CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Seeley County Water District
1898 West Main Street
P.O. Box 161
Seeley, CA 92273

Attn: Beatriz Scroggins, Board President

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS TITLE 22, SECTION 64533 WATER SYSTEM NO. 1310013

CITATION No. 05-14-16C-004

Issued on May 10, 2016

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 citation (hereinafter "Citation") pursuant to Section 116650 of the California Health and Safety Code (hereinafter "CHSC") to the Seeley County Water District (hereinafter "Seeley") water system for violation of California Code of Regulations, Title 22, (hereinafter "CCR, Title 22") Section 64533.

APPLICABLE AUTHORITIES

CHSC, §116650 provides:

116650. Citations.

(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

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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.

CCR Title 22, §64400.90 provides, in relevant part:

"Operational evaluation level" or "OEL" means the sum of the two previous quarters' total trihalomethanes (TTHM) results plus twice the current quarter's TTHM result, divided by 4 to determine an average; or the sum of the two previous quarters' haloacetic acids (five) (HAA5) results plus twice the current quarter's HAA5 result, divided by 4 to determine an average.

CCR Title 22, §64465, subsection (c) provides, in relevant part:

"(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

...

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking

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residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or

2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language;"

CCR, Title 22, §64533 provides, in relevant part:

"(a) Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535, and 64535.2, the primary Maximum Contaminant Level (MCL) *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

Disinfection Byproduct	Maximum Contaminant Level (mg/L)	Detection Limit for Purposes of Reporting (mg/L)
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

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CCR Title 22, §64534.2, subsection (d) (6) provides, in relevant part:

(6) If the OEL exceeds 0.080 mg/L for TTHM or 0.060 mg/L for HAA5 at any monitoring location, systems shall conduct an operational evaluation. The operational evaluation shall include the examination of system treatment and distribution operational practices, including storage tank operations, excess storage capacity, distribution system flushing, changes in sources or source water quality, and treatment changes or problems that may contribute to TTHM and HAA5 formation and what steps could be considered to minimize future exceedances. Systems that are able to identify the cause of the OEL exceedance may submit a written request to the State Board to limit the scope of the evaluation. The request to limit the scope of the evaluation shall not extend the schedule in section 64537(d) for submitting the written report to the State Board;

CCR Title 22, §64535.2, subsection (e) provides, in relevant part:

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

(1) For systems monitoring quarterly, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533;

...

(4) If the LRAA exceeds the MCL, calculated based on four consecutive quarters of monitoring (or the LRAA calculated based on fewer than four quarters of data if the MCL would be exceeded regardless of the monitoring results of subsequent quarters), the system is in violation of the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including the language in appendix 64465-G, in addition to reporting to the Department pursuant to sections 64537 through 64537.6."

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CCR Title 22, §64537, subsection (d) provides, in relevant part:

(d) Systems required to conduct an operational evaluation pursuant to section 64534.2(d)(6) shall submit a written report of the evaluation to the State Board no later than 90 days after being notified of the analytical result that caused the OEL exceedance. Systems shall make the written report available to the public upon request. If the State Board approves the system's written request to limit the scope of the evaluation under section 64534.2(d)(6), the system shall keep the written approval with the completed report.

ENFORCEMENT HISTORY

In the 34-quarter Stage 1 monitoring period, between second quarter 2005 and third Quarter 2013, the Seeley water system (hereinafter "Water System") violated the TTHM MCL Running Annual Average (RAA) 25 times, or 74% of the operating period.

On October 26, 2006, a Citation for Noncompliance (No. 05-14-06C-016) was issued for failure to meet the TTHM MCL during the second quarter of 2006.

On February 9, 2007, a Citation for Noncompliance (No. 05-14-07C-007) was issued for failure to meet the TTHM MCL during the third and fourth quarters of 2006.

On April 23, 2009, a Citation for Noncompliance (No. 05-14-09C-006) was issued for failure to meet the TTHM MCL during the first quarter of 2009.

On May 5, 2014, a Citation for Noncompliance (No. 05-14-14C-001) was issued for failure to meet the TTHM MCL during the fourth quarter 2012, and first, second, and third quarters of 2013. On July 25, 2014, Amendment One to Citation No. 05-14-14C-001 was issued to update directive 10. On April 29, 2015, Amendment No. 2 to Citation No. 05-14-14C-001 was issued to update directives 4 and 10.

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On May 10, 2016, a Citation for Noncompliance (No. 05-14-16C-003) was issued for failure to meet the TTHM MCL for seven consecutive quarters, 3rd quarter of 2014 through 1st quarter of 2016.

STATEMENT OF FACTS

Division is informed by the Water System and believes that the Water System is a community water system located in Imperial County that supplies water for domestic purposes to approximately 463 permanent individuals through approximately 1,730 service connections. The Water System operates under Domestic Water Supply Permit No. 05-14-05P-007, issued on May 5, 2005. The Water System is a community public water system as defined in CHSC, §116275; therefore, the Water System must comply with CCR, Title 22.

The Water System is a Schedule 4 system under the Stage 2 Disinfection Byproducts Rule (DBPR). As of October 1, 2013, pursuant to CCR, Title 22, Section 64534.2(d), the Water System is required to collect two distribution system samples per quarter for TTHM and HAA5 analyses at the locations in their approved Compliance Monitoring Plan, which are shown in the following table:

Table 1: Seeley's Stage 2 DBPR Sampling Locations

Constituent	Stage 2 Sample Site	PS Code	Location	Pressure Zone	Source Reservoir
TTHM	Rest Area	1310013-900	Caltrans Rest Area	Main: SE	Clearwell
HAA5	Office	1310013-901	WWTP	Main: NW	Clearwell

According to Section 64535.2(e)(1), "For systems monitoring quarterly, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533", which for HAA5s is 60 parts per billion (µg/L) and TTHMs is 80 µg/L.

During the period of 4th quarter 2013 through 1st quarter 2016, the Water System collected TTHM and HAA5 samples as required. The Stage 2 DBPR TTHM results for this period

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are discussed in Citation No. 05-14-16C-003, issued May 10, 2016. The HAA5 results for this period are shown in **Table 2** and **Table 3**.

Table 2: Seeley's 4th Quarter 2013-2014 HAA5 Results (all results in µg/L)

Sample Site	4th Q 2013	1st Q 2014	2nd Q 2014	3rd Q 2014	4th Q 2014
Office	22	27	45	38	65
OEL Calculations			**2nd Q 2014**	**3rd Q 2014**	**4th Q 2014**
Office	-	-	38	39	53
LRAA Calculations				**3rd Q 2014**	**4th Q 2014**
Office	-	-	-	37	46

Table 3: Seeley's 2015 HAA5 Results (all results in µg/L)

Sample Site	1st Q 2015	2nd Q 2015	3rd Q 2015	4th Q 2015	1st Q 2016
Office	34	53	110	77	95
OEL Calculations	**1st Q 2015**	**2nd Q 2015**	**3rd Q 2015**	**4th Q 2015**	**1st Q 2016**
Office	43	51	**77**	**96**	**103**
LRAA Calculations	**1st Q 2015**	**2nd Q 2015**	**3rd Q 2015**	**4th Q 2015**	**1st Q 2016**
Office	46	48	**66**	**77**	**92**

Per Table 4, the Water System exceeded the HAA5 OEL and MCL of 60 µg/L at the Office sample site in the 3rd and 4th quarters of 2015 and the 1st quarter of 2016.

Per CCR, Title 22, §64534.2(d)(6) if the OEL calculation, performed per CCR, Title 22, §64400.90, results in HAA5s greater than 60 µg/L and/or TTHMs greater than 80 µg/L, then the Water System must conduct an operational evaluation. Per CCR, Title 22, §64537(d) if the Water System exceeds the HAA or TTHM OEL at any sampling location, then they must submit the OEL report to the Division within 90 days of receiving lab analysis indicating an OEL exceedance. In lieu of OEL reports, the Water System can submit quarterly updates on HAA5 compliance plan milestone. However, quarterly reports shall be submitted to the Division by the 10th day of the month following the monitoring quarter.

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The Water System was informed of the OEL reporting requirements in the "Stage 2 DBPR Compliance Monitoring Plan" letter, dated May 24, 2013 (Attachment 1). The system was reminded of the requirement in an "Operational Evaluation Level Exceedance Requirements" letter, dated July 24, 2014 (Attachment 2), and an email "Seeley OEL Reporting", dated January 22, 2016 (Attachment 3). However, the Water System has failed to submit the three (3) required HAA5 OEL reports to the Division for the period the 3rd and 4th quarters of 2015 and 1st quarter 2016.

The Division received from the Water System's Tier 2 public notification proof of notification certification for 3rd and 4th quarters of 2015 and the 1st quarter 2016. However, the Tier 2 public notification did not comply with the Spanish language requirements of CCR, Title 22, §64465(c)(2). In an email, dated March 4, 2016 (Attachment 6), the Division provided the Water System with three options for complying with Spanish language public notification requirements.

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that during three (3) consecutive quarters, 3rd and 4th quarters of 2015 and 1st quarter 2016, the Water System violated CCR, Title 22, §64533 for the LRAA HAA5 MCL at the Office sample site. The Division determined that for three (3) consecutive quarters, 3rd and 4th quarters of 2015 and 1st quarter 2016, the Water System violated CCR, Title 22, §64537(d) for failure to submit HAA5 OEL reports to the Division no later than 90 days after being notified of the analytical result that caused the OEL exceedance. Finally, the Division determined that the Water System did not meet the Spanish language public notification requirements of CCR, Title 22, §64465(c)(2) for the Tier 2 HAA5 public notifications issued for the 3rd and 4th quarters of 2015 and 1st quarter 2016.

DIRECTIVES

Water System is hereby directed to take the following actions:

1. At all times subsequent to this Citation, comply with California Code of Regulations, Title 22, §64533's MCL for HAA5, 60 µg/L, in drinking water supplied to the public.

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2. The Water System shall repeat public notification every three months for as long as the HAA5 MCL violations continue in accordance with CCR, Title 22, §64463.4 and §64465(c)(2). Public notice shall be via 1. Mail or direct delivery to each customer, and 2. Posting notice using one or more of the following methods: posting on the internet and/or local newspaper, posting in conspicuous public spaces served by the water system, and delivery to community organizations. A draft notification shall be submitted to the Division for review and approval prior to conducting public notification. The public notice shall be updated quarterly with the most recent HAA5 results.

3. The Water System shall include information regarding the 2015 calendar year HAA5 MCL violations identified in this Citation in the 2015 Consumer Confidence Report, which shall 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.

4. The Water System shall include information regarding the 2016 calendar year HAA5 MCL violations identified in this Citation in the 2016 Consumer Confidence Report, which shall be completed and distributed to customers by July 1, 2017. A draft of the 2016 Consumer Confidence Report shall be submitted to the Division for review and approval prior to distribution and/or posting.

5. By **June 30, 2016**, the Water System shall provide to the Division an updated Operational Evaluation Level (OEL) Report.

6. By **June 30, 2016**, the Water System shall submit a HAA5 Compliance Plan, including at the minimum the following:

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a. Implementation plan for recommendations from the OEL Report per Directive #5 above.

b. Treatment plant optimization including an evaluation of:

i. TOC sampling to verify treatment optimization efficacy. Paired sampling locations must include:

1. Raw Canal
2. Settling Pond Effluent
3. Entry Point to Distribution System

ii. Raw water conditioning with pre-oxidants (e.g. potassium permanganate) and coagulation;

iii. Primary coagulation targeting natural organic matter removal;

7. If treatment optimization per Directive #6 above is deemed insufficient to return to compliance by **September 30, 2016**, then a report prepared by a licensed qualified engineer, evaluating the following HAA5 Best Available Technologies at a minimum, shall be submitted by **December 31, 2016**:

a. Biologically Active Carbon Filtration (pre-disinfection)
b. Powdered Activated Carbon (raw water natural organic material absorption)
c. Other technologies as deemed appropriate by a licensed qualified engineer

All submittals required by this Citation shall be addressed to:

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Sean Sterchi, P.E.
San Diego District Engineer
State Water Resources Control Board
Division of Drinking Water
1350 Front Street, Room 2050
San Diego, CA 92101

As used in this Citation, the date of issuance shall be the date of this Citation; and the date of service shall be the date of service of this Citation, personal or by certified mail, on the Water System.

The Division reserves the right to make such modifications to this Citation and/or to issue such further citations 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 Water System of its obligation to meet the requirements of Chapter 4, Part 12, Division 104 of the CHSC (hereinafter "the California SDWA"), and any regulation, permit, standard or order issued or adopted thereunder.

PARTIES BOUND

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

SEVERABILITY

The Directives of this Citation are severable, and the Water System shall comply with each and every provision hereof, notwithstanding the effectiveness of any provision.

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FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division to: issue a citation with assessment of administrative penalties to a public water system for violation of 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 action to suspend or revoke a permit that has been issued to a public water system if the public water 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.

5/10/16
Date

Sean Sterchi, P.E.
San Diego District Engineer
State Water Resources Control Board
Division of Drinking Water

CERTIFIED MAIL NO. 7015 3010 0001 9444 3590

ATTACHMENTS:

1) Stage 2 DBPR Compliance Monitoring Plan
2) Operational Evaluation Level Letter
3) Seeley OEL Reporting Email
4) Spanish Language Public Notification Email

cc) Jeff Lamoure, Deputy Director for Environmental Health Services, County of Imperial (via email)

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Attachment 1

State of California—Health and Human Services Agency
California Department of Public Health

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

May 24, 2013

John Valdez
General Manager
Seeley County Water District
1898 W. Main Street
Seeley, CA 92273

Dear Mr. Valdez:

SEELEY COUNTY WATER DISTRICT, SYSTEM NO. 1310013
STAGE 2 DISINFECTANTS AND DISINFECTION BYPRODUCTS RULE
COMPLIANCE MONITORING PLAN

The purpose of this letter is to serve as a reminder of the requirements and impending deadlines associated with the Federal - Stage 2 Disinfection Byproduct Rule (Stage 2 DBPR), which has now been incorporated into Title 22, California Code of Regulations, §64530 (d) and 64534.2(d). The letter addresses the following issues:

- Review and revision of Seeley County Water District (Seeley) Stage 2 DBPR Compliance Monitoring Plan (CMP)
- Reporting Requirements
- Summary of Operational Evaluation Level (OEL) Exceedance Requirements

Per Stage 2 DBPR regulations Seeley is a Schedule 4 system. Schedule 4 systems are defined as systems serving less than 10,000 people, or belonging to a combined distribution system in which the largest system serves less than 10,000 people. As a Schedule 4 system, Seeley submitted a CMP as part of the Initial Distribution System Evaluation (IDSE) report. Seeley's CMP identified one total trihalomethanes (TTHM) and one haloacetic acids (HAA5) sampling locations, which will be monitored on a quarterly frequency.

Stage 2 DBPR CMP

The locations listed in Table 1 below are the approved Stage 2 sample locations. Please bring to our attention any discrepancies or requests for proposed location changes.

Table 1. Stage 2 Sample Locations

Constituent	Stage 2 Sample Site	PS Code	Location	Pressure Zone	Source Reservoir
TTHM	Rest Area	1310013-900	Caltrans Rest Area	Main: SE	Clearwell
HAA	Office	1310013-901	WWTP	Main: NW	Clearwell

Please submit a revised system map showing the approved sampling locations **by September 1, 2013**.

As a Schedule 4 system Seeley must begin using the CDPH approved CMP by October 1, 2013 and must begin sampling in fourth quarter 2013. Based on the IDSE Report, Seeley must monitor in the second week in the months of February, May, August, and November. Per the approved CMP, Seeley will only monitor for TTHM at the Rest Area and only HAA at the Office. Seeley's first round of Stage 2 DBPR monitoring is scheduled to begin during the week of November 14th, 2013. As a reminder, for the first three quarters of 2013, please continue compliance monitoring for TTHM and HAA5 per the Stage 1 DBPR.

Please note Seeley is required to conduct the following monitoring and reporting as well:

- Chlorine residual monitoring at the new Stage 2 DBPR locations
- Total organic carbon (TOC) and alkalinity as per the CDPH approved Operations Plan for Seeley's Water Treatment Plant. Please note, surface water treatment plants must monitor for TOC to be eligible for Stage 2 DBPR reduced monitoring.

Reporting Requirements

Table 1 above lists the new PS Codes that have been assigned to each Stage 2 DBPR monitoring location. Seeley must submit the results electronically using these PS Codes. In addition, laboratory hardcopies must be submitted to the San Diego District office by the 10th day of the month following the monitoring quarter along with the signed

Compliance Calculation and OEL Spreadsheet forms (attached). Information on the electronic data transfer (EDT) process can be viewed at the website listed below.

http://www.cdph.ca.gov/certlic/drinkingwater/Pages/EDT.aspx

Operational Evaluation Levels (OELs) & OEL Report

Please note that compliance with each locational OEL is a new requirement. The OEL is a LRAA threshold meant to help systems identify if they are in danger of exceeding the MCL in the following quarter. The OEL is calculated in the following manner

$$OEL = \frac{Quarter\ 1 + Quarter\ 2 + (2 * Quarter\ 3)}{4}$$

If the calculated OEL for any quarter exceeds the limits of 80 ppb for TTHM or 60 ppb for HAA5, then the system is required to perform an Operational Evaluation and submit an Operational Evaluation Report to CDPH no later than 90-days after being notified by the laboratory of the analytical result that causes the OEL to exceed the limit.

The Operational Evaluation process is useful in that it alerts the system to the potential of a MCL violation, if DBPs remain at the current level. Additionally, the Operational Evaluation Report encourages a review of source water quality, as well as treatment and distribution system operational changes that may have contributed to the elevated DBP levels. Systems are required to perform a complete Operational Evaluation (e.g. evaluation of changes in source water quality, treatment, and distribution system conditions) unless sufficient causal evidence of the exceedance is presented to CDPH and CDPH grants approval to conduct a limited scope evaluation. The limited scope evaluation submittal deadline is the same as a full Operational Evaluation Report.

CDPH encourages all systems to review the US EPA's *Stage 2 Disinfectants and Disinfection Byproducts Rule Operational Evaluation Guidance Manual*, 815-R-08-018, available online at:

http://www.epa.gov/ogwdw/disinfection/stage2/pdfs/draft_guide_stage2_operationalevaluation.pdf

This guidance manual is an excellent resource in assisting treatment and distribution staff in evaluating water quality dynamics within the system. In order to assist systems in performing these evaluations, copies of the evaluation forms are attached to this letter and electronic pdf forms will be emailed to the system at a later date.

CDPH further encourages all systems that have the potential to exceed the OEL, based on Stage 1 and IDSE monitoring data, to prepare for a Stage 2 DBPR exceedance and begin collecting the data that is necessary to file the Operational Evaluation Report, if not already doing so. Below is a partial list of historical data that is required for filing the report.

Under the Source Evaluation, these elements include, but are not limited to, documenting changes in: raw water detention times, natural organic material levels, rainfall and reservoir turnover events, turbidity, pH, and alkalinity levels, etc.

Under the Treatment Evaluation, these elements include, but are not limited to, documenting changes in: flow rate, chemical feed rate and manufacturer, equipment failures, DBP precursors, effluent chlorine residual, etc.

Under the Distribution Evaluation, these elements include, but are not limited to, documenting changes in: localized temperature and residual trends, O&M events, systemic and high user demand patterns, etc.

Please see the attached evaluation forms for a complete listing of the historical data elements that are necessary for filing an Operational Evaluation Report.

Stage 2 Reporting Requirements

Seeley shall report quarterly Stage 2 monitoring results and OEL results to CDPH within 10 days after the end of each quarter in which samples were collected. Please note that CDPH requires both EDT and physical submittals of all Stage 2 results. Please see the attached Compliance Calculation and OEL Spreadsheet for the wet signature submittal forms.

Transitioning Existing Stage 1 MCL Violation to Stage 2 Reporting Requirements

During the transition period between Stage 1 and Stage 2 the Public Notification (PN) requirements continue. Specifically, Title 22, CCR, §64463.4 requires Tier 2 public notice when a system exceeds a TTHM and/or HAA5 MCL under Stage 1 or Stage 2. §64463.7 requires a Tier 3 public notice for monitoring and reporting (M&R) violations of either rule. Any activities associated with existing Stage 1 MCL violations are ongoing. Additionally, a system must include in its yearly consumer confidence report (CCR) the range of TTHM and HAAS individual sampling results during the transition period.

Analysis of Seeley's TTHM data indicates that it is likely that the Stage 1 RAA will exceed the MCL during the Stage 1 to Stage 2 transition period. As a result Seeley will be required to provide PN to their consumers that the system is in violation until a four quarter Stage 2 MCL compliance determination has been made.

As part of the PN, CDPH recommends that systems explain that they are collecting and evaluating new data before determining compliance with the MCL using the LRAA. The explanation should also detail the system's actions in addressing the TTHM and/or HAA5 levels, including the use of Stage 2 data to make improved treatment decisions *(e.g.,* data may identify an area in the distribution system with extended water age that the system can then address using water age management). Once the Stage 2 MCL compliance determination has been made and if it shows no exceedance of the Stage 2 MCL, then public notice for the Stage 1 violation is no longer necessary. However, if the Stage 2 MCL has been exceeded, Tier 2 public notice will be required for the Stage 2 MCL violation.

Your attention to this matter is greatly appreciated. If you have any questions, please contact Mr. Scott Ketcham at (619) 525 4395.

Sincerely,

Sean Sterchi, P.E.
District Engineer

Enclosures:
-Compliance Calculation & OEL Spreadsheet
-OEL evaluation forms.

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health, Imperial County Public Health Department

Attachment 2

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

July 24, 2014

Mr. Frank Cornejo
Chief Operator
1898 West Main Street
P.O. Box 161
Seeley, CA 92273

Dear Mr. Cornejo:

SEELEY COUNTY WATER DISTRICT, SYSTEM NO. 1310013
STAGE 2 DISINFECTANTS AND DISINFECTION BYPRODUCTS RULE
OPERATIONAL EVALUATION LEVEL EXCEEDANCE REQUIREMENTS

The purpose of this letter is to serve as a reminder of the Operational Evaluation Level (OEL) Exceedance Requirements associated with the Stage 2 Disinfection Byproduct Rule (Stage 2 DBPR), Title 22, California Code of Regulations, § 64534.2(d) and 64537(d). The Seeley County Water District (Seeley) has exceeded the OEL based on the last three quarters of data, and is therefore required to submit an Operational Evaluation Report **by September 10th, 2014**. The following includes the background for the Seeley's OEL determination and information on the Operational Evaluation Report.

Seeley is currently monitoring at the Stage 2 DBPR Compliance Monitoring Plan (CMP) approved monitoring locations, shown in Table 1 below:

Table 1. Stage 2 Sample Locations

Constituent	Stage 2 Sample Site	PS Code	Location	Pressure Zone	Source Reservoir
TTHM	Rest Area	1310013-900	Caltrans Rest Area	Main: SE	Clearwell
HAA	Office	1310013-901	WWTP	Main: NW	Clearwell

Per the approved CMP, Seeley is currently monitoring in the second week of the months of February, May, August, and November. Seeley submits the results to the San Diego District office electronically using the PS Codes in Table 1, and submits

laboratory hardcopies along with signed Compliance Calculation and OEL Spreadsheet forms by the 10th day of the month following the monitoring quarter.

Operational Evaluation Levels (OELs) & OEL Report

The OEL is a threshold meant to help systems identify if they are at risk of exceeding the Maximum Contaminant Level (MCL) in the following quarter and allow them to take corrective actions to prevent an MCL violation. The OEL is calculated in the following manner

$$OEL = \frac{Quarter\ 1 + Quarter\ 2 + (2 * Quarter\ 3)}{4}$$

If the calculated OEL for any quarter exceeds the limits of 80 parts per billion (ppb) for Total Trihalomethanes (TTHM) or 60 ppb for Haloacetic Acids (HAA5), then the system is required to perform an Operational Evaluation and submit an Operational Evaluation Report to State Water Resources Control Board, Division of Drinking Water (Division) no later than 90-days after being notified by the laboratory of the analytical result that causes the OEL to exceed the limit. The OEL and MCL LRAA are each calculated individually.

Analysis of the first three quarters of Stage 2 DBPR data shows that Seeley exceeded the OEL threshold limits of 80 ppb for TTHM at the Rest Area monitoring location, shown in Table 2 below.

Table 2. Stage 2 OEL

Stage 2 Sample Site	OEL TTHM Analysis (ppb)
Rest Area	98

The Operational Evaluation process is useful in that it alerts the system to the potential of a MCL violation, and provides a framework for evaluating the problem and solutions. The Operational Evaluation Report does this by providing a step by step process of reviewing source water quality, as well as treatment and distribution system operational changes that may have contributed to the elevated DBP levels.

Systems are required to perform a complete Operational Evaluation unless sufficient causal evidence of the exceedance is presented to the Division, and the Division grants written approval to conduct a limited scope evaluation. The limited scope evaluation submittal deadline is the same as a full Operational Evaluation Report deadline.

The Division encourages all systems to review the US EPA's *Stage 2 Disinfectants and Disinfection Byproducts Rule Operational Evaluation Guidance Manual*, 815-R-08-018, available online at:

http://www.epa.gov/ogwdw/disinfection/stage2/pdfs/draft_guide_stage2_operationalevaluation.pdf

This guidance manual is an excellent resource in assisting treatment and distribution staff in evaluating water quality dynamics within the system. In order to assist systems in performing these evaluations, copies of the evaluation forms were included in the Division CMP letter dated May 24, 2013. Additional copies of the form are attached to this letter, and electronic forms will be emailed to the system at a later date.

In the May 24, 2013 letter, the Division encouraged all systems that had the potential to exceed the OEL, based on Stage 1 and IDSE monitoring data, to prepare for a Stage 2 DBPR exceedance and begin collecting the data that is necessary to prepare the Operational Evaluation Report, if they were not already doing so. Below is a partial list of historical data that is required for the report.

Under the Source Evaluation, these elements include, but are not limited to, documenting changes in: raw water detention times, natural organic material levels, rainfall and reservoir turnover events, turbidity, pH, and alkalinity levels, etc.

Under the Treatment Evaluation, these elements include, but are not limited to, documenting changes in: flow rate, chemical feed rate and manufacturer, equipment failures, DBP precursors, effluent chlorine residual, etc.

Under the Distribution Evaluation, these elements include, but are not limited to, documenting changes in: localized temperature and residual trends, O&M events, systemic and high user demand patterns, etc.

Action Item

By September 10th, 2014, Seeley shall submit to the Division an Operational Evaluation Report.

Thereafter, in any quarter where the OEL threshold Seeley shall submit an amended Operational Evaluation Report detailing the current conditions of the systems and steps taken since the last Operational Evaluation Report to reduce the elevated disinfection byproduct levels.

Your attention to this matter is greatly appreciated. If you have any questions, please contact Mr. Scott Ketcham at (619) 525 4395.

Sincerely,

Sean Sterchi, P.E.
District Engineer

Enclosures:
-OEL evaluation forms.

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health, Imperial County Public Health Department
Patrick Harris, Board President

Attachment 3

Ketcham, Scott@Waterboards

From:	Ketcham, Scott@Waterboards
Sent:	Friday, January 22, 2016 2:56 PM
To:	'Phammond.SCWD@yahoo.com'; 'matthew.hughes7@me.com'; 'strang.scwd@yahoo.com'
Cc:	Ertas, Tuba@Waterboards; Sterchi, Sean@Waterboards
Subject:	FW: Seeley OEL reporting
Attachments:	Source_OEGM_4-30-08.doc; DBP handling from 2008 OEL GM.PDF; Distribution_OEGM_4-30-08.doc; OE Report OEGM 12-08.doc; Treatment_OEGM_4-30-08.doc; 20130523 1310013 Seeley LM Stage 2 DBP CMP.pdf; 20130507 Final 1310013 Seeley CWD Stage 2 TTHM HAA5 Spreadsheet.xlsx; 20140724 1310013 Seeley LM Stage 2 DBP OEL.pdf

Greetings

The purpose of this email is to serve as a reminder of the Operational Evaluation Level (OEL) Exceedance Requirements associated with the Stage 2 Disinfection Byproduct Rule (Stage 2 DBPR), Title 22, California Code of Regulations, § 64534.2(d) and 64537(d). This topic was originally addressed in the attached Compliance Monitoring Plan Letter, dated May 23, 2013, and further discussed in the attached July 24, 2014 "Stage 2 Disinfectants and Disinfection Byproducts Rule Operational Evaluation Level Exceedance Requirements" letter. The Seeley Community Water District (Seeley) exceeded the OEL in the 3rd and 4th Quarters of 2013, 1st, 2nd, 3rd and 4th Quarters of 2014, 1st, 2nd, and 3rd Quarters of 2015 (i.e. based on the three quarters of data: the current quarter and the two previous quarters), and was required to submit an Operational Evaluation Report for each exceedance. These reports are past due in violation of state and federal regulations.

The "TTHM (2)" tab of the attached "20130507 Final 1310013 Seeley CWD Stage 2 TTHM HAA5 Spreadsheet" excel reporting sheet is meant to assist your staff in determining if an Maximum Contaminant Level (MCL) violation or OEL exceedance has occurred.

Filling the data into the spread sheet would show the "OEL ≤ MCL" row is highlighted in red with bold font stating "No" for the 3rd and 4th Quarters of 2013, 1st, 2nd, 3rd and 4th Quarters of 2014, 1st, 2nd, and 3rd Quarters of 2015.

Filling the data into the spread sheet would show the Meets MCL?" row is highlighted in red with bold font stating "No" for the 4th Quarter of 2013, 1st, 2nd, 3rd and 4th Quarters of 2014, 1st, 2nd, and 3rd Quarters of 2015.

Both of these visual indicators are meant to assist your staff in noting that an action is required. In the case of the OEL exceedance, an OEL report must be created. In the case of the MCL violation, PN must be posted.

The OEL is a Local Running Annual Average (LRAA) threshold meant to help systems identify if they are at risk of exceeding the MCL in the following quarter and allow them to take corrective actions to prevent an MCL violation. The OEL is calculated in the following manner

$$OEL = \frac{Quarter\ 1 + Quarter\ 2 + (2 * Quarter\ 3)}{4}$$

If the calculated OEL for any quarter exceeds the limits of 80 parts per billion (ppb) for Total Trihalomethanes (TTHM) or 60 ppb for Haloacetic Acids (HAA5), then the system is required to perform an Operational Evaluation and submit an Operational Evaluation Report to State Water Resources Control Board, Division of

Drinking Water (Division) **no later than 90-days after being notified by the laboratory** of the analytical result that causes the OEL to exceed the limit. The OEL and MCL LRAA are each calculated individually.

> As the 90-day deadline has passed for 3rd and 4th Quarters of 2013, 1st, 2nd, 3rd and 4th Quarters of 2014, 1st, 2nd, and 3rd Quarters of 2015, these reports are all late and **in violation of Federal and State reporting requirements**. An enforcement action further discussing the OEL reporting requirements is forthcoming.

Regarding Filling out the OEL Report

Based on data trends it is highly likely that when Seeley receives the 4th Quarter 2015 lab results, that the LRAA will exceed the OEL and Seeley will **be required to file an OEL Report**.

Thereafter, in any quarter where the LRAA exceeds the OEL threshold Seeley shall submit an amended Operational Evaluation Report detailing the current conditions of the systems and steps taken since the last Operational Evaluation Report to reduce the elevated disinfection byproduct levels.

The Division encourages all systems to review the US EPA's Stage 2 Disinfectants and Disinfection Byproducts Rule Operational Evaluation Guidance Manual, 815-R-08-018, available online at:

http://www.epa.gov/ogwdw/disinfection/stage2/pdfs/draft_guide_stage2_operationalevaluation.pdf

This guidance manual is an excellent resource in assisting treatment and distribution staff in evaluating water quality dynamics within the system. Below is a partial list of historical data that is required for filing the report.

Under the Source Evaluation, these elements include, but are not limited to, documenting changes in: raw water detention times, natural organic material levels, rainfall and reservoir turnover events, turbidity, pH, and alkalinity levels, etc.

Under the Treatment Evaluation, these elements include, but are not limited to, documenting changes in: flow rate, chemical feed rate and manufacturer, equipment failures, DBP precursors, effluent chlorine residual, etc.

Under the Distribution Evaluation, these elements include, but are not limited to, documenting changes in: localized temperature and residual trends, O&M events, systemic and high user demand patterns, etc.

Recommendation

The Division recommends that Seeley review the reporting forms, and reference the guidance manual document. These paired documents were designed by the EPA to serve as an audit tool for the entire water system. Looking at the various elements (i.e. source, treatment, distribution, etc.) and reviewing the appropriate section of the guidance manual provides an excellent opportunity to better understand elements of your water system.

When filling out the forms, be sure include future plans and actions for correcting the issue. This may include long term plans such as evaluating merger with other water systems, installation of treatment, etc.

Action Item:

Once the fourth quarter 2015 lab results arrive at the system, please use the Excel spreadsheet to assist in determining if an OEL report needs to be issued. If the OEL has been exceeded, then an Operational Evaluation Report must be submitted to the Division **no later than 90-days after being notified by the laboratory** of the analytical result that causes the OEL to exceed the limit.

If you have any questions or comments please feel free to contact me.

Best regards

Scott

Scott A Ketcham, PE
Associate Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water
San Diego Field Operations Branch
1350 Front St, Suite 2050
San Diego, Ca 92101
Phn (619) 525 – 4395
Fax (619) 525 – 4383
Please note new email: Scott.Ketcham@Waterboards.ca.gov

Attachment 4

Ketcham, Scott@Waterboards

From:	Ertas, Tuba@Waterboards
Sent:	Tuesday, March 08, 2016 9:57 AM
To:	W Op; Ketcham, Scott@Waterboards
Cc:	Sterchi, Sean@Waterboards
Subject:	RE: Public Notification
Attachments:	20160304 draft Seeley CWD 3Q4Q151q16 TTHM HAA5 PN.doc; HAA5 Public Notice 1st qtr 2016 030316 Final.docx; Proof of Consumer Notification.doc

Aaron,

Seeley needs to redo the Public Notification because of the reasons explained below and also follow the instructions below. The revised PN was emailed you last week and a copy is in attachment (Attachment 1...please change the contact information, since James Strang is not with Seeley anymore) .

1.) Seeley has over MCL for HAA5 for the last quarters.
2.) The PN should have information in Spanish. Therefore either 1) Use only Attachment 1, since it includes the "Este informe contiene información muy importante sobre su agua potable.Tradúzcalo o hable con alguien que lo entienda bien." **OR** 2.) Use both English and Spanish versions, e.g. 2-sided PN (Heber PUD's example was emailed you on Friday and also a copy is in attachments-Attachment 2).
3.) Seeley's primary method is to mail the PN to customers and secondary method is to post at the local market and at the Post Office. **Therefore, the PN cert should indicate both the primary method and the secondary method (check the first and last method on the form-Attachment-3), and attach a copy of the posted notice.**

Please let us know if you have any questions.

Thanks
Tuba

From: W Op [mailto:operators.scwd@gmail.com]
Sent: Monday, March 07, 2016 11:15 AM
To: Ketcham, Scott@Waterboards; Ertas, Tuba@Waterboards
Subject: Re: Public Notification

Ketcham, Tuba,

Just for clarity's sake. Do you want us to -may we use- the revised PN that you sent us?

Aaron

On Fri, Mar 4, 2016 at 4:58 PM, Ketcham, Scott@Waterboards <Scott.Ketcham@waterboards.ca.gov> wrote:

Attached please find a revised Tier 2 PN including the "Este informe contiene información muy importante sobre su agua potable.Tradúzcalo o hable con alguien que lo entienda bien." text and covering the 3rd and 4th quarters of 2015 and the 1st quarter 2016 HAA5 violation period. The public notification also discloses that Seeley has been in continuous violation of TTHM MCL for the last seven quarters. Also attached is an example of Spanish and English PN currently being used by Heber PUD.

Scott Ketcham

From: Ertas, Tuba@Waterboards
Sent: Friday, March 04, 2016 7:36 AM
To: W Op (operators.scwd@gmail.com)
Cc: Sterchi, Sean@Waterboards; Ketcham, Scott@Waterboards
Subject: Public Notification

Aaron,

Per Section 64465,

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

(A) ***The notice 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 public water system to obtain a translated copy of the notice or assistance in Spanish; and***

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or

2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and

Your 4th Q of 2015 and 1st Q of 2016 does not contain any information in Spanish. Therefore, Seeley should include either **1.)** information in Spanish as shown above in (c)(2)(A) above **or 2.)** include a translated copy of the PN in Spanish.

You have the following options for meeting this requirement:

1. Redo the PN mailing or direct delivery including "Este informe contiene información muy importante sobre su agua potable.Tradúzcalo o hable con alguien que lo entienda bien." under the header of the attached notification as soon as possible but no later than April 21, 2016. The PN can be mailed with the customer's bill or as a separate mailing or direct delivery. Please submit the draft Spanish translation for review.

2. Same as above but include both English and Spanish versions, e.g. 2-sided PN.

3. Do either #1 or #2 and also post the PN in conspicuous locations throughout the area served by the water system [I believe Seeley posts PN at the post office---please verify]

Thanks

Tuba