



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

July 10, 2015

PWS No. 5710005

Certified Mail Return/Receipt
No. 7009 2250 0004 3622 0086

John Donlevy
Director of Public Works /Operations
City of Winters Water System
318 First Street
Winters, CA 95694

**CITY OF WINTERS PUBLIC WATER SYSTEM (PWS No. 5710005)
COMPLIANCE ORDER No. 01_09_15R_005**

John Donlevy:

Enclosed is a copy of the Division of Drinking Water Compliance Order No. 01_09_15R_005 issued to the City of Winters public water system (PWS# 5710005). Please note there are certain deadlines associated with this Compliance Order.

If you have any questions, please feel free to contact Sacramento District Engineer Ali Rezvani at (916) 445-5285 or via email at Ali.rezvani@Waterboards.ca.gov.

Sincerely,

Richard L. Hinrichs, P.E., Chief
Northern California Section
Drinking Water Field Operations Branch

Enclosures

cc. Ali R. Rezvani, P.E., – Sacramento District Engineer

Yolo County Environmental Health Department (no attachments)
Leslie Lindbo, Director of Environmental Health
137 N. Cottonwood Street, Suite 2400
Woodland, CA 95695

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

1 CALIFORNIA
2 STATE WATER RESOURCES CONTROL BOARD
3 DIVISION OF DRINKING WATER
4

5 TO: City of Winters Water System
6

7 ATTN: John Donlevy,
8 Director of Public Works
9 318 First Street
10 Winters, CA 95694
11

12 COMPLIANCE ORDER NO. 01_09_15R_005
13 FOR
14 VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a)(1) AND
15 THE PRIMARY DRINKING WATER STANDARD FOR HEXAVALENT CHROMIUM
16 Dated July 10, 2015
17

18 The State Water Resources Control Board (hereinafter "Board"), acting by and through its
19 Division of Drinking Water (hereinafter "Division") and the Deputy Director for the
20 Division, hereby issues this compliance order (hereinafter "Order") pursuant to Section
21 116655 of the California Health and Safety Code (hereinafter "CHSC") to the City of
22 Winters public water system (PWS# 5710005) (hereinafter "Water System") for violation
23 of CHSC section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter
24 "CCR"), Section 64431.
25

26 **APPLICABLE AUTHORITIES**
27

28 **CHSC, Section 116555(a)(1) states in relevant part:**

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

31 (1) Complies with primary and secondary drinking water standards.
32

1 **CHSC, Section 116655 states in relevant part:**

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(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the department.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

Title 22, CCR, Section 64431 (hereinafter “Section 64431”), states in relevant part:

Public water systems shall comply with the primary MCLs in Table 64431-A as specified in this article.

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Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO3)	45.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Title 22, CCR Section 64432 (hereinafter “Section 64432”) provides in relevant part:

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

- (1) Inform the Department within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or
- (2) Inform the Department within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the Department within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

1 (h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48
2 hours of receipt of the result the water supplier shall notify the Department and resample
3 as confirmation. The water supplier shall notify the Department of the result(s) of the
4 confirmation sample(s) within 24 hours of receipt of the confirmation result(s).

5
6 (1) If the average concentration of the original and confirmation sample(s) is less
7 than or equal to ten times the MCL, the water supplier shall monitor quarterly
8 beginning in the quarter following the quarter in which the exceedance occurred.

9 (2) If the average concentration of the original and confirmation sample(s) exceeds
10 ten times the MCL, the water supplier shall, if directed by the Department;

11
12 (A) Immediately discontinue use of the contaminated water source; and

13 (B) Not return the source to service without written approval from the
14 Department.

15
16 (i) Compliance with the MCLs shall be determined by a running annual average; if any
17 one sample would cause the annual average to exceed the MCL, the system is
18 immediately in violation. If a system takes more than one sample in a quarter, the
19 average of all the results for that quarter shall be used when calculating the running
20 annual average. If a system fails to complete four consecutive quarters of monitoring, the
21 running annual average shall be based on an average of the available data.

22
23 **STATEMENT OF FACTS**

24
25 Pursuant to CHSC, Section 116275, the Water System is classified as a community
26 water system. The Water System owns and operates five active groundwater wells as its
27 sources of domestic water supplies. The Water System supplies water for domestic
28 purposes to an estimated population of 6,979 people within the City of Winters in Yolo
29 County and through 2,025 service connections. The Water System operates under
30 Domestic Water Supply Permit No. 01-88-04, issued on March 28, 1968. Permit No. 01-
31 88-04 has been amended three times. The latest permit activity was a temporary permit
32 No. 10-10-11-PER-032, issued October 10, 2011.

1
2 Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water
3 standards and monitoring and reporting requirements for inorganic constituents.
4 Community and non-transient non-community water systems must comply with the
5 maximum contaminant level (MCL) for hexavalent chromium of 0.010 mg/L, as
6 established in Title 22, CCR, Section 64431.

7
8 Section 64432 specifies that compliance with the hexavalent chromium MCL is based on
9 a “running annual average” (RAA) of the quarterly monitoring samples, computed each
10 quarter. Further, Section 64432(i) states: “... if any one sample would cause the annual
11 average to exceed the MCL, the system is immediately in violation.” Samples collected
12 from the Water System’s groundwater sources during the second calendar quarter of
13 2015 indicated the presence of hexavalent chromium in four (4) of the five (5) active
14 groundwater sources (based on the RAAs) that have exceeded the hexavalent chromium
15 MCL. These sources are: Well 4 (Source No. 5710005-005), Well 5 (Source No.
16 5710005-006), Well 6 (Source No. 5710005-007), and Well 7 (Source No. 5710005-013).

17
18 A summary of the Water System’s hexavalent chromium monitoring results from the
19 above mentioned sources is presented in Table 1 below. All results are as reported to
20 the Division by the laboratory that performed the analyses.

21
22 **Table 1 - Water System Hexavalent Chromium Monitoring Results (mg/L)**

Source	4th Quarter 2014 (A)	1st Quarter 2015 (B)	2nd Quarter 2015 (C)	RAA* (A + B + C)/4
Well 4	0.017	0.019	0.015	0.013
Well 5	0.019	0.017	0.018	0.014
Well 6	0.018	0.017	0.011	0.012
Well 7	0.022	0.022	0.023	0.017

23 * RAA calculated with an assumed non-detect during the third calendar quarter of 2015.

24
25 The RAAs have been calculated using the reported previous three quarter periods and
26 assuming “best case” non-detect results for the remaining fourth sample. The calculated



1 RAAs for the sources listed in above table ranged from 0.012 mg/L to 0.017 mg/L. All
2 four sources have exceeded the hexavalent chromium MCL of 0.010 mg/L.

3
4 **DETERMINATIONS**

5
6 Based on the above Statement of Facts, the Division has determined that the Water
7 System has violated CHSC, Section 116555 and Section 64431 in that the water
8 produced by four active groundwater sources, as determined during the second calendar
9 quarter of 2015, exceeded the hexavalent chromium MCL as shown in Table 1, and
10 further has determined that said violation has continued through the date of this Order.

11
12 **DIRECTIVES**

13
14 The Water System is hereby directed to take the following actions:

- 15
- 16 1. On or before August 1, 2015, submit a written response to the Division indicating
17 its agreement to comply with the directives of this Order and with the Corrective
18 Action Plan addressed herein.
 - 19
20 2. Commencing on the date of service of this Order, provide quarterly public
21 notification in accordance with **Attachment A**. This notification shall include the
22 Water System failure to meet the hexavalent chromium MCL during any calendar
23 quarter that the four-quarter running annual average exceeds the MCL. The
24 public notification must be submitted to the Division for approval prior to
25 distribution.
 - 26
27 3. Commencing on the date of service of this Order, submit proof of each public
28 notification conducted in compliance with Directive No. 2, herein above, within 10
29 days following each such notification, using the form provided as **Attachment B**.
 - 30
31 4. Commencing on the date of service of this Order, continue to collect quarterly
32 samples for hexavalent chromium from all active groundwater sources, as

1 required by Section 64432(g), and ensure that the analytical results are reported
2 to the Division electronically by the analyzing laboratory by no later than the 10th
3 day following the month in which the analyses were completed.
4

- 5 5. Prepare for Division review and approval, and prior to implementation, a
6 Corrective Action Plan identifying improvements to the water system infrastructure
7 needed to correct the water quality problem (violation of the hexavalent chromium
8 MCL) and ensure that Water System delivers water to consumers that meets all
9 primary drinking water standards. The plan shall include a time schedule for
10 completion of each of the phases of the project such as design, construction, and
11 startup, and a date as of which the Water System will be in compliance with the
12 hexavalent chromium MCL at all entry points to the distribution system.
13
- 14 6. On or before November 1, 2015, present the Corrective Action Plan required
15 under Directive No. 5, above, to the Division either in person at the Division's
16 office located at 1001 I Street, 13th Floor in Sacramento, California, or via certified
17 mail for review and comment. For a meeting, please contact the Sacramento
18 District office in advance to schedule an appointment.
19
- 20 7. Timely perform the Division-approved Corrective Action Plan and each and every
21 element of said plan according to the time schedule set forth therein.
22
- 23 8. On or before August 31, 2015, and every three months thereafter, submit a report
24 to the Division showing and describing actions taken during the previous calendar
25 three months to comply with the Corrective Action Plan.
26
- 27 9. Not later than ten (10) days following the date of compliance with the hexavalent
28 chromium MCL, demonstrate to the Division that the water delivered by Water
29 System's active sources complies with the hexavalent chromium MCL.
30

1 10. Notify the Division in writing no later than five (5) days prior to the deadline for
2 performance of any Directive set forth herein if Water System and/or its owner of
3 record anticipates it will not timely meet such performance deadline.

4
5 All submittals required by this Order shall be addressed to:

6
7 Ali R. Rezvani, P.E.
8 District Engineer, Sacramento District Office
9 State Water Resources Control Board
10 Division of Drinking Water
11 1001 I Street, 13th Floor
12 Sacramento, CA 95814
13

14 As used in this Order, the date of issuance shall be the date of this Order; and the date of
15 service shall be the date of service of this Order, personal or by certified mail, on the
16 Water System or its owner of record.

17
18 The Division reserves the right to make such modifications to this Order and/or to issue
19 such further order(s) as it may deem necessary to protect public health and safety. Such
20 modifications may be issued as amendments to this Order and shall be deemed effective
21 upon issuance.

22
23 Nothing in this Order relieves the Water System or its owner of record of its obligation to
24 meet the requirements of the California SDWA, or any regulation, standard, permit or
25 order issued thereunder.

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27 **PARTIES BOUND**

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29 This Order shall apply to and be binding upon the Water System, its owners,
30 shareholders, officers, directors, agents, employees, contractors, successors, and
31 assignees.
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SEVERABILITY

The Directives of this Order are severable, and the Water System and its owner of record shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a 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 regulation, permit, standard, citation, 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 public water 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 an order of the Board. The Board does not waive any further enforcement action by issuance of this Order.

Richard L. Hinrichs

7/10/2015

Richard L. Hinrichs, P.E., Chief

Date

Northern California Section
State Water Resources Control Board
Division of Drinking Water



Certified Mail No. 7009 2250 0004 3622 0086

cc: Yolo County Environmental Health Department (no attachments)

Instructions for Tier 2 Hexavalent Chromium MCL 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

Attachment A

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.

**City of Winters Has Levels of Hexavalent Chromium
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 _____ showed hexavalent chromium levels of _____. This is above the standard, or maximum contaminant level (MCL), of 0.010 milligrams per liter.

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, *some people who drink water containing hexavalent chromium in excess of the MCL over many years may have an increased risk of getting cancer.*
- 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?

Planned Corrective Action:

We anticipate resolving the problem by no later than: _____.

For more information, please contact

Name of contact: _____

Phone number: _____

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 City of Davis Public Water System.

State Water System ID#: 5710005. Date distributed: _____.

ATTACHMENT B

CERTIFIED MAIL NO.

PROOF OF NOTIFICATION AND DIRECTIVES COMPLETED

Compliance Order Number 01-09-15R-005

Name of Water System: *City of Winterss Public Water System*

System Number: *5710005*

Certification

As required by Section 64463.4 of the California Code of Regulations, I certify that the users of the water supplied by the *City of Winters Public Water System* were notified of the violation(s) of Title 22, California Code of Regulations (CCR) for the 3rd *Quarter 2015* compliance period from July 1, 2014 through June 30, 2015. In addition, I certify that the *City of Winters Public Water System* has complied with the directives of this Order as indicated below:

Required Action	Date Completed
Public Notification - Mail or Hand Delivery	<input type="text"/>
Public Notification -- Newspaper	<input type="text"/>
_____ Signature of Water System Representative	_____ Date

Attach a copy of the notice delivered to customers and printed in the newspaper.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

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.

01-09-15R-005