



# County of Yolo

DEPARTMENT OF COMMUNITY SERVICES

## Environmental Health Division

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**Director of Environmental Health**

CERTIFIED MAIL 7015-1730-0001-4827-4921

ATTN: JERRY WRIGHT  
GRASSLAND PARK HOST WELL  
120 W MAIN STREET STE C  
WOODLAND CA 95695

LPA ID: 5700757

### COMPLIANCE ORDER CC0001213

FOR

**VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555(a)(1) FOR  
NITRATE MAXIMUM CONTAMINATION LEVEL (MCL)**

**Issued On: August 22, 2016**

The Environmental Health Division of the Yolo County Department of Community Services (hereinafter "Division"), the Local Primacy Agency, hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to Grassland Park Host Well Public Water System (hereinafter "Water System" (PWS#5700757)) for violation of CHSC section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

#### **APPLICABLE AUTHORITIES**

##### **CHSC, Section 116650 states in the relevant part:**

The authorization to the issuance a compliance order for failure to comply with a requirement of the California Safe Drinking Water Act, any regulation, standard, permit, or order issued hereunder.

##### **CHSC, Section 116555(a)(1) stated in the 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.

##### **CHSC, Section 116275(h)(o), in relevant part provides:**

(h) "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or

1 regularly serves at least 25 individuals daily at least 60 days out of the year. A public water  
2 system includes the following:

3 (1) Any collection, treatment, storage, and distribution facilities under control of the  
4 operator of the system that are used primarily in connection with the system.

5 (2) Any collection or pretreatment storage facilities not under the control of the  
6 operator that are used primarily in connection with the system.

7 (3) Any water system that treats water on behalf of one or more public water systems  
8 for the purpose of rendering it safe for human consumption.

9 (o) "Transient noncommunity water system" means a noncommunity water system that does  
10 not regularly serve at least 25 of the same persons over six months per year.

11 **CHSC, Section 116275(ac)(b), states in relevant parts:**

12 (ac) "State board" means the State Water Resources Control Board.

13 (b) "Department" means the state board.

14 **CHSC, Division 104, Part 12, Chapter 4, Article 2, Section 116330 (a), in relevant part provides:**

15 (a) The department may delegate primary responsibility for the administration and enforcement  
16 of this chapter within a county to a local health officer authorized by the board of supervisors to  
17 assume these duties, by means of a local primacy delegation agreement if the local health  
18 officer demonstrates that it has the capability to meet the local primacy program requirements  
19 established by the department pursuant to subdivision (h) of Section 116375. This delegation  
20 shall not include the regulation of community water systems serving 200 or more service  
21 connections. The local primacy agreement may contain terms and conditions that the  
22 department deems necessary to carry out this chapter. The local primacy agreement shall  
23 provide that, although the local primacy agency shall be primarily responsible for administration  
24 and enforcement of this chapter for the designated water systems, the department does not  
25 thereby relinquish its authority, but rather shall retain jurisdiction to administer and enforce this  
26 chapter for the designated water systems to the extent determined necessary by the  
27 department.

28 **CHSC, Division 104, Part 12, Chapter 4, Article 9, Section 116655, in relevant parts provides:**

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

32 (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.

**CCR, Title 22, Section 64431, states in relevant part:**

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

**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
<b>Nitrate (as nitrogen)</b>	<b>10.</b>
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 µm in length.

**CCR, Title 22, Section 64432(a), states in relevant part:**

1 (a) All public water systems shall monitor to determine compliance with the nitrate and nitrite  
2 MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1.

3 **CCR, Title 22, Section 64432.1(a), states in relevant part:**

4 (a) To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems  
5 using groundwater and transient-noncommunity systems using approved surface water shall  
6 monitor annually, and all community and nontransient-noncommunity systems using approved  
7 surface water shall monitor quarterly.

8 (1) The water supplier shall require the laboratory to notify the supplier within 24 hours  
9 whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that  
10 a contact person is available to receive such analytical results 24-hours a day. The water  
11 supplier shall also require the laboratory to immediately notify the State Board of any  
12 acute nitrate MCL exceedance if the laboratory cannot make direct contact with the  
13 designated contact person within 24 hours. Within 24 hours of notification, the water  
14 supplier shall:

15 (A) Collect another sample, and

16 (B) Analyze the new sample; if the average of the two nitrate sample results  
17 exceeds the MCL, report the result to the State Board within 24 hours. If the  
18 average does not exceed the MCL, inform the State Board of the results within  
19 seven days from the receipt of the original analysis.

20 (C) If a system is unable to resample within 24 hours, it shall notify the  
21 consumers by issuing a Tier 1 Public Notice pursuant to section 64463.1 and  
22 shall collect and analyze a confirmation sample within two weeks of notification  
23 of the results of the first sample.

24 (2) For public water systems using groundwater, the repeat monitoring frequency shall  
25 be quarterly for at least one year following any one sample in which the concentration is  
26 greater than or equal to 50 percent of the MCL.

27  
28 **STATEMENT OF FACTS**

29 The Water System is a public transient non-community water system defined in CHSC, Section 116275  
30 that supplies water for domestic purpose to approximately fifty (50) individuals through approximately  
31 three (3) services connections located in Yolo County. The Water System operates under the Domestic  
32 Water Supply Permit number 5700757 issued on October 5, 2010.

1  
2 The Water System utilizes one active groundwater well as its source of domestic water supply. CCR, Title  
3 22, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and  
4 reporting requirements for inorganic constituents. All public water systems must comply with the  
5 maximum contaminant level for nitrate 10 mg/L, as established in CCR, Title 22, Division 4, Chapter 15,  
6 Article 4, Section 64431.

7  
8 A summary of the Water System's nitrate monitoring is presented in Table 1 below. All results are as  
9 reported to the Division by the laboratory that performed the analysis.

10 **Table 1: Well 01 Nitrate Monitoring Results**

Quarter	Sample Date	Location	Result
2Q2014	5/20/2014	Well 01	11.07 mg/L
2Q2014	5/27/2014	Well 01	11.3 mg/L
3Q2015	8/25/2015	Well 01	11.3 mg/L
4Q2015	11/17/2015	Well 01	6.09 mg/L
1Q2016	2/17/2016	Well 01	6.8 mg/L
2Q2016	4/26/2016	Well 01	6.6 mg/L
3Q2016	8/2/2016	Well 01	12.0 mg/L
3Q2016	8/10/2016	Well 01	10.0 mg/L
3Q2016	<i>Average of Results</i>	Well 01	11.0 mg/L

11  
12 The third quarter 2016 average of results for Well 01 is 11.0 mg/L, which exceeds the nitrate MCL of  
13 10.0 mg/L. Results of samples taken from water produced from Well 01 since 8/25/2015 show the  
14 nitrate levels in said well continues to exceed the nitrate MCL annually.

15  
16 **DETERMINATIONS**

17 Based on the above Statement of Facts, the Division has determined that the Water System has violated  
18 CHSC, Division 104, Part 12, Chapter 4, Article 7, and Section 116555 and CCR, Title 22, Division 4,  
19 Chapter 15, Article 4, Section 64431 in that the water produced by Well 01, during the third quarter of  
20 2016, exceeded the nitrate MCL as shown in Table 1 above.

21  
22 Citation no. CC0001048 was issued on 5/28/14 for Nitrate MCL violation. The Water System was  
23 directed to submit to the Division a plan to reduce the high nitrate levels.

24

1 The Compliance Order herein supersedes the Citation no. CC0001048 issued 5/28/14. The Water System  
2 must to comply will all directives that are within this Order.

3

4 **DIRECTIVES**

5 Water System is hereby directed to take the following actions:

- 6 1. On or before **August 29, 2016** submit a written response to the Division indicating its agreement  
7 to comply with the directives of this Order and with the Corrective Action Plan addressed  
8 herein.
- 9 2. Commencing on the date of service of this Order, provide quarterly public notification in  
10 accordance with *Attachment A*, hereto, of the Water System's failure to meet the nitrate MCL  
11 during any calendar quarter that the sample result exceeds the MCL.
- 12 3. Commencing on the date of service of this Order, submit a copy of each public notification  
13 conducted in compliance with Directive no. 2, herein above, within 10 days following each such  
14 notification.
- 15 4. Commencing on the date of service of this Order collect quarterly samples for nitrate from the  
16 well, as required by Section 64432.1(2), and ensure that the analytical results are reported to  
17 the Division electronically by the analyzing laboratory no later than the 10th day following the  
18 month in which the analysis was completed.
- 19 5. Prepare for Division approval a Corrective Action Plan identifying improvements to the water  
20 system designed to correct the water quality problem (violation of the nitrate MCL) and ensure  
21 that the Water System delivers water to consumers that meets primary drinking water  
22 standards. The plan shall include a time schedule for completion of each of the phases of the  
23 project such as design, construction, and startup, and a date as of which the Water System will  
24 be in compliance with the nitrate MCL. Submit a Corrective Action Plan to the Division on or  
25 before **October 31, 2016**.
- 26 6. Timely perform the Division approved Corrective Action Plan and each and every element of  
27 said plan according to the time schedule set forth therein.
- 28 7. On or before **February 28, 2017**, comply with CCR, Title 22, Section 64431 and remain in  
29 compliance.
- 30 8. Not later than ten (10) days following the date of compliance with the nitrate MCL, demonstrate  
31 to the Division that the water delivered by Water System complies with the nitrate MCL.



1 regulations or has failed to comply with an order of the Division; and to petition the superior court to  
2 take various enforcement measures against a public water system that has failed to comply with an  
3 order of the Division. The Division does not waive any further enforcement action by issuance of this  
4 Order.

5

6 Under the Yolo County Ordinance, preparation of this compliance order as well as other enforcement  
7 activities will be billed at \$152 per hour to the water system. An invoice for 2 hours of report writing,  
8 consultation and record review will be billed to the water system account in the month of September  
9 2016 for extra time spent as a result of enforcement actions required for the nitrate MCL violation.

10



11  
12

13 \_\_\_\_\_  
14 Chelsea Brown  
15 Environmental Health Specialist I  
Yolo County Environmental Health

8/22/2016

Date

## Attachment A

### Instructions for Tier 1 Nitrate Notice Template

#### Template Attached

Since exceeding the nitrate maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.1(b)]. **During this time period, you must also contact the Department. Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].** You should also coordinate with your local health department.

#### Notification Methods

You must use one or more of the following methods to deliver the notice to consumers [64463.1(c)]:

- Radio or television
- Posting in conspicuous locations throughout the area served by the water system
- Hand delivery to persons served by the water system

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand-deliver, print your notice on letterhead, if available.

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

#### Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

## Attachment A

### **Population Served**

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

### **Alternative Sources of Water**

If you are providing alternative sources of water for infants or pregnant women, your notice should say where to obtain it. If you choose to provide bottled water, remember that bottled water can also be contaminated or high in nitrates if the bottler uses water from your system. If you are providing bottled water, make sure it meets standards by contacting the bottler and asking for the most recent test results.

### **Corrective Action**

In your notice, describe corrective actions you are taking. The bullet below describes one action commonly taken by water systems with nitrate/nitrite violations. Use this language, if appropriate, or develop your own:

- “We are investigating water treatment and other options. These may include drilling a new well, mixing the water with low-nitrate water from another source, or buying water from another water system.”

### **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 Department within ten days after issuing the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions, and the doctors should have the information they need to respond appropriately. They also need to make sure the water is not provided to infants and pregnant women in their care.

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

## Attachment A

### 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.

#### DRINKING WATER WARNING

Grassland Park Host Well water has high levels of nitrate

**DO NOT GIVE THE WATER TO  
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN  
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received 8/2/16 and 8/10/16 showed an average of nitrate levels of 11 milligrams per liter. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

#### What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

## Attachment A

### What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.] \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 Grassland Park Host Well.

State Water System ID#: 5700757. Date distributed: \_\_\_\_\_.