013: UC DREC replied via email and asked for a meeting on the topic, which occurred in May 2013.

August 6, 2013: The Division again sent an email asking for an update on the aeration system installation.

August 15, 2013: UC DREC replied via email that prior to implementing the aeration system, UC DREC wanted to wait for TTHM sampling results taken from samples after cleaning the sediment from their raw water tanks in July 2013 to see if removal of the organic matter in these tanks would lower the system's TTHMs. The system indicated that if not reduced, the system would proceed with installing aeration to address the TTHM MCL.

1 August 26, 2013: The Division sent an email to UC DREC in response to the August
2 15, 2013 email directing UC DREC to install the aeration system by September 30,
3 2013. UC DREC failed to install the aeration system by this date.

4
5 September 12, 2013: A conference call was held between UC DREC and the Division
6 to discuss the TTHM reduction project status.

7
8 October 7, 2013: UC DREC sent an email to the Division stating "As we discussed on
9 September 12, we intend to proceed with installation of an aeration system to address
10 the TTHM concentrations at UC DREC." However, the system asked for more time to
11 evaluate options for meeting CT prior to installation of the aeration system.

12
13 November 26, 2013: The Division again asked for an update via email on November
14 26, 2013.

15
16 December 4, 2013: UC DREC responded via email that the system would contact the
17 Division the week of December 9, 2013 with an update. No further updates have been
18 provided.

19
20 The TTHM running annual averages for UC DREC since the Citation No. 05-14-11C-
21 010 was issued in May 2011 are shown below:

22
23



Stage 1 DBPR TTHM Monitoring Chronology 2011-2013

<i>TTHM Monitoring Quarter</i>	<i>Months Included in Quarter</i>	<i>TTHM Result (µg/L)</i>	<i>RAA (µg/L)</i>	<i>Addressing Citation No.</i>
1 st Qtr. 2011	Mar 2011	99	90	05-14-11C-010
2 nd Qtr. 2011	May & Jun 2011	86, 139, 100	92	05-14-11C-010
3 rd Qtr. 2011	Aug & Sept 2011	122, 177	107	05-14-11C-010
4 th Qtr. 2011	Feb 2012*	72	108	05-14-11C-010
1 st Qtr. 2012	Mar 2012	83	104	05-14-11C-010
2 nd Qtr. 2012	Jun 2012	120	106	05-14-11C-010
3 rd Qtr. 2012	Sept 2012	200	119	05-14-11C-010
4 th Qtr. 2012	Dec 2012	82	121	05-14-11C-010
1 st Qtr. 2013	Mar 2013	87	122	05-14-11C-010
2 nd Qtr. 2013	Jun 2013	140	127	05-14-11C-010
3 rd Qtr. 2013	Sept 2013	130	110	05-14-11C-010
4 th Qtr. 2013	Stage 2 TTHM sampling begins			

*Dec 2011 sample exceeded hold time due to lab error. System resampled in Feb 2012.

VIOLATION OF SECTION 64533 - STAGE 2 TTHM MCL

UC DREC is a Schedule 4 system under the Stage 2 Disinfection Byproducts Rule (DBPR). As of October 1, 2013, pursuant to CCR, Title 22, Section 64534.2(d), UC DREC is required to collect one distribution system sample per quarter for TTHM analyses at Building 100 in accordance with their approved Stage 2 DBPR Monitoring Plan, dated May 23, 2013. In fourth quarter 2013, the system began sampling for TTHMs and HAA5s per the new rule. The system is continuing to sample at the same Building 100 location as was used for the Stage 1 DBPR.

According to Section 64535.2(a)(3), during the first year of monitoring under Stage 2, the system shall comply with the following: the sum of the first, second and third quarter's samples, divided by four, shall not exceed the MCL (80 µg/L).

4th Quarter 2013: UC DREC collected its first dual sample set for TTHMs and HAA5s on December 10, 2013 at Building 100. The TTHM result was 82 µg/L.



1 **1st Quarter 2014:** UC DREC collected a dual sample set on March 11, 2014, at the
2 Building 100 sample site with a TTHM result of 100 µg/L.

3
4 **2nd Quarter 2014:** UC DREC collected a dual sample set on June 10, 2014, at the
5 Building 100 sample site with a TTHM result of 160 µg/L. The calculated Operational
6 Evaluation Level for this quarter was 126 µg/L. The Division issued a letter on July 18,
7 2014 requiring the system to submit an OEL report within 90 days, by September 10,
8 2014. This report has not yet been submitted to the Division, but is not yet overdue.

9
10 **Stage 2 Sample Results for TTHMs 2013-2014**

Sample Date	2013	2014	2014
	4 th Q	1 st Q	2 nd Q
Result (µg/L)	82	100	160
Sum of 3 Quarters Divided by 4 (µg/L)			85.5*
OEL (µg/L)	-	-	126

11 ***Sum of first 3 quarters, divided by four must meet the MCL = 80 ug/L**

12
13 **DETERMINATIONS**

14 The Division has determined that UC DREC failed to comply with Directive No. 3 of
15 Citation No. 05-14-11C-010. Directive No. 3 states:

- 16
17 *2. By July 31, 2011, UC DREC shall submit a feasibility study,*
18 *including cost for proposed modifications that evaluates the*
19 *feasibility of several options to meet the TTHM standard [...].*

20
21 UC DREC failed to install spray aeration treatment for TTHM removal by September
22 30, 2012 per the April 2012 feasibility study and the June 2012 project schedule.

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The Division has determined that UC DREC failed to comply with Section 64533 for the total trihalomethanes (TTHM) Maximum Contaminant Level (MCL) at the Building 100 sample site for the three-quarter monitoring period from October 1, 2013 to June 30, 2014. Section 64535.2(a)(3) is used to determine compliance with Section 64533 during the first three quarters of monitoring. Section 64535.2(a)(3) states:

(3) The sum of the first, second, and third quarter's results, divided by four shall not exceed the MCLs specified in section 64533.

The average of UC DREC's first three quarters from October 2013 through June 2014, divided by four, was 85.5 µg/L, therefore the system is in violation of TTHM MCL in Section 64533.

ADMINISTRATIVE PENALTIES

Section 116650 of the CHSC allows for the assessment of a civil penalty for failure to comply with requirements of the California SDWA or any regulation, standard, permit, or order issued or adopted thereunder.

Beginning on August 2012, and continuing through the date of the issuance of this citation, UC DREC has violated California SDWA, and/or regulations, and orders issued or adopted thereunder. From August 2012 to the date of the issuance of this citation, UC DREC violated Directive No. 3 of Citation 05-14-11C-010. UC DREC violated CCR, Title 22, Section 64533 for the second quarter of 2014. Therefore, as of the date of this Citation, the Division assesses an administrative penalty of \$2,000

1 (two thousand dollars) (hereinafter “the Penalty”) upon UC DREC as summarized
2 below.

- 3
- 4 1. A penalty of \$1,000 (one thousand dollars) for failure to comply Directive No.
5 3 of Citation No. 05-14-11C-010 (installation of TTHM removal treatment),
6 and;
- 7 2. A penalty of \$1,000 (one thousand dollars) for violation of the TTHM MCL for
8 second quarter 2014.

9

10 Failure to comply with any provision of this citation may result in the Division imposing
11 additional administrative penalties of up to \$1,000.00 (one-thousand dollars) per day
12 for each day that a violation occurred, and for each day that a violation continues to
13 occur. A separate penalty may be assessed for each violation.

14 **DIRECTIVES**

15

16 UC DREC is hereby directed to take the following actions:

- 17
- 18 1. At all times subsequent to this Citation, comply with California Code of
19 Regulations, Title 22, Section 64533’s MCL for the TTHM of 80 µg/L in drinking
20 water supplied to the public.
- 21 2. Within 45 days of issuance of this citation, UC DREC shall submit a preliminary
22 engineering report, which includes a brief description of the proposed technology,
23 and a proposed project schedule for the TTHM removal treatment system.
- 24 3. Within 90 days of issuance of this citation, submit to the Division for its review and
25 approval the plans and specifications for a TTHM treatment system.



- 1 4. Within 180 days of issuance of this citation, install and place into service a Division
2 approved TTHM removal treatment system.
- 3
4 5. UC DREC shall continue collecting one compliance sample each quarter for TTHM
5 and HAA5 analysis at the Building 100 approved sampling location. The results
6 shall be reported to the Division within 10 days after the end of each quarter in
7 accordance with CCR, Title 22, Section 64537.
- 8
9 6. UC DREC shall give public notice in accordance with CCR, Title 22, Section
10 64463.4 within 30 days of the date of this citation for failure to meet the TTHM
11 MCL for the second quarter 2014. Public notice shall be via posting notices at
12 locations throughout the facility or an alternative public notification plan approved
13 by the Division. UC DREC shall submit a draft notice to the Division for review and
14 approval prior to giving public notice. These notices must remain posted until such
15 time that the Division notifies UC DREC that monitoring results indicate that UC
16 DREC has returned to compliance with the TTHM MCL or until updated with a
17 notice for exceeding the TTHM MCL for a subsequent quarter.
- 18
19 7. Within 10 days of completing the public notice required by Directive No. 6, UC
20 DREC shall provide to the Division certification of public notification using the
21 enclosed form (Attachment No. 2). The certification of notification must identify the
22 number of notices posted, the locations where the notices were posted, and how
23 long the notices were posted.
24

1 8. UC DREC shall repeat public notification every three months for as long as the
2 TTHM MCL violation continues in accordance with CCR, Title 22, Section 64463.4.
3 The public notice shall be updated quarterly with the most recent TTHM results.
4

5 9. UC DREC shall include information regarding the TTHM MCL violation identified in
6 this Citation in the 2014 Consumer Confidence Report, which must be completed
7 and distributed to staff and inmates by July 1, 2015. A draft of the 2014 Consumer
8 Confidence Report shall be submitted to the Division for review and approval prior
9 to distribution and/or posting.
10
11

12 10. Within 180 days of issuance of this Citation, pay the penalty of \$2,000. Payment
13 shall be made by check payable to State Water Resources Control Board, Division
14 of Drinking Water, Safe Drinking Water Account, in accordance with the
15 instructions in Attachment 1, "Fine Payment Submittal Form". However, the
16 Division will consider suspending, in part or in whole, the requirement to pay the
17 penalty, if the Division determines at its sole discretion that UC DREC has
18 complied with the directives of this Citation.
19

20 The Division reserves the right to make such modifications to this Citation as it may
21 deem necessary to protect public health and safety. Such modifications may be
22 issued as amendments to this Citation, and shall be deemed effective upon issuance.
23

24 Nothing in this Citation relieves UC DREC of its obligation to meet the requirements of
25 the California Safe Drinking Water Act, or of any regulation, permit, standard, or order
26 issued or adopted thereunder.
27

1 All submittals required by this Citation, except for payment of the Penalty, shall be
2 submitted to the Division at the following address:

3
4 Sean Sterchi, P.E.
5 District Engineer
6 State Water Resources Control Board
7 Division of Drinking Water
8 1350 Front Street, Room 2050
9 San Diego, CA 92101

10
11 **PARTIES BOUND**

12 This Citation shall apply to and be binding upon UC DREC, its officers, directors,
13 shareholders, agents, employees, contractors, successors, and assignees.

14
15 **SEVERABILITY**

16 The Directives of this Citation are severable, and UC DREC shall comply with each
17 and every provision thereof, notwithstanding the effectiveness of any other provision.

18
19 **FURTHER ENFORCEMENT ACTION**

20 The California SDWA authorizes the Board to: issue citation with assessment of
21 administrative penalties to a public water system for violation or continued violation of
22 the requirements of the California SDWA or any permit, regulation, standard or order
23 issued or adopted thereunder including, but not limited to, failure to correct a violation
24 identified in a citation or compliance order. The California SDWA also authorizes the
25 Board to take action to suspend or revoke a permit that has been issued to a public
26 water system if the system has violated applicable law or regulations or has failed to
27 comply with an order of the Board; and to petition the superior court to take various
28 enforcement measures against a public water system that has failed to comply with

1 an order of the Board. The Board does not waive any further enforcement action by
2 issuance of this citation.

3
4
5

6 Sept. 2, 2014
7 Date



8 Jeff O'Keefe, P.E.
9 Regional Engineer
10 Division of Drinking Water
11 State Water Resources Control Board

12
13
14

CERTIFIED MAIL NO. 7009 2250 0000 8391 4703

15

ATTACHMENTS:

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- 1) Fine Payment Submittal Form
- 2) Proof of Notification Form
- 3) Email dated June 6, 2012 from UC DREC to the Division

21
22
23
24

cc: Jeff Lamoure, Deputy Director for Environmental Health Services, County of
Imperial
Fernando Miramontes, Superintendent, UC DREC, 1004 E. Holton Road
El Centro, CA 92243



PAYMENT SUBMITTAL FORM

Mail to:
SWRCB Accounting Office
ATTN: Drinking Water Program
P.O. Box 1888
Sacramento, CA 95812-1888

System Name: UC DREC

System No. 1300571

Please check the box applicable to the attached payment received

- Xeroxing
- Pre-printed publication
- Data Search – generated report from data base
- Fine or penalty
- Permit application fee
- Small water system enforcement fee for FY 20 ___ / 20 ___
- Water system annual fee for FY 20 ___ / 20 ___ (Systems w/less than 999 service connections)
- Water System time accounting fee for FY 20 ___ / 20 ___ (Systems w/service connections greater than 999)
- Exemption, variance, waiver
- Other: Fee for copying information from System file

Comments: _____

Signature: _____ Date: _____

Name: _____

ATTACH CHECK HERE:

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 **30 days** of receipt of your order.

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.

Wolski, Erica@Waterboards

From: Richard Smith <rvsmith@ucdavis.edu>
Sent: Wednesday, June 06, 2012 10:50 AM
To: Wolski, Erica (CDPH-DDWEM)
Cc: Sterchi, Sean (CDPH-DDWEM); Brian Oatman; Luzanne Martin
Subject: RE: UC DREC - permit appl rec'ed

Erica:

To date, no equipment has been purchased. The facilities group that does the purchasing has told me that they are "working with fiscal closing scenarios to determine the best course of funding." Also, [REDACTED] may be having knee surgery within the next few weeks and may be out of work for possibly 4-6 weeks. I estimate that the project construction will not begin until August 2012 and be completed before the end of September 2012.

I will keep you informed of the project schedule.

Rich

From: Wolski, Erica (CDPH-DDWEM) [<mailto:Erica.Wolski@cdph.ca.gov>]
Sent: Wednesday, June 06, 2012 10:02 AM
To: Richard Smith
Cc: Sterchi, Sean (CDPH-DDWEM)
Subject: UC DREC - permit appl rec'ed

Hi Rich,

What's the schedule for the aeration system? Has it already been constructed and do you have any results yet from it? If not, what is the planned startup date?

I may not be able to work on the permit amendment for it until July 1st.

Thanks,
Erica

Erica Wolski, P.E.
Associate Sanitary Engineer – San Diego District
Southern California Drinking Water Field Ops Branch
1350 Front St, Room 2050, San Diego, CA 92101.
Office: (619) 525-4772
Cell: (760) 301-2841
FAX: (619) 525-4383
Email: Erica.Wolski@cdph.ca.gov

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: UNIVERSITY OF CALIFORNIA DAVIS-DESERT RESEARCH AND EXTENSION CENTER 1004 E. HOLTON ROAD EL CENTRO, CA 92243 ATTN: MR. GUANGYAO WANG, DIRECTOR	B. Received by (<i>Printed Name</i>) C. Date of Delivery
2. Article Number (Transfer from service label) 7009 2250 0000 8391 4703	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
PS Form 3811, August 2001	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes
Domestic Return Receipt	102595-02-M-1035

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Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 7.82	

Sent To **ATTN: MR. GUANGYAO WANG, DIRECTOR**
UNIVERSITY OF CA. DAVIS-DESERT RESEARCH & EXTENSION
 Street, Apt. No.,
 or PO Box No. **1004 E. HOLTON ROAD**
 City, State, ZIP+4 **EL CENTRO, CA 92243**

PS Form 3800, August 2006
See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

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