



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 24, 2015

Mary Hodges
General Manager
Havasu Water Company
P.O. Box 1690
Havasu Lake, CA 92363

Dear Ms. Hodges:

COMPLIANCE ORDER NO. 05-13-15R-005 TO HAVASU WATER COMPANY FOR TOTAL TRIHALOMETHANES MCL EXCEEDANCE (SYSTEM NO. 3610017)

The Division has hereby issued a compliance order to the Havasu Water Company (Company) 05-13-15R-005 for the following violation(s):

- Title 22, California Code of Regulations (CCR), Sections 116655(a)(1) and 64533. Specifically, the District has exceeded the total trihalomethanes (TTHM) MCL in the 3rd quarter of 2015. All public water systems are required to comply with the primary MCL's at all times.

The Division expects that the Company will work expeditiously to stay on schedule with the deadlines of this compliance order to achieve compliance with the TTHM MCL.

A written response to this compliance order is due by December 31, 2015. If you have any questions regarding this letter, please contact Mr. Sean McCarthy at (909) 383-4328 or by e-mail at sean.mccarthy@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Sean F. McCarthy".

Sean F. McCarthy, P.E.
District Engineer
Division of Drinking Water
San Bernardino District

Cc: Sean Sterchi, P.E., Regional Engineer – SWRCB-DDW
Cindy Forbes, P.E., Deputy Director – SWRCB -DDW

ENCLOSURE

COMPLIANCE ORDER NO. **05-13-15R-005**

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Havasu Water Company
P.O. Box 1690
Havasu Lake, CA 92363

ATT: Mary Hodges
General Manager

COMPLIANCE ORDER NO. 05-13-15R-005
FOR
VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE SECTION 116555 (a) (1)
AND THE PRIMARY DRINKING WATER STANDARD FOR TOTAL TRIHALOMETHANES
CALIFORNIA CODE OF REGULATIONS, TITLE 22 SECTION 64533
Issued on November 24, 2015

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 this Compliance Order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to the Havasu Water Company (hereinafter "Company") for violation of the CHSC Section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64533.

1
2 **APPLICABLE AUTHORITIES**

3
4 **Section 116555(a)(1) of the CHSC, states in relevant part:**

5 (a) Any person who owns a public water system shall ensure that the system does all of
6 the following:

- 7 (1) Complies with primary and secondary drinking water standards.
8

9 **Section 116655 of the CHSC, states in relevant part:**

10 (a) Whenever the Department determines that any person has violated or is violating this
11 chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the
12 director may issue an Order doing any of the following:

- 13 (1) Directing compliance forthwith.
14 (2) Directing compliance in accordance with a time schedule set by the Department.
15 (3) Directing that appropriate preventive action be taken in the case of a threatened
16 violation.

17 (b) An Order issued pursuant to this section may include, but shall not be limited to, any or
18 all of the following requirements:

- 19 (1) That the existing plant, works, or system be repaired, altered, or added to.
20 (2) That purification or treatment works be installed.
21 (3) That the source of the water supply be changed.
22 (4) That no additional service connection be made to the system.
23 (5) That the water supply, the plant, or the system be monitored.
24 (6) That a report on the condition and operation of the plant, works, system, or water

25 supply be submitted to the Department.
26

1
2 **CCR, Title 22, Section 64533, states in relevant part:**

3 Public water systems shall comply with the primary MCLs in table 64431-A as specified in this
4 article.

5 **Table 64533-A**

6 **Maximum Contaminant Levels and Detection Limits for Purpose of Reporting
7 Disinfection Byproducts**

<i>Disinfection Byproduct</i>	<i>Maximum Contaminant Level (mg/L)</i>	<i>Detection Limit for Purposes of Reporting (mg/L)</i>
Total trihalomethanes (TTHM)	0.080	
Bromodichloromethane		0.0010
Bromoform		0.0010
Chloroform		0.0010
Dibromochloromethane		0.0010
Haloacetic acids (five) (HAA5)	0.060	
Monochloroacetic Acid		0.0020
Dichloroacetic Acid		0.0010
Trichloroacetic Acid		0.0010
Monobromoacetic Acid		0.0010
Dibromoacetic Acid		0.0010
Bromate	0.010	0.0050 0.0010 ¹
Chlorite	1.0	0.020

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15 ¹ For analysis performed using EPA Method 317.0 Revision 2.0, 321.8, or 326.0

16
17 **CCR Title 22, Section 64535.2(b), states in relevant part:**

18 (e) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(d), shall
19 be determined as follows:

20 (1) For systems monitoring quarterly, each locational running annual average (LRAA),
21 computed quarterly, shall not exceed the MCL specified in Section 64533;

22 (2) For systems monitoring annually or less frequently, each sample collected shall
23 not exceed the MCLs specified in section 64533. If no sample exceeds the MCL, the sample
24 result for each monitoring location shall be considered the LRAA for the monitoring location. If
25 any sample exceeds the MCL, systems shall increase monitoring pursuant to section
26 64534.2(d)(5). Compliance with the MCL shall then be determined by the average of the sample

1 that triggered the quarterly monitoring and the following three quarters of monitoring, unless the
2 result of fewer than four consecutive quarters (including the quarter that triggered the quarterly
3 monitoring), and until such time as monitoring returns to routine monitoring pursuant to section
4 64534.2(d)(5), compliance shall be determined pursuant to paragraph (1).

5
6 **STATEMENT OF FACTS**
7

8 The Company serves water to approximately 361 individuals through approximately 222 service
9 connections. The water system is operated under Domestic Water Supply Permit No 03-13-
10 97P-004, issued on February 10, 1998. The water system consists of one surface water
11 source, one clearwell, one hydropneumatic tank, and two booster stations. The water system is
12 a community public water system as defined in the CHSC, Section 116275.

13
14 Title 22, CCR, Division 4, Chapter 15.5, Article 2, establishes drinking water standards and
15 monitoring and reporting requirements for disinfection byproducts. Community water systems
16 must comply with the maximum contaminant level for TTHM of 0.080 mg/L, as established in
17 Title 22, CCR, Section 64533.

18
19 The Company routinely collects quarterly samples for disinfection by-products from two
20 locations in its distribution system according to its approved sampling plan dated July 29, 2013.
21 From 2006 through 2009, the Company regularly exceeded the TTHM MCL of 0.080 mg/L, and
22 since then, has implemented a strategy to minimize formation of TTHMs within its distribution
23 system through regular flushing and lowered chlorine residual. The Division accepted this
24 strategy provided quarterly samples for disinfection by-products are collected to monitor its
25 effectiveness and the LRAA remained below the MCL.

1 Section 64534.2(d)(5) provides that compliance with the disinfection byproducts MCLs is based
2 on a "locational running annual average" (LRAA) of the quarterly monitoring samples, computed
3 each quarter.

4
5 A summary of the water system's TTHM monitoring is presented in **Table 1** below. All results
6 are as reported to the Division by the laboratory that performed the analysis.

7 **Table 11: TTHM Monitoring Results (in mg/L)**

8 Sample Quarter	Site 1: Cement Plant	Site 2: 148621 Desert View Ln.
9 4 th Quarter 2014	0.050	0.052
10 1 st Quarter 2015	0.044	0.046
2 nd Quarter 2015	0.088	0.102
3 rd Quarter 2015	0.195	0.142
11 Running Annual Average	0.094	0.086

12
13 **DETERMINATION**

14
15 Based on the above Statement of Facts, the Division has determined that the Company has
16 violated the CHSC, Section 116555 and Title 22, CCR, Section 64534 in that the water
17 delivered exceeded the TTHM MCL as shown in **Table 1** above, and further has determined
18 that said violation is continuing through the date of this Order.

19
20 **DIRECTIVES**

21
22 The Company is hereby directed to take the following actions:

- 23
24 1. On or before January 1, 2019, comply with Title 22, CCR, Section 64534 and remain in
25 compliance.

- 1 2. On or before December 31, 2015 submit a written response to the Division indicating its
2 agreement to comply with the directives of this Order and with the Corrective Action Plan
3 addressed herein.
4
- 5 3. Commencing on the date of service of this Order, provide quarterly public notification in
6 accordance with **Attachment No. 1**, hereto, of the Company's failure to meet the TTHM
7 MCL during any calendar quarter that the four-quarter running annual average exceeds the
8 MCL.
9
- 10 4. Commencing on the date of service of this Order, submit proof of each public notification
11 conducted in compliance with **Directive No. 2**, herein above, within 10 days following each
12 such notification, using the form provided as **Attachment No. 2**, hereto.
13
- 14 5. Commencing on the date of service of this Order collect quarterly samples for disinfection
15 byproducts from each sample site specified in the approved Stage 2 Sampling Plan,
16 provided as Attachment No. 4, as required by Title 22, CCR, Section 64534.2(d)(5), and
17 ensure that the analytical results are reported to the Division electronically by the analyzing
18 laboratory no later than the 10th day following the month in which the analysis was
19 completed.
20
- 21 6. Prepare for Division review and approval, and prior to implementation, a Corrective Action
22 Plan identifying improvements to the water system designed to correct the water quality
23 problem (violation of the TTHM MCL) and ensure that the Company delivers water to
24 consumers that meets primary drinking water standards. The plan shall include a time
25 schedule for completion of each of the phases of the project such as design, funding,

1 construction, and startup, and a date as of which the Company will be in compliance with
2 the TTHM MCL.

3
4 7. On or before February 28, 2016, present the Corrective Action Plan required under
5 **Directive No. 6**, above, to the Division located at 464 W. 4th St Suite 437 San Bernardino,
6 CA 92401.

7
8 8. Timely perform the Division approved Corrective Action Plan and each and every element
9 of said plan according to the time schedule set forth therein.

10
11 9. On or before February 28, 2016 and every three months thereafter, submit a report to the
12 Division in the form provided as **Attachment No. 3**, hereto, showing actions taken during
13 the previous calendar three months to comply with the Corrective Action Plan.

14
15 10. Not later than ten (10) days following the date of compliance with the TTHM MCL,
16 demonstrate to the Division that the water delivered by the Company complies with the
17 TTHM MCL.

18
19 All submittals required by this Order shall be addressed to:

20 Sean McCarthy, P.E.
21 District Engineer
22 State Water Resources Control Board
23 Division of Drinking Water
464 W. 4th St. Suite 437
San Bernardino, CA 92401

24 As used in this Order, the date of issuance shall be the date of this Order; and the date of
25 service shall be the date of service of this Order, personal or by certified mail, on the Havasu
26 Water Company.

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The Division reserves the right to make such modifications to this Order and/or to issue such further Order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves the Company of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or Order issued thereunder.

PARTIES BOUND

This Order shall apply to and be binding upon the Havasu Water Company, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Order are severable, and Havasu Water Company shall comply with each and every provision hereof, 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 regulation, permit, standard, Citation, 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



1 action to suspend or revoke a permit that has been issued to a public water system if the public
2 water system has violated applicable law or regulations or has failed to comply with an Order of
3 the Board; and to petition the superior court to take various enforcement measures against a
4 public water system that has failed to comply with an Order of the Board. The Board does not
5 waive any further enforcement action by issuance of this Order.

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11 Sean Sterchi, P.E., Chief
12 South Coast Section
13 State Water Resources Control Board
14 Division of Drinking Water

11/24/15
Date

13 Certified Mail No. 7006 2150 0004 3940 7853

15 Enclosures:

- 16 (1) Public Notification Template w/ Instructions
- 17 (2) Proof of Public Notification Form
- 18 (3) Quarterly Progress Report
- 19 (4) Stage 2 Sampling Plan



20 cc: County of San Bernardino, Department of Environmental Health (w/o attachments)
21 County of San Bernardino, Board of Supervisors (w/ attachments)

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23
24

Attachment No. 1

Public Notification Template w/ Instructions

Instructions for Tier 2 Chemical or Radiological MCLs Notice Template

Template Attached

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [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 [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(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 on the Internet or intranet ^(b)
		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. 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 health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water

system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system 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 Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove [contaminant] or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for [contaminant]."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

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 DDW 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 DDW 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.

[System] Has Levels of [Contaminant] Above the Drinking Water Standard

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. Water sample results received on [date] showed [name of contaminant] levels of [level and units]. This is above the standard, or maximum contaminant level (MCL), of [standard and units].

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an immediate risk. If it had been, you would have been notified immediately. However, [Insert relevant health effects language from section 64465 appendix].
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

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 [system].

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

Attachment No. 2

Proof of Public Notification Form

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 Division 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 Division within 10 days of receipt of giving public notice.

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.

Attachment No. 3

Quarterly Progress Report

Attachment No. 3

Quarterly Progress Report

Quarterly Progress Report

Water System:	Water System No.:
Compliance Order No.:	Violation:
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, _____ District Office.

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

Tasks remaining to complete:

Anticipate compliance date:

Name

Signature

Title

Date

Attachment No. 4

Stage 2 Sampling Plan

State of California
Drinking Water Program

Department of Public Health

**TTHM/HAA5 Report for Disinfection Byproducts Compliance
(For Systems Monitoring Annually or Every Three Years)**

System Name: Havasu Water Company System No.: 3610017

Calendar Year: 2014

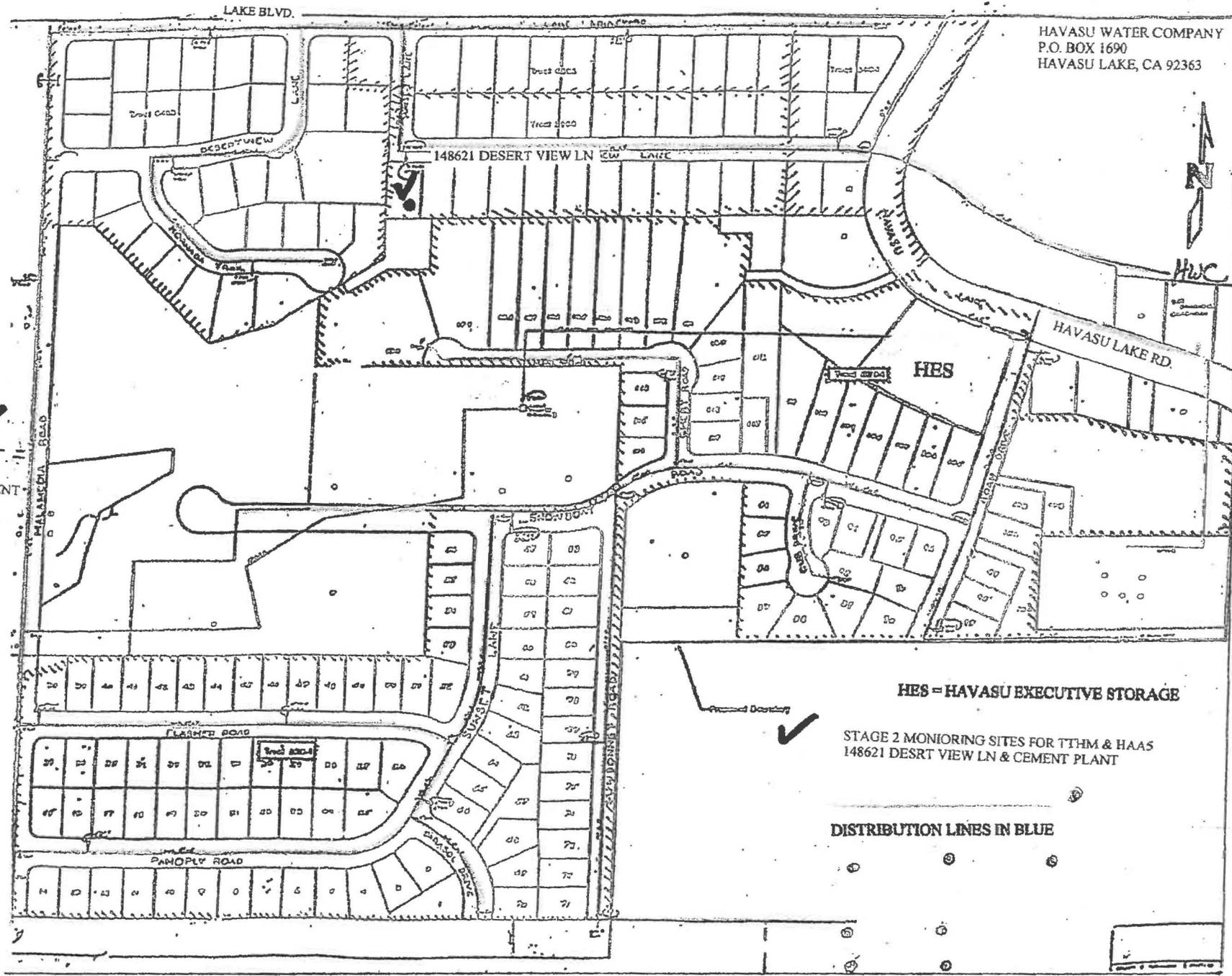
Sample Location	Sample Date	Total Trihalomethanes Level (TTHM) (µg/L or ppb)	Five Haloacetic Acids Level (HAA5) (µg/L or ppb)
Cement Plant			
148621 Desert View LN.			
If monitoring annually, report the average TTHM and HAA5 of all samples taken over the last 12 months:			
Meets standard? (The standard is 80 ppb for TTHM and 60 ppb for HAA5.)		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If monitoring annually, report the number of samples taken during the last 12 months:			

Comments:

Signature: Teddy A. Woodgame

Date: July 17, 2013

HAVASU WATER COMPANY
P.O. BOX 1690
HAVASU LAKE, CA 92363



HES = HAVASU EXECUTIVE STORAGE

STAGE 2 MONITORING SITES FOR TTHM & HAAS
148621 DESRT VIEW LN & CEMENT PLANT

DISTRIBUTION LINES IN BLUE