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**STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

**IN RE:** City of Signal Hill  
2175 East 28<sup>th</sup> Street  
Signal Hill, CA 90755

**TO:** Mr. Rick Olson  
Deputy Director of Public Works  
City of Signal Hill

**CITATION FOR NONCOMPLIANCE - WATER SYSTEM NO. 1910149**

**CITATION NO. 04-07-13C-001**

**Issued on November 7, 2013**

Section 116650 of Chapter 4, Part 12, Division 104 of the California Health and Safety Code (H&S Code) authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

The Division of Drinking Water and Environmental Management of the California Department of Public Health (hereinafter, Department) hereby issues a citation to the City of Signal Hill (hereinafter, the City) (mailing address: 2175 East 28<sup>th</sup> Street, Signal Hill, CA 90755) for failure to comply with Sections 64534.2 (d) (1) and 64534.8 of Title 22, California Code of Regulations.

1 **APPLICABLE AUTHORITIES**

2  
3 Section 116650 of H&S Code provides:

4  
5 116650. Citations

6  
7 (a) *If the Department determines that a public water system is in violation of this*  
8 *chapter or any regulation, permit, standard, citation, or order issued or adopted*  
9 *thereunder, the Department may issue a citation to the public water system. The*  
10 *citation shall be served upon the public water system personally or by certified*  
11 *mail. Service shall be deemed effective as of the date of personal service or the*  
12 *date of receipt of the certified mail. If a person to whom a citation is directed*  
13 *refuses to accept delivery of the certified mail, the date of service shall be*  
14 *deemed to be the date of mailing.*

15  
16 (b) *Each citation shall be in writing and shall describe the nature of the violation or*  
17 *violations, including a reference to the statutory provision, standard, order,*  
18 *citation, permit, or regulation alleged to have been violated.*

19  
20 (c) *A citation may specify a date for elimination or correction of the condition*  
21 *constituting the violation.*

22  
23 (d) *A citation may include the assessment of a penalty as specified in subdivision*  
24 *(e).*

25  
26 (e) *The Department may assess a penalty in an amount not to exceed one thousand*  
27 *dollars (\$1,000) per day for each day that a violation occurred, and for each day*

1            *that a violation continues to occur. A separate penalty may be assessed for each*  
2            *violation.*

3  
4            Title 22, California Code of Regulations, Section 64534.2 states in relevant part:

5  
6            *Section 64534.2. Disinfection Byproducts Monitoring.*

7  
8            *(d) By the applicable date specified in Section 64530 (d), and in lieu of TTHM and*  
9            *HAA5 monitoring in subsection (a):*

10  
11            *(1) Community and nontransient noncommunity water systems shall monitor for*  
12            *TTHM and HAA5 at the frequencies and location totals indicated in Table*  
13            *64534.2-C and in accordance with the monitoring plan developed pursuant to*  
14            *Section 64534.8;*

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**Table 64534.2-C Routine Monitoring Frequency for TTHM and HAA5**

Source water type	Persons served	Minimum monitoring frequency <sup>1</sup>	
		Number of distribution system monitoring locations	Monitoring period <sup>2</sup>
System using approved surface water	≥5,000,000	20 dual sample sets	Per quarter
	1,000,000-4,999,999	16 dual sample sets	Per quarter
	250,000-999,999	12 dual sample sets	Per quarter
	50,000-249,999	8 dual sample sets	Per quarter
	10,000-49,999	4 dual sample sets	Per quarter
	3,301-9,999	2 dual sample sets	Per quarter
	500-3,300	1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement	Per quarter
	<500	1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement <sup>3</sup>	Per year
Systems using ground water not under direct influence of surface water	≥500,000	8 dual sample sets	Per quarter
	100,000-499,999	6 dual sample sets	Per quarter
	10,000-99,999	4 dual sample sets	Per quarter
	500-9,999	2 dual sample sets	Per year
	<500	1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement <sup>3</sup>	Per year

1. All system shall monitor during the month of highest disinfection byproduct concentrations.
2. Systems on quarterly monitoring shall take dual sample sets every 90 days at each monitoring location, except for systems using approved surface water and serving 500-3,300 persons.
3. Only one location with a dual sample set per monitoring period is needed if the highest TTHM and HAA5 concentrations occur at the same location and month.

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1 Title 22, California Code of Regulations, Section 64534.8 states in relevant parts:

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3 Section 64534.8. Monitoring Plans.

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5 (a) A system shall develop and submit to the Department a monitoring plan. The  
6 system shall implement the plan after Department review and approval. The  
7 system shall maintain the plan and make it available for inspection by the general  
8 public no later than 30 days following the applicable compliance date in Sections  
9 64530(a) or (b), and (d)...

10  
11 (e) The plan developed for compliance monitoring pursuant to Section 64534.2(d)  
12 may be revised to reflect changes in treatment, distribution system operations and  
13 layout (including new service areas), or other factors that may affect TTHM or  
14 HAA5 formation, or for Department-approved reasons, after consultation with the  
15 Department regarding the need for changes and the appropriateness of changes.  
16 Systems shall comply with the requirements of subsection (a) for the revised plan.  
17 If monitoring locations are changed, systems shall replace existing compliance  
18 monitoring locations having the lowest LRAA with new locations that reflect the  
19 current distribution system locations having expected high TTHM or HAA5 levels.

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21 **STATEMENT OF FACTS**

22  
23 **Background**

24  
25 The City of Signal Hill water system is a community water system supplying water for  
26 domestic purposes to approximately 11,200 people through 2,904 metered service  
27 connections. The water system serves the entire City of Signal Hill. The City is

1 surrounded by the City of Long Beach with Interstate-405 roughly marking its northern  
2 border. A copy of the service area map is attached (Attachment 1). The City  
3 incorporated in 1924 and purchased its water system from the City of Long Beach in  
4 1930 along with two existing supply wells and transmission pipeline. The City is  
5 operating under a domestic water supply permit that was issued by the California  
6 Department of Health Services (now the California Department of Public Health) on  
7 August 12, 1994 (Permit No. 04-07-94P-010). Two subsequent permit amendments  
8 have been issued to the City. Permit Amendment No. 1910149PA-001 was issued on  
9 February 19, 2003 for the operation of the on-site sodium hypochlorite generation  
10 system at the Gundry and Temple Reservoirs, and the Gundry iron, manganese and  
11 arsenic treatment facility. Permit Amendment No. 1910149PA-002 was issued on  
12 August 24, 2008 in order for the City to chloramine the water supply.

13  
14 The City has two groundwater wells; one purchased water connection with the  
15 Metropolitan Water District of Southern California (MWD); three reservoirs; three  
16 pump stations; a treatment plant for the removal of manganese and iron, and the  
17 reduction of arsenic; and four pressure zones.

18  
19 Pursuant to Section 64534.2 (d) (1), the City is required to collect four dual sample  
20 sets per quarter for total trihalomethane (TTHM) and haloacetic acids (HAA5)  
21 analysis. The City submitted a Stage 2 Disinfectants/Disinfection By-Products Rule  
22 (DBPR) Compliance Monitoring Plan to the Department on January 27, 2012. A letter  
23 approving the City's Stage 2 DBPR monitoring plan was mailed to the City on  
24 February 8, 2012. The approved plan specifies the collection of four dual sample sets  
25 per quarter beginning the 2<sup>nd</sup> quarter of 2012. The following sampling dates were  
26 specified in the plan: second week of May, second week of August, second week of  
27 November, and second week of February (Attachment 2). The City did not take the

1 four required dual sample sets in May of 2013. On September 26, 2013, the  
2 Department discovered it had not received any 2<sup>nd</sup> quarter Stage 2 DBPR results.  
3 After requesting the results from the City, it was discovered that the required, 2<sup>nd</sup>  
4 quarter Stage 2 DBPR samples were not taken.

## 6 DETERMINATIONS

7  
8 The Department has determined that the City is in violation of Sections 64534.2 (d) (1)  
9 and 64534.8 of Title 22, California Code of Regulations due to: 1) the failure to collect  
10 four dual sample sets of TTHM and HAA5 samples in the 2<sup>nd</sup> quarter of 2013, and 2)  
11 the failure to monitor in accordance with the City's Stage 2 DBPR Monitoring Plan.

## 13 DIRECTIVES

14  
15 The City is hereby directed to take the following actions:

- 16  
17 1. Institute the permanent internal control mechanism(s) to ensure all compliance  
18 samples are collected in a timely manner. The City shall develop a formal plan to  
19 improve its water quality monitoring program and submit the plan to the  
20 Department by **December 31, 2013**.
- 21  
22 2. Notify all persons served by the City of the TTHM and HAA5 monitoring violation in  
23 conformance with Section 64463.7 and Section 64465 of Title 22, California Code  
24 of Regulations. Within one year of receiving this citation, the City shall complete  
25 the notification. The City shall deliver the notice to each customer receiving a bill  
26 by mail or direct delivery. In addition, the City must use one or more of the  
27 following methods to reach persons not likely to be reached by a mailing or direct

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delivery (renters, university students, nursing home patients, prison inmates, etc.):  
1) publication in a local newspaper, 2) posting in conspicuous public places served  
by the water system, or on the internet; or 3) delivery to community organizations.  
A template for the Tier 3 public notice is attached (Attachment 3). The content of  
the notice shall be approved by the Department prior to issuance. A copy of the  
notification shall be submitted to the Department within **10 days of issuance**,  
along with the enclosed proof of notification form (Attachment 4).

The Department 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 City of its obligation to meet the requirements of  
H&S Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or  
any regulation, permit, standard or order issued or adopted thereunder.

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

Paul Williams, P.E.  
District Engineer, Hollywood District  
Drinking Water Field Operations Branch  
500 N. Central Avenue, Suite 500  
Glendale, CA 91203

**PARTIES BOUND**

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This Citation shall apply to and be binding upon the City, its officers, managers, agents, employees, contractors, successors and assignees.

**SEVERABILITY**

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

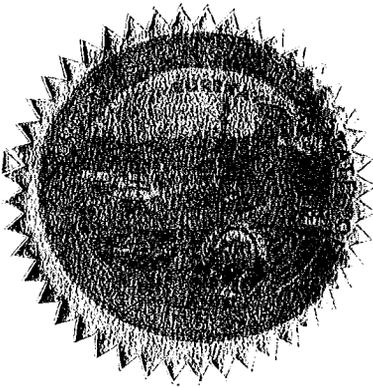
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**FURTHER ENFORCEMENT ACTION**

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the H&S Code authorizes the Department to issue additional citations with assessment of penalties if a public water system continues to fail to correct a violation identified in a citation; 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 orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. By issuance of this citation, the Department does not waive any right to take further enforcement action against the City including but not limited to the assessment of civil penalties as authorized by law.

November 7, 2013  
Date

Paul Williams  
Paul Williams, P.E.  
District Engineer  
Hollywood District  
Drinking Water Field Operations Branch



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Attachments (4):

- 1. Service Area Map
- 2. Stage 2 DBPR Monitoring Plan
- 3. Tier 3 Public Notice Template
- 4. Public Notification Certification

BY CERTIFIED MAIL NO. 7012 3460 0002 3404 3883

**Service Area Map**



**Stage 2 DBPR Monitoring Plan**

to David L. / Paul

**Stage 2 DBP Monitoring Plan**  
(Please complete all sections below)

**General Information**

**A. PWS Information**

**B. Date Submitted:** 1/24/2012

PWS ID: 1910149  
PWS Name: City of Signal Hill  
PWS Address: 2175 E. 28th St.  
City: Signal Hill State: CA Zip: 90755  
Population Served: 11,016

**C. PWS Operations**

Residual Disinfectant Type  Chlorine  Chloramines  Other \_\_\_\_\_  
Number of Disinfected Sources \_\_\_\_\_ Surface \_\_\_\_\_ GWUDI \_\_\_\_\_ 1 \_\_\_\_\_ Ground \_\_\_\_\_ 1 \_\_\_\_\_ Purchased

**D. Contact Person**

Name: Casey Quinn  
Title: Water Supervisor  
Phone#: 562-989-7253 Fax#: 562-989-7291  
E-mail: cquinn@cityofsignalhill.org

**E. Stage 2 Requirements**

**1. Number of Compliance Monitoring Sites**

Highest TTHM: 1  
Highest HAA5: 1  
Existing Stage 1: 2  
Total: 4

**2. Schedule**

Schedule 1  
 Schedule 2  
 Schedule 3  
 Schedule 4

**Received**

JAN 27 2012

CDPH-DWFOB-Los Angeles

Signature \_\_\_\_\_



Date \_\_\_\_\_

1/25/2012

## Compliance Calculation Procedures

### Annual Monitoring

When monitoring once per year, compliance is based on the value of the yearly samples at each location. If any sample exceed MCL, quarterly sampling will be initiated at all locations.

### Quarterly Monitoring

When monitoring quarterly, compliance is based on locational running annual average (LRAA) calculated quarterly using the following formula:

$$\text{LRAA} = (\text{MP1} + \text{MP2} + \text{MP3} + \text{MP4})/4$$

MP1= Result of sample collected 3 Quarters Ago, MP2= Result of sample collected 2 Quarters Ago,  
MP3= Result of sample collected Last Quarter, MP4= Result of sample collected Current Quarter

If any quarterly samples are missing, compliance is based on the average of the available data from the most recent four quarters.

### Operational Evaluation Level (OEL)

Operational Evaluation Level (OEL) will be calculated for each monitoring location using the following formula:

$$\text{OEL} = (\text{MP2} + \text{MP3} + 2\text{MP4})/4$$

MP2= Result of sample collected 2 Quarters Ago,  
MP3= Result of sample collected Last Quarter,  
MP4= Result of sample collected Current Quarter

If the OEL is higher than the TTHM or HAA5 MCL at any location in the distribution system, conduct an operational evaluation by examining the system treatment and distribution operational practices, including: storage tank operations; excess storage capacity; distribution system flushing; changes in sources or source water quality; treatment changes; and any problems that may contribute to TTHM or HAA5 formation. Identify what steps could be taken to minimize future OEL exceedances and submit operational evaluation report to CDPH for review within 90 days.





**Tier 3 Public Notice Template**

## Instructions for Tier 3 Monitoring Violations Annual Notice Template

### Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **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)].**

#### 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 [64463.7(c)(1)]	Mail or direct delivery <sup>(a)</sup>	Publication in a local newspaper
		Posting <sup>(b)</sup> in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system <sup>(b)</sup>	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting <sup>(b)</sup> on the Internet or intranet
		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, insertion in an annual notice, or included in the Consumer Confidence Report<sup>1</sup>. 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 standard language for monitoring and testing procedure violations and notification language in italics unchanged. This language is mandatory [64465].

<sup>1</sup> CCR may be used as long as public notification timing and delivery requirements are met [64463.7(d)].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs <sup>(a)</sup>	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

### **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.

### **Population Served**

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

### **Corrective Actions**

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- "We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards."
- "We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]"
- "We plan to take the required samples soon, as described in the last column of the table above."

### **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 you issue 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 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.

**Monitoring Requirements Not Met for  
[System]**

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period dates], we [did not monitor or test] or [did not complete all monitoring or testing] for [contaminant(s)] and therefore, cannot be sure of the quality of our drinking water during that time.*

**What should I do?**

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
	[number] sample every [number][time interval]			

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

**What happened? What is being done?**

[Describe corrective action].

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: \_\_\_\_\_.

**Public Notification Certification**

**PROOF OF NOTIFICATION**

Name of Water System: City of Signal Hill, Water Department

System Number: 1910149

**Certification of Notification for  
Monitoring Violation**

As required by California Code of Regulations, Title 22, Section 64463.7, I notified the users of the water supplied by City of Signal Hill, Water Department of the violation of Sections 64534.2 (d) (1) and 64534.8 of, Title 22, California Code of Regulations. I complied with the requirement to conduct public notification as indicated below:

<u>Required Action (indicate all that were used)</u>	<u>Date Completed</u>
Public Notification – Hand Delivery	<input type="text"/>
Public Notification – Mail Delivery	<input type="text"/>
Public Notification – Continuous Posting	<input type="text"/>
Public Notification – Consumer Confidence Report	<input type="text"/>
Public Notification – Other method Specify other method used:  _____	<input type="text"/>

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**ATTACH A COPY OF THE NOTICE USED.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT**