



State Water Resources Control Board

Division of Drinking Water

Water System No. 4900719

February 5, 2015

Rhonda Bellmer
West Side Union School District
1201 Felta Road
Healdsburg, CA 95448

**CITATION NO. 02-18-15C-006
TREATMENT TECHNIQUE VIOLATION FOR DECEMBER 2014**

Enclosed is a Citation issued to the West Side Union School District (System) public water system.

West Side Union School District will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

West Side Union School District will receive a bill sent from our Division Fee Billing Unit in August of the next fiscal year. This bill will contain any fees for any enforcement time spent on the West Side Union School District for the current fiscal year.

If you have any questions regarding this matter, please contact George Chien of my staff at (707) 576-2971 or me at (707) 576-2006.

Sincerely,


Janice M. Thomas, P.E., Sonoma District Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Enclosure: Citation No. 02-18-15C-006

- c: Ben Forest, 1201 Felta Road, Healdsburg, CA 95448 (w/o enclosure)
- Mark Zastrow, System Operator, P.O. Box 2118, Windsor, CA 95492

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: West Side Union School District

Water System No: 4900719

To: Rhonda Bellmer
1201 Felta Road
Healdsburg, CA 95448

Physical Location: 1201 Felta Road

Issued: February 5, 2015

**CITATION FOR NONCOMPLIANCE
WITH TREATMENT TECHNIQUE
DECEMBER 2014**

AND

PERMIT 02-18-13P-4900719

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the : West Side Union School District (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64430 and Permit No. 02-18-13P-4900719.

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Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder. A copy of the *Applicable Statues and Regulations* is located in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

Due to the frequent positive fecal coliforms detections and the shallowness of the well, the System was directed to provide a minimum of 99.99% (4-log) inactivation of viruses through disinfection and maintain a daily chlorine residual whenever there is domestic water demand, in the inspection letter dated August 12, 2011.

A domestic water supply permit, Permit No. 02-18-13P-4900719, was issued to the System on December 20, 2013. Provision 16 requires the System to operate disinfection treatment in accordance with the following criteria:

- 16. The West Side Union School District must provide a minimum of 4-log virus inactivation through disinfection of the water from Well 01.*
- The West Side Union School District must submit a monthly compliance summary demonstrating that it has met the 4-log virus*

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inactivation every day that the wells were in use. The summary must be submitted by the 10th day of the following month.

The Division received the December 2014 monthly compliance report showed the 4-log inactivation of viruses was not achieved through disinfection and the failure was not corrected within four hours. Furthermore, the 4-log inactivation of viruses was not achieved for two consecutive days, for December 1st and December 2nd.

DETERMINATIONS

The System violated Title 22, CCR, Sections 64430 and Permit No. 02-18-13P-4900719 Provision 16. Section 64430 incorporates Title 40, Code of Federal Regulations (CFR), Section 141.404, which defines a treatment technique violation that fails to maintain at least 4-log treatment of viruses and the failure was not corrected within 4 hours; and Title 40, CFR, Section 141.203(a)(4), which defines that failure to maintain at least 4-log treatment of viruses requires a Tier 2 Public Notice.

DIRECTIVES

West Side Union School District is hereby directed to take the following actions:

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- 1. Comply with Sections 64430, Title 22, CCR and Permit No. 02-18-13P-4900719 in all future monitoring periods.
- 2. On or before **March 5, 2015**, notify all persons served by the System of the treatment technique violation in conformance with Title 22, Sections 64463.4 and 64465. Appendix 2: Public Notification Template may be used to fulfill this directive.
- 3. The System shall complete Appendix 3: Compliance Certification. Submit it with a copy of the public notification to the Division on or before **March 12, 2015**.

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 effective upon issuance.

Nothing in this Citation relieves the System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

All submittals required by this Citation shall be submitted to the Division

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at the following address: Janice M. Thomas, P.E.
State Water Resources Control Board
Division of Drinking Water
50 D Street, Suite 200
Santa Rosa, CA 95404

PARTIES BOUND

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

SEVERABILITY

The directives of this Citation are severable, and the System shall comply with each provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Division to: issue additional citations with assessment of penalties if the System continues to fail to correct a violation identified in a citation; 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 orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with

orders of the Division. The Division does not waive any further enforcement
action by issuance of this citation.

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Janice M. Thomas February 5, 2015
Janice M. Thomas, P.E., Sonoma District Engineer Date

Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Appendices (3):

- 1. Applicable Statutes and Regulations
- 2. Public Notification Template
- 3. Compliance Certification



Certified Mail No. 7012 3460 0002 6459 4928

4900719/Compliance
02-18-15C-006-4900719-41 /GC

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 02-18-15C-006

Section 116650 of the CHSC states in relevant part:

- (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 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.

California Code of Regulations (CCR), Section 64430 states in relevant part:

A public water system that uses ground water shall comply with the following provisions of 40 Code of Federal Regulations as they appear in the Ground Water Rule published in 71 Federal Register 65574 (November 8, 2006) and amended in 71 Federal Register 67427 (November 21, 2006) and 74 Federal Register 30953 (June 29, 2009), which are hereby incorporated by reference: Sections 141.21(d)(3), 141.28(a), 141.153(h)(6), Appendix A to Subpart O (Consumer Confidence Reports), 141.202(a)(8), 141.203(a)(4), Appendices A and B to Subpart Q (Public Notification), and 141.400 through 141.405

Code of Federal Regulations (CFR), Section 141.203(a)(4) states in relevant part:

(a)...

Table 1 to §141.203—Violation Categories and Other Situations Requiring a Tier 2 Public Notice

(4) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses (using inactivation, removal, or a State-approved combination of 4-log virus inactivation and removal) before or at the first customer under §141.403(a).
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Code of Federal Regulations (CFR), Section 141.404 states in relevant part:

- (c) A ground water system subject to the requirements of §141.403(b)(3) that fails to maintain at least 4-log treatment of viruses (using inactivation, removal, or a State-approved combination of 4-log virus inactivation and removal) before or at the first customer for a ground water source is in violation of the treatment technique requirement if the failure is not corrected within four hours of determining the system is not maintaining at least 4-log treatment of viruses before or at the first customer.

California Code of Regulations (CCR), Section 64463.4 states in relevant part:

- (c) A water system shall deliver the notice, in a manner designed to reach person served, within the required time period as follows:

(2) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

California Code of Regulations (CCR), Section 64465 states in relevant part:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the water system is doing to correct the violation or occurrence;

(8) When the water system expects to return to compliance or resolve the occurrence;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;

(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public 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.¶; and

(11) For a water system with a monitoring and testing procedure violation, this language shall be included: —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 your drinking water meets health standards. During [compliance period dates], we [‘did not monitor or test’ or ‘did not complete all monitoring or testing’] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time.

(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

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

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] Failure to Meet Treatment Requirements

Our water system recently violated a drinking water requirement. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

We are required to [treat/disinfect] our drinking water source, [name source]. From [give date] to [give date] we did not meet one or more of our treatment requirements to [provide sufficient levels of disinfectant/provide adequate contact time/meet alternative treatment criteria] due to [describe issue, e.g., malfunctioning equipment].

What should I do?

- This is not an emergency. If it had been, you would have been notified within 24 hours.

Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

While we have not detected any evidence of contamination in, or other health threats to, our source water, we are still committed to restoring the required level of treatment to the water from [source] to eliminate the threat of contamination.

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.

What happened? What is being done?

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

The problem was resolved on [give date].

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: _____.

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number 02-18-15C-006

Name of Water System: West Side Union School District

System Number: 4900719

I certify that the users of the water supplied by this water system were notified of the treatment technique violation of Title 22, California Code of Regulations (CCR), Sections 64430 for the compliance period of December 2014 and that the following actions, as directed in 02-18-15C-006 have been completed.

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Posting in conspicuous locations throughout the area served by the water system	
(Citation Directive 2) Public Notification – Using one or more of the following methods to reach persons not likely to be reached by a public posting	

Signature of Water System Representative

Date

Attach a copy of the notice posted in the system and a copy published via other notification methods.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN
March 12, 2015**

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.