



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

December 8, 2015

System No. 5010028

Jeremy Damas
Director of Public Works
City of Ceres
2220 Magnolia Street
Ceres, CA 95307

TRANSMITTAL OF CITATION NO. 01-10-15C-017

The City of Ceres (hereinafter "City") water system violated the uranium maximum contaminant level in October 2015, as specified in Section 64442, Title 22 of the California Code of Regulations,. The State Water Resources Control Board, Division of Drinking Water has issued Citation No. 01-10-15C-017, in response to this violation. The Citation is being transmitted to the City under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Tahir Mansoor by email at Tahir.Mansoor@Waterboards.ca.gov or by phone at (209) 948-3879.

Sincerely,

A handwritten signature in blue ink, appearing to read "B Sahota".

Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-15C-017

Certified Mail No. 7004 2890 0002 0057 9942

R:\DDW\Stockton\Dist10\SSF\SC\5010028\Enforcement\1215-uranium citation transmittal letter.doc



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: City of Ceres
2220 Magnolia Street
Ceres, CA 95307

ATTN: Jeremy Damas, Director of Public Works
City of Ceres

CITATION FOR VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE
SECTION 116555(a)(1) AND CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64442
VIOLATION OF THE URANIUM MAXIMUM CONTAMINANT LEVEL
WATER SYSTEM NO. 5010028
CITATION NO. 01-10-15C-017
Issued on December 8, 2015

The State Water Resources Control Board (hereinafter, "Water 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 City of Ceres (hereinafter, "City") for violation of California Code of Regulations (hereinafter, "CCR"), Title 22, Section 64442.

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the Division 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 Division 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 Division 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.

Section 116555(a)(1) of California Health and Safety Code provides, in relevant part:

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

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

1 **Section 64442, Title 22, California Code of Regulations provides, in relevant**
2 **part:**

3 (a) Each community and nontransient-noncommunity water system shall comply with
4 the primary MCLs in Table 64442 in the drinking water supplied to the public and use
5 the DLRs for reporting monitoring results:

6
7
8

**Table 64442
Radionuclide Maximum Contaminant Levels (MCLs)**

Radionuclide	MCL
Radium-226	5 pCi/L (combined radium-226 & -228)
Radium-228	
Gross Alpha particle activity (excluding radon and uranium)	15 pCi/L
Uranium	20 pCi/L

9

10

STATEMENT OF FACTS

11

The City's domestic water system is operated under Water Supply Permit No. 03-10-13P-002, which was issued by the Division in December 2013.

12

13

14

The City of Ceres is located to the south of the Tuolumne River along State Hwy 99 in central Stanislaus County. The City's domestic water supply system serves a population of about 46,000 through 11,175 service connections. The system serves groundwater obtained from 13 active wells located within the service area. The system has two storage tanks with a total storage capacity of 3.8 million gallons. The majority of the wells pump domestic water directly into the distribution system. Well No. 22 (Rockefeller) has wellhead treatment to remove uranium. Well No. 32 (Blaker) has wellhead treatment for arsenic and manganese removal.

15

16

17

18

19

20

21

22

23

Well No. 21 (Roeding Heights) was drilled in 1977 and pumps about 1,800 gpm of water. This well was rehabbed in January 2015. In an e-mail dated February 9, 2015,

24

1 the Division directed the City to monitor Well No. 21 for uranium for four consecutive
2 quarters according to this schedule: February 2015, May 2015, August 2015,
3 November 2015. The City completed the uranium testing as requested. The sampling
4 dates and the results are summarized below.

5
6

Well No. 21 Uranium Monitoring

Sampling Date	Results (pCi/L)
2/10/15	36
5/5/15	14
8/27/15	32
10/30/15	36
Average	30

7
8
9
10
11
12
13
14
15
16
17
18
19
20

Well No. 21 was used this summer and was taken offline after the City received the fourth quarter uranium result from its contract laboratory in November 2015. The compliance with uranium MCL is based on the average of four consecutive quarters of monitoring. The MCL for uranium is 20 pCi/L. The four-quarter uranium average for Well No. 21 was 30 pCi/L, which means the well has violated the uranium MCL. The Division has informed the City that this well cannot be used for domestic purposes until treatment is provided at the well to remove uranium below its MCL and a permit has been obtained from the Division for its use. The City has submitted a permit amendment application, dated December 1, 2015, to the Division to change the status of the well from active to inactive. The well has been physically separated from the distribution system. The Division has already changed the status of the well from active to inactive in the Division's files and water quality database.

1 **DETERMINATION**

2 The Division has determined that the City's source water has exceeded a primary
3 MCL as noted in Table 64442 above. Specifically, four-quarter uranium average for
4 Well No. 21 was 30 pCi/L, which is above the uranium MCL of 20 pCi/L. As a result,
5 the City is in violation of Section 116555(a)(1) of the California Health and Safety
6 Code and Section 64442 of the California Code of Regulations.

7
8 **DIRECTIVES**

9 As a result of the above violation, the City is hereby directed to take the following
10 actions:

- 11
- 12 1. By **December 31, 2015**, notify the consumers served by the City of the
13 uranium MCL failure in conformance with Section 64463.4 (a)(1), Title 22,
14 CCR. The notification shall be provided in accordance with the following:
15
 - 16 a. Provide written notice of the uranium MCL violation by hand delivery or
17 mailing and by publication of a notice in a newspaper of general
18 circulation in the area served by the City. The notice shall be mailed
19 and published no later than the above mentioned date.

20
21 This notification shall be given in English. In addition, if the City
22 serves a large proportion of other non-English speaking consumers,
23 notices must contain some information in the appropriate language(s)
24 on the importance of the notice as provided in the Division's guidance
25 for the Consumer Confidence Report (CCR).
26

1 b. The contents of the notice, including the mandatory language, shall be
2 approved by the Division prior to publication and delivery.

3
4 c. Within 10 days following publication of the notice, the City shall submit
5 to the Division a copy of the notification including certification of its
6 publication and delivery.

7
8 Notification procedures and format are provided in **Attachment A**. An electronic
9 version of Attachment A is available upon request.

10
11 2. By **April 1, 2016**, the City shall provide a plan and schedule for investigating
12 the options (treatment or blending) that may be exercised to bring the water
13 from Well No. 21 into compliance with the uranium MCL.

14 In addition, since the City has elected to change the status of Well No. 21 to
15 inactive, verify to the Division if the City has enough source capacity from other
16 active wells that can be reliably used to meet the system demand in the
17 summer.

18
19 The Division reserves the right to make such modifications to this Citation as it may
20 deem necessary to protect public health and safety. Such modifications may be
21 issued as amendments to this Citation, and shall be deemed effective upon
22 issuance.

23
24 Nothing in this Citation relieves the City of its obligation to meet the requirements of
25 the California Safe Drinking Water Act, or of any regulation, permit, standard, or
26 order issued or adopted thereunder.

1 All submittals required by this Citation shall be submitted to the Division at the
2 following address:

3
4 Tahir Mansoor
5 Sanitary Engineer
6 State Water Resources Control Board
7 Division of Drinking Water
8 31 E. Channel Street, Room 270
9 Stockton, CA 95202
10

11 **PARTIES BOUND**

12 This Citation shall apply to and be binding upon the City, its officers, directors,
13 shareholders, agents, employees, contractors, successors, and assignees.
14

15 **SEVERABILITY**

16 The Directives of this Citation are severable, and the City shall comply with each and
17 every provision thereof, notwithstanding the effectiveness of any other provision.
18

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit 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 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 violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

12/8/2015
Date


Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
Division of Drinking Water
State Water Resources Control Board



Certified Mail No. 7004 2890 0002 0057 9942

Instructions for Tier 2 Chemical or Radiological MCLs Notice Template

Template Attached

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

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

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

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

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Action

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

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

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

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

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results received on [date] showed [name of contaminant] levels of [level and units]. This is above the standard, or maximum contaminant level (MCL), of [standard and units].

What should I do?

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

What happened? What is being done?

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

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

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

State Water System ID#: _____ Date distributed: _____

Appendix 64465-C. Health Effects Language

Radioactive Contaminants. Contaminant

Gross Beta particle activity

Health Effects Language

Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.

Strontium-90

Some people who drink water containing strontium-90 in excess of the MCL over many years may have an increased risk of getting cancer.

Tritium

Some people who drink water containing tritium in excess of the MCL over many years may have an increased risk of getting cancer.

Gross Alpha particle activity

Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.

Combined Radium 226/228

Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.

Total Radium

(for nontransient noncommunity water systems)

Some people who drink water containing radium 223, 224, or 226 in excess of the MCL over many years may have an increased risk of getting cancer.

Uranium

Some people who drink water containing uranium in excess of the MCL over many years may have kidney problems or an increased risk of getting cancer.

