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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## State Water Resources Control Board

Division of Drinking Water

August 12, 2015

City of Willits  
c/o Adrienne Moore, City Manager  
111 East Commercial Street  
Willits, CA 95490

### **CITATION NO. 02-03-15C-013 FOR PUBLIC WATER SYSTEM NO. 2310004 Exceeded Maximum Contaminant Level for Disinfection Byproducts in 2015**

Enclosed is a citation issued to the City of Willits public water system by the State Water Resources Control Board, Division of Drinking Water for failure to comply with the total trihalomethane maximum contaminant level during the four quarter monitoring periods of April 1, 2014 through March 31, 2015 and July 1, 2014 through June 30, 2015.

If you have any questions regarding this matter, please contact Joy Wildflower at (707) 576-2145.

Sincerely,

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

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

Enclosures

c: Mendocino County Environmental Health  
Joy Wildflower

2310004/Compliance (4)  
Citation 02\_03\_15C\_013-2310004-02/AJL

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**STATE OF CALIFORNIA**  
**WATER RESOURCES CONTROL BOARD**  
**DIVISION OF DRINKING WATER**

**Name of Public Water System:** City of Willits

**Water System Number:** 2310004

**To:** City of Willits  
111 East Commercial Street  
Willits, CA 95490

**Attn:** Adrienne Moore, City Manager

**Issued:** August 12, 2015

**CITATION FOR NONCOMPLIANCE WITH SECTION 64533(a), TITLE 22,**  
**CALIFORNIA CODE OF REGULATIONS**  
**Maximum Contaminant Level – Disinfection Byproducts**  
**First and Second Quarters 2015**

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

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

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### STATEMENT OF FACTS

9 The City of Willits is classified as a community water system, operating in accordance  
10 with Water Supply Permit No. 02-03-08P2310004, serving 2,443 connections and an  
11 estimated population of 6,639. The permit was issued on November 20, 2006 with a  
12 fourth amendment issued on October 12, 2009.

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14 Pursuant to Title 22, CCR, Section 64534.2, the System is required to collect two  
15 distribution system samples per quarter for total trihalomethanes (TTHM) analyses, in  
16 accordance with its approved Stage 2 DBP Monitoring Plan, dated June 12, 2013.

17 Under Title 22, CCR, Section 64535.2(b)(1), compliance with the TTHM maximum  
18 contaminant level (MCL) of 0.080 mg/L is based on a running annual average,  
19 calculated quarterly, for each monitoring location and the System is required to notify  
20 the public.

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22 The Division received laboratory results for quarterly TTHM samples collected during  
23 the four-quarter monitoring periods of April 1, 2014 through March 31, 2015 and July  
24 1, 2014 through June 30, 2015 at the "Walker Road" site, PS CODE 2310004-004  
25 (see Table).

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Sample Date	Walker Road TTHM, ug/L	Running Annual Average at Walker Road
April 9, 2014	55.51	-
July 1, 2014	82.05	-
October 15, 2014	90.97	-
January 14, 2015	109.88	<b>84.6 ug/L</b>
April 15, 2015	66.35	<b>87.3 ug/L</b>

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3 The running annual average TTHM concentration during the four quarters for “Walker  
4 Road” ending with the first quarter and second quarter in 2015 was 0.085 mg/L and  
5 0.087 mg/L, respectively.

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### DETERMINATIONS

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The Division has determined that the City of Willits 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 periods of April 1, 2014 through March 31, 2015 and July 1, 2014 through June 30, 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 (or 80 µg/L). The TTHM LRAA for the four-quarter monitoring periods of April 1, 2014 through March 31, 2015 and July 1, 2014 through June 30, 2015 was 0.085 mg/L and 0.087 mg/L, respectively, at the “Walker Road” location.



## DIRECTIVES

The City of Willits is hereby directed to take the following actions:

1. Forthwith, the System shall cease and desist from violating Section 64533 (a), Title 22, of the CCR.
2. **On or before September 15, 2015**, notify persons served by the System that are impacted by the disinfection byproduct MCL violation in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. A copy of these regulatory sections is provided in Appendix 1. The Public Notification Template (Appendix 2) approved by the Division must be used to fulfill this directive.
3. The System shall complete Appendix 3: Compliance Certification. Submit Appendix 3 together with a copy of the two methods of public notification to the Division **on or before September 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 Division 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 Division within 40 days of receiving laboratory results.
5. The System shall complete and submit an Operational Evaluation Reporting Form (Appendix 4) **by October 1, 2015**. The form shall describe the potential factors



1 that contributed to the formation of the disinfection byproducts. A compliance plan  
2 shall describe the action taken by the System to minimize the production of  
3 disinfection byproducts, a timeline for compliance and the monitoring frequency of  
4 various water quality parameters to determine if the action is adequate to minimize  
5 the formation of disinfection byproducts.

6  
7 6. The System shall include information regarding the disinfection by-product MCL  
8 violation identified in this Citation in the 2015 Consumer Confidence Report, which  
9 must be completed and distributed to customers by **July 1, 2016**.

10  
11 The Division reserves the right to make such modifications to this Citation as it may  
12 deem necessary to protect public health and safety. Such modifications may be  
13 issued as amendments to this Citation, and shall be deemed effective upon issuance.

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15 Nothing in this Citation relieves City of Willits of its obligation to meet the requirements  
16 of the California Safe Drinking Water Act, or of any regulation, permit, standard, or  
17 order issued or adopted thereunder.

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19 **PARTIES BOUND**

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

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**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.

**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.

8/11/2015

*Sheri K. Miller*

Date

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

Certified Mail No. 7014120000011676818

Appendices:

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

2310004/Compliance (4)/02-03-15C-013/AJL



## APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS

### FOR CITATION NO. 02-03-15C-013

*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

<i>Disinfection Byproduct</i>	<i>Maximum Contaminant Level (mg/L)</i>	<i>Detection Limit for Purposes of Reporting (mg/L)</i>
<i>Haloacetic acids (five) (HAA5)</i>	<i>0.060</i>	
<i>Monochloroacetic Acid</i>		<i>0.0020</i>
<i>Dichloroacetic Acid</i>		<i>0.0010</i>
<i>Trichloroacetic Acid</i>		<i>0.0010</i>
<i>Monobromoacetic Acid</i>		<i>0.0010</i>
<i>Dibromoacetic Acid</i>		<i>0.0010</i>
<i>Total trihalomethanes (TTHM)</i>	<i>0.080</i>	
<i>Bromodichloromethane</i>		<i>0.0010</i>
<i>Bromoform</i>		<i>0.0010</i>
<i>Chloroform</i>		<i>0.0010</i>
<i>Dibromochloromethane</i>		<i>0.0010</i>

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

(b) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(a), shall be determined as follows:

(1) For systems monitoring quarterly, the running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected

pursuant to section 64534.2(a) shall not exceed the MCLs specified in section 64533;

(3) If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including language in appendix 64465-G, in addition to reporting to the Department pursuant to sections 64537 through 64537.6; and

**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.

## Instructions for Tier 2 Chemical or Radiological MCLs Notice Template

### Template Attached

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

### Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery <sup>(a)</sup>	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet <sup>(b)</sup>
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system <sup>(b)</sup>	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet <sup>(b)</sup>
		Direct delivery to each customer

(a) Notice must be distributed 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.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

### Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water

## Appendix 2

system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

### **Population Served**

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

### **Corrective Action**

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- “We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove [contaminant] or connecting to [system]’s water supply.”
- “We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well.”
- “We will increase the frequency at which we test the water for [contaminant].”
- “We have since taken samples at this location and had them tested. They show that we meet the standards.”

### **After Issuing the Notice**

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información importante sobre su agua potable.  
Para una copia de este artículo en español, por favor llame al 707-492-2828.

### City of Willits Has Levels of Disinfection Byproducts Above Drinking Water Standards

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.

#### What should I do?

- **No specific corrective actions are needed. You do not need to boil your water or use an alternative water supply (e.g., bottled water).**
- This is not an immediate risk. If it had been, you would have been notified immediately. Some people who drink water containing disinfection byproducts in excess of the maximum limit over many years may experience liver, kidney, or central nervous system problems, and may have an increased risk of getting cancer. These diseases, however, are not caused solely by chemicals in drinking water, but result from many other factors.
- If you have specific health concerns regarding the consumption of this water, you may wish to consult your health care provider.

#### What happened?

[Describe what happened:].

#### What is being done?

[Describe corrective action:].

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 the 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 the City of Willits.

State Water System ID#: \_\_\_\_\_. Date distributed: \_\_\_\_\_

**CERTIFICATION OF COMPLIANCE**

**Citation Number 02-03-15C-013**

Name of Water System: **City of Willits**

System Number: **2310004**

**Certification**

As required by Section 64463.4 of the California Code of Regulations, I certify that the identified users of the water supplied by the **City of Willits** were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period ending in the 1<sup>st</sup> and 2<sup>nd</sup> Quarter in 2015. In addition, I certify that the City of Willits has complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – Mail or Hand Delivery by <b>9/15/2015*</b>	<input type="text"/>
Public Notification – Newspaper by <b>9/15/2015*</b>	<input type="text"/>
_____ Signature of Water System Representative	_____ Date

*\*Attach a copy of the notice delivered to customers and a copy of the notice published in the newspaper.*

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT BY  
September 30, 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.