



Ron Chapman, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH
50 D STREET, SUITE 200, SANTA ROSA, CA 95404
PHONE: (707) 576-2145 / FAX: (707) 576-2722
INTERNET ADDRESS: www.cdph.ca.gov



EDMUND G. BROWN JR.
Governor

December 16, 2013

Water System No. 2300606

Lori Wilcox, President
Lake View Mutual Water Company
3581 Ricetti Lane
Redwood Valley, CA 95470

CITATION NO. 02-03-13C-025-2300606-03
MONITORING AND REPORTING VIOLATION

Enclosed is a citation issued to the Lake View Mutual Water Company (System) public water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation since this is an enforcement action for noncompliance with State regulations. You will receive a bill sent from our Fee Billing Unit in Sacramento by August 1, 2014. This bill will contain fees for any enforcement time spent on your System.

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

Sincerely,

Michelle F. Frederick, P.E.
Mendocino District Engineer
Drinking Water Field Operations Branch

Enclosures

c: Steven Gardner
4170 Richey Road
Ukiah, CA 95482

Mendocino Environmental Health Department

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Public Water System: Lake View Mutual Water Company

Water System No.: 2300606

To: Lake View Mutual Water Company
3581 Ricetti Lane
Redwood Valley, CA 95470

Issue Date: December 16, 2013

CITATION FOR NON-COMPLIANCE

**Sections 64432.1 and 64442(d)(4)(A), Title 22, California Code of Regulations
Chemical Monitoring and Reporting Violation**

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 a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the California Department of Public Health (Department) hereby issues a citation to Lake View Mutual Water Company (System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64432.1 and 64442(d)(4)(A).

APPLICABLE AUTHORITIES

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.

1 California Code of Regulations Section 64432.1(a) states in relevant part:

2
3 To determine compliance with the MCL for nitrate in Table 64431-A, all public
4 water systems using groundwater and transient-noncommunity systems using
5 approved surface water shall monitor annually, and all community and
6 nontransient-noncommunity systems using approved surface water shall monitor
7 quarterly.

8
9 California Code of Regulations Section 64442(d)(4)(A) states in relevant part:

10
11 (d) After initial monitoring, each system shall monitor for each radionuclide at
12 each sampling site at a frequency determined by the monitoring results(s) [single
13 sample or average sample results if more than one sample collected] from the
14 most recent compliance period as follows:

15 (4) if the single sample result or average is:

16 A. Below the DLR, the system shall collect and analyze at least one sample
17 every nine years (3 compliance periods).

18
19 California Code of Regulations Section 64469 states in relevant part:

20
21 (a) Analytical results of all sample analyses completed in a calendar month shall
22 be reported to the Department no later than the tenth day of the following month.

23 (b) Analytical results of all sample analyses completed by water wholesalers in a
24 calendar month shall be reported to retail customers and the Department no later
25 than the tenth day of the following month.

26 (c) Analytical results shall be reported to the Department electronically using the
27 Electronic Deliverable Format as defined in The Electronic Deliverable Format

1 (c) Analytical results shall be reported to the Department electronically using the
2 Electronic Deliverable Format as defined in The Electronic Deliverable Format
3 [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data
4 Dictionary dated April 2001.

5 **STATEMENT OF FACTS**

6 Lake View Mutual Water Company is required to monitor nitrate annually in
7 accordance with Section 64432.1 and 64442(d)(4)(A), Title 22 of the CCR. To date,
8 the Department has not received laboratory results for nitrate or gross alpha
9 monitoring required in Well 05 in the calendar year of 2012.
10

11 **DETERMINATIONS**

12 The Department determined that Lake View Mutual Water Company is in violation of
13 Title 22, CCR, Sections 64432.1 and 64442(d)(4)(A). Specifically, the System failed
14 to perform the chemical monitoring of nitrate in 2012 and gross alpha in Well 05.
15

16 Section 64469, Title 22 of the CCR requires that analytical results of all sample
17 analyses completed in a calendar month must be reported to the Department no
18 later than the tenth day of the following month. Analytical results shall be reported to
19 the Department electronically by the laboratory.
20

21 **DIRECTIVES**

22 Lake View Mutual Water Company is hereby directed to take the following actions:
23

- 24 1. Comply with Section(s) 64432.1, 64442(d)(4)(A), and 64469 in all future
25 monitoring periods.
26
27

- 1 2. Complete all gross alpha sampling and/or monitoring from Well 05 by **January**
2 **17, 2014**. The analyzing laboratory must transmit the results to the Department
3 via electronic data transfer before **March 31, 2014**.
- 4
- 5 3. Notify all persons served by the System of the source chemical monitoring
6 violation(s) in conformance with Section 64463.4 and Section 64465, Title 22 of
7 the CCR. Notification must be completed in accordance with each of the
8 following:
- 9 a. Completion of Attachment A to include the name, address and telephone
10 number of a System official as a source of additional information
11 concerning the public notice. Submit a copy of the public notice prior to
12 distribution to the Department for review and approval. **You must also**
13 **give a legible, written description (preferably typed) of the corrective**
14 **actions taken by the System to prevent this violation from occurring**
15 **in the future. You must use the space provided on page 2 of**
16 **Attachment A for this written description.**
- 17
- 18 b. By mail or direct delivery of the notice contained in Attachment A, **after it**
19 **has been completed in accordance with (a) above**, to each customer
20 served directly by the water system. This notice must also be given to all
21 other service connections which receive water from the System. This
22 notice must be delivered to each customer/service connection by **January**
23 **17, 2014**.
- 24
- 25 c. By publication of the notice contained in Attachment A, **after it has been**
26 **completed in accordance with (a) above**, in a local newspaper of
27 general circulation in the area served by the System (or weekly

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

newspaper if no daily paper is available). This notice must be published for one day. The publication in a local newspaper must be completed by **January 17, 2014**.

d. The System shall provide public notice for this violation in accordance with Section 64465(c), Title 22 of the CCR. This section requires that 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 System to obtain a translated copy of the public notice or assistance in Spanish. In addition, Section 64465(c) also requires for each non-English speaking group that exceeds 1,000 residents or 10% of the residents in the community (whichever is less), the public notice must contain information in the appropriate language(s) regarding the importance of the notice, or it must contain a telephone number or address where such residents may contact the System to receive a translated copy of the notice or to receive assistance in the appropriate language. The Spanish language requirement is already included in the notice attached to this citation, Attachment A.

4. A representative of the System shall complete the attached Certification of Compliance form and return it to the Department by **January 30, 2014**. A copy of the notice delivered to customers and a copy of the newspaper publication must be attached to the Compliance Certification Form.

1 All documents required by this Citation shall be submitted to the Department at the
2 following address:

3
4 Michelle F. Frederick, P.E., District Engineer
5 Mendocino District
6 Drinking Water Field Operations Branch
7 50 D Street, Suite 200
8 Santa Rosa, CA 95404

9 The Department reserves the right to make such modifications to this Citation, as it
10 deems necessary to protect public health and safety. Such modifications may be
11 issued as amendments to this Citation and shall be effective upon issuance.

12 **PARTIES BOUND**

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

15 **SEVERABILITY**

16 The directives of this Citation are severable, and the System shall comply with each
17 and every provision thereof notwithstanding the effectiveness of any provision.

18 **FURTHER ENFORCEMENT ACTION**

19 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
20 California Health and Safety Code authorizes the Department to: issue additional
21 citations with assessment of penalties if the System continues to fail to correct a
22 violation identified in a citation; take action to suspend or revoke a permit that has
23 been issued to a public water system if the System has violated applicable laws or
24 regulations or has failed to comply with orders of the Department; and petition the
25 superior court to take various enforcement measures against a public water system
26
27

1 that has failed to comply with orders of the Department. The Department does not
2 waive any further enforcement action by issuance of this citation.

3
4 Michelle F. Frederick Dec 16, 2013

5 Michelle F. Frederick, P.E. Date
6 District Engineer
7 Mendocino District

8 ATTACHMENTS: Attachment A. Public Notification Template
9 Compliance Certification

10 Certified Mail No. 7012 2210 0002 1673 6239

11 2300606/Compliance-4
12 02-03-13C-025-2300606-03/AJL



13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Attachment A

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.

MONITORING REQUIREMENTS NOT MET FOR LAKE VIEW MUTUAL WATER COMPANY

Our water system failed to monitor for drinking water standards for nitrate and gross alpha in Well 05 as required by the California Code of Regulations.

Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What should I do?

You do not need to take any corrective actions at this time. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on regulated contaminants in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened?

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. We did not test for the required chemical constituents and, therefore, cannot be sure of the quality of the drinking water at that time.

What does this mean?

Well 05 was not sampled for nitrate or gross alpha as required.

Infants below the age of six months who drink water containing nitrate in excess of the maximum level allowed by the regulations may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.

Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.

Attachment A
Page 2 of 2

What corrective actions have been taken?

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

(name)

(address)

(phone number)

To all School Administrators, Rental Property Owners, and Business Property Owners:

You must provide public notification within 10 days of the receipt of this notice from **Lake View Mutual Water Company** [Health and Safety Code Section 116450(g)]. The notification must be provided as follows:

SCHOOLS: Must give written notification to school employees, students, and parents (if the students are minors).

RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including but not limited to apartment complexes, nursing home facilities, other care facilities): Must give written notification to tenants/patients. Must give written notification to employees (if applicable).

BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS (including but not limited to restaurants, stores, hospitals, churches, clubs, daycare facilities, offices, other businesses): Must give written notification to employees and members. Must post in conspicuous places for customers/visitors (if applicable).

PWS No. 2300606

Date distributed: _____

COMPLIANCE CERTIFICATION

Citation Number : 02-03-13C-025-2300606-03

Name of Water System: Lake View Mutual Water Company

System Number: 2300606

Certification

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 Lake View Mutual Water Company complied with the directives of this citation as indicated below:

Required Action	Date Completed
Complete monitoring as required in Directive 2	<input type="text"/>
Public Notification - Mail or Direct Delivery	<input type="text"/>
Public Notification - Newspaper	<input type="text"/>
_____ Signature of Water System Representative	_____ Date

Attach a copy of the notice published in the newspaper, a copy of the notice delivered to the customers, and lab results of completed sampling.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

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.