CALIFORNIA
Water Boards

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State Water Resources Control Board
Division of Drinking Water

March 11, 2015

Mr. Alan Farr
Mt. Konocti Mutual Water Company
9733 State Highway 281
Kelseyville, CA 95451

CITATION NO. 02-03-15C-007 FOR PUBLIC WATER SYSTEM NO. 1710014
Maximum Contaminant Level – Disinfection Byproducts January 2015

Enclosed is a citation issued to the Mt. Konocti Mutual Water Company (System) by the State Water Resources Control Board, Division of Drinking Water (Division) for failure to comply with the TTHM locational running annual average maximum contaminant level at the Fairway Tank Sampling location during the four quarter monitoring period of April 1, 2014 to March 31, 2015.

If you have any questions regarding this matter, please contact Yan Nusinovich at (707) 576-2729.

Sincerely,

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

Enclosures

c: Lake County Environmental Health Department
Keith Wesselhoff, 9733 State Highway 281, Kelseyville, CA 95451

1710014/ComplianceFile #4
02_03_15C_007-1710014-02/LSH

Citation No. 02-03-15C-007

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Mt. Konocti Mutual Water Company

Water System Number: 1710014

To: Mt. Konocti Mutual Water Company
9733 State Highway 281
Kelseyville, CA 95451

Attn: Alan Farr

Issued: March 11, 2015

CITATION FOR NONCOMPLIANCE WITH SECTION 64533, TITLE 22, CALIFORNIA CODE OF REGULATIONS

Maximum Contaminant Level – Disinfection Byproducts

January 2015

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

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STD. 113 (REV. 3-95)
OSP 98 10924

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

STATEMENT OF FACTS

The Mt. Konocti Mutual Water Company is classified as a community water system, operating in accordance with Water Supply Permit No. 02-03-10P1710014, serving 1,567 connections, primarily single-family residences, and an estimated population of 3,150.

Pursuant to Title 22, CCR, Section 64534.2, the System is required to collect one distribution sample per quarter for total trihalomethanes (TTHM) analyses, in accordance with its approved Stage 2 DBP Monitoring Plan. Section 64535.2(b)(1), Title 22, of the CCR, states that compliance with the maximum contaminant level (MCL) of 0.080 milligrams per liter (mg/L) is based on a running annual average, calculated quarterly, for each monitoring location.

The Division received laboratory results for quarterly TTHM samples collected during the four-quarter monitoring period of April 1, 2014, to March 31, 2015 consisting of 0.051 mg/L on April 9, 2014, 0.095 mg/L on July 1, 2014, 0.113 mg/L on October 14, 2014, and 0.078 mg/L on January 14, 2015. Samples were collected at Fairway Tank, PS-code 1710014-004. The running annual average for TTHM concentrations from the last four quarters ending with the first quarter of 2015 is 0.0843 mg/L.

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STD. 113 (REV 3-95)
OSP 98 10924

In addition, the System exceeded the operational exceedance level (OEL) for TTHMs in the last quarter of 2014 for the same location. A partial OEL reporting form (including a source evaluation and a general evaluation) was submitted on December 3, 2014. The System submitted a completed OEL reporting form to the Division on January 30, 2015, two weeks past the due date of January 14, 2015.

DETERMINATIONS

The Division has determined that the Mt. Konocti Mutual Water Company violated Section 64533(a), Title 22, of the CCR. The System failed to comply with the Maximum Contaminant Level (MCL) for TTHM for the four quarter monitoring period of April 1, 2014 through March 31, 2015. For a public water system monitoring TTHM on a quarterly basis, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCL of 0.080 mg/L (80 µg/L). The LRAA for the most recent four-quarter monitoring period of April 1, 2014 to March 31, 2015 was 0.0843 mg/L at the sampling site of Fairway Tank, PS-code 1710014-004. Therefore, the System failed to comply with the LRAA MCL for TTHM during the monitoring period of April 1, 2014 to March 31, 2015.

DIRECTIVES

The Mt. Konocti Mutual Water Company is hereby directed to take the following actions:

1. The System shall cease and desist from violating Section 64533(a), Title 22, of the CCR.

2. **On or before April 15, 2015**, notify all persons served by the System of the TTHM maximum contaminant level violation, in conformance with Section 64463.4 and

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STD. 113 (REV. 3-95)
OSP 98 10924

Section 64465, Title 22 of the CCR. A copy of the applicable regulatory sections is provided in Appendix 1. The Public Notification form in Appendix 2 must be used to fulfill this directive. **The corrective actions section of the template shall be completed prior to notification**.

3. The System shall complete Appendix 3: Compliance Certification. Submit Appendix 3, together with copies of the **two methods** of public notification to the Division **on or before April 30, 2015**.

4. The public notification and Certification of Compliance requirements listed in the directives above shall be performed quarterly until the System is no longer in violation of a disinfection byproduct maximum contaminant level. Future quarterly public notifications must include the most recent data available and be approved by the Department prior to distribution to the System's customers. The public notice shall be distributed within 30 days of receiving laboratory results. A copy of the public notice shall be submitted to the Department within 40 days of receiving laboratory results.

5. The System shall submit a DBP Reduction Plan by **April 15, 2015** for Division approval. The DBP Reduction Plan shall describe the actions that will be taken by the System to minimize the production of disinfection byproducts, a timeline for compliance, and the monitoring frequency of various water quality parameters to determine if the actions are adequate to minimize the formation of disinfection byproducts.

6. The System shall include information regarding the TTHM MCL violation identified in this Citation in the 2014 Consumer Confidence Report, which must be completed and distributed to customers by July 1, 2015.

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STD. 113 (REV. 3-95)
OSP 98 10924

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

Nothing in this Citation relieves Mt. Konocti Mutual Water Company of its obligation to meet the requirements of the California Safe Drinking Water Act, or of any regulation, permit, standard, or order issued or adopted thereunder.

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.

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STD. 113 (REV. 3-95)
OSP 98 10924

FURTHER ENFORCEMENT ACTION

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Division of Drinking Water to: issue additional citations with assessment of penalties if the System continues to fail to correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the System has violated applicable laws or regulations or has failed to comply with orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

March 11, 2015
Date

Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachments:

Appendix 1 – Applicable Statutes and Regulations
Appendix 2 – Public Notification
Appendix 3 – Compliance Certification

1710014/ComplianceFile#4
02_03_15C_007-1710014-02/LSH

Certified mail No. 70131090000238184698

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STD. 113 (REV. 3-95)
OSP 98 10924

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS

FOR CITATION NO. 02-03-15C-007

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

Disinfection Byproduct	*Maximum Contaminant Level (mg/L)*	*Detection Limit for Purposes of Reporting (mg/L)*
Total Trihalomethanes (TTHM)	*0.080*	
Bromodichloromethane		*0.0010*
Bromoform		*0.0010*
Chloroform		*0.0010*
Dibromochloromethane		*0.0010*

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.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Para una copia de este articulo en espanol, por favor llame al.

Mt. Konocti Mutual Water Company
Had Levels of Total Trihalomethanes Above the State Drinking Water Standard

Our water system recently violated a drinking water standard. Although **this is not an emergency**, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Total trihalomethanes (TTHM) are a byproduct of chlorinating our drinking water. The water samples collected between April 2014 and January 2015 showed that the drinking water provided by Mt. Konocti Mutual Water Company had an average TTHM concentration of 84.33 micrograms per liter (µg/L) in the drinking water. This is above the amount that is allowed by state regulations. That amount is also known as the maximum contaminant level (MCL). The MCL for TTHMs is 80 µg/L.

What should I do?

- **You do not need to boil your water or take other corrective actions.** If you have specific health concerns, consult your doctor.
- This is not an emergency. If it had been, you would have been notified immediately.
- Some people who drink water containing total trihalomethanes in excess of the MCL over many years may experience an increased risk of getting cancer.

What happened?

To protect drinking water from disease-causing organisms, or pathogens, a chlorine based disinfectant is added to drinking water. However, disinfection byproducts can form when organic-rich water is disinfected. A major challenge is how to control and limit risks from pathogens and minimize disinfection byproduct formation at the same time. Disinfection byproducts tend to be highest during the warmest time of year or during periods of long detention times in storage tanks. As a result of disinfection

requirements to ensure pathogens are inactivated, we have exceeded the total trihalomethane MCL.

What corrective actions are being taken to prevent this violation from occurring in the future?

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.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants and employees.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees and customers of businesses located on the property.

This notice is being sent to you by the Mt.Konocti Mutual Water Company in collaboration with the State Water Resources Control Board, Division of Drinking Water.

For questions, please call Alan Farr, Operations Manager for Mt.Konocti Mutual Water Company, at (707) 277-7466.

State Water System ID#: 1710014 Date distributed: _____

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number : 02-03-15C-007

Name of Water System: **Mt. Konocti Mutual Water Company**

System Number: **1710014**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations. In addition, I certify that the Mt. Konocti Mutual Water Company complied with the directives of this citation as indicated below:

Required Action	Date Completed
Complete Appendix 2 (second page) as required in Directive 2	
Public Notification – Indicate methods below.	

☒ Mail or direct delivery to each customer (REQUIRED)*;

AND choose one of the following*:

☐ Publication in a local newspaper (attach copy of newspaper); OR

☐ Post in conspicuous place served by the water system for a minimum of 7 days (attach copy of posting, state locations and dates of posting); OR

☐ Posting on the Internet or intranet (provide printout of website).

Signature of Water System Representative

Date

***Attach copies of all public notices to this Compliance Certification form.**

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION WITH COPIES OF ALL PUBLIC NOTICES NO LATER THAN MARCH 25, 2015

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states 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 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 a fine of not more than $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.