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Director & State Health Officer

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

DRINKING WATER FIELD OPERATIONS BRANCH

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EDMUND G. BROWN JR.
Governor

November 27, 2012

Mr. Mark Dellinger
Lake County CSA 2 - Spring Valley
230 N. Main Street
Lakeport, CA 95453

Dear Mr. Dellinger:

Enclosed is a citation issued to the Lake County CSA 2 - Spring Valley (Water System). The citation is being issued because the Water System failed to comply with the maximum contaminant level (MCL) for a disinfection byproduct, as specified in Section 64533, Title 22 of the California Code of Regulations during the 2nd Quarter 2012.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the Citation. No civil penalty is levied in the enclosed citation.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact our office at (707) 576-2145.

Sincerely,

Michelle Floyd Frederick, P.E.
District Engineer
Mendocino District

Enclosure: Citation No. 02-03-12C023-1710018-1211-02

1 **Citation No. 02-03-12C023-1710018-1211-02**

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

5
6 **Name of Public Water System: Lake County CSA 2 - Spring Valley**

7 **Water System No.: 1710018**

8 **Issue Date: November 27, 2012**

9
10 **To: Lake County CSA 2 - Spring Valley**
11 **230 N. Main Street**
12 **Lakeport, CA 95453**

13
14 **CITATION FOR NONCOMPLIANCE**
15 **SECTION 64533, Title 22, California Code of Regulations**
16 **Maximum Contaminant Level – Disinfection Byproduct**
17 **Running Annual Average Ending 2nd Quarter 2012**

18
19 Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the California
20 Health and Safety Code (CHSC), authorizes the issuance of a citation for
21 failure to comply with a requirement of Chapter 4 (California Safe Drinking
22 Water Act), or any regulation, permit or order issued thereunder.

23
24 The Division of Drinking Water and Environmental Management of the
25 California Department of Public Health (Department) hereby issues a citation to
26 Lake County CSA 2 - Spring Valley (System) for failure to comply with Title 22,
27 California Code of Regulations (CCR) Section 64533.

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APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

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

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

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

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

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

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California Code of Regulations (CCR), Section 64533 states in relevant part:
Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535 and 64535.2, the primary maximum contaminant levels (MCL) for the disinfection byproducts shown in Table 64533-A shall not be exceeded in drinking water supplied to the public.

Table 64533-A states in relevant part:

Table 64533-A

MCLs and Detection Limits for Purposes of Reporting Disinfection Byproducts	
Disinfection Byproduct	Maximum Contaminant Level (mg/L)
Total trihalomethanes (TTHM)	0.080
Haloacetic acids (five) (HAA5)	0.060

STATEMENT OF FACTS

The Department has received laboratory results for quarterly TTHM and HAA5 samples ending the 2nd Quarter 2012 from the public water system Lake County CSA 2 - Spring Valley (System). The running annual average for TTHM and HAA5 concentrations from the last four quarters, ending with the 2nd Quarter 2012, for Lake County CSA 2 - Spring Valley was 0.084 mg/L and 0.039 mg/L, respectively. The Department reviewed and approved the public notification of this violation that was submitted to its customers on September 24, 2012.

1 **DETERMINATIONS**

2 The Department determined that Lake County CSA 2 - Spring Valley failed to
3 comply with the MCL(s) for the TTHM running annual average in the 2nd
4 Quarter 2012, a violation of Section 64533, Title 22 of the CCR. The
5 Department hereby issues Citation No. 02-03-12C023-1700519-1211-02 to
6 Lake County CSA 2 - Spring Valley for failure to comply with Section 64533.

7
8 **DIRECTIVES**

9 Lake County CSA 2 - Spring Valley is hereby directed to take the following
10 actions:

- 11
- 12 1. Comply with Section 64533, Title 22, of the CCR in all future monitoring
13 periods.
 - 14
 - 15 2. The water system shall ensure that chlorination injection facilities and
16 chlorination monitoring facilities and associated alarms are available for use by
17 **April 30, 2012**, at a point after the new disinfection contact storage tank that is
18 currently planned for construction.
 - 19
 - 20 3. The System shall submit a Source, Treatment and Operation Evaluation
21 and Compliance Plan by **January 31, 2013**. The Source, Treatment and
22 Operation Evaluation shall describe the potential factors that contributed to the
23 formation of the disinfection byproducts. The Compliance Plan shall describe
24 the action taken by the System to minimize the production of disinfection
25 byproducts, a timeline for compliance and the monitoring frequency of various
26 water quality parameters to determine if the action is adequate to minimize the
27 formation of disinfection byproducts.

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All submittals required by this Citation shall be submitted to the Department at the following address:

Michelle F. Frederick, P.E., District Engineer
Mendocino District
Drinking Water Field Operations Branch
50 D Street, Suite 200
Santa Rosa, CA 95404

The Department reserves the right to make such modifications to this Citation, as it deems necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

PARTIES BOUND

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

SEVERABILITY

The directives of this Citation are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Department to: issue additional citations with assessment of penalties if the System continues to fail

1 to correct a violation identified in a citation; take action to suspend or revoke a
2 permit that has been issued to a public water system if the System has violated
3 applicable law or regulations or has a failed to comply with orders of the
4 department; and petition the superior court to take various enforcement
5 measures against a public water system that has failed to comply with orders of
6 the department. By issuance of this Citation, the Department does not waive
7 any right to take additional or alternative enforcement action against the
8 System including, but not limited to, assessment of civil penalties as authorized
9 by law.

10
11 Michelle F. Frederick

November 27, 2012

12 Michelle Floyd Frederick, P.E., District Engineer
13 Mendocino District
14 Drinking Water Field Operations Branch

Date

15
16 Attachments

17 Certified Mail No. 7010 1870 0000 5926 9766



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25 1710018/Compliance-4
26 02-03-12C023-1710018-1211-02/LSH

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