



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 23, 2016

Water System No. 2100582

Mikki McIntyre
Nicasio School
P.O. Box 711
Nicasio, CA 94946

**CITATION NO. 02_18_16C_031
DISINFECTION BYPRODUCTS MAXIMUM CONTAMINANT LEVEL VIOLATION FOR
THIRD QUARTER 2016**

Enclosed is a Citation issued to the Nicasio School (System) public water system.

Nicasio School will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$153.00) 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.

Nicasio School will receive a bill sent from our Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on Nicasio School for the current fiscal year.

If you have any questions regarding this matter, please contact Marianne Watada of my staff at (707) 576-2076 or me at (707) 576-2006.

Sincerely,

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

Enclosure: Citation No. 02_18_16C_031

cc: Gary Mickelson, Operator, P.O. Box 2689, Petaluma, CA 94953

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Nicasio School

Water System No: 2100582

To: Mikki Mcintyre
Nicasio School
P.O. Box 711
Nicasio, CA 94946

Physical Location: 5555 Nicasio Valley Road
Nicasio, CA 94946

Issued: August 23, 2016

**CITATION FOR NONCOMPLIANCE
WITH DISINFECTION BYPRODUCTS MAXIMUM CONTAMINANT LEVEL
THIRD QUARTER 2016**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the Nicasio School (hereinafter System) for failure to comply with CHSC Section 116555(a)(3), and Title 22, California Code of Regulations (CCR), Section 64533 and 64535.2.

1 Section 116650 of the California Health and Safety Code (CHSC),
2 authorizes the issuance of a citation for failure to comply with a requirement
3 of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter
4 4, commencing with Section 116270), or any regulation, standard, permit or
5 order issued thereunder. A copy of the *Applicable Statutes and Regulations*
6 is located in Appendix 1, which is attached hereto and incorporated by
7 reference.
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10 **STATEMENT OF FACTS**

11 Nicasio School is classified as a nontransient-noncommunity water system
12 with five (5) connections serving an approximate population of 70. Nicasio
13 School conducts treatment through filtration and disinfection with sodium
14 hypochlorite.
15

16
17 The Division received quarterly monitoring results for haloacetic acids
18 (HAA5) collected in July 2016 at the monitoring location, DIST - HOSE BIB
19 EAST END OF N. BLDG, of 0.0699 milligrams per liter (mg/L). The result of
20 HAA5 collected at the same location in October 2015 was reported as
21 0.0477mg/L. The result of HAA5 collected at the same location in January
22 2016 was reported as 0.0709 mg/L. The result of HAA5 collected at the
23 same location in April 2016 was reported as 0.0783 mg/L. The locational
24 running annual average (LRAA) of HAA5 for Third Quarter2016 was
25 computed as 0.067 mg/L.
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DETERMINATION

1
2 The Division has determined that the System is in violation of Title 22, CCR,
3 Section 64533 and Section 64535.2. Section 64533 defines the maximum
4 contaminant level (MCL) of HAA5 as 0.060 mg/L. Section 64535.2 defines
5 the computation of the LRAA and defines a violation of when LRAA
6 concentration exceeds the MCL.
7

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9 The HAA5 LRAA of Third Quarter 2016 was computed as 0.067 mg/L.
10 Therefore, the System violated the MCL contained in Section 64533 and
11 64535.2 in Third Quarter 2016.
12

DIRECTIVES

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15 Nicasio School is hereby directed to take the following actions:
16

- 17 1. Comply with Sections 64533 and 64535.2, Title 22, CCR in all future
18 monitoring periods.
19
- 20 2. On or before **September 23, 2016**, notify all persons served by the
21 System of the monitoring and reporting violation in conformance with
22 Title 22, Sections 64463.4 and 64465. Appendix 2: Public
23 Notification Template may be used to fulfill this directive. The public
24 notification and Compliance Certification shall be performed quarterly
25 until the System is no longer in violation of HAA5 MCL.
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3. The System shall conduct operational evaluation in conformance with Title 22, Section 64534.2(d)(6). The System shall complete and submit Appendix 3: Operational Evaluation to the Division on or before **October 23, 2016**.

4. The System shall complete Appendix 4: Compliance Certification. Submit it with a copy of the public notification to the Division on or before **October 31, 2016**.

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

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PARTIES BOUND

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

SEVERABILITY

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.

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Janice M Thomas

August 23, 2016

Janice M. Thomas, P.E., Sonoma District Engineer

Date

Division of Drinking Water

STATE WATER RESOURCES CONTROL BOARD

Appendices (4):

- 1. Applicable Statutes and Regulations
- 2. Public Notification Template
- 3. Operational Evaluation
- 4. Compliance Certification



Certified Mail No. 7015 064000071788 7607

2100582/Compliance
02_18_16C_031_2100582_02.docx/MFW

**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. 02_18_16C_031**

CHSC 116555 states, in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
 - (1) Complies with primary and secondary drinking water standards.
 - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

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 (CCR), Section 64533 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)
Haloacetic Acids (5) (HAA5)	0.060

California Code of Regulations (CCR), Section 64534.2(d) states in relevant part:

- (6) If the operational evaluation level (OEL) exceeds 0.080 mg/L for TTHM or 0.060 mg/L for HAA5 at any monitoring location, systems shall conduct an operational evaluation. The operational evaluation shall include the examination of system treatment and distribution operational practices, including storage tank operations, excess storage capacity, distribution system flushing, changes in sources or source water quality, and treatment changes or problems that may contribute to TTHM and HAA5 formation and what steps could be considered to minimize future exceedances. Systems that are able to identify the cause of the OEL exceedance may submit a written request to the State Board to limit the scope of the evaluation.

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

- (e) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(d), shall be determined as follows:
 - (1) For systems monitoring quarterly, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533;
 - (3) If a system fails to complete four consecutive quarters of monitoring, compliance with the MCL for the last four-quarter compliance period shall be based on an average of the available data. If more than one sample per quarter is taken at a monitoring location, all the samples taken in the quarter at that monitoring location shall be averaged to determine a quarterly average to be used in the LRAA calculation; and
 - (4) If the LRAA exceeds the MCL, calculated based on four consecutive quarters of monitoring (or the LRAA calculated based on fewer than four quarters of data if the MCL would be exceeded regardless of the monitoring results of subsequent quarters), the system is in violation of the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including the language in appendix 64465-G, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6.

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:
 - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, 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.
- (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.

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:
 - (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
- (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.

**Appendix 64465-G. Health Effects Language
Disinfection Byproducts, Byproduct Precursors, and Disinfectant Residuals**

<i>Contaminant</i>	<i>Health Effects Language</i>
Haloacetic Acids	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.

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.

**Nicasio School Has A Level of
Disinfection Byproducts Above 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 did to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results collected in July 2016 showed that the locational running annual average of haloacetic acids (HAA5) level was 0.067 milligrams per liter (mg/L). This is above the standard, or maximum contaminant level (MCL) of 0.060 mg/L for HAA5.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. However, *some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

To protect drinking water from disease-causing organisms, or pathogens, a 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, maintain sufficient chlorine level to help to remove iron and manganese, and minimize disinfection byproduct formation at the same time. Disinfection byproducts tend to be highest during periods of long detention times in storage tanks. As a result of the disinfection process, we have exceeded the MCL of HAA5.

[Describe corrective action].

For more information, please contact [**Water System contact**] at [**phone number**].

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)]:

- 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 Nicasio School public water system.

State Water System ID#: 2100582. Date distributed: _____.