



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

December 11, 2015
Certified Mail/Return
7012 3460 0003 1113 0352

DWR – Sutter Maintenance Yard
P.O. Box 40
Sutter, CA 95982

Attention: Joel Farias

RE: DWR – Sutter Maintenance Yard Public Water System No. 5102032 – Citation No. 21-15C-035 for failing to report 2011 and 2014 Disinfectant Byproduct Results, failing to report 2015 Raw Water Bacteriological results, and failing to submit the 2014 Consumer Confidence and Annual Reports.

Dear Joel,

Enclosed is a citation issued to the DWR – Sutter Maintenance Yard water system. The citation is being issued because the water system failed to meet necessary monitoring and reporting requirements stated within the enclosed citation. Please note that public notification shall be performed per citation directives.

Section 116577 of the California Safe Drinking Water Act provides for the Division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. In accordance with Section 116577, the System will be billed for the preparation and issuance of this citation. The current reimbursement rate is approximately \$156 per hour.

If you have any questions regarding this matter, please call Paul Rowe at (530) 224-4866 or me at (530) 224-4861.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field Operations Branch

Enclosures

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

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Citation No. 21-15C-035

**STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

Public Water System: DWR- Sutter Maintenance Yard
Water System No.: 5102032

To: DWR- Sutter Maintenance Yard
Attn: Joel Farias
P.O. Box 40
Sutter, CA 95982

Issued: December 11, 2015
VIA CERTIFIED MAIL

**CITATION FOR NONCOMPLIANCE
With Title 22, California Code of Regulations
Sections 64534.8, 64534.2, 64480, and 64483**

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation for failure to comply with a requirement 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.

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to DWR – Sutter Maintenance Yard for failure
4 to comply with the applicable authorities stated below.

5
6 **APPLICABLE AUTHORITIES**

7 Section 116650 of the CHSC states:

8
9 *(a) If the Division determines that a public water system is in*
10 *violation of this chapter or any regulation, permit, standard,*
11 *citation, or order issued or adopted thereunder, the Division may*
12 *issue a citation to the public water system. The citation shall be*
13 *served upon the public water system personally or by certified*
14 *mail. Service shall be deemed effective as of the date of*
15 *personal service or the date of receipt of the certified mail. If a*
16 *person to whom a citation is directed refuses to accept delivery*
17 *of the certified mail, the date of service shall be deemed to be*
18 *the date of mailing.*

19
20 *(b) Each citation shall be in writing and shall describe the nature of*
21 *the violation or violations, including a reference to the statutory*
22 *provision, standard, order, citation, permit, or regulation alleged*
23 *to have been violated.*

24
25 *(c) A citation may specify a date for elimination or correction of the*
26 *condition constituting the violation.*

1 (d) A citation may include the assessment of a penalty as specified
2 in subdivision (e).

3
4 (e) The Division may assess a penalty in an amount not to exceed
5 one thousand dollars (\$1,000) per day for each day that a
6 violation occurred, and for each day that a violation continues
7 to occur. A separate penalty may be assessed for each
8 violation.

9
10 Annual Report Standards:

11 Section 116530 of the CHSC states:

12 *A public water system shall submit a technical report to the department as*
13 *part of the permit application or when otherwise required by the department*
14 *[Division]. This report may include, but not be limited to, detailed plans and*
15 *specifications, water quality information, and physical descriptions of the*
16 *existing or proposed system, and financial assurance information.*

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19 Consumer Confidence Report Standards:

20 Section 64480(a), Title 22, of the CCR states in relevant part:

21 (a) *Except as provided in subsection (b), each community and nontransient-*
22 *noncommunity (NTNC) water system shall prepare and deliver the first*
23 *Consumer Confidence Report by July 1, 2001, and subsequent reports*
24 *by July 1 annually thereafter.*

1 Section 64483(c), Title 22, of the CCR states in relevant part:

2 (c) No later than the date the water system is required to distribute the
3 Consumer Confidence Report to its customers, each water system shall
4 mail a copy of the report to the State Board, followed within 3 months by
5 a certification that the report has been distributed to customers, and that
6 the information is correct and consistent with the compliance monitoring
7 data previously submitted to the State Board.

8
9 Disinfectant Byproduct Standards:

10 Section 64534.2 (d)(1), Title 22, of the CCR states in relevant part for water
11 systems that treat their water with a chemical disinfectant:

12 (1) *Community and nontransient noncommunity water systems*
13 *shall monitor for TTHM and HAA5 at the frequencies and*
14 *location totals indicated in table 64534.2-C (table 64534.2-D for*
15 *reduced monitoring) and in accordance with the monitoring plan*
16 *developed pursuant to section 64534.8;*

17
18 Section 64534.2 (Table 64534.2-D), Title 22, of the CCR states in relevant
19 part for less than 500 persons served:

20 *1 dual sample set every third year if the highest TTHM and*
21 *HAA5 measurements occurred at the same location and*
22 *quarter.*

23
24 Section 64534.8, Title 22, of the CCR states in relevant part:

25 (a) *A system shall develop and submit to the State Board a monitoring*
26 *plan. The system shall implement the plan after State Board review and*
27 *approval.*



1 Permit Conditions:

2 System Permit Amendment No. 01-02-93P51048A1, Condition No. 5, states:

3 *The raw un-chlorinated water shall be sampled and tested for coliform*
4 *bacteria presence using one of several approved bacteriological density*
5 *methods at approximately three (3) month intervals.*

6
7 **STATEMENT OF FACTS**

8 The DWR- Sutter Maintenance Yard domestic water system (System) is classified as
9 a non-transient non-community water system. As such, the System is required to
10 submit to the Division various monitoring and reporting documents as well as comply
11 with permit conditions for the System. During the years 2011, 2014 and 2015, the
12 System failed to perform the following:

- 13 • Submit a Stage 2 Disinfectant Byproduct Residual Monitoring Plan and
14 implement by August of 2014 per Section 64534.8, Title 22, of the CCR.
 - 15 • Perform Disinfectant Byproduct Monitoring in 2011 and 2014 per Section
16 64534.2, Title 22, of the CCR. The last results were submitted to the Division
17 for sampling in 2008.
 - 18 • Distribute a 2014 Consumer Confidence Report to consumers as well as
19 submit a copy of the Report and certification to the Division per Sections
20 64480 and 64483, Title 22, of the CCR.
 - 21 • Perform quarterly source water bacteriological monitoring and reporting in 2015
22 per System permit conditions (Permit # 01-02-93P51048A1 for continuous
23 chlorination).
 - 24 • Submit to the Division an electronic Annual Report (eAR) for the year 2014.
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1 **DETERMINATION**

2 Due to the System's failure to perform the requirements stated above, the Division
3 has determined that the System is in violation of the aforementioned sections within
4 the Title 22 Code of Regulations, the California Health and Safety Code, and System
5 Permit Conditions.

6
7 **DIRECTIVES**

8 The Water System is directed to take the following actions:

- 9
10 1) For all future monitoring and/or reporting requirements, Comply with the
11 following applicable authorities:
- 12 (a) Sections 64480 and 64483 (for Consumer Confidence Report due
13 date and distribution), and Sections 64534.2 and 64534.8 (for
14 Disinfectant Byproduct Monitoring), Title 22, of the CCR.
 - 15 (b) California Health and Safety Code 116530 (for the electronic Annual
16 Report).
 - 17 (c) System Permit Amendment No. 01-02-93P51048A1, Condition No. 5
18 (for quarterly raw water sampling).
- 19
- 20 2) The Water System shall provide public notification (by inclusion in the **2015**
21 **Consumer Confidence Report**) of the failure to perform the following:
- 22 (a) Disinfectant Byproduct Residual monitoring and reporting for 2011
23 and 2014.
 - 24 (b) Quarterly raw water monitoring and reporting for 2014.
 - 25 (c) Distribution of the 2014 Consumer Confidence Report to consumers
26 and the Division.

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(d) Submittal of the System's electronic Annual Report (eAR) to the Division.

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 deemed effective upon issuance.

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

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

Reese B. Crenshaw, P. E.
Valley District Engineer
State Water Resources Control Board
Division of Drinking Water
364 Knollcrest Dr. Suite 101
Redding, CA 96002

PARTIES BOUND

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

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SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division 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 Division 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 Division; 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 Division. The Division does not waive any further enforcement action by issuance of this citation.

12/11/15
Date

R. Crenshaw
Reese B. Crenshaw, P.E.,
Valley District Engineer
Division of Drinking Water
State Water Resources Control Board

