
State Water Resources Control Board

Division of Drinking Water

February 20, 2015

Nakia Foskett
Buckingham Park Water District
2880 Eastlake Drive
Kelseyville, CA 95451

**CITATION NO. 02_03_15C_003 FOR PUBLIC WATER SYSTEM NO. 1710011
Maximum Contaminant Level – Disinfection Byproducts September 2014**

Enclosed is a citation issued to the Buckingham Park Water District (System) by the State Water Resources Control Board, Division of Drinking Water (Division) for failure to comply with the HAA5 maximum contaminant level in the running annual average during the four quarter monitoring period of October 1, 2013, to September 30, 2014.

Because this is an enforcement action for noncompliance with State regulations, your System will be billed at the Division's hourly rate (currently estimated at \$128.00) for the time spent issuing this citation. You will receive a bill for these fees sent from our Fee Billing Unit in Sacramento later this year.

If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,



Sheri Miller, P.E.
Mendocino District Engineer
Division of Drinking Water

Enclosures

c: Lake County Environmental Health Department

1710011/Compliance File #4
Citation 02_03_15C_003-1710011-02/LSH

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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**STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

Name of Public Water System: Buckingham Park Water District

Water System Number: 1710011

To: Buckingham Park Water District
2880 Eastlake Drive
Kelseyville, CA 95451

Attn: Nakia Foskett, General Manager

Issued: February 20, 2015

**CITATION FOR NONCOMPLIANCE WITH SECTION 64533(a), TITLE 22,
CALIFORNIA CODE OF REGULATIONS
Maximum Contaminant Level – Disinfection Byproducts
September 2014**

The State of California Water Resources Control Board, Division of Drinking Water (hereinafter "Division") hereby issues a citation to the Buckingham Park Water District (hereinafter "System") for failure to comply with Section 64533(a), Title 22, of the California Code of Regulations (CCR).

1 Chapter 4, Article 9, Section 116550 of Part 12 of Division 104 of the California Health
2 and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply
3 with requirements of Chapter 4 (California Safe Drinking Water Act), or any regulation,
4 standard, permit, or order issued thereunder. A copy of the *Applicable Statutes and*
5 *Regulations* is located in Appendix 1, which is attached hereto and incorporated by
6 reference.

7
8 **STATEMENT OF FACTS**

9 The Buckingham Park Water District is classified as a community water system,
10 operating in accordance with Water Supply Permit No. 02-03-08P171007. This permit
11 was issued on September 15, 2008, and was amended on May 8, 2009 and again on
12 August 11, 2009.

13
14 Pursuant to Title 22, CCR, Section 64534.2, the System is required to collect one
15 distribution system sample per quarter for haloacetic acids (HAA5) analyses, in
16 accordance with its approved Stage 2 DBP Monitoring Plan, dated September 30,
17 2013. Under Title 22, CCR, Section 64535.2(b)(1), compliance with the HAA5
18 maximum contaminant level (MCL) of 0.060 mg/L is based on a running annual
19 average, calculated quarterly, for each monitoring location.

20
21 The Division received laboratory results for quarterly HAA5 samples collected during
22 the four-quarter monitoring period of October 1, 2013, to September 30, 2014
23 consisting of 0.0716 mg/L on October 2, 2013, 0.0508 mg/L on January 6, 2014,
24 0.081 mg/L on April 7, 2014, and 0.0508 mg/L on July 7, 2014. Samples were
25 collected at 8405 Palace Drive, PS Code 1710011-005. The running annual average
26 HAA5 concentration during the four quarters ending with the third quarter 2014 is
27 0.0636 mg/L.

1 HAA5 concentration during the four quarters ending with the third quarter 2014, is
2 0.0636 mg/L.

3

4 The System submitted an operational evaluation to the Division on June 27, 2014.
5 The evaluation listed naturally occurring organic matter in the source, increasing
6 seasonal chlorine demand, and residuals leaving the treatment plant between 1.33
7 mg/L to 1.81 mg/L as contributing factors. The evaluation listed action items of
8 modifying a flushing program to increase flushing of dead-end lines during times of
9 low flow, replacing pre-chlorine with potassium permanganate, and installing GAC
10 filters.

11

12 The System has received a funding agreement (Proposition 50 Chapter 4a.1;
13 5013A113) to construct treatment improvements including the installation of carbon
14 filters to remove organics and the addition of potassium permanganate as a pre-
15 oxidant during the treatment process to reduce disinfection by-products in the
16 distribution.

17

18 The System submitted a Hydrant Flushing Program to the Division on September 25,
19 2014. The purpose of the flushing program is to reduce water age and subsequent
20 disinfection by-product formation. The System stated it will initiate the flushing
21 program in 2015, dependent on drought restrictions.

22

23 Pursuant to Section 116450, California SDWA and Sections 64463.4 and 64465, of
24 the CCR, the System submitted to the Division on October 16, 2014 a certification of
25 public notice of this violation. This certification includes the number of notices posted
26 and the locations of each posting.

27

1 **DETERMINATIONS**

2 The Division has determined that the Buckingham Park Water District violated Section
3 64533(a), Title 22, of the CCR. The System failed to comply with the Maximum
4 Contaminant Level (MCL) for HAA5 for the four quarter monitoring period of October
5 1, 2013 to September 30, 2014. For a public water system monitoring quarterly for
6 HAA5, each locational running annual average (LRAA), computed quarterly, shall not
7 exceed the MCL of 0.060 mg/L (60 µg/L). The HAA5 LRAA for the four-quarter
8 monitoring period of October 1, 2013, to September 30, 2014, was 0.0636 mg/L at the
9 sampling site of 8405 Palace Drive, PS Code 1710011-005.

10
11 **DIRECTIVES**

12 The Buckingham Park Water District is hereby directed to take the following actions:

- 13
- 14 1. Forthwith, the System shall cease and desist from violating Section 64533 (a),
15 Title 22, of the CCR.
 - 16
 - 17 2. The System shall include information regarding the HAA5 MCL violation identified
18 in this Citation in the 2014 Consumer Confidence Report, which must be
19 completed and distributed to customers by July 1, 2015.

20

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

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

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PARTIES BOUND

This Citation shall apply to and be binding upon the System, its officers, directors, shareholders, 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 other provision.

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS

FOR CITATION NO. 02_03_15C_003

Note: The Department referenced below, formerly the California Department of Public Health, Drinking Water Program, now refers to the State Water Resources Control Board, Division of Drinking Water. The Drinking Water Program moved to the State Water Resources Control Board on July 1, 2014.

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.

California Code of Regulations, Title 22, Section 64533 (a) states, in relevant part:

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

Table 64533-A

Maximum Contaminant Levels and Detection Limits for 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>
<i>Haloacetic acids (five) (HAA5)</i>	<i>0.060</i>	
<i>Monochloroacetic Acid</i>		<i>0.0020</i>
<i>Dichloroacetic Acid</i>		<i>0.0010</i>
<i>Trichloroacetic Acid</i>		<i>0.0010</i>
<i>Monobromoacetic Acid</i>		<i>0.0010</i>
<i>Dibromoacetic Acid</i>		<i>0.0010</i>

California Code of Regulations Section 64535.2 states, in relevant part:

(b) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(a), shall be determined as follows:

(1) For systems monitoring quarterly, the running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected pursuant to section 64534.2(a) shall not exceed the MCLs specified in section 64533;

(3) If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the system is in violation of

the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including language in appendix 64465-G, in addition to reporting to the Department pursuant to sections 64537 through 64537.6; and

California Code of Regulations Section 64463.4 states, in relevant part:

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) **Maintain posted notices** in place for as long as the violation or occurrence continues, **but in no case less than seven days;**

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, **community water systems shall give public notice by:**

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

California Code of Regulations (CCR), Section 64465 states, in relevant part:

- (a) Each public notice given pursuant to this article shall contain the following:
- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
 - (2) The date(s) of the violation or occurrence;
 - (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
 - (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
 - (5) Whether alternative water supplies should be used;
 - (6) What actions consumers should take, including when they should seek medical help, if known;
 - (7) What the water system is doing to correct the violation or occurrence;
 - (8) When the water system expects to return to compliance or resolve the occurrence;
 - (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
 - (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public 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"; and
 - (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of

whether or not your drinking water meets health standards. During [*compliance period dates*], we [*did not monitor or test or did not complete all monitoring or testing*] for [*contaminant(s)*], and therefore, cannot be sure of the quality of your drinking water during that time.”

(c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish. For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:

- (1) Contain information in the appropriate language(s) regarding the importance of the notice, or
- (2) Contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people’s attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.