



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

November 14, 2013

Matthew Rogers, Plant Manager
Golden State Vintners, Inc.
31795 Whisler Road
McFarland, CA 93250

COMPLIANCE ORDER FOR VIOLATION OF THE NITRATE DRINKING WATER STANDARDS, FRANZIA MCFARLAND WATER SYSTEM, SYSTEM NO. 1502033

Dear Mr. Rogers:

The California Department of Public Health (Department) is issuing Compliance Order No. 03-19-130-004 (enclosed) to Franzia McFarland Water System (hereinafter Water System) for violation of the nitrate drinking water standard. Domestic water produced by Well 01 (PS Code: 1502033-001) of the Water System contains nitrate at level exceeding the Maximum Contaminant Levels (MCL) of 45 milligrams per liter (mg/L).

As required in the Compliance Order, the Water System is expected to propose a long-term solution and implement a project to ensure that water delivered to customers meets the nitrate drinking water standard. **Until the Department determines that the Water System is in compliance with the nitrate MCL, you must continue to provide quarterly public notification for nitrate, and also conduct quarterly nitrate monitoring of Well 01.** After providing quarterly public notification, a copy of the public notice along with a completed proof of notification form should be submitted to the Bakersfield CDPH, Drinking Water Program Office. Please note that a written response to the compliance order is required. Failure to comply may result in further enforcement action by the Department.

Please note that the time we have spent on preparing the compliance order is considered enforcement time and has been billed to the Water System at our currently billing rate of \$126 per hour.

If you have any questions regarding this matter, please contact Elia Estasy in our office at (661) 335-7322.

Sincerely,

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Tehachapi District
Southern California Branch
DRINKING WATER FIELD OPERATIONS

Enclosure: Compliance Order No. 03-19-130-XXX

cc: Kern County Environment Health Services Department
Thomas E. Day, Contract Operator

Compliance Order #03-19-13O-004

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2
3 **STATE OF CALIFORNIA**
4 **CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

5 **IN RE: GOLDEN STATE VINTNERS-FRANZIA MCFARLAND WATER**
6 **SYSTEM**
7 Water System No. 1502033

8 **TO:** Matthew Rogers, Plant Manager
9 Golden State Vintners, Inc.
10 31795 Whisler Road
11 McFarland, CA 93250

12 **BY CERTIFIED MAIL**

13
14 **COMPLIANCE ORDER**
15 **NITRATE MAXIMUM CONTAMINANT LEVEL VIOLATION**

16 **Compliance Order No. 03-19-130-004**

17 **Issued on November 14, 2013**

18 Section 116655, Chapter 4 of the California Health and Safety Code (H&S Code)
19 authorizes the California Department of Public Health (hereinafter Department) to issue
20 an Order for failure to comply with a requirement of the California Safe Drinking Water
21 Act given in Chapter 4 of the H&S Code or to comply with any permit, regulation or
22 standard issued or adopted pursuant to Chapter 4. The Department regulates public water
23 supply systems for compliance with all California regulations related to drinking water.
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1 **BACKGROUND**

2 The Franzia McFarland Water System (hereinafter Water System) is a privately owned
3 water system, owned by the Golden State Vintners, Inc. The Water System is located
4 near the intersection of Freeway 99 and Whisler Road in McFarland, Kern County, and is
5 classified as a transient non-community water system that serves a total population of
6 approximately 28 (22 non-transient population -- employees, and 6 transient population -
7 visitors and delivery personnel) through one metered service connection. The facility is a
8 winery with an office building and restrooms.
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12 The Water System has been operating under a handwashing exemption (Domestic Water
13 Supply Permit No. 03-19-08P-005, issued on February 01, 2008). With the repeal of the
14 H&S Code Section 116282, the Domestic Water Supply Permit issued for the operation
15 of the Water System is no longer valid; the Water System is now required to obtain a
16 revised domestic water supply permit, per H&S Code, Section 116525. The Department
17 is in the process of issuing a revised domestic water supply permit to the Water System.
18

19

20 The facilities described in the water supply permit consist of one active well "Well 01"
21 (PS Code: 1502033-001), one 10,000-gallon pressure tank, and the distribution system.
22 Continuous chlorination treatment is provided to the water produced by Well 01.
23

24 Well 01 was drilled in April of 1973 to a depth of 860 feet. The Well is equipped with a
25 16-inch diameter steel casing. The well reportedly also has an annular sanitary seal to a
26 depth of 50 feet. The well casing has perforations from a depth of 400 feet to 860 feet
27



1 depth. The well is equipped with a 150 horsepower vertical well turbine pump.
2 Production capacity of the well is approximately 1,000 gpm. The water from Well 01
3 receives continuous chlorination treatment with sodium hypochlorite solution. Individual
4 septic tanks are used for sewage disposal. The nearest septic tank is located
5 approximately 300 feet from the well. There are no sewer lines in the vicinity of the well.
6
7

8 **FINDINGS**

9 Well 01 currently produces water containing nitrate at a level exceeding the nitrate MCL
10 of 45 mg/L (*see Attachment A*, report from the Department's water quality database),
11 thus prompting quarterly nitrate monitoring of Well 01. The Department's water quality
12 database shows that nitrate concentration in the well has fluctuated over the last five years
13 from 3.2 mg/L to 97 mg/L. A graph is provided under **Attachment B** to show the trend
14 in nitrate concentration over time.
15

16 The last water sample collected on July 18, 2013, from Well 01 as part of the routine
17 quarterly monitoring (third quarter of 2013), showed a nitrate result of 79.5 mg/L (*see*
18 **Attachment A** for details). The next quarterly nitrate sample is due in the 4th quarter of
19 2013.
20

21 **PUBLIC NOTIFICATION**

22 When a water system monitors a source for nitrate and the level of nitrate in a single
23 sample exceeds the MCL, the water system is required by Section 64432.1 of Chapter 15,
24 Division 4, Title 22, of the California Code of Regulations to collect another sample from
25 that source within 24 hours of notification of the MCL exceedance. The water system
26 must have the second sample analyzed and if the average result of the two nitrate samples
27



1 exceeds the MCL, report the result to the Department within 24 hours. If the average
2 does not exceed the MCL, the water system must inform the Department of the results
3 within seven days from the receipt of the original analysis. If a water system is unable to
4 resample within 24 hours, it is required to notify the consumers by issuing a Tier 1 Public
5 Notice pursuant to Section 64463.1 and then collect and analyze a confirmation sample
6 within two weeks of notification of the results of the first sample. **The Water System**
7 **complied with this requirement as explained below.**

8
9
10 As documented in the Department's Compliance Order No. 03-19-01O-003, dated
11 September 16, 2001, water produced by Well 01 is in violation of the primary MCL for
12 nitrate of 45 mg/L. Since the issuance of the Compliance Order, the Water System has
13 been providing quarterly public notification of the nitrate MCL violation and has been
14 submitting proof of notification to the Department.
15

16 The Department has received the signed public notice and the proof of notification for the
17 3rd quarter of 2013 (copies provided under **Attachment C**).
18

19 INVESTIGATION

20 The Water System has a small distribution system. Chlorination treatment is provided to
21 the water produced by Well 01. A review of the Water System's bacteriological
22 monitoring data shows that all distribution system samples collected in the last five years
23 have been negative for total coliform bacteria. However, a sample collected on June 19,
24 2008, from Well 01, tested positive for total coliform bacteria only. A follow-up repeat
25 sample was collected on June 23, 2008, from Well 01, that tested negative for both total
26
27



1 coliform and *E.coli* bacteria. Based on a review of the bacteriological quality data, it
2 doesn't appear that nitrate contamination is coming from the Water System's septic tank.
3

4 The source of nitrate contamination in Well 01 may be attributed to agricultural activities
5 in the area surrounding the well. Protection of Well 01 may necessitate
6 controlling/minimizing the agricultural activities further away from the well.
7

8 OPTIONS

9 The Water System must take corrective actions to ensure that it serves domestic water to
10 its customers that meets drinking water standards at all times. Possible solutions for the
11 nitrate water quality problem are discussed below:
12

- 13 1. **Drill a replacement well** - Generally, this option is considered by water
14 purveyors hoping to get water that is free of groundwater contaminants. Drilling a
15 new well may or may not solve the nitrate problem due to nitrate contamination in
16 the area. Zone testing using services of a hydrogeologist may be helpful to isolate
17 high nitrate zones.
18
- 19 2. **Install a Nitrate Removal Treatment Plant** - Nitrate is fairly easily removed
20 from water using technologies, such as reverse osmosis and ion exchange.
21 However, the resulting nitrate waste stream (salts and/or highly concentrated brine
22 waste are generated) must be disposed off properly and the initial capital cost and
23 ongoing operation and maintenance costs could be high.
24
- 25 3. **Point of Entry (POE)/Point of Use (POU) Treatment** - Point of entry/point of
26 use treatment may also be an option; subject to meeting the requirements of the
27 Department's POE and POU regulations.



1 4. **Consolidation with a Nearby Large Water System** – Connecting to a nearby
2 public water system, under jurisdiction of the Department, and has adequate water
3 supply available that meets all MCLs is an acceptable alternative. The Water
4 System may continue to exist as the retail supplier of the purchased water, or
5 annexation of the service area to that public water system.
6

7 5. **Bottled Water** – Providing bottled water is an acceptable interim solution but
8 requires periodic evaluations (every two years) to determine feasibility of
9 implementing a long-term solution. The Water System currently provides bottled
10 water for drinking and should continue to do so until nitrate problem is solved.
11

12 The Water System should evaluate all options, including but not limited to the above, and
13 select a feasible long-term solution.
14

15 CONCLUSIONS OF LAW

16 Based on the above findings, the Department has determined that the Golden State
17 Vintners-Franzia McFarland Water System has violated provisions contained in the
18 California Health and Safety Code (H&S Code) and Title 22, California Code of
19 Regulations (CCR). These violations include, but are not limited to, the following:
20

- 21
- 22 1. H&S Code Section 116555 (a)(1). Specifically, the Water System is operating a
23 well that produces water that does not comply with the primary drinking water
24 standard for nitrate.
 - 25 2. H&S Code, Section 116555 (a)(3). Specifically, the Water System has failed to
26 insure that all customers are provided with a reliable and adequate source of pure,
27 wholesome, healthful and potable water.



- 1
2 3. CCR, Section 64431(a). Specifically, the Water System does not at all times
3 deliver water to its customers which contains less than 45 mg/l. of nitrate, thereby
4 failing to provide water to the public that complies with all primary drinking water
5 standards.

6
7 **ORDER**

8 To ensure that the water supplied by the Golden State Vintners-Franzia McFarland Water
9 System is at all times safe, wholesome, healthful, and potable, and pursuant to Section
10 116655 of the H&S Code, the Water System is ordered to take the following actions:

- 11
12 1. Cease and desist from failing to comply with the Section 116555(a) and (c) of the
13 H&S Code and Section 64431(a) of Title 22, CCR by ensuring that customers are
14 provided with a reliable and adequate source of pure, wholesome, healthful, and
15 potable water, which is in compliance with all primary drinking water standards.
- 16 2. Provide public notification to all water customers of the Water System's inability
17 to meet the nitrate MCL, since Well 01 is needed to meet system demand. Public
18 notification of the nitrate MCL violation shall continue as long as the nitrate MCL
19 is violated or until the Water System provides water that meets all applicable
20 drinking water standards. Provide the public notice to all customers at least once
21 every three months in accordance with Sections 64463 and 64463.1, Title 22,
22 Chapter 15, Article 18. Public notices shall be also posted at all conspicuous
23 locations throughout the Water System's service area. A copy of the notice,
24 which include mandatory language for the nitrate MCL violation, is provided
25 under Attachment D. **Next public notification for the nitrate MCL violation**
26 **shall be provided before December 31, 2013.**
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3. Submit Proof of Notification to the Department following public notification, required under Order No. 2. Submit a copy of the updated public notice to the Department along with the quarterly Proof of Notification after providing each quarterly public notification. A blank Proof of Notification form is provided under **Attachment D. Next Proof of Notification Form is due no later than January 10, 2014 (within 10 days of providing public notification).**
4. Collect quarterly nitrate sample from Well 01 to determine ongoing compliance with the nitrate MCL. The next quarterly sample is due in the fourth quarter of 2013, before **December 31, 2013.**
5. Submit bottled water certification forms to the Department every quarter.
6. By **January 31, 2014**, submit a plan and time schedule to the Department for review and approval to correct the existing water quality problem and eliminate the need to deliver water that does not meet the primary drinking water standards. Beginning **April 1, 2014**, submit quarterly progress reports to the Department.
7. Complete all the improvements and/or additions outlined in the proposed project submitted pursuant to Item 6 above in accordance with the time schedule to be reviewed and approved by the Department, but no later than **April 30, 2017.**
8. The Department reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

1
2 9. All submittals required by this Order shall be addressed to:

3 Jaswinder S. Dhaliwal, P.E.
4 Senior Sanitary Engineer
5 California Department of Public Health
6 Drinking Water Field Operations Branch
7 4925 Commerce Drive, Suite 120
8 Bakersfield, CA 93309

9
10 10. If the Water System is unable to perform the tasks specified in this Order for any
11 reason, whether within or beyond its control, and if the Water System notifies the
12 Department in writing no less than five days in advance of any due date, the
13 Department may extend the time for performance if the Water System
14 demonstrates that it has used its best efforts to comply with the schedule and other
15 requirements of this Order.

16 11. If the Water System fails to perform any of the tasks specified in this Order by the
17 time described herein or by the time subsequently extended pursuant to Item 10
18 above, the Water System shall be deemed to have not complied with the
19 obligations of this Order and may be subject to additional judicial action, including
20 civil penalties specified in the H&S Code, Sections 116725 and 116730.

21 12. The State of California shall not be liable for any injuries or damages to persons or
22 property resulting from acts of omissions by the Water System, its employees,
23 agents, or contractors in carrying out activities pursuant to this Order, nor shall the
24 State of California be held as a party to any contract entered into by the Water
25 System or its agents in carrying out activities pursuant to this Order.
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FURTHER ENFORCEMENT ACTIONS

Section 116650, Division 104, Part 12, Chapter 4, Article 9 of the H&S Code authorizes the Department to issue additional citations with assessment of penalties if the public water system continues to fail to correct a violation identified in a compliance order. Furthermore, Section 116625, Division 104, Part 12, Chapter 4, Article 8 of the H&S Code authorizes the Department to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. The Department does not waive any further enforcement action by issuance of this order.

PARTIES BOUND

This Order shall apply to and be binding upon the Franzia McFarland Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

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SEVERABILITY

The requirements of this Order are severable, and the Golden State Vintners-Franzia McFarland Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provisions.

November 14, 2013
Date


Carl L. Carlucci, P.E., Chief
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS BRANCH



Attachments:

- Attachment A: Nitrate Data (from January 2008 to July 2013) from Department's Water Quality Database
- Attachment B: Nitrate Trend graph.
- Attachment C: Signed Nitrate Public Notice and Proof of Notification for the 3rd Quarter of 2013.
- Attachment D: Nitrate Public Notification Template and Proof of Notification form

cc: Kern County Environmental Health Services Department (w/o attachments)
Kern County Public Health Laboratory (w/o attachments)
Thomas E. Day, Contract Operator, P.O. Box 10642, Terra Bella, CA 93270

JSD/EAE

ATTACHMENT A

**Nitrate Data (from January 2008 to July 2013) from Department's Water
Quality Database for Well 01**

DRINKING WATER ANALYSIS RESULTS REPORT
 ALL SAMPLES FOR SELECTED CHAPTER 15 GROUHS - ALL RESULTS
 FOR SAMPLE DATE RANGE OF 20060101 THRU 20131008
 REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502033 NAME: GOLDEN STATE WINNERS-FRANZIA McFARLAND COUNTY: KERN
 SOURCE NO: 001 NAME: WELL C1 FSCODE: 1502033-001 CLASS: TMDL STATUS: AR

GROUP IDENTIFICATION
 CONSTITUENT IDENTIFICATION

CONSTITUENT IDENTIFICATION	SAMPLE DATE	RESULT *	MCL	DLR	TRIGGER UNIT
NI NITRATE/NITRATES					
71850 NITRATE (AS NO3)	04/08/2008	3.2000	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	07/08/2008	3.8000	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	01/09/2009*	97.0000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	04/07/2009	84.6000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	07/08/2009	84.6000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	10/13/2009	77.3000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	01/12/2010	64.6000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	04/20/2010	76.9000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	07/13/2010	74.4000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	10/05/2010	80.9000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	01/10/2011	85.4000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	04/07/2011	85.7000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	07/11/2011	84.3000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	10/18/2011	78.2000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	01/13/2012	19.2000	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	04/10/2012	67.9000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	07/16/2012	76.2000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	10/23/2012	85.6000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	01/30/2013	55.5000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	04/17/2013	79.8000 *	45.0000	2.0000	23.0000 MG/L
71850 NITRATE (AS NO3)	05/30/2013	82.4000 *	45.0000	2.0000	23.0000 MG/L

NOTE1: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER

NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

DRINKING WATER ANALYSIS RESULTS REPORT
ALL SAMPLES FOR SELECTED CHAPTER 15 GROUPS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20080101 THRU 20131008
REPORT OF COUNTY: 15 KERN

SYSTEM NO: 1502032 NAME: GOLDEN STATE VINEYERS-SPANZA McFARLAND COUNTY: KERN CLASS: INCL STATUS: AR
SOURCE NO: 001 NAME: WELL 51 PSCODE: 1502032-001

GROUP IDENTIFICATION	CONSTITUENT IDENTIFICATION	SAMPLE DATE	RESULT *	MCL	DLR	TRIGGER UNIT
70550 NITRATE (AS NO3)		07/18/2013	79.5000 *	45.0000	3.0000	23.0000 MG/L
A-029 NITRATE - NITRITE (AS N)		05/30/2013	18,600.0000 *	10,000.0000	400.0000	5,000.0000 TG/L
00550 NITRATE (AS N)		05/30/2013	.0000	1,000.0000	400.0000	500.0000 UG/L

NOTE: * = RESULT IS EQUAL TO OR GREATER THAN TRIGGER
NOTE2: .000 = RESULT WAS REPORTED AS NON-DETECTED EXCEPT FOR RAD

GOLDEN STATE VINTNERS-FRANZIA MCFAR

1502033

Distribution System Freq: 1/Q

<i>Sample Date</i>	<i>Time</i>	<i>Location</i>	<i>T Coll</i>	<i>E Coll</i>	<i>F Coll</i>	<i>Type</i>	<i>Cl2</i>	<i>Violation</i>	<i>Comment</i>
3/3/2008	16:26	Lab Sink	<1.1		<1.1	Routine			
4/1/2008	13:10	Tasting Room	<1.1	<1.1		Routine			
5/5/2008	13:58	2ROU	<1.1	<1.1		Routine			
6/19/2008		3 Routine Sample	<1.1	<1.1		Routine			
6/23/2008		3 Samples	<1.1	<1.1		Other			
6/9/2009	17:30	HB by Tank	<1	<1		Routine			
11/13/2009	16:41	1ROU	<1	<1		Routine	0.75		
6/7/2011	16:23	HB by Tank 1	A	A		Routine			
6/12/2012	16:20	HB by Tank 1	A	A		Routine			
5/30/2013	14:25	HB by Tank 8	A	A		Routine			

GOLDEN STATE VINTNERS-FRANZIA MCFAR

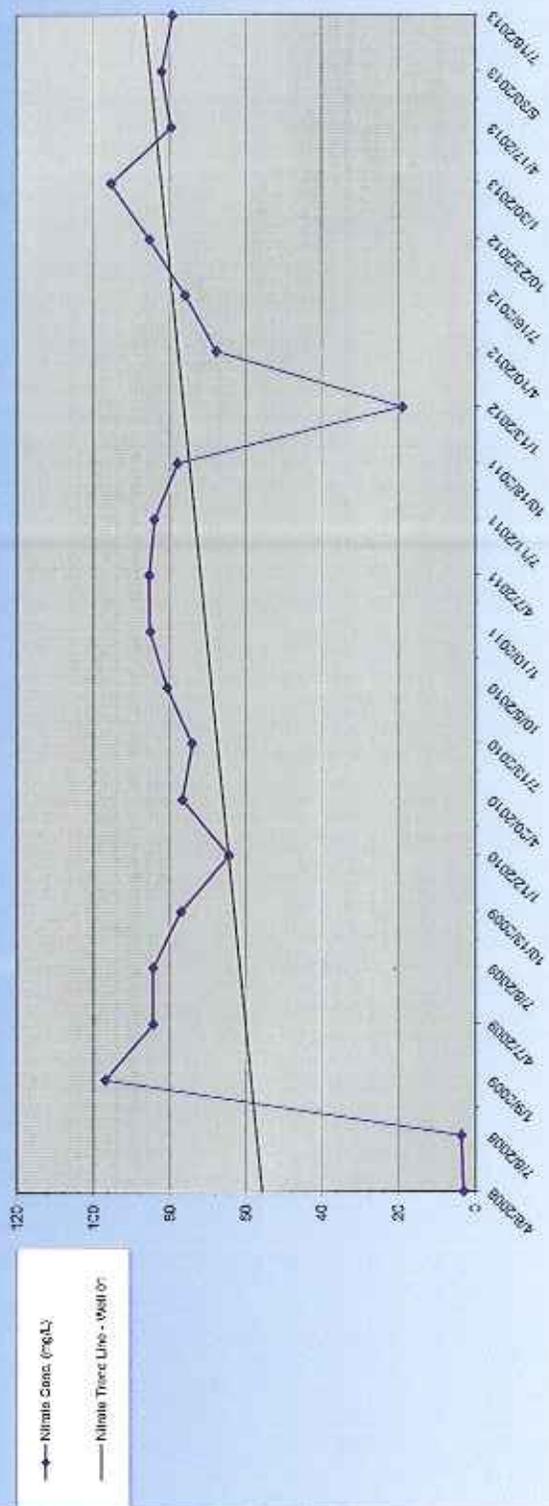
1502033*Source Monitoring Freq: 1/M*

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coll</i>	<i>F Coll</i>	<i>P Coll</i>	<i>Plotation</i>	<i>Comment</i>
6/19/2008		Well 03	23.0	<1.1			
6/23/2008		Well 03	<1.1	<1.1			
9/10/2010	9:35	Source Water Outflow #1	<1.1	<1.1			

ATTACHMENT B

Nitrate Trend Graph

Nitrate Trend for Well 01



Sample Date	Nitrate Conc. (mg/L)
4/8/2008	3.2
7/8/2008	3.8
1/9/2009	97
4/7/2009	84.5
7/8/2009	84.5
10/13/2009	77.3
1/12/2010	64.5
4/20/2010	76.9
7/13/2010	74.4
10/5/2010	80.9
1/10/2011	85.4
4/7/2011	85.7
7/11/2011	84.3
10/18/2011	78.2
1/13/2012	19.2
4/10/2012	67.9
7/16/2012	76.2
10/23/2012	85.6
1/30/2013	95.5
4/17/2013	79.9
5/30/2013	82.4
7/18/2013	79.5

ATTACHMENT C

**Nitrate Public Notification Form
and
Proof of Notification Form for the 3rd Quarter of 2013**

DRINKING WATER WARNING

Golden State Vintners, DBA: Franzia McFarland water has high levels of nitrate

**DO NOT GIVE THE WATER TO
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received [07/15/13] showed nitrate levels of [79.5]mg/L. This is above the nitrate standard, or maximum contaminant level (MCL), of 45 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

Currently, bottled water is provided for drinking and cooking

For more information, please contact Matthew Rogers, Plant Manager at [661-792-2100].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Franzia McFarland in compliance with the California Domestic Water Quality Monitoring Regulations as a means of keeping the public informed.

State Water System ID#: 1502033 Date distributed: 07/15/13

AVISO SOBRE SU AGUA POTABLE
Agua del sistema Golden State Vintners dba Franzia
Mcfarland tiene altos niveles de nitratos –

**NO DAR DE BEBER ESTA AGUA A BEBES MENORES DE
6 MESES DE EDAD NI USARLA PARA HACER LECHE DE
FORMULA**

Resultados de muestras de agua recibidos en [07/15/13] muestran concentraciones de nitratos en el agua de [level and units in Spanish]. Este nivel está por encima de la norma, o nivel máximo de contaminación (NMC) de [79.5 mg/L] Nitratos en agua potable puede generar serios problemas de salud para bebés menores de 6 meses de edad.

Nitratos en el agua pueden provenir de fuentes naturales, industriales or de la agricultura (incluyendo descargas de tanques sépticos y lluvias). Las concentraciones de nitratos en el agua potable varían a lo largo del año.

¿Qué debo hacer? ¿Qué es la signfica de este?

- **NO LE DE ESTA AGUA A BEBES.** *Bebés menores de seis (6) meses que ingieran agua con nitratos en exceso del nivel máximo de contaminación (NMC) se pueden enfermar seriamente y, de no ser tratados, pueden morir. Los síntomas incluyen dificultad en respirar y síndrome de bebé azul.* El síndrome de bebé azul se refiere al color azulado que toma la piel del bebé. Los síntomas en los bebés pueden desarrollarse con rapidez, con el deterioro de su salud en los días subsiguientes. Si los síntomas ocurren en infantes menores de seis (6) meses de edad, busque atención médica inmediatamente.
- Agua, jugo o leche en polvo para bebés menores de seis (6) meses de edad no debe prepararse con agua del grifo. Debe emplear agua embotellada u otra agua baja en nitratos hasta próximo aviso.
- **No hierva el agua.** Hervir, congelar, filtrar o dejar el agua en reposo no reduce el nivel de nitratos. De hecho, al hervir el agua puede aumentar aún más la concentración de nitratos, debido a que los nitratos permanecen cuando parte del agua se evapora.
- Adultos e infantes mayores de seis (6) meses de edad pueden tomar el agua del grifo. (Los nitratos son peligrosos para los bebés debido a que ellos no pueden procesar los nitratos de la misma manera que los adultos). Sin embargo, si usted está embarazada o tiene algún problema de salud en particular, puede optar por hacer una consulta con su médico.

¿Qué se está haciendo al respecto?

[Describe corrective action and when the system expects to return to compliance in Spanish.]

Para mayor información, favor contactar a Matthew Rogers al teléfono 661-792-2100.

Por favor comparta esta información con otros que puedan tomar de esta agua, colocando este aviso en lugares visibles, o remitiéndolo por correo, o entregándolo manualmente. Es de particular interés distribuir este aviso ampliamente si usted lo recibe representando un negocio, un hospital u hogar de infantes u hogar de ancianos o comunidad residencial.

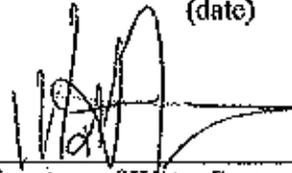
Este aviso ha sido enviado a usted por [system]. Numero de Identificación : 1502033
Fecha de distribución: 07/15/13.

PROOF OF NOTIFICATION
(Return with copy of the Notification)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **The Wine Group, DBA: Franzia McFarland Water System** of the failure to meet the nitrate MCL for the 1st 2nd (3rd) 4th quarter of the 2013.
(year) (circle one)

Notification was made by *hand delivered* written notice on 09/30/2013.

(date)



Signature of Water System Representative

9/30/13

Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code State that any person who knowingly makes any false statement on any report of 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 separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due Quarterly
Nitrate MCL Failure
System Number 1502033

ATTACHMENT D

Nitrate Public Notification Template and Proof of Notification Form

DRINKING WATER WARNING

Franzia McFarland Water System water has high levels of nitrate.

DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR USE IT TO MAKE INFANT FORMULA

Both our system wells are now producing water that exceeds the nitrate MCL. Well samples for nitrate were collected on {insert date of sampling}, which showed Well 01 was {insert result in mg/L}. This is above the nitrate standard, or maximum contaminant level (MCL), of 45 mg/L (milligrams per liter). Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

Currently bottled water is provided for drinking and cooking. We are working with the California Department of Public Health to implement a long-term solution to the nitrate problem.

For more information, please contact Matthew Rogers, Plant Manager, Franzia McFarland at (661) 792-2100 or California Department of Public Health at (661) 335-7315.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Franzia McFarland in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: _____

Matthew Rogers, Plant Manager

PROOF OF NOTIFICATION
(Return with copy of the Notification)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Golden State Vintners - Franzia McFarland Water System** of the failure to meet the *nitrate* MCL for the 1st 2nd 3rd 4th quarter of

_____.

(circle one)

(year)

Notification was made by *hand delivered* written notice on _____.

(date)

Signature of Water System Representative

Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any 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 separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due Quarterly
Nitrate MCL Failure
System Number 1502033
CO #: 03-19-03O-004