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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: City of Blythe
440 S. Main Street
Blythe, CA 92225

Attn: Armando Baldizzone
Director of Public Works

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, SECTIONS 64533 (a) - WATER SYSTEM NO. 3310003
CITATION NO. 05-20-16C-007
Issued on March 9, 2016

Section 116650 of the California Health and Safety Code 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.

The State Water Resources Control Board (hereinafter "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 City of Blythe Water System (hereinafter, "Blythe") (440 S. Main Street Blythe, CA 92225) for violation of California Code of Regulations (CCR), Title 22, Article 2, Section 64533.

1 **APPLICABLE AUTHORITIES**

2 **Section 116650 of California Health and Safety Code provides:**

3
4 (a) If the department determines that a public water system is in violation of this
5 chapter or any regulation, permit, standard, citation, or order issued or adopted
6 thereunder, the department may issue a citation to the public water system. The
7 citation shall be served upon the public water system personally or by certified mail.
8 Service shall be deemed effective as of the date of personal service or the date of
9 receipt of the certified mail. If a person to whom a citation is directed refuses to accept
10 delivery of the certified mail, the date of service shall be deemed to be the date of
11 mailing.

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

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

17 (d) A citation may include the assessment of a penalty as specified in
18 subdivision (e).

19 (e) The department may assess a penalty in an amount not to exceed one
20 thousand dollars (\$1,000) per day for each day that a violation occurred, and for
21 each day that a violation continues to occur. A separate penalty may be assessed for
22 each violation.

23
24 **California Code of Regulations, Title 22, Sections 64533 subsection (a)**
25 **provides, in relevant part:**

1 (a) Using the monitoring and calculation methods specified in sections 64534,
2 64534.2, 64535, and 64535.2, the primary MCLs for the disinfection byproducts shown
3 in table **64533-A** shall not be exceeded in drinking water supplied to the public.

4
5 **Table 64533-A**
6 *Maximum Contaminant Levels and Detection Limits for*
7 *Purposes of Reporting Disinfection Byproducts*

8	Maximum	Detection Limit for
9	Contaminant	Purposes of Reporting
10	Level (mg/L)	(mg/L)
11	<u>Disinfection Byproduct</u>	
12	Haloacetic acids (five) (HAA5)	0.060
13	Monochloroacetic Acid	0.0020
14	Dichloroacetic Acid	0.0010
15	Trichloroacetic Acid	0.0010
16	Monobromoacetic Acid	0.0010
17	Dibromoacetic Acid	0.0010

18 **STATEMENT OF FACTS**

19 Blythe is located in eastern Riverside County along the western bank of the Colorado
20 River in the Palo Verde Valley. The *Interstate 10 Freeway* bisects the service area.
21 Blythe was incorporated in July 1916 and occupies approximately 26.8 square miles.

22
23 The Blythe water system is operated under Water Supply Permit No. 05-20-09P-009,
24 issued on June 29, 2009 and serves a population of approximately 12,155 via 3,396
25 active service connections. The Blythe water system is supplied by seven active
26 groundwater wells and five standby wells, with seven booster pump stations and
27 seven treated water storage reservoirs. Each active well site has a continuous
28 disinfectant injection system installed to provide a free chlorine residual to the
29 reservoirs and the distribution system. A 50 gallon poly tank filled with 5% liquid

1 sodium hypochlorite solution is located at each well site. Blythe receives bulk
2 deliveries of 12.5% sodium hypochlorite at the water treatment plant which are then
3 diluted to a 5% concentration for delivery to the respective well sites.

4
5 Pursuant to Title 22, CCR, Section 64534.2 (d), Blythe is required to collect four dual
6 samples per quarter from the distribution system for Total Trihalomethanes (TTHM)
7 and Haloacetic Acids (HAA5) analysis in accordance with their approved Stage 2
8 Disinfection By Products Rule (DBPR) Monitoring Plan, dated January 21, 2014. The
9 four sites and their respective Primary Station (PS) Code for laboratory data reporting
10 are provided in the following Table 1:

11
12 Table 1: Blythe Stage 2 DBPR Sampling Locations

13

14 <u>Monitoring Site Name / ID</u>	14 <u>PS Code (Assigned by DDW)</u>
15 Riviera Drive	3310003-801
16 Desert Verde	3310003-802
17 River Valley	3310003-803
18 Palo Verde Oasis	3310003-804

19

20 Per Title 22, CCR, Section 64535.2 (b)(1), for the system to be in compliance, the
21 Locational Running Annual Average (LRAA), which is the running annual average,
22 calculated quarterly, for each monitoring location, must be less than the HAA5 MCL of
23 0.060 mg/L.

24
25 This is Blythe's first and only violation to date of the DBPR HAA5 MCL. The following
26 is a chronology of events that occurred leading up to this HAA5 MCL violation. The
27 laboratory reports are included as Attachment No. 1.

1 **3rd Quarter 2015:** July 13, 2015, Blythe collected four DBPR monitoring samples per
2 the January 17, 2014 Division approved monitoring plan. The HAA5 sample result at
3 the Riviera Drive sample station was 94.0 ug/L. While this single result was over the
4 MCL of 60.0 ug/L, the calculated Operating Evaluation Level (OEL) was 57.3 ug/L and
5 the calculated Locational Running Annual Average (LRAA) was 40.8 ug/L; both below
6 the MCL.

7
8 **4th Quarter 2015:** October 28, 2015, Blythe collected four DBPR monitoring samples.
9 The Riviera Drive HAA5 sample result was 96.0 ug/L. This resulted in a calculated
10 OEL of 77.5 ug/L. In addition, the Palo Verde Oasis HAA5 sample result was 100.0
11 ug/L with a calculated OEL of 67.0 ug/L, which triggered an operational evaluation for
12 each of these sampling locations.

13
14 The OEL is calculated quarterly for both TTHM and HAA5, and is the sum of the 2
15 previous quarter results plus twice the current quarter's result, divided by 4 to
16 determine an average $([Q1+Q2+2*Q3]/4)$. If the OEL exceeds the MCL, the system
17 must conduct an operational evaluation and submit a report to the Division no later
18 than 90 days after being notified of the analytical result that caused the OEL
19 exceedance.

20
21 The LRAA at Riviera Drive was 57.8 ug/L and at Palo Verde Oasis was 46.5 ug/L,
22 both below the MCL so no violation was incurred.

23
24 Blythe submitted the triggered operational evaluation report for Riviera Drive and Palo
25 Verde Oasis on January 21, 2016 stating the following:

26

1 *“The distribution system possibly caused or contributed to OEL exceedance at*
2 *both Riviera Drive – 801 and Palo Verde Oasis - 804 due to the fact that fire*
3 *hydrants were flushed the day before the samples were grabbed. The two*
4 *sample sites are dead ends in the system as well.”... “Flushing can cause the*
5 *release of pipe scales and sediment into the water column. Organic matter can*
6 *be present in these scales and sediment that can react to form TTHM and*
7 *HAA5. Flushing can also result in a reversal of flow in the vicinity of the OEL*
8 *exceedance, potentially causing older water to be delivered to an area for a*
9 *limited time. This was the first time that flushing was performed the day before*
10 *samples were grabbed. Normally flushing is performed at least a week in*
11 *advance of sampling.”*

12
13 **1st Quarter 2016: January 18, 2016,** Blythe collected four DBPR monitoring samples.
14 The Riviera Drive HAA5 sample result was 40.0 ug/L, which was now less than the
15 MCL of 60.0 ug/L however the calculated OEL was 67.5 ug/L and the calculated
16 LRAA of 63.5 ug/L which exceeded and violated the HAA5 MCL.

17
18 On March 1, 2016, Blythe submitted a February 24, 2016 operation evaluation report
19 for Riviera Drive, which indicated that flushing schedules would be adjusted, storage
20 facility turnover would be more frequent, and the system is further evaluating possible
21 concerns with the bulk Sodium Hypochlorite presently being used for disinfection. In
22 addition, on February 24, 2016, Blythe submitted a draft Public Notification for this
23 HAA5 violation to the Division for review on February 26, 2016. The Division made
24 revisions and sent to the system for distribution on March 7, 2016.

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DETERMINATION

The Division has determined that Blythe failed to comply with the Maximum Contaminant Level for the LRAA total Haloacetic acids (HAA5) at the Riviera Drive - 801 sampling location during the first quarter monitoring period of January 1, 2016, through March 31, 2016. A water system is out of compliance with the Stage 2 Disinfectant By Product Rule when the calculated LRAA exceeds the HAA5 Maximum Contaminant Level of 60.0 ug/L.

DIRECTIVES

Blythe is hereby directed to take the following actions:

1. Forthwith, Blythe shall cease and desist from failing to comply with the Primary Drinking Water Standard for total Haloacetic Acids (HAA5).
2. Forthwith, Blythe shall comply with the requirements for disinfectant by products in accordance with Section 64533, Title 22 of the California Code of Regulations.
3. By **April 9, 2016**, Blythe shall provide to the Division certification of public notification using the enclosed form (Attachment No. 2). The certification of notification must identify the number of notices distributed and a copy of the distributed notice.
4. Blythe shall include information regarding the HAA5 MCL violation identified in this Citation in the 2015 Consumer Confidence Report, which must be completed and distributed to customers by July 1, 2016. A draft of the 2015 Consumer Confidence Report shall be submitted to the Division for review and approval prior to distribution and/or posting.

1 5. Blythe shall continue to evaluate daily system operations in order to reduce the
2 levels of Disinfection By Products, while maintaining optimal disinfection for the
3 water it delivers to customers.
4

5 6. Blythe shall keep the Division apprised of any modifications or changes with the
6 water system being contemplated to address this problem.
7

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

12 Nothing in this Citation relieves Blythe of its obligation to meet the requirements of the
13 California Safe Drinking Water Act, or of any regulation, permit, standard, or order
14 issued or adopted thereunder.
15

16 All submittals required by this Citation shall be submitted to the Division at the
17 following address:

18
19 J. Steven Williams, P.E.
20 District Engineer
21 State Water Resources Control Board
22 Division of Drinking Water
23 1350 Front Street, Room 2050
24 San Diego, CA 92101
25
26

27 **PARTIES BOUND**

28 This Citation shall apply to and be binding upon Blythe, its officers, directors,
29 shareholders, agents, employees, contractors, successors, and assignees.
30

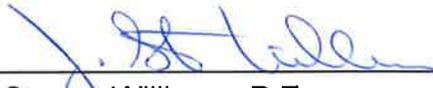
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SEVERABILITY

The Directives of this Citation are severable, and Blythe shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a 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 Board 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 Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

3-9-2016	
Date	J. Steven Williams, P.E., District Engineer Division of Drinking Water State Water Resources Control Board

- Attachments:
1. DBPR HAA5 results
 2. Proof of Notification Form

cc: County of Riverside, Department of Environmental Health (w/o attachments)

Stage 2 DDBPR Quarterly HAA5 Report for Disinfection Byproducts Compliance (in µg/L or ppb)

System Name: City of Blythe System No.: 3310003 Year: 2016 Quarter: 1st HAA5 MCL = 0.060 mg/L or 60 ug/L

Year:	2012				2013				2014				2015				2016			
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Monitoring Location																				
#	HAA5 Results (ug/L)																			
1	Riviera Drive-801									30.0	34.0	30.0	28.0	17.0	24.0	94.0	96.0	40.0		
2	Desert Verde-802									28.0	24.0	27.0	13.0	19.0	20.0	53.0	48.0	40.0		
3	River Valley-803									29.0	30.0	36.0	24.0	21.0	17.0	59.0	47.0	56.0		
4	Palo Verde Oasis-804									29.0	20.0	27.0	7.6	18.0	17.0	51.0	100.0	41.0		
Number of Samples Taken										4	4	4	4	4	4	4	4	4		
Monitoring Location																				
#	HAA5 OEL (ug/L)																			
1	Riviera Drive-801												31.0	23.0	23.3	57.3	77.5	67.5		
2	Desert Verde-802												26.5	19.5	18.0	36.3	42.3	45.3		
3	River Valley-803												32.8	25.5	19.8	39.0	42.5	54.5		
4	Palo Verde Oasis-804												25.8	17.7	14.9	34.3	67.0	58.3		
Is OEL ≤ MCL for all monitoring locations?																				
If no, list monitoring location # where MCL not met (a)																				
Monitoring Location																				
#	HAA5 LRAA (ug/L)																			
1	Riviera Drive-801												30.5	27.3	24.8	40.8	57.8	63.5		
2	Desert Verde-802												23.0	20.8	19.8	26.3	35.0	40.3		
3	River Valley-803												29.8	27.8	24.5	30.3	36.0	44.8		
4	Palo Verde Oasis-804												20.9	18.2	17.4	23.4	46.5	52.3		
Meets standard for all monitoring locations (i.e., LRAA ≤ MCL)?																				
If no, list monitoring location # where MCL not met (b)																				
Will LRAA calc based on <4 qtrs of data be >MCL regardless of the monitoring results of subsequent qtrs, for all mon. locations? (c)																				
If yes, list monitoring location # where MCL not met (b)																				

2/23/2016 Steve's evaluation.

- (a) If the OEL exceeds the HAA5 MCL, system must conduct an operational evaluation and submit a report to CDPH no later than 90 days after being notified of the analytical result that caused the OEL exceedance.
- (b) If LRAA exceeds the HAA5 MCL, system must conduct public notification. For the initial 3 qtrs of monitoring, system must meet the following: (1) Average of First Qtr Result is ≤4 MCL, (2) Average of 1st and 2nd Qtr Results is ≤ 2MCL, and (3) Average of 1st, 2nd, and 3rd Qtr Results is ≤1.33 MCL.
- (c) If any individual quarter's result will cause the LRAA to exceed the HAA5 MCL, the system is out of compliance at the end of that quarter.

Signature _____ Date _____

Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. _____

Consumers Notified _____ Yes _____ No

If not, Explain: _____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Department approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated: _____

Signature of Person Serving Notice

**** Notice:** Complete this Proof of Notification and return it **along with a copy of the notification** to the Department within **10 days** of posting the notification.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a 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 fine of not more than twenty-five thousand dollars (\$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.

