CALIFORNIA
Water Boards

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JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

January 22, 2019 System No. 1700584

Bill Lee, Owner
Westwind Mobile Home Park
4050 Upper Drive
Lake Oswego, OR 97035

CITATION NO. 02_03_19C_002
DISINFECTION BYPRODUCTS – MAXIMUM CONTAMINANT LEVEL VIOLATION FOR THE THIRD QUARTER 2018

Enclosed is Citation No. 02_03_19C_002 (hereinafter Citation) issued to the Westwind Mobile Home Park (hereinafter System) by the State Water Resources Control Board, Division of Drinking Water (hereinafter Division) for the failure to comply with the maximum contaminant level for disinfection byproducts (hereinafter DBPs) during the third calendar quarter of 2018. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter State Water Board) hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter CHSC), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to preparing, issuing, and monitoring compliance with a citation. At this time, the State Water Board has spent approximately two hours on enforcement activities associated with this violation. The System will receive a bill sent from the State Water Board 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.

Any person who is aggrieved by a citation, order, or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4) may file a petition with the State Water Board for reconsideration of the citation, order, or decision (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order, or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division mails a copy of the citation, order, or

decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Lori Hanson of my staff at (707) 576-2604.

Sincerely,

Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
State Water Resources Control Board

Enclosures

cc: Zach Rounds, Division of Drinking Water (via email)
Lake County Environmental Health

Craig Shields
P.O. Box 1813
Clearlake, CA 95422

1700584/Compliance File #4
02_03_19C_002-1700584-02-27/LSH

Citation No. 02_03_19C_002

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Westwind Mobile Home Park

Water System Number: 1700584

Attention: Bill and Kim Lee, Owners
4050 Upper Drive
Lake Oswego, OR 97035

Issued: January 22, 2019

CITATION FOR NONCOMPLIANCE WITH CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND SECTIONS 64533 and 64534.2 , TITLE 22, OF THE CALIFORNIA CODE OF REGULATIONS

Disinfection Byproducts Monitoring Requirements – 2018

and

Maximum Contaminant Level – Disinfection Byproducts

Third Calendar Quarter 2018

The California Health and Safety Code (hereinafter CHSC), Section 116650 authorizes the State Water Resources Control Board (hereinafter State Water Board), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking

Water Act (hereinafter California SDWA), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter Division), and the Deputy Director for the Division, hereby issues Citation No. 02_03_19C_002 (hereinafter Citation), pursuant to Section 116650 of the CHSC to the Westwind Mobile Home Park (hereinafter System), for violation of Section 116555(a)(1) of the CHSC, and violation of Section 64533 and Section 64534.2, Title 22, of the California Code of Regulations (hereinafter CCR). Section 64533 states that the primary maximum contaminant levels (MCLs) for disinfection byproducts (DBPs) shall not be exceeded in drinking water supplied to the public. Section 64534.2 states that community water systems shall monitor for disinfection byproducts – specifically total trihalomethanes (TTHM) and haloacetic acids (HAA5) – at the frequencies and locations as indicated in the regulations.

STATEMENT OF FACTS

The Westwind Mobile Home Park is classified as a community water system serving approximately 38 connections with an estimated population of 104. The System operates under Domestic Water Supply Permit No. 02-03-16P1700584 issued by the State Water Board on November 21, 2016.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants and the monitoring and reporting requirements as specified in regulations adopted by the State Water Board that pertain to MCLs.

Section 64533, Title 22, of the CCR, requires that the primary MCLs for DBPs shall not be exceeded in drinking water supplied to the public. Haloacetic acids (HAA5) is one type of DBP found in certain drinking water. The maximum contaminant level for HAA5 is 60 ug/L.

Section 64534.2, Title 22, of the CCR, requires that community and nontransient noncommunity water systems shall monitor for TTHM and HAA5 at the frequencies and locations specified in the regulations. The System is required to collect one distribution system sample every calendar quarter from the sampling site designated PS Code 1700584-003, for TTHM and HAA5 analysis. The Division's records indicate that no sample was collected from PS Code 1700584-003 during the second calendar quarter of 2018.

Under Title 22, CCR, Section 64535.2(b)(1), compliance with the HAA5 MCL of 60 ug/L is based on a running annual average, calculated quarterly, for each monitoring location. The Division received the following laboratory results for quarterly HAA5 samples collected from the Westwind Mobile Home Park water system (see table below). The samples were collected between August 15, 2017 and September 25, 2018 at the sampling site designated with PS Code 1700584-003.

Sample Date	Calendar Quarter	Laboratory Result	Running Annual Average
August 15, 2017	3	28.1 ug/L	--
December 30, 2017	4	85.9 ug/L	--
March 28, 2018	1	60.9 ug/L	--
September 25, 2018	3	96.2 ug/L	**64.9 ug/L**

The running annual average HAA5 concentration for the third quarter of 2018 is 64.9 ug/L at PS Code 1700584-003.

DETERMINATIONS

The Division has determined that the Westwind Mobile Home Park violated Section 116555(a)(1), of the CHSC, and violated Section 64534.2, Title 22, of the CCR by failing to monitor sampling site PS Code 1700584-003 for TTHM and HAA5 during the second calendar quarter of 2018.

The Division has determined that the Westwind Mobile Home Park violated Section 64533, Title 22, of the CCR. The System failed to comply with the MCL for HAA5 in the third calendar quarter of 2018. For a public water system monitoring HAA5 on a quarterly basis, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCL of 60 ug/L.

DIRECTIVES

The Westwind Mobile Home Park is hereby directed to take the following actions:

1. The System shall cease and desist from violating Section 116555(a)(1), of the CHSC, and Section 64533 and Section 64534.2, Title 22, of the CCR.

2. **On or before February 14, 2019**, notify all persons served by the System of the HAA5 maximum contaminant level violation, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. The Public Notification form contained in Appendix 1 of this citation must be used to fulfill this directive of notifying the public. **The contacts section and the corrective actions section shall be completed prior to distribution to the customers**.

3. A **second method of notification** must also be chosen to reach persons unlikely to be reached by mail or direct delivery. The System can choose publication in a local newspaper, delivery to community organizations, posting in conspicuous

locations in the area served by the System, or posting on the internet. If posting is chosen, it must continue for seven (7) days. This secondary notice must also be completed **by February 14, 2019**.

4. The System shall complete Appendix 2: Compliance Certification. Submit Appendix 2, together with copies of **proof of the <u>two methods</u> of public notification** to the Division **on or before February 21, 2019**.

5. The public notification and Compliance Certification requirements listed in the directives above shall be performed quarterly until the System is no longer in violation of a disinfection byproduct maximum contaminant level. **Future quarterly public notifications must include the most recent data available and must be approved by the Division prior to distribution to the System's customers**. The public notice shall be distributed within 30 days of receiving laboratory results. After distribution of the approved notice to all customers, a copy of that public notice shall be submitted to the Division within 10 days of distribution.

6. The System shall complete and submit an Operational Evaluation Reporting Form by **February 21, 2019**. The form shall describe the potential factors that contributed to the formation of the disinfection byproducts. The System shall include a compliance plan that describes the actions taken by the System to minimize the production of disinfection byproducts, a timeline for compliance and the monitoring frequency of various water quality parameters to determine if the action is adequate to minimize the formation of disinfection byproducts. Operational Evaluation Reporting (OEL) forms are found on the Division of Drinking Water, Mendocino District website at:

https://www.waterboards.ca.gov/drinking_water/programs/districts/mendocino_district.html

All documents required by this Citation shall be submitted to the Division at dwpdist03@waterboards.ca.gov or mailed to:

Division of Drinking Water - Mendocino District
State Water Resources Control Board
50 D Street, Suite 200, Santa Rosa, CA 95404

The State Water Board reserves the right to make 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 Westwind Mobile Home Park of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

This Citation shall apply to and be binding upon the Westwind Mobile Home Park, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the Westwind Mobile Home Park shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order 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 State Water 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 State Water 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 State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

01-22-2019
Date

Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
State Water Resources Control Board

Certified Mail No. 7016 0910 0001 2050 1133

Appendices:

1. Public Notification Template
2. Compliance Certification Form

1700584/Compliance File #4/02_03_19C_002/LSH

Appendix 1

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este aviso contiene información muy importante sobre su agua potable, por favor lea el aviso en español si va aquí incluido. Si el aviso en español no va incluido aquí, contacte al sistema de agua para pedir una copia.

Westwind Mobile Home Park had levels of Haloacetic Acids Above Drinking Water Standards in 2018

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

What happened?

We routinely monitor for the presence of drinking water contaminants. We are required by the regulations to routinely sample the drinking water and test it for the presence of **disinfection byproducts** – specifically total trihalomethanes (TTHM) and haloacetic acids (HAA5). During the second calendar quarter of 2018 (April/May/June), we did not monitor for TTHM and HAA5, and therefore cannot be sure of the quality of your drinking water during that time.

The testing results from samples we did collect in 2018 show that our system exceeds the standard, or maximum contaminant level (MCL), for Haloacetic Acids. The MCL for Haloacetic Acids is 60 ug/L. The testing results from August 2017 through September 25, 2018 ranged from 28.1 ug/L to 96.2 ug/L. The average level of Haloacetic Acids during the third quarter of 2018 was **67.8 ug/L**.

What should I do?

- **You <u>do not</u> need to use an alternative (e.g. , bottled) water supply.**
- This is not an immediate risk. If it had been, you would have been notified immediately. However, *some people who drink water containing haloacetic acids 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 is being done to correct the situation?

_____

_____

_____

_____

_____

_____

We anticipate resolving the problem within _____

For more information, please contact _____at phone number _____ or at the following 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 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 within the area served by the water system.

This notice is being sent to you by the Westwind Mobile Home Park.

State Water System ID#: **1700584** Date distributed: _____

APPENDIX 2 - COMPLIANCE CERTIFICATION

Citation Number: 02_03_19C_002

Name of Water System: **Westwind Mobile Home Park**

System Number: **1700584**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violation of Title 22, California Code of Regulations. In addition, I certify that the Westwind Mobile Home Park complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – First Method (REQUIRED) ☐ Complete Appendix 1 as required in **Directive 2**, on page 4 of this citation. Then deliver completed notice to each customer of the water system using mail or direct delivery (attach copy of notice used for delivery).	
Public Notification – Second Method	

Choose one of the following:

☐Publication in a local newspaper or newsletter (attach copy of published notice in newspaper); OR

☐ Post copies of the notice in conspicuous locations for seven days (attach photos of posted notices, specify locations and dates of posting); OR

☐Post notice on the Internet or intranet (provide website address and attach printout of notice on website)

Signature of Water System Representative _____ Date _____

THIS FORM MUST BE COMPLETED AND RETURNED WITH ATTACHMENTS TO THE DIVISION NO LATER THAN February 21, 2019

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.