



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

March 22, 2016

Konocti County Water District
c/o Mr. Frank Costner, General Manager
15844 35th Avenue
Clearlake, CA 95422

CITATION NO. 02_03_16C_004 - OPERATOR CERTIFICATION KONOCTI COUNTY WATER DISTRICT ID #1710006

Dear Mr Costner:

Enclosed is a citation issued to Konocti County Water District (System) public water system for failure to comply with shift operator requirements. There is a date noted in the citation for being in compliance. Please continue to communicate with the Division on your progress on obtaining T3 certified operators.

If you have any questions regarding this matter, please contact Amy Little or me at (707) 576-2145.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sheri K. Miller".

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

Enclosure: Citation No. 02-03-16C-004-1710006-OP

c: Lake County Environmental Health

1710006/Compliance File #4/02-03-16C-004-1710006-OPCoverLtr.doc/AJL

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Konocti County Water District

Water System Number: 1710006

To: Konocti County Water District
15844 35th Avenue
Clearlake, CA 95422

Attn: Frank Costner, General Manager

Issued: March 22, 2016

CITATION FOR NONCOMPLIANCE
FAILURE TO COMPLY WITH SECTION 64413.5(b) of the
CALIFORNIA CODE OF REGULATIONS
Operator Certification

The Division of Drinking Water of the State Water Resources Control Board (herein after "Division") hereby issues a citation to the Konocti County Water District public water system (herein after "System") for failure to comply with Section 64413.5(b) of the California Code of Regulations (CCR). Section 116550 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation for failure to comply

1 with requirements of Chapter 4 (California Safe Drinking Water Act), or any regulation,
2 standard, permit, or order issued thereunder. A copy of the *Applicable Statutes and*
3 *Regulations* is located in Appendix 1, which is attached hereto and incorporated by
4 reference.

6 STATEMENT OF FACTS

7 Konocti County Water District is classified as a community water system, operating in
8 accordance with Water Supply Permit No. 02-03-06P1710006, issued on May 23,
9 2006, serving 1,924 active service connections and an estimated population of 4,425,
10 located at 15844 35th Ave. in Clearlake, California.

11 The System's surface water treatment plant is classified as conventional surface
12 water treatment plant, per Section 64651.23 of the California Code of Regulations
13 (CCR). As such, the plant is credited with 99.7 percent (2.5-log) removal of *Giardia*
14 *lamblia* cysts and 99 percent (2-log) removal of viruses through filtration when
15 operating in compliance with the performance standards contained in Title 22,
16 Chapter 17 of the CCR and the conditions of the System's Permit. Treatment
17 processes include potassium permanganate addition, pre-ozonation, coagulant
18 addition and rapid mixing through an in-line mechanical mixer, hydrochloric acid
19 addition for pH control, solids-contact upflow clarification, filtration using three dual
20 media pressure filters, filtration using two granular activated carbon filters, disinfection
21 with sodium hypochlorite, and poly-orthophosphate addition. The treatment plant
22 facility is classified as a T4 plant in accordance with Section 64413.1 of the California
23 Code of Regulations.

24 On August 15 and October 9, 2014, the Division conducted an inspection of the
25 System facilities prompted by the Division's routine inspection schedule. At the time of
26 the inspection, there were two T2 shift operators available to be in direct charge of the



1 operation of the water treatment plant during a specified period of the day. The
2 Division verbally informed the System to support the T2 shift operators to obtain T3
3 certifications or hire T3 certified operators.

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DETERMINATIONS

6 Title 22 Section 64413.5(b) of the CCR requires a shift operator that meets the
7 specifications of Section 63765(a) for each operating shift. Title 22 Section 63765(a)
8 of the CCR requires a T3 shift operator at a plant classified as T4. The Division has
9 determined that the System failed to comply with the requirements of Title 22 Section
10 64413.5(b) of the CCR.

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PENALTIES PURSUANT TO HEALTH AND SAFETY CODE SECTION 116650

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The Division hereby reserves the right to assess the System a penalty.

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DIRECTIVES

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The Konocti County Water District is hereby directed to take the following actions:

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1. The System shall cease and desist from violating 64413.5(b) of the California
19 Code of Regulations by **September 30, 2016**. All shift operators must be T3 or
20 higher. T2 certified operators may receive direction on duties during a shift under
21 supervision of a T3 or higher operator.

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2. The System shall include this violation in the 2015 Consumer Confidence Report
24 under the Section "Summary Information for Violations of a MCL, MRDL, AL, TT,
25 or Monitoring and Reporting Requirement". The health effects column may be left
26 blank.

27



1 3. Complete and submit to the Division the enclosed Compliance Certification by
2 **September 30, 2016.**

3

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

7

8 Nothing in this Citation relieves the System of its obligation to meet the requirements
9 of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4,
10 commencing with Section 116270), or of any regulation, permit, standard, or order
11 issued or adopted thereunder.

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13 All submittals required by this Citation shall be submitted to the Division
14 at the following address: Sheri Miller, P.E.
15 State Water Resources Control Board
16 Division of Drinking Water
17 50 D Street, Suite 200
18 Santa Rosa, CA 95404

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PARTIES BOUND

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

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SEVERABILITY

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

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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.

Sheri K. Miller

3-22-2016

Sheri K. Miller, P.E., District Engineer
Mendocino District
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Date

Certified Mail No. 704120000111677167

- Appendices:
1. Applicable Statutes and Regulations
2. Compliance Certification

1710006/Compliance (4)/02-03-16C-004-1710006-OP/AJL



APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS

FOR CITATION NO. 02-03-16C-004

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.

Section 116625 of the CHSC states, in relevant part:

(a) The department, after a hearing noticed and conducted as provided in Section 100171, may suspend or revoke any permit issued pursuant to this chapter if the department determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permit at issue has been temporarily suspended pursuant to subdivision (c), the accusation shall be served and notice of the hearing data given within 15 days of the effective date of the temporary suspension order. The commencement of the hearing shall be as soon as practicable, but in no case later than 60 days after the effective date of the temporary suspension order.

OPERATOR CERTIFICATION REQUIREMENT

California Code of Regulations Section 63765(a) states, in relevant part:

(a) Except as provided in (c), chief and shift operators shall possess valid operator certificates pursuant to **Table 63765-A**.

Table 63765-A
Minimum Certification Requirements for Chief and Shift Operators

<i>Treatment Facility Classification</i>	<i>Minimum Certification of Chief Operator</i>	<i>Minimum Certification of Shift Operator</i>
T1	T1	T1
T2	T2	T1
T3	T3	T2
T4	T4	T3
T5	T5	T3

California Code of Regulations Section 64413.5(b) states, in relevant part:

(b) Each water supplier shall designate at least one shift operator that meets the requirements specified in Section 63765 for each water treatment facility utilized by the water system for each operating shift.

APPENDIX 2.
COMPLIANCE CERTIFICATION

Compliance Order No. 02-03-16C-004

Name of Water System: **Konocti County Water District**

System Number: **1710006**

I complied with the directives of this compliance order as indicated below:

Required Action	Date Completed
Directive 1 – Shift Operators are properly certified	<input type="text"/>
Directive 2 – Violation in 2015 CCR	<input type="text"/>

Signature of Water System
Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION
BY September 30, 2016**

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.