



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

Water System No. 4901332

January 14, 2016

Susan Norton
Wine County Industrial Park-Blg C
P.O. Box 1344
Sonoma, CA 95476

CITATION NO. 02-18-16C-003 TRIGGERED SOURCE MONITORING AND REPORTING VIOLATION FOR NOVEMBER 2015

Enclosed is a Citation issued to the Wine County Industrial Park-Blg C (System) public water system.

Your System will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$153.00) 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.

The System will receive a bill from the Division in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

If you have any questions regarding this matter, please contact Cindi Lee of my staff at (707) 576-2422 or me at (707) 576-2006.

Sincerely,

A handwritten signature in blue ink that reads "Janice M. Thomas".

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

Enclosures
C Patrick Alcayaga/P.O Box 1344/Sonoma, CA 95476

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: Wine County Industrial Park-Blg C

Water System No: 4901332

To: Wine County Industrial Park-Blg C
P.O. Box 1344
Sonoma, CA 95476

Issued: January 14, 2016

**CITATION FOR NONCOMPLIANCE
WITH TRIGGERED SOURCE MONITORING AND REPORTING**

November 2015

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the Wine County Industrial Park-Blg C (System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64430.

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

1 order issued thereunder. A copy of the *Applicable Statutes and Regulations*
2 is located in Appendix 1, which is attached hereto and incorporated by
3 reference.
4

5
6 **STATEMENT OF FACTS**

7 Wine County Industrial Park-Blg C is classified as a nontransient-
8 noncommunity water system serving 1 connection with a population of 70.
9 The System collected a routine bacteriological sample on November 30,
10 2015, as required by Sections 64422 and 64423. The result of this sample
11 was total coliform-positive. Pursuant to Section 64430, the System is
12 required to collect a triggered source sample from each well in use at the
13 time the positive routine sample was collected. As of the date of this
14 citation, the Division has not received any triggered source water sample in
15 response to the total coliform-positive routine sample from the Wine County
16 Industrial Park-Blg C during November 2015.
17

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19 **DETERMINATIONS**

20 The System violated Title 22, CCR, Section 64430, Ground Water Rule
21 Requirements. Section 64430 defines a violation of ground water rule
22 requirements as not collecting a triggered source water sample.
23

24
25 The System failed to collect the required number of triggered source water
26 samples during November 2015. Therefore, the System violated the ground
27



1 water rule triggered source water sample requirements contained in Section
2 64430.

3
4 **DIRECTIVES**

5 Wine County Industrial Park-Blg C is hereby directed to take the following
6 actions:
7

- 8
- 9 1. Comply with Section 64430, Title 22, CCR in all future monitoring
10 periods.
 - 11
 - 12 2. On or before **February 5, 2016**, notify all persons served by the
13 System of the ground water rule violation in conformance with Title
14 22, CCR, Sections 64463.4 and 64465. Appendix 2: Public
15 Notification Template may be used to fulfill this directive.
16
 - 17
 - 18 3. Pursuant to Section 64430, Title 22, CCR and Section 141.402(a)
19 Title 40, Code of Federal Regulations, Wine County Industrial Park-
20 Blg C shall collect a sample from the source(s) that was on-line at the
21 time the November 30, 2015 sample was collected and have the
22 sample analyzed for *E. coli* by **January 29, 2016**.
 - 23
 - 24
 - 25 4. The System shall complete Appendix 3: Compliance Certification.
26 Submit it together with a copy of the public notification to the Division
27 on or before **February 26, 2016**.



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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

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.

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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.

Janice M. Thomas

January 14, 2016

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. 7014120000111677075

4901332/Compliance
02_18_16C_003_4901332_26.docx/CEL

**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. 02_18_16C_003**

Section 116650 of the CHSC states in relevant part:

- (a) If the State Board 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 State Board 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 State Board 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, Section 64430 and Section 141.402(a)(1) Title 40, Code of Federal Regulations published in November 8, 2006, Federal Register (Vol.71, No. 216) states in relevant part:

A ground water system must conduct triggered source water monitoring if the system is notified that a sample collected under California Code of Regulations, Title 22, Sections 64422 and 64423 is total coliform-positive and the sample is not invalidated under California Code of Regulations, Title 22, Section 64425.

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.
 - (2) 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, noncommunity water systems shall give 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:

- (1) For a Tier 1 public notice:
 - (A) The notice shall be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the public water system, and the notice shall include a telephone number or address where such individuals may contact the public water system for assistance; and
 - (B) If any non-English-speaking group exceeds 1,000 persons served by the public water system, but does not exceed 10 percent served, the notice shall include information in the appropriate language(s) regarding the importance of the notice, and the telephone number or address where such individuals may contact the public water system to obtain a translated copy of the notice from the public water system or assistance in the appropriate language;
- (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
 - (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.
- (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.

Wine County Industrial Park-Blg C Failed to Perform Follow up Testing for *E. coli* Bacteria for November 2015

Our water system failed to perform follow up testing on our drinking water during November 2015, after a routine water sample was tested and found to contain coliform bacteria. Although this is not an emergency, as our customers, you have a right to know about this violation – what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened? We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indication of whether or not the drinking water meets health standards. Our routine sample tested positive for coliform bacteria during November 2015. No fecal coliform or *E. coli* bacteria were found. However, we failed to collect a sample from the well and, therefore, we cannot be sure of the quality of our drinking water during that time period.

What does this mean? Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If water is tested for coliform bacteria and it is found to be absent, the water can be considered safe from bacteria. If the water is not tested, consumption of the water may not necessarily result in illness, but that possibility exists. Routine and repeat sampling is important to periodically verify the quality of drinking water. Our failure to perform wellhead sampling for *E. coli* during November 2015 was a violation of Section 64430, Title 22 of the California Code of Regulations (CCR).

What should I do? This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What corrective actions have been taken to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact: _____
(name)

(address)

(phone number)

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number 02_18_16C_003

Name of Water System: **Wine County Industrial Park-Blg C**

System Number: **4901332**

I certify that the users of the water supplied by this water system were notified of the monitoring and reporting violation of Title 22, California Code of Regulations (CCR), Section 64430 for the compliance period of November 2015 and that the following actions, as directed in 02_18_16C_003 have been completed.

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Mail or Direct Delivery OR Continuous Posting for 7 Days and Other Notification Methods completed.	
(Citation Directive 3) Triggered Source Sample and Analyzed for <i>E. coli</i>	

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
FEBRUARY 26, 2016**

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.