



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

Water System No. 2110350

November 18, 2015

Cal McGuiggan
NPS - GGNRA
201 Fort Mason
San Francisco, CA 94123

CITATION NO. 02-18-15C-062

DISINFECTION PERFORMANCE STANDARD AND MONITORING VIOLATION FOR SEPTEMBER 2015 AND OCTOBER 2015

Enclosed is a Citation issued to the NPS - GGNRA (System) public water system.

NPS - GGNRA will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

The System will receive a bill from the Division in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

If you have any questions regarding this matter, please contact Karen Bolan of my staff at (707) 576-2730 or me at (707) 576-2006.

Sincerely,

A handwritten signature in blue ink that reads "Janice M. Thomas".

Janice M. Thomas, P.E., Sonoma District Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Enclosures

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: NPS GGNRA

Water System No: 2110350

To: Cal McGuiggan
NPS - GGNRA
201 Fort Mason
San Francisco, CA 94123

Issued: November 18, 2015

**CITATION FOR NONCOMPLIANCE
WITH DISINFECTION PERFORMANCE STANDARD AND MONITORING
SEPTEMBER 2015 AND OCTOBER 2015**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the NPS - GGNRA (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64654(b)(2).

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter



1 4, commencing with Section 116270), or any regulation, standard, permit or
2 order issued thereunder. A copy of the *Applicable Statutes and Regulations*
3 is located in Appendix 1, which is attached hereto and incorporated by
4 reference.
5

6
7 **STATEMENT OF FACTS**

8 NPS - GGNRA is classified as a community water system with 208
9 connections serving a population of 200.
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11 Section 64654(b)(2) defines a disinfection performance standard as residual
12 disinfectant being detectable in at least 95 percent of the samples taken
13 each month the system serves water to the public. Section 64654(b)(2)
14 considers heterotrophic plate count (HPC) concentrations less than or equal
15 to 500 colony forming units equivalent to a detectable disinfectant residual.
16

17
18 During the month of September 2015, the System took 103 total chlorine
19 samples in the distribution system. Of those, total chlorine was not
20 detectable in 13 samples. Of those, HPC results were considered
21 equivalent to a detectable residual in 3 samples. Therefore, only 90 percent
22 of the samples taken in October 2015 had detectable disinfectant residual.
23

24
25 During the month of October 2015, the System took 78 total chlorine
26 samples in the distribution system. Of those, total chlorine was not
27 detectable in 10 samples. Of those, HPC results were considered



1 equivalent to a detectable residual in 2 samples. Therefore, only 90 percent
2 of the samples taken in October 2015 had detectable disinfectant residual.

3
4 **DETERMINATIONS**

5 The Division has determined that the System is in violation of Title 22, CCR,
6 Section 64654(b)(2), Disinfection. Only 90 percent of the samples taken in
7 September 2015 and 90 percent of the samples taken in October 2015 had
8 detectable disinfectant residual. Therefore, the System violated the
9 performance standard for disinfection in September 2015 and October 2015.
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11
12 **DIRECTIVES**

13 NPS GGNRA is hereby directed to take the following actions:
14

- 15
- 16 1. Comply with Section 64654(b)(2), Title 22, CCR in all future
17 monitoring periods.
 - 18
 - 19 2. On or before **December 18, 2015**, notify all persons served by the
20 System of the performance standard violation in conformance with
21 Section 64463.4 and 64465, Title 22, CCR. Appendix 2: Public
22 Notification Template may be used to fulfill this directive.
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 - 24
 - 25 3. The System shall complete Appendix 3: Compliance Certification.
26 Submit it together with a copy of the public notification to the Division
27 on or before **December 28, 2015**.



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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 effective upon issuance.

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

All submittals required by this Citation shall be submitted to the Division at the following address: Janice M. Thomas, P.E.
State Water Resources Control Board
Division of Drinking Water
50 D Street, Suite 200
Santa Rosa, CA 95404

PARTIES BOUND

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

SEVERABILITY

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The directives of this Citation are severable, and the System shall comply with each 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 Division 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 law 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.

Janice M. Thomas

November 18, 2015

Janice M. Thomas, P.E., Sonoma District Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Date

Appendices (3):

1. Applicable Statutes and Regulations
2. Public Notification Template



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3. Compliance Certification

Certified Mail No. 7014 1200 0001 1167 7020

2110350/Compliance
02_18_15C_062_2110350_41/KAB



**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. «CITATIONNO»**

Section 116650 of the CHSC states in relevant part:

- (a) If the State Board 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 State Board 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 State Board 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 (CCR), 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:
 - (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
 - (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 State Board 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 State Board's written approval based on the violation or occurrence having been resolved and the State Board'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 State Board'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; and
- (c) A water system shall deliver the notice, in a manner designed to reach person served, within the required time period as follows:
 - (1) Unless otherwise directed by the State Board 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.
- (2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 - 1. Publication in a local newspaper or newsletter distributed to customers;
 - 2. E-mail message to employees or students;
 - 3. Posting on the Internet or intranet; or
 - 4. Direct delivery to each customer.

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

- (a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), 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) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:
 - (1) For a Tier 1 public notice:
 - (A) The notice shall be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the public water system, and the notice shall include a telephone number or address where such individuals may contact the public water system for assistance; and
 - (B) If any non-English-speaking group exceeds 1,000 persons served by the public water system, but does not exceed 10 percent served, the notice shall include information in the appropriate

- language(s) regarding the importance of the notice, and the telephone number or address where such individuals may contact the public water system to obtain a translated copy of the notice from the public water system or assistance in the appropriate language;
- (2) For a Tier 2 or Tier 3 public notice:
- (A) The notice 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 public water system to obtain a translated copy of the notice or assistance in Spanish; and
 - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
 - 1. Information in the appropriate language(s) regarding the importance of the notice; or
 - 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
- (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.
- (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.

California Code of Regulations (CCR), Section 64654 states in relevant part:

- (b) Disinfection treatment shall comply with the following performance standards:
- (1) Water delivered to the distribution system shall not contain a disinfectant residual of less than 0.2 mg/l for more than four hours in any 24 hour period.
 - (2) The residual disinfectant concentrations of samples collected from the distribution system shall be detectable in at least 95 percent of the samples taken each month that the system serves water to the public, except as provided in subsection (c). At any sample point in the distribution system, the presence of heterotrophic plate count (HPC) at concentrations less than or equal to 500 colony forming units per milliliter shall be considered equivalent to a detectable disinfectant residual.
- (c) Paragraph (b)(2) shall not apply to suppliers serving fewer than 500 persons provided:
- (1) The system is in compliance with 17 CCR sections 7583 through 7605, and with 22 CCR sections 64602 and 64570(b), 64572, and 64580;
 - (2) The supplier has no means for having a sample transported and analyzed for HPC by a certified laboratory under the appropriate time and temperature conditions; and
 - (3) The supplier is providing adequate disinfection in the distribution system.
- (d) No exemptions from the requirement in paragraph (b)(1) are permitted.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

NPS GGNRA

Did Not Meet Disinfection Performance 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 disinfectant residual in the distribution system. This measurement tells us whether we are effectively disinfecting the water supply. Disinfectant residual is the amount of chlorine or related disinfectant present in the pipes of the distribution system. If the amount of disinfectant is too low, organisms could grow in the pipes. In September and October, too many of our samples did not have a disinfectant residual.

What should I do?

- **You do not need to boil your water or take other actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Tests taken during this same time period did not indicate the presence of bacteria in the water.
- *Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.* These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult with your doctor.

What happened? What is being done?

[Describe corrective action]. [Disinfectant residual levels/contact times] so far this month have met all requirements.

For more information, please contact [name of contact] at [phone number] or [mailing address].

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.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by NPS GGNRA.

State Water System ID#: 2110350. Date distributed: _____

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number 02-18-15C-062

Name of Water System: NPS GGNRA

System Number: 2110350

I certify that the users of the water supplied by this water system were notified of the performance standard violation of Title 22, California Code of Regulations (CCR), Section 64654(b)(2) for the compliance period of October 2015 and that the following actions, as directed in 2110350 have been completed:

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Mail and Direct Delivery and Other Notification Methods completed.	

Signature of Water System Representative

Date

Attach a copy of the Public Notification posted.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN
December 28, 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.