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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: **City of Calexico**
644 Pierce Ave
Calexico, CA 92231

Attn: Mr. Nick Servin, Public Works Director/City Engineer

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

WATER SYSTEM NO. 1310002
CITATION NO. 05-14-14C-005
Issued on October 27, 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 City of

1 Callexico (hereinafter, Callexico) (644 Pierce Ave, Callexico, CA 92231) for violation of
2 California 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

11	<i>Maximum</i>	<i>Detection Limit for</i>
12	<i>Contaminant</i>	<i>Purposes of Reporting</i>
13	<u><i>Level (mg/L)</i></u>	<u><i>(mg/L)</i></u>
14	Total trihalomethanes (TTHM)	0.080
15	Bromodichloromethane	0.0010
16	Bromoform	0.0010
17	Chloroform	0.0010
18	Dibromochloromethane	0.0010

19 ...”

20
21 **California Code of Regulations, Title 22, Section 64535.2, subsection (e)**
22 **provides, in relevant part:**

23 **“64535.2. Determining Disinfection Byproducts Compliance.**(e) TTHM and
24 HAA5 MCL compliance, as monitored pursuant to section 64534.2(d), shall be
25 determined as follows:

26 (1) For systems monitoring quarterly, each locational running annual average
27 (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533;

1 (4) If the LRAA exceeds the MCL, calculated based on four consecutive
2 quarters of monitoring (or the LRAA calculated based on fewer than four quarters of
3 data if the MCL would be exceeded regardless of the monitoring results of
4 subsequent quarters), the system is in violation of the MCL and shall notify the public
5 pursuant to sections 64463, 64463.4, and 64465, including the language in appendix
6 64465-G, in addition to reporting to the Department pursuant to sections 64537
7 through 64537.6.”
8
9

10 STATEMENT OF FACTS

11 BACKGROUND

12 The Calexico water system is operated under Water Supply Permit No. 05-14-02P-
13 011, issued on May 27, 2003. Calexico is a community water system that supplies
14 water for domestic purposes to approximately 38,572 residents through 8226 service
15 connections within the city limits of the City of Calexico. The water system purchases
16 raw water from Imperial Irrigation District via the All American Canal and stores it in a
17 25 million gallon (MG) raw water pond adjacent to the All American Canal. From the
18 raw water pond, water is pumped to the treatment plant to the south. The treatment
19 plant consists of prechlorination, coagulant addition, powdered activated carbon
20 (PAC) addition, upflow clarification via circular sludge blanket clarifiers, dual media
21 filtration, chlorination, disinfection contact time and storage via 4 MG and 6 MG tanks,
22 and addition of ammonia to reduce free chlorine residual. From the plant, water is
23 pumped to the single pressure zone. There is an additional 6 MG tank on the east
24 side of the city service area, which has chlorination boosting facilities and a mixer to
25 prevent stratification in the tank.
26

1 ENFORCEMENT HISTORY

2 The following enforcement actions were previously issued to this system for TTHM
3 MCL violations:

4
5 August 13, 2003: A Notice of Violation was issued for exceedance of the TTHM MCL
6 for second quarter of 2002.

7
8 VIOLATION OF SECTION 64533 - STAGE 2 TTHM MCL

9 Callexico is a Schedule 3 system under the Stage 2 Disinfection Byproducts Rule
10 (DBPR). As of October 1, 2013, pursuant to CCR, Title 22, Section 64534.2(d),
11 Callexico is required to collect four distribution system samples per quarter for TTHM
12 and haloacetic acids (HAA5) analyses at the locations in their approved Compliance
13 Monitoring Plan, which are shown in the following table:

14
15 **Table 1: Callexico's Stage 2 DBPR Sampling Locations**

Sample Site	PS Code	Location	Pressure Zone	Source Reservoir
Site 3	1310002-900	Sereno St & Rivera Ave	Main Zone - NE	Callexico WTP (near East Side Tank)
Site 4	1310002-901	Sapphire St & Cantu Ave	Main Zone - NE	Callexico WTP (near East Side Tank)
Site 10	1310002-902	Sunset St & Kloke Ave	Main Zone - NW	Callexico WTP (near WTP)
Site 8	1310002-903	Cabana St & Andrade Ave	Main Zone - NE	Callexico WTP (near East Side Tank)

16
17 According to Section 64535.2(e)(1), "For systems monitoring quarterly, each
18 locational running annual average (LRAA), computed quarterly, shall not exceed the
19 MCLs specified in section 64533", which for TTHMs is 80 µg/L.

1 During the period of 4th quarter 2013 through 3rd quarter 2014, Calxico collected
2 TTHM and HAA5 samples as required. TTHMs results for this period are shown in
3 **Table 2**. The HAA5 MCL was not exceeded during this period.

4
5 **Table 2: Calxico's 2013-2014 TTHM Results (all results in µg/L)**

Sample Site	4 th Q 2013	1 st Q 2014	2 nd Q 2014	3 rd Q 2014	LRAA
Site 3	52	59	84	96	73
Site 4	54	64	88	91	74
Site 10	49	62	83	79	68
Site 8	72	68	103	80	81
OEL Calculations			2 nd Q 2014	3 rd Q 2014	
Site 3	-	-	70	84	
Site 4	-	-	74	84	
Site 10	-	-	69	76	
Site 8	-	-	87	83	

6
7 During the 2nd quarter of 2014, Calxico exceeded the Operational Evaluation Level
8 (OEL) at Site 8 "Cabana St & Andrade Ave", which required an OEL report to be
9 submitted to the Division. The report was submitted on July 16, 2014.

10
11 On October 6, 2014, the Division received Calxico's 3rd quarter 2014 TTHM results.
12 As shown in the table above, the locational running annual average (LRAA) at Site 8
13 "Cabana St & Andrade Ave" exceeded the TTHM MCL of 80 µg/L. In addition, the
14 OEL was exceeded at three locations: Site 3 "Sereno St & Rivera Ave", Site 4
15 "Sapphire St & Cantu Ave" and Site 8 "Cabana St & Andrade Ave".

16
17 **DETERMINATION**

18 The Division has determined that Calxico failed to comply with Section 64533 for the
19 total trihalomethanes (TTHM) Maximum Contaminant Level (MCL) at Site 8 "Cabana
20 St & Andrade Ave" sample site for the four-quarter monitoring period from October 1,
21 2013 to September 30, 2014. Section 64535.2(e)(1) is used to determine compliance

1 with Section 64533 during the previous four quarter monitoring period. Section
2 64535.2(e)(1) states: "For systems monitoring quarterly, each locational running
3 annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in
4 section 64533", which for TTHMs is 80 µg/L. The LRAA at Site 8 for the period ending
5 September 30, 2014 is 81 µg/L and therefore the system is in violation of the TTHM
6 MCL in Section 64533 at this location.

7 8 DIRECTIVES

9 Calexico is hereby directed to take the following actions:

- 10
- 11 1. At all times subsequent to this Citation, comply with California Code of
12 Regulations, Title 22, Section 64533's MCL for the TTHM of 80 µg/L in drinking
13 water supplied to the public.

 - 14 2. By **December 31, 2014**, Calexico shall make modifications to the system as
15 necessary to operate per the January 2011 Operations Plan and the May 27, 2003
16 Water Supply Permit. Specifically, chloramination facilities shall be used with a
17 target chlorine to ammonia ratio of approximately 5:1. Alternatively, Calexico shall
18 cease the addition of ammonia and submit a revised Operations Plan and permit
19 amendment application to the Division. If Calexico chooses to cease adding
20 ammonia, a disinfection byproduct reduction plan (see Directive No. 3) must be
21 submitted by **December 31, 2014**.

 - 22 3. In the event that TTHM results subsequent to the implementation of
23 chloramination continue to exceed the MCL, or if the City chooses to cease the
24 addition of ammonia, Calexico shall submit a disinfection byproduct reduction plan,

1 including cost estimates for any proposed modifications, that evaluates options for
2 meeting the TTHM standard, including at a minimum the following:

- 3 a. Minimizing water age in the reservoirs;
- 4 b. Source water control measures, such as closing influent canals during
5 high turbidity or algae incidents;
- 6 c. Treatment plant optimization including evaluation of coagulation,
7 flocculation, and filtration practices;
- 8 d. Implementation of full distribution system chloramination;
- 9 e. Treatment such as post filtration granular activated carbon (GAC),
10 aeration in distribution storage tanks, etc.;
- 11 f. Any other feasible options.

12
13 4. Calexico shall conduct an operational evaluation, which includes examination of
14 system treatment and distribution operational practices, including storage tank
15 operations, excess storage capacity, distribution system flushing, changes in
16 sources or source water quality, and treatment changes or problems that may
17 contribute to TTHM formation and what steps could be considered to minimize
18 future exceedances. A written report of the evaluation shall be submitted to the
19 Division no later than **December 31, 2014**.

20
21 5. Calexico shall give public notice in accordance with CCR, Title 22, Section
22 64463.4 within 30 days of the date of this citation for failure to meet the TTHM
23 MCL for the third quarter 2014. Public notice shall be via 1. Mail or direct delivery
24 to each customer, and 2. Posting notice using one or more of the following
25 methods: posting on the internet and/or local newspaper, posting in conspicuous
26 public spaces served by the water system, and delivery to community

1 organizations. A draft notification shall be submitted to the Division for review and
2 approval prior to conducting public notification.

- 3
- 4 6. Within 10 days of completing the public notice required by Directive No. 5,
5 Calexico shall provide to the Division certification of public notification using the
6 enclosed form (Attachment No. 1). The certification of notification must identify the
7 number of notices posted, the locations where the notices were posted, and how
8 long the notices were posted.
- 9
- 10 7. Calexico shall repeat public notification every three months for as long as the
11 TTHM MCL violation continues in accordance with CCR, Title 22, Section 64463.4.
12 The public notice shall be updated quarterly with the most recent TTHM results.
- 13
- 14 8. Calexico shall include information regarding the TTHM MCL violation identified in
15 this Citation in the 2014 Consumer Confidence Report, which must be completed
16 and distributed to staff and inmates by July 1, 2015. A draft of the 2014 Consumer
17 Confidence Report shall be submitted to the Division for review and approval prior
18 to distribution and/or posting.

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 Calexico 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 shall be submitted to the Division at the
2 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 Calxico, its officers, directors,
13 shareholders, agents, employees, contractors, successors, and assignees.

14
15 **SEVERABILITY**

16 The Directives of this Citation are severable, and Calxico shall comply with each and
17 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.

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10/27/14

Date



Sean Sterchi, P.E.
District Engineer
Division of Drinking Water
State Water Resources Control Board

ATTACHMENTS:

- 1) Proof of Notification Form

cc: Jeff Lamoure, Deputy Director for Environmental Health Services, County of
Imperial
Oscar Trejo, City of Calexico, Chief Operator (via email)

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.