



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](http://www.cdph.ca.gov)



EDMUND G. BROWN JR.  
Governor

Ron Chapman, MD, MPH  
Director & State Health Officer

April 24, 2013

Mr. Steve Moore  
City of American Canyon  
205 Wetlands Edge Road  
American Canyon, CA 94589

Dear Mr. Steve Moore:

Enclosed is a citation issued to the City of American Canyon public water system (System). The citation is being issued because the System failed to comply with the maximum contaminant level (MCL) for a disinfection byproduct, as specified in Section 64533, Title 22 of the California Code of Regulations during the 1st Quarter 2013.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the Citation. No civil penalty is levied in the enclosed citation.

Your System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact our office at (707) 576-2145.

Sincerely,

Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District

Enclosure: Citation No. 02-03-13C007-2810005-1304-02

1 **Citation No. 02-03-13C007-2810005-1304-02**

2  
3 STATE OF CALIFORNIA  
4 DEPARTMENT OF PUBLIC HEALTH

5  
6 **Public Water System:** City of American Canyon

7 **Water System No.:** 2810005

8 **Issue Date:** April 24, 2013

9  
10 **To:** City of American Canyon  
11 205 Wetlands Edge Road  
12 American Canyon, CA 94589

13  
14 **CITATION FOR NON-COMPLIANCE**

15 **Section 64533, Title 22, California Code of Regulations**

16 **Maximum Contaminant Level – Disinfection Byproduct**

17 **Running Annual Average 1st Quarter 2013**

18  
19 Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the California  
20 Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to  
21 comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any  
22 regulation, permit or order issued thereunder.

23  
24 The Division of Drinking Water and Environmental Management of the California  
25 Department of Public Health (Department) hereby issues a citation to City of  
26 American Canyon (System) for failure to comply with Title 22, California Code of  
27 Regulations (CCR) Section 64533.

## 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  
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

California Code of Regulations (CCR), Section 64533 states in relevant part:

Using the monitoring and calculations methods specified in sections 64534, 64534.2, 64535 and 64535.2, the primary maximum contaminant level (MCL) for the disinfection byproducts shown in Table 64533-A shall not be exceeded in drinking water supplied to the public.

Table 64533-A states in relevant part:

Table 64533-A

Maximum Contaminant Levels and Detection Limits for Purposes of Reporting  
Disinfection Byproducts

Disinfection Byproduct	Maximum Contaminant Level (mg/L)
Total trihalomethanes (TTHM)	0.080
Haloacetic acids (five) (HAA5)	0.060

**STATEMENT OF FACTS**

The Department has received laboratory results for quarterly TTHM and HAA5 samples ending the 1st Quarter 2013 from the System. The running annual average TTHM and HAA5 concentrations from all sites during the last four quarters, ending with the 1st Quarter 2013, for City of American Canyon is described in the table below:

Sample Code	TTHM, mg/L	HAA5, mg/L
2810005-006	0.088	0.049
2810005-009	0.086	0.056

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

## DETERMINATIONS

The Department determined that City of American Canyon failed to comply with the MCL(s) for the TTHM running annual average(s) in the 1st Quarter 2013, a violation of Section 64533, Title 22 of the CCR. The Department hereby issues Citation No. 02-03-13C007-2800005-1304-02 to City of American Canyon for failure to comply with Section 64533.

## DIRECTIVES

City of American Canyon is hereby directed to take the following actions:

1. Comply with Section 64533, Title 22 of the CCR in all future monitoring periods.
2. Notify all persons served by the System of the disinfection byproduct MCL violation(s) in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. Notification must be completed in accordance with each of the following:
  - a. Completion of Attachment A to include the name, address and telephone number of a System official as a source of additional information concerning the public notice. Any deviations from the language contained in Attachment A requires prior approval from the Department. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the System to prevent this violation from occurring in the future. You must use the space provided on page 2 of Attachment A for this written description.**
  - b. By mail or direct delivery of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, to each customer

1 receiving a bill, including those that provide their drinking water to others.  
2 This notice must also be given to all other service connections which  
3 receive water from the System. This notice must be delivered to each  
4 customer/service connection by **May 31, 2013**.

5  
6 c. By publication of the notice contained in Attachment A, **after it has been**  
7 **completed in accordance with (a) above**, in a local newspaper. This  
8 notice must be published for one day. The publication in a local  
9 newspaper must be completed by **May 31, 2013**.

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

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

3. The public notification and Certification of Compliance requirements listed in the directives above shall be performed quarterly until City of American Canyon 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 Department prior to distribution to City of American Canyon 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 Department within 40 days of receiving laboratory results.

4. The System shall submit an Operational Evaluation Reporting Form (Attachment B) by June 10, 2013. The form shall describe the potential factors that contributed to the formation of the disinfection byproducts. A compliance plan shall be included and describe the action taken by the System to minimize the production of disinfection byproducts, a timeline for compliance and the monitoring frequency of various water quality parameters to determine if the action is adequate to minimize the formation of disinfection byproducts.

5. A representative of the System shall complete the Certification of Compliance form (Attachment C) and return it to the Department by **June 10, 2013**. A copy of the notice delivered to customers and a copy of the newspaper publication must be attached to the Compliance Certification Form.

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

All submittals required by this Citation shall be submitted to the Department at the following address:

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

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

**PARTIES BOUND**

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

**SEVERABILITY**

The directives of this Citation are severable, and the System shall comply with each and every 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 Department 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 a failed to comply with orders of the department; and petition the

1 superior court to take various enforcement measures against a public water system  
2 that has failed to comply with orders of the department. By issuance of this Citation,  
3 the Department does not waive any right to take additional or alternative  
4 enforcement action against the System including, but not limited to, assessment of  
5 civil penalties as authorized by law.

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

Michelle F. Frederick

April 24, 2013

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

Date

ATTACHMENTS

Certified Mail No. 7012 2210 0001 9133 3997

2810005/Compliance-4  
02-03-13C007-2800005-1304-02/AJL

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.  
Para una copia de este artículo en español, por favor llame al 707-647-4558.

Ang ulat na ito ay naglalaman ng importanteng impormasyon tungkol sa inyong inuming tubig. Kung kailangan ninyo ng pagsasalin o makipag-usap sa nakakaintindi, tumawag sa 707-647-4558.

### City of American Canyon 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.

We routinely monitor for the presence of drinking water contaminants. Average water sample results collected between April 2012 and March 2013 showed that *the drinking water provided by the City of American Canyon had an average total trihalomethane concentration of 88.35 micrograms per liter (ug/L) and 85.73 ug/L at two monitoring sites in the distribution system.* This is above the standard, or maximum contaminant level (MCL), of 80 ug/L.

#### What should I do?

- **You do not need to boil your water or take other corrective actions.** If you have specific health concerns, consult your doctor.
- This is not an emergency. If it had been, you would have been notified immediately.
- Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience liver, kidney, or central nervous system problems, and may have an increased risk of getting cancer.

#### What happened? What is being 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 and minimize disinfection byproduct formation at the same time. Disinfection byproducts tend to be highest during the warmest time of year or during periods of long detention times in storage tanks. As a result of disinfection requirements, we have exceeded the total trihalomethane MCL. We are actively exploring treatment options

## ATTACHMENT A

and will continue to inform you of our progress on a quarterly basis until the problem is resolved. Improvements will include installing a fluid mixer in one of the main storage tanks and adding a chlorine analyzer to the post-treatment water storage tank to track chlorine levels.

*For more information, please call (707) 647-4558 and ask to speak with Steve Moore, Water Systems Manager for the City of American Canyon.*

*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.*

### **Additional Information**

Some home water treatment units are also available to reduce total trihalomethanes, or volatile organic compounds, from drinking water. Some of these units are faucet mounted, GAC pour through and in line refrigerator systems. To learn more about available home water treatment units, you may call the California Department of Health Services Water Treatment Device Unit at (916) 449-5600 or visit the Department's website at <http://www.cdph.ca.gov/certlic/device/Pages/watertreatmentdevices.aspx>. Select 'Directory of Certified Water Treatment Devices' and under Section 6, select 'Volatile Organic Compounds (VOCs)'.

### **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 American Canyon.

State Water System ID#: 2810005

Date distributed: April 24, 2013

# Operational Evaluation Reporting Form

ATTACHMENT B

## I. GENERAL INFORMATION (Report is due within 90 days of OEL exceedence)

### A. Facility Information

Facility Name: \_\_\_\_\_ PWSID: \_\_\_\_\_

Facility Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### B. Report Prepared by:

(Print): \_\_\_\_\_ Date prepared: \_\_\_\_\_

(Signature): \_\_\_\_\_  
 Contact Telephone Number: \_\_\_\_\_

## II. MONITORING RESULTS

A. Provide the Compliance Monitoring Site(s) where the OEL was Exceeded.

*Note: The site name or number should correspond to a site in your Stage 2 DBPR compliance monitoring plan.*

B. Monitoring Results for the Site(s) Identified in II.A (include duplicate pages if there was more than one exceedence)

1. Check TTHM or HAA5 to indicate which result caused the OEL exceedence.  TTHM  HAA5

2. Enter your results for TTHM or HAA5 (whichever you checked above).

	Quarter			Operational Evaluation Value
	Results from Two Quarters Ago	Prior Quarter's Results	Current Quarter	
	A	B	C	$D = (A+B+(2*C))/4$
Date sample was collected				
TTHM (mg/L)				
HAA5 (mg/L)				

*Note: The operational evaluation value is calculated by summing the two previous quarters of TTHM or HAA5 values plus twice the current quarter value, divided by four. If the value exceeds 0.080 mg/L for TTHM or 0.060 mg/L for HAA5, an OEL exceedence has occurred.*

C. Has an OEL exceedence occurred at this location in the past?  Yes  No

If NO, proceed to item D. If YES, when did exceedence occur?

Was the cause determined for the previous exceedence(s)?  Yes  No

Are the previous evaluations/determinations applicable to the current OEL exceedence?  Yes  No

III. OPERATIONAL EVALUATION FINDINGS

A. Did the State allow you to limit the scope of the operational evaluation?  Yes  No  
If NO, proceed to item B. If YES, attach written correspondence from the State.

B. Did the **distribution system** cause or contribute to your OEL exceedance(s)?  Yes  No  
 Possibly  
If NO, proceed to item C. If YES or POSSIBLY, explain (attach additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Did the **treatment system** cause or contribute to your OEL exceedance(s)?  Yes  No  
 Possibly  
If NO, proceed to item D. If YES or POSSIBLY, explain (attach additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Did **source water quality** cause or contribute to your OEL exceedance(s)?  Yes  No  
 Possibly  
If NO, proceed to item E. If YES or POSSIBLY, explain (attach additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Attach all supporting operational or other data that support the determination of the cause(s) of your OEL exceedance(s).

F. If you are unable to determine the cause(s) of the OEL exceedance(s), list the steps that you can use to better identify the cause(s) in the future (attach additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. List steps that could be considered to minimize future OEL exceedances (attach additional pages if necessary) and describe the timeline for these steps to be implemented.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

H. Total Number of Pages Submitted, Including Attachments and Checklists: \_\_\_\_\_

**CERTIFICATION OF COMPLIANCE**

Citation Number **02-03-13C007-28#0005-1304-02**

Name of Water System: **City of American Canyon**

System Number: **2810005**

**Certification**

As required by Section 64463.4 of the California Code of Regulations, I certify that the users of the water supplied by the **City of American Canyon** were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period ending in the 1st Quarter 2013. In addition, I certify that City of American Canyon has complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – Mail or Hand Delivery by <b>5/31/2013*</b>	<input type="text"/>
Public Notification – Newspaper by <b>5/31/2013*</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  
June 10, 2013**

**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.