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GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 14, 2014

PWS No. 3410011

Richard Bisnet
City of Galt Public Water System
495 Industrial Drive
Galt, CA 95632

**CITY OF GALT PUBLIC WATER SYSTEM (PWS# 3410011) – 2013 CALENDAR YEAR
NITRATE MONITORING VIOLATION AND CITATION**

Attached is a copy of the Division of Drinking Water Citation for failing to monitor the nitrate concentrations in the City of Galt public water system sources during 2013 calendar year.

If you have any questions, please contact me at Ali.rezvani@Waterboards.ca.gov or Bruce Berger, Bruce.berger@Waterboards.ca.gov (916) 449-5666.

Sincerely,

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

Ali R. Rezvani, P.E.
Sacramento District Engineer
Division of Drinking Water

Attachment: Citation

cc. Bruce Berger, Sanitary Engineer
Sacramento County Department of Environmental Health

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: City of Galt
495 Industrial Drive
Galt, CA 95632

Attn: Richard Bisnet
City of Galt

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, SECTION 64532.1(a) - WATER SYSTEM NO. 3410011
CITATION NO. 01-09-14-CIT-002
Issued on August 14, 2014

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation 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, 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 Galt (hereinafter, City) (495 Industrial Drive, Galt, CA 95632) for violation of California Code of Regulations (CCR), Title 22, Section 64432.1 subsection (a).

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
5 of this 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
13 violation or violations, including a reference to the statutory provision, standard, order,
14 citation, permit, or regulation alleged to have been violated.

15 (c) A citation may specify a date for elimination or correction of the
16 condition 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
20 one 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, Section 64432.1, subsection (a)**
25 **provides, in relevant part:**
26

1 (a) To determine compliance with the MCL for nitrate in Table 64431-
2 A, all public water systems using groundwater and transient-non-
3 community systems using approved surface water shall monitor
4 annually, and all community and non-transient-non-community
5 systems using approved surface water shall monitor quarterly.
6

7 **STATEMENT OF FACTS**

8 The City water system is operated under Water Supply Permit No. 67-20, issued on
9 April 18, 1967.
10

11 The City domestic water system serves approximately 22,982 year-round residents
12 through 137 service connections, and as such, is classified as a community water
13 system. The District is, according to Section 64432.1(a) of Title 22, is required to
14 collect one sample per year for analysis of Nitrate content to determine compliance
15 with the MCL for nitrate.
16

17 In 2013, the City failed to collect the minimum of one routine Nitrate sample from each
18 of the sources in the water system. The City's domestic water system notified the
19 Department in July of 2014 of the failure to collect one routine Nitrate sample from the
20 water system sources when the City filed its Annual Report. Therefore, for the year
21 2013, the City had failed to comply with regulations that require annual samples to be
22 taken.
23

24 In response to the recognition that no samples were taken during the year of 2013,
25 the City took Nitrate samples in July of 2014 that resulted in non-detects in the
26 analysis.
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DETERMINATION

The City has failed to collect the minimum of one routine Nitrate sample from each of the groundwater sources in the system for the year of 2013. Consequently, the Division has determined that the City violated Section 64432.1(a), Title 22, of the CCR for the year of 2013.

DIRECTIVES

The City is hereby directed to take the following actions:

The City is hereby directed to take the following actions:

1. Comply with Section 64432.1(a), Title 22, of the CCR in future monitoring periods.

2. Within 30 days of the issuance of this Citation, notify all persons served by the City of the MCL violation as required by Section 64432.1(a), Title 22, of the CCR. Notification shall be completed in accordance with each of the following:
 - a. Mail or direct delivery of the notice contained in Attachment 'A' 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 City.

 - b. Provide the notice contained in Attachment 'A' to customers using one or more of the following methods to reach persons not likely to be reached by a public posting:

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- i. Publication in a local newspaper,
- ii. Posting in conspicuous public places within the service area,
- iii. Posting on the Internet, or
- iv. Delivery to community organizations.

Changes and/or modifications to Attachment 'A' shall be not be made unless approved by the Division.

- 3. Complete and return Attachment 'B' "Certification of Completion of Public Notification" form within 10 days of giving public notice. A copy of the notice used to provide public notification shall be attached to the form.
- 4. Within 30 days of receipt of this Citation, the City shall submit a written response to the Division indicating its willingness to comply with directives of this Citation.

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 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.

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

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Ali R. Rezvani, P.E.
Sacramento District Engineer
Division of Drinking Water
State Water Resources Control Board
P.O. Box 997413, MS 7400
Sacramento, CA 95899-7413
(916) 449-5600

PARTIES BOUND

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

SEVERABILITY

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

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.

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August 14, 2014

Date



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

Attachments:

1. Public Notification Template
2. Proof of Notification Form

cc: County of Sacramento, Department of Environmental Health



Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board Division of Drinking Water (Division) for approval prior to distribution or posting, unless otherwise directed by the Division [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 [64463.7(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		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, insertion in an annual notice, or included in the Consumer Confidence Report¹. 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 standard language for monitoring and testing procedure violations and notification language in italics unchanged. This language is mandatory [64465].

¹ CCR may be used as long as public notification timing and delivery requirements are met [64463.7(d)].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs ^(a)	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) 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.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (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.

Population Served

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

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- “We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.”
- “We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]”
- “We plan to take the required samples soon, as described in the last column of the table above.”

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 Department 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 Department 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 muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

**Monitoring Requirements Not Met for
City of Galt Public Water System (PWS# 3410011)**

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

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 our drinking water meets health standards. During 2013 calendar year, we did not monitor or test for Nitrate and therefore, cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
Nitrate	Once sample every year	None	Once every year	During 2014

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Water samples were collected during 2014.

For more information, please contact _____ at () - _____ or by mail at _____

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.

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 City of Galt public water system.

State Water System ID#: 3410011. Date distributed: _____.

PROOF OF NOTIFICATION

Notice of Violation

Name of Water System: City of Galt

Public System Number: 3410011

Certification

As required by Section 116450 of the California Health and Safety Code, we notified the users of the water supplied by the City of Galt water system of the violation of State of California Nitrate Rule during the year of 2013. We complied with the Citation 01-09-14-CIT-002 as indicated below:

Required Action	Date Completed
Public Notification – Daily Newspaper Notice	
Public Notification – Mail or Hand Delivery	
_____ Signature of Water System Representative	_____ Date

Please attach a copy of the notice as published in the daily newspaper within the areas served by the system.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE Division

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.