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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## State Water Resources Control Board

Division of Drinking Water

February 27, 2015

Joy Eldredge, General Manager  
City of Napa  
P.O. Box 660  
Napa, CA 94559

### **CITATION NO. 02-03-15C-002 FOR PUBLIC WATER SYSTEM NO. 2810003 Maximum Contaminant Level – Disinfection Byproducts January 2015**

Enclosed is a citation issued to the City of Napa public water system (System) by the State Water Resources Control Board, Division of Drinking Water (Division) for failure to comply with the total trihalomethane maximum contaminant level in the running annual average for three sites during the four quarter monitoring period of April 1, 2014 through March 31, 2015. We appreciate the System's proactive approach to ensure adequate public notification.

If you have any questions regarding this matter, please contact Amy Little at (707) 576-2147.

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: Napa County

2810003/Compliance (4)  
Citation 02\_03\_15C\_002-2810003-02/AJL

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

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

**Water System Number:** 2810003

**To:** City of Napa  
P.O. Box 660  
Napa, CA 94559

**Attn:** Joy Eldredge, General Manager

**Issued:** February 27, 2015

**CITATION FOR NONCOMPLIANCE WITH SECTION 64533(a), TITLE 22,**  
**CALIFORNIA CODE OF REGULATIONS**  
**Maximum Contaminant Level – Disinfection Byproducts**  
**April 2014 – March 2015**

The State of California Water Resources Control Board, Division of Drinking Water (hereinafter "Division") hereby issues a citation to the City of Napa (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.

7

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### STATEMENT OF FACTS

9 The City of Napa is classified as a community water system, operating in accordance  
10 with Water Supply Permit No. 02-03-11P2810003 serving 25,252 connections and an  
11 estimated population of 87,000. This permit was issued on February 14, 2011.

12

13 Pursuant to Title 22, CCR, Section 64534.2, the System is required to collect eight  
14 distribution system samples per quarter for total trihalomethanes (TTHM) analyses, in  
15 accordance with its approved Stage 2 DBP Monitoring Plan, dated August 4, 2009.

16

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.

19

20 The Division received laboratory results for quarterly TTHM samples collected during  
21 the four-quarter monitoring period of April 1, 2014 through March 31, 2015 at three  
22 different locations (see Table).

23

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Period	Site 1 770 Jackson Street	Site 2 1072 Darms Lane	Site 3 4152 Brown Valley Rd
April 2, 2014	109.2 ug/L	47.0 ug/L	88.4 ug/L
July 9, 2014	65.6 ug/L	144.2 ug/L	75.1 ug/L
October 1, 2014	64.2 ug/L	27.8 ug/L	129.1 ug/L
January 7, 2015	98.5 ug/L	104.6 ug/L	95.7 ug/L
<b>Average</b>	<b>84.4 ug/L</b>	<b>80.9 ug/L</b>	<b>97.1 ug/L</b>

2

3 Samples were collected at 770 Jackson Street, PS Code 2810003-008, 1072 Darms  
4 Lane, PS Code 2810003-024, and 4172 Brown Valley Road, 2810003-028. The  
5 running annual average TTHM concentration during the four quarters ending with the  
6 first quarter in 2015 at each site was 0.084 mg/L, 0.081 mg/L, and 0.097 mg/L,  
7 respectively.

8

9 The System is working to minimize organic loads in its watersheds, shorten detention  
10 time of water storage in the distribution system, and saving funds to upgrade its  
11 surface water treatment plant.

12

**DETERMINATIONS**

14 The Division has determined that the City of Napa violated Section 64533(a), Title 22,  
15 of the CCR. The System failed to comply with the Maximum Contaminant Level  
16 (MCL) for TTHM for the four quarter monitoring period of April 1, 2014 through March  
17 31, 2015. For a public water system monitoring TTHM on a quarterly basis, each  
18 locational running annual average (LRAA), computed quarterly, shall not exceed the  
19 MCL of 0.080 mg/L (80 µg/L). The TTHM LRAA for the four-quarter monitoring period

1 of April 1, 2014 through March 31, 2015 was 0.084 mg/L (at 770 Jackson Street),  
2 0.081 mg/L (at 1072 Darms Lane), and 0.097 mg/L (at 4152 Browns Valley Road).

### 3 4 **DIRECTIVES**

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

- 6
- 7 1. Forthwith, the System shall cease and desist from violating Section 64533 (a),  
8 Title 22, of the CCR.  
9
  - 10 2. **On or before March 31, 2015**, notify persons served by the System that are  
11 impacted by the disinfection byproduct MCL violation in conformance with Section  
12 64463.4 and Section 64465, Title 22 of the CCR. A copy of these regulatory  
13 sections is provided in Appendix 1. The Public Notification Template (Appendix 2)  
14 approved by the Division must be used to fulfill this directive.  
15
  - 16 3. The System shall complete Appendix 3: Compliance Certification. Submit  
17 Appendix 3 together with a copy of the two methods of public notification to the  
18 Division **on or before April 15, 2015**.  
19
  - 20 4. The public notification and Certification of Compliance requirements listed in the  
21 directives above shall be performed quarterly until the System is no longer in  
22 violation of a disinfection byproduct maximum contaminant level. Future quarterly  
23 public notifications must include the most recent data available and be approved  
24 by the Department prior to distribution to the System's customers. The public  
25 notice shall be distributed within 30 days of receiving laboratory results. A copy of  
26 the public notice shall be submitted to the Department within 40 days of receiving  
27 laboratory results.



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5. The System shall complete and submit an Operational Evaluation Reporting Form (Appendix 4) by **May 1, 2015**. The form shall describe the potential factors that contributed to the formation of the disinfection byproducts. A compliance plan shall 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.

6. The System shall include information regarding the disinfection by-product MCL violation identified in this Citation in the 2014 Consumer Confidence Report, which must be completed and distributed to customers by July 1, 2015.

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 deemed effective upon issuance.

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

**PARTIES BOUND**

This Citation shall apply to and be binding upon the System, its officers, directors, 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.

February 27, 2015

Date



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

Certified Mail No. 70131090000238185794

Appendices:

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

2810003/Compliance (4)/02-03-15C-002/AJL



**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS**  
**FOR CITATION NO. 02-03-15C-002**

*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.



CITY of NAPA

**APPROVED**Date: Feb 26, 2015 By: 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 707-257-9520 extensión 7743.

**City of Napa Has Detected Levels of Disinfection Byproducts  
Above Drinking Water Standards**

Our water system recently exceeded a new drinking water standard for trihalomethanes in the vicinity of your service meter. As our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

**What happened?**

To protect drinking water from disease-causing organisms, or pathogens, chlorine is added to drinking water as a disinfectant. However, disinfection byproducts can form when organic-rich water, is disinfected. A major challenge for the City of Napa and all municipal water systems is how to control and limit risks from pathogens and simultaneously minimize disinfection byproduct formation. Disinfection byproducts tend to be highest when naturally-occurring organic matter is elevated in our surface water supplies due to winter rains and during periods of long detention times in the water system.

We routinely monitor for the presence of drinking water contaminants throughout the entire water system. As of October 2012, the standard that applies to the City of Napa's system for disinfection byproducts changed significantly. The maximum limit for the annual average of trihalomethanes at each location is 80 micrograms per liter (ug/L). The January 2015 results for trihalomethanes in your area *ranged from 80.1 – 97.0 ug/L* and therefore requires this notification.

**What should I do?**

**No specific corrective actions are needed. You do not need to boil your water.** However, if you have specific health concerns, consult your doctor.

**What does this mean?**

This is not an emergency. 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, consult your doctor.



## CITY of NAPA

### What is being done?

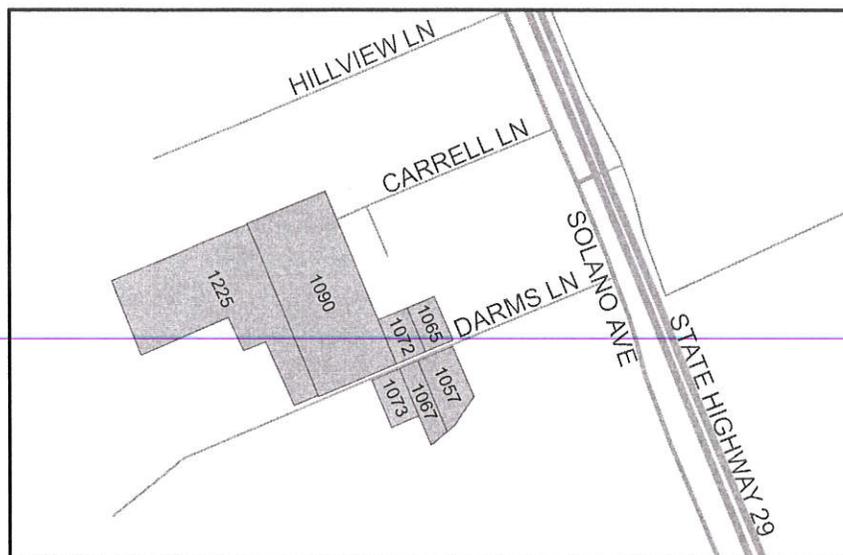
We continually work to protect the watersheds and our source water quality with the goal of minimizing organic content in the water, and we are working to reduce detention time in the water system. We are also working to develop sufficient funds to upgrade our water treatment. In short, we are actively exploring all options to reduce trihalomethanes. We will continue to inform you on a quarterly basis if the problem persists.

*For more information, please call (707) 253-0822 and ask to speak with Erin Kebbas Water Quality Manager for the City of Napa. The mailing address is PO Box 660, Napa, CA 94559-0660 or visit [www.cityofnapa.org/water](http://www.cityofnapa.org/water) for more information and FAQs.*

This notice is being sent to you by the City of Napa.

State Water System ID#: 2810003

Date distributed: March 3, 2015



*Potentially Affected Area*

### Secondary Notification Requirements

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.

**CERTIFICATION OF COMPLIANCE**

**Citation Number 02-03-15C002**

Name of Water System: **City of Napa**

System Number: **2810003**

**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 Napa** were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period ending in the 1st Quarter 2015. In addition, I certify that the City of Napa has complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – Mail or Hand Delivery by <b>3/31/2015*</b>	<input type="text"/>
Public Notification – Newspaper or Internet by <b>3/31/2015*</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 or internet.*

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT BY  
April 15, 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.

**02-03-15C002**