



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 25, 2015

Water System No. 4900796

Chuck Kline
Santa Rosa Mobile Estates
151 Callan Avenue, Suite 213
San Leandro, CA 94577

CITATION NO. 02_18_15C_050 TREATMENT TECHNIQUE VIOLATION FOR JULY 2015

Enclosed is a Citation issued to the Santa Rosa Mobile Estates (System) public water system.

Santa Rosa Mobile Estates 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.

Santa Rosa Mobile Estates 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 Santa Rosa Mobile Estates 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_050

C: Tim Ehlert, P.O. Box 176, Sebastopol, CA 95473

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: Santa Rosa Mobile Estates

Water System No: 4900796

To: Chuck Kline
151 Callan Avenue, Suite 213
San Leandro, CA 94577

Physical Location: 461 Bejay Avenue
Santa Rosa, CA 95407

Issued: August 25, 2015

**CITATION FOR NONCOMPLIANCE
WITH TREATMENT TECHNIQUE
JULY 2015**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to Santa Rosa Mobile Estates (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64430.

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

11 Due to the frequent positive fecal coliforms detections at Well 01, the
12 System was directed to provide a minimum of 99.99% (4-log) inactivation of
13 viruses through disinfection and maintain a daily chlorine residual whenever
14 Well 01 is operating solely or simultaneously with other wells, in the letter
15 dated August 19, 2014. The 4-log viruses inactivation treatment and the
16 operations plan were approved on September 23, 2014. The System
17 implemented the required treatment in November 2014.
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20 The Division received the July 2015 monthly compliance report showed the
21 4-log inactivation of viruses was not achieved through disinfection for three
22 consecutive days in July 2015 and the failure was not corrected within four
23 hours. The System received Citation No. 02_18_15C_047 for treatment
24 technique violation for June 2015. This is the second violation of the same
25 type that occurred in two consecutive months.
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DETERMINATIONS

The System violated Title 22, CCR, Section 64430. 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

Santa Rosa Mobile Estates is hereby directed to take the following actions:

1. Comply with Sections 64430, Title 22, CCR in all future monitoring periods.
2. On or before **September 25, 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.

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3. The System shall complete Appendix 3: Compliance Certification. Submit it with a copy of the public notification to the Division on or before **October 2, 2015**.

4. By **September 30, 2015**, submit to the Division for review and approval, a plan and compliance schedule for improvements to the water system to correct the operations and treatment problems and eliminate the delivery of water to consumers that does not meet the California ground water rule requirements.

5. By **November 30, 2015**, complete all the improvements in the approved project submitted pursuant to Directive 4 above in accordance with the approved compliance schedule.

6. By **October 2, 2015**, submit a written response to the Division, indicating your willingness to comply with the directives of this Citation.

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

1 Nothing in this Citation relieves the System of its obligation to meet the
2 requirements of the California Safe Drinking Water Act (CHSC, Division 104,
3 Part 12, Chapter 4, commencing with Section 116270), or any regulation,
4 standard, permit or order issued thereunder.
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7 All submittals required by this Citation shall be submitted to the Division

8 at the following address: Janice M. Thomas, P.E.
9 State Water Resources Control Board
10 Division of Drinking Water
11 50 D Street, Suite 200
12 Santa Rosa, CA 95404

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PARTIES BOUND

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

19 The directives of this Citation are severable, and the System shall comply
20 with each provision thereof notwithstanding the effectiveness of any
21 provision.
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FURTHER ENFORCEMENT ACTION

24 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
25 California Health and Safety Code authorizes the Division to: issue
26 additional citations with assessment of penalties if the System continues to
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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.

Janice M. Thomas August 25, 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. 70141200000111676849

4900796/Compliance
02_18_15C_050_4900796_41 TT citation /GC

**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. 02_18_15C_050**

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:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by;

(A) Mail or direct delivery 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; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

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.

**Appendix 64465-A. Health Effects Language
Microbiological Contaminants.**

<i>Contaminant</i>	<i>Health Effects Language</i>
Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/ <i>E. coli</i>	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

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_050

Name of Water System: **Santa Rosa Mobile Estates**

System Number: **4900796**

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 July 2015 and that the following actions, as directed in 02_18_15C_050 have been completed.

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Mail and Direct Delivery and Other Notification Methods completed.	
(Citation Directive 6) Statement of Intent to Comply.	

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
OCTOBER 2, 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.