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MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 24, 2015

PWS No. 2910016

Certified Mail Return/Receipt
No. 7009 2250 0004 3622 0178

Tom Skjelstad
General Manager
Donner Summit Public Utility District
53823 Sherritt Road
Soda Springs, CA 95728

DONNER SUMMIT PUBLIC UTILITIES DISTRICT PUBLIC WATER SYSTEM (PWS No. 2910016) – CITATION No. 01-09-15C-013

Enclosed is a copy of the Division of Drinking Water Citation No. 01-09-15C-013 issued to the Donner Summit Public Utility District public water system (PWS# 2910016). Please note there are certain deadlines associated with this Citation.

If you have any questions, please feel free to contact Kim Hanagan at (916) 449-5646 or via email at Kim.hanagan@Waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Ali R. Rezvani".

Ali R. Rezvani, P.E.,
Sacramento District Engineer
Drinking Water Field Operations Branch

Enclosures

cc: Kim Hanagan, P.E., Associate Sanitary Engineer

Catie Levenson, REHS, PHM
Environmental Health Specialist
Nevada County
Environmental Health Department
950 Maidu Avenue
Nevada City, CA 95959

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Donner Summit Public Utility District
53823 Sherritt Lane
Soda Springs, CA 95728

Attn: Tom Skjelstad, General Manager
Donner Summit Public Utility District

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, SECTION CHAPTER 17, 64653(c)
WATER SYSTEM NO. 2910016
CITATION NO. 01_09_15C_013
Issued on November 24, 2015

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

In accordance with CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116271, the State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Donner Summit Public

1 Utility District public water system (hereinafter, Water System) (53823 Sherritt Lane,
2 Soda Springs, CA 95728) for violation of California Code of Regulations (CCR), Title
3 22, Division 4, Chapter 17, Article 2, Section 64653(c)(2)(A).

4
5 **APPLICABLE AUTHORITIES**

6 **California Health and Safety Code provides:**

7 **Section 116275 – Definitions**

8
9 (b) "Department" means the State Board.

10
11 **Section 116650 – Citations**

12
13 (a) If the Department determines that a public water system is in violation of this
14 chapter or any regulation, permit, standard, citation, or order issued or
15 adopted thereunder, the Department may issue a citation to the public water
16 system. The citation shall be served upon the public water system personally
17 or by certified mail. Service shall be deemed effective as of the date of
18 personal service or the date of receipt of the certified mail. If a person to
19 whom a citation is directed refuses to accept delivery of the certified mail, the
20 date of service shall be deemed to be the date of mailing.

21 (b) Each citation shall be in writing and shall describe the nature of the violation
22 or violations, including a reference to the statutory provision, standard, order,
23 citation, permit, or regulation alleged to have been violated.

24 (c) A citation may specify a date for elimination or correction of the condition
25 constituting the violation.

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(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, provides, in relevant part:

Section 64653 – Filtration

(c) A supplier shall comply with the combined filter effluent turbidity performance standards in Table 64653 for each treatment plant while the plant is in operation:

Table 64653: Combined Filter Effluent Turbidity Performance Standards

If a supplier uses...

The turbidity of the combined filter effluent...

(2) Conventional or direct filtration treatment and serves fewer than 10,000 persons	(A) Shall be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month; ...
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California Code of Regulations, Title 22, provides, in relevant part:

Section 64463.4 – Tier 2 Public Notice

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:

(A) Where a Tier 1 public notice is required under section 64463.1; or

(B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

(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 State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

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(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

- (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
- (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. 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; and
- (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24

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hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(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 State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by;

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

1 **California Code of Regulations, Title 22, provides, in relevant part:**

2 **Section 64469 – Reporting Requirement**

3
4 (d) Within 10 days of giving initial or repeat public notice pursuant to
5 Article 18 of this Chapter, except for notice given under 64463.7(d),
6 each water system shall submit a certification to the State Board that it
7 has done so, along with a representative copy of each type of public
8 notice given.

9
10 **STATEMENT OF FACTS**

11 The Water System is operated under Water Supply Permit No. 65-81, issued on June
12 18, 1965. According to the latest Annual Report to the Division, the Water System
13 serves approximately 93 year-round residents through 346 service connections, and
14 as such, is classified as a community water system. The Water System is served by
15 surface water owned and operated by the Donner Summit Public Utility District.

16
17 The Water System supply utilizes Lake Angela, an approved surface water source.
18 The surface water source receives in-line filtration treatment followed by chlorination
19 disinfection prior to entering the distribution system. As stated in the October 31,
20 2011 letter to the Water System from the Valley District Engineer, Drinking Water
21 Field Operations Branch (then CDPH), "CDPH must classify the Plant as an
22 alternative filtration technology commonly known as "in-line filtration" because it does
23 not have a flocculation process step. In-line filtration is not an alternative filtration
24 technology approved by CDPH...". The letter also states that the effluent turbidity
25 level shall be less than or equal to 0.1 NTUs in at least 95 percent of the
26 measurements taken each month. The permit has not been updated to reflect

1 requirements of the Surface Water Treatment Rule or other regulations passed since
 2 the 1965 date of the permit. Therefore, for the purposes of this citation only, the
 3 turbidity requirement of 0.3 NTU is being used as the required performance standard.
 4 In August, September, and October of 2015, treatment monitoring records submitted
 5 to the Division by the Water System show the monthly combined filter effluent turbidity
 6 measurements was less than or equal to 0.3 NTUs in less than 95% of the total
 7 number of measurements taken. The reported 95th percentile values and maximum
 8 turbidity value measured in each of these months are tabulated below.

Month	95 th percentile Turbidity ^a (ntu)	Maximum Turbidity (ntu)
August	1.0	>1.0
September	1.0	>1.0
October	0.92	0.97

9
 10 ^a 95 percent of the turbidity measurements were less than this value

11
 12 **DETERMINATION**

13 The Water System is in violation of Title 22, California Code of Regulations, for failure
 14 to comply with the requirements of Section 64653 (c), Table 64653 (c) Table 64653
 15 (2) (A), which states that the turbidity level of the combined filter effluent for
 16 conventional or direct filtration (in-line filtration) treatment and serves fewer than
 17 10,000 persons “shall be less than or equal to 0.3 NTU in at least 95 percent of the
 18 measurements taken each month”.

1 Consequently, the Division has determined that the Water System violated Section
2 64653 (c), Chapter 17, Division 4, Title 22, of the CCR for the months of August,
3 September, and October, 2015.

4
5 **DIRECTIVES**

6 The Water System is hereby directed to take the following actions:

- 7
- 8 1. In the future, the Water System must comply with the combined filter effluent
9 turbidity performance standards of Table 64653, Section 64653, Title 22,
10 California Code of Regulations.
 - 11 2. Pursuant to Sections 64463.4 and 64666, Title 22, California Code of
12 Regulations, the Water System is required to notify the public of turbidity
13 violations. To comply with the Regulations, public notice shall be given as soon
14 as possible, but no later than January 4, 2016. An approved recommended
15 format is enclosed (Appendix A).
 - 16 3. Also enclosed is a Public Notification Certification form (Appendix B). Please
17 complete the attached Public Notification Certification form and return it to this
18 office within ten days of distribution of the notice. Please include a
19 representative copy of each type of public notice given per Title 22, California
20 Code of Regulations, Section 64469(d).

21
22 The Division reserves the right to make such modifications to this Citation as it may
23 deem necessary to protect public health and safety. Such modifications may be
24 issued as amendments to this Citation, and shall be deemed effective upon issuance.

25

1 Nothing in this Citation relieves Donner Summit Public Utility District of its obligation to
2 meet the requirements of the California Safe Drinking Water Act, or of any regulation,
3 permit, standard, or order issued or adopted thereunder.

4
5 All submittals required by this Citation shall be submitted to the Division at the
6 following address:

7
8 Ali R. Rezvani, P.E.
9 Sacramento District Engineer
10 Division of Drinking Water
11 State Water Resources Control Board
12 1001 I Street, 13th Floor
13 Sacramento, CA 95814
14

15 **PARTIES BOUND**

16 This Citation shall apply to and be binding upon the Donner Summit Public Utility
17 District, its officers, directors, shareholders, agents, employees, contractors,
18 successors, and assignees.

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20 **SEVERABILITY**

21 The Directives of this Citation are severable, and the Donner Summit Public Utility
22 District shall comply with each and every provision thereof, notwithstanding the
23 effectiveness of any other provision.

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FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Division; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

November 24, 2015

Date

Ali R. Rezvani

Ali R. Rezvani, P.E.,
Sacramento District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachments:

- 1. Appendix A – Public Notification Template
- 2. Appendix B – Proof of Notification Form

Certified Mail No. 7009 2250 0004 3622 0178

cc: County of Nevada, Department of Environmental Health

Appendix "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.

Donner Summit Public Utility District Did Not Meet the Treatment Requirements (Filter Effluent Turbidity Performance Standard)

Our Donner Summit Public Utility District (PUD) water system recently violated drinking water standards. Although this incident was not an emergency, as our customers, you have a right to know what happened and what was done to correct this situation.

The Donner Summit PUD surface water treatment plant filtration process is categorized by the California State Water Resources Control Board, Division of Drinking Water (Division) as in-line filtration treatment. Section 64653, Chapter 17, Title 22, of the California Code of Regulations, specifies that a water system's combined filter effluent (CFE) for a conventional or direct filtration plant shall be better than 0.3 NTUs (turbidity) in at least 95% of the total monthly turbidity measurements. According to the treatment records for August, September, and October, 2015, approximately 100% of the daily turbidity readings exceeded 0.3 NTU.

What should you do?

You do not need to boil your water or take other corrective actions.

This is not an emergency. If it had been, you would have been notified immediately.

Donner Summit routinely monitors your water for turbidity (cloudiness). This parameter measures the effectiveness of the filtration of a water treatment process.

Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

These symptoms are not caused only by organisms in drinking water.

What Happened? What Was Done?

Fill in description of what happened and what has been done

For more information, please contact _____ of the Donner Summit PUD at _____.

Please share this information with 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 notice in a public place or distributing copies by hand or mail.

Upon receipt of this notice from a public water system the following establishments must provide secondary notification by distributing this notice within ten days as follows: Schools must notify school employees, students, and parents (if the students are minors). Residential rental property owners or managers (including nursing home and care facilities) must notify tenants. Business property owners, managers, or operators must notify employees of businesses located on the property. [Health and Safety Code Section 116450(g)]

This notice is being sent to you by the Donner Summit Public Utility District in compliance with the Public Notification Requirements of the State of California Domestic Water Quality and Monitoring Regulations of Title 22, California Code of Regulations.

State Water System ID#: _____ 2910016 _____

Date distributed: _____

Appendix "B"

Certification of Completion of Public Notification

This form when completed and returned to the State Water Resources Control Board, Division of Drinking Water (1001 I Street, 13th Floor, Sacramento, CA 95814 or fax to 916-449-5264), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463 – 64465.

Public Water System Name: Donner Summit PUD

Public Water System No: 2910016

Public notification for the August, September, and October 2015 turbidity failure was performed by the following method(s) (check and complete those that apply):

The notice was posted in the following conspicuous places:
A copy of the notice is attached.

Provide the date (or dates) that the notice was posted _____

The notice was published in a local newspaper or newsletter on _____
A copy of the newspaper or newsletter notice is attached.

The notice was e-mailed to employees or students on _____
A copy of the notice is attached.

The notice was posted on the Internet or intranet on _____
A copy of the notice is attached.

The notice was directly delivered to each customer on _____
A copy of the notice is attached.

I hereby certify that the above information is factual.

Printed Name

Signature

Date