State of California—Health and Human Services Agency
California Department of Public Health

Northern California Drinking Water Field Operations Branch
Monterey District

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

May 20, 2013

Mr. Tim Treloar
Director of Water Quality
California Water Service Company
1720 North First Street
San Jose, CA

Attention Mr. Treloar:

CITATION NO. 02-05-13C-004-2710010-03
CITATION FOR NITRATE MONITORING AND REPORTING VIOLATION FOR 2013
CALIFORNIA WATER SERVICE COMPANY-SALINAS DISTRICT – WATER SYSTEM NO. 2710010

Enclosed is a Citation issued to the California Water Service Company-Salinas District water system for failure to comply with requirements of Section 64432.1(a), Chapter 15, Title 22, of the California Code of Regulations. Specifically, your water system failed to collect and report a nitrate monitoring result from Well 16-01 during the 2012 calendar year.

The Citation consists of four sections: Violation, Background, Directives and Further Enforcement Actions. The Violation and Background sections describe the events leading up to the issuance of the Citation. The Directives section specifies required actions that must be implemented by the water system to return to compliance. The Further Enforcement Actions section describes penalties to be assessed for failure to comply with the Citation. No civil penalty is levied with the attached Citation.

Your water system will be billed at the Department's hourly rate for the time spent on issuing this Citation since this is an enforcement action for noncompliance with state regulations. The water system will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Jonathan Weininger of my staff at (831) 655-6932 or me at (831) 655-6934.

Sincerely,

Jan Sweigert

Jan R. Sweigert, P.E.
District Engineer, Monterey District
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures

CERTIFIED MAIL NO.: 7008-1830-0004-5435-4132

cc (w/enclosures): Monterey County Environmental Health Department, PUC

Citation No. 02-05-13C-004-2710010-03

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC HEALTH

Date of Issuance: May 20, 2013

RE: California Water Service Company-Salinas District
Water System No. 2710010

TO: Mr. Tim Treloar
Director of Water Quality
California Water Service Company
1720 North First Street
San Jose, CA 95112

CITATION FOR NONCOMPLIANCE

Nitrate Monitoring and Reporting Violation for 2012

Chapter 4, Article 9, Section 116650 of the California Health and Safety Code (H&S Code), authorizes the issuance of a Citation for failure to comply with this Chapter (California Safe Drinking Water Act), or any regulation, standard, permit or order issued or adopted thereunder.

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STD. 113 (REV. 3-95)
OSP 98 10924

Violation

The California Department of Public Health, Drinking Water Field Operations Branch, (hereinafter "Department") hereby issues a Citation to the California Water Service Company-Salinas District (CWSC Salinas) water system for the following violation:

> Failure to comply with monitoring requirements as specified in Section 64432.1(a), Chapter 15, Title 22, of the California Code of Regulations (CCR). Section 64432.1(a) specifies that all public water systems using groundwater shall monitor for nitrate annually.
>
> The CWSC Salinas water system failed to conduct annual nitrate monitoring of Well 16-01 (Primary Station Code: 2710010-014) and submit the analytical results electronically to the Department for the 2012 calendar year, resulting in a violation of the nitrate monitoring and reporting requirements for the 2012 calendar year for Well 16-01.

Background

The CWSC Salinas owns and operates a community water system that provides drinking water from thirty-two (32) ground water sources to a portion of the City of Salinas with a population of approximately 117,700 through approximately 24,600 service connections.

By electronic mail dated March 7, 2013, the Department notified the CWSC Salinas water system that a nitrate analysis result for the raw water source,

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Well 16-01, for the calendar year 2012, had not been received by the Department. By electronic mail dated March 8, 2013, Ms. Shreya Ramesh, Project Manager for the CWSC Salinas water system, confirmed that a nitrate sample was not collected during 2012 from Well 16-01 because the source was out of service for pump replacement during the scheduled sample collection period of September 2012.

Production reports submitted to the Department by the water system show that Well 16-01 operated into the distribution system during the 1st, 2nd and 4th quarters of 2012. The Department recommends that CWSC Salinas conducts the required water quality sampling while Well 16-01 is in operation to avoid potential monitoring and reporting violations in the event that the source becomes unavailable for testing at a later time.

The CWSC Salinas water system has electronically reported nitrate results of 5.1 and 5.2 mg/L, respectively, from Well 16-01 for sampling conducted on March 11, 2013 and March 12, 2013. Therefore, the CWSC Salinas water system has complied with the annual nitrate monitoring and reporting requirements for 2013 for Well 16-01.

Directives

The CWSC Salinas water system is hereby directed to take the following actions:

1. Immediately cease and desist from failing to comply with Section 64432.1(a), Chapter 15, Title 22, CCR.

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2. Conduct public notification for the nitrate monitoring and reporting violation in conformance with Section 64463.7, Chapter 15, Title 22, CCR. The notification shall be completed in accordance with the following:

   - By mail or direct delivery of the Public Notification to each customer served by the water system within thirty (30) days of receipt of this Citation.

   - By one of the following secondary methods to reach persons not likely to be reached by mail or direct delivery;

     - By publication in a local newspaper, by delivery to community organizations or by posting in conspicuous public places served by the water system or on the internet. Notice by secondary method shall be conducted within thirty (30) days of receipt of this Citation. If the water system opts to issue the notice via internet website, the notice shall remain posted for a minimum of seven (7) days. The CWSC Salinas water system must determine which option will be used to conduct the secondary distribution of the notice and notify the Department of their decision no later than **June 10, 2013.**

3. Submit the Public Notification required by Directive No. 2 of this Citation to the Department for approval prior to distribution. A sample notice is enclosed (Attachment A) that may be used to fulfill the notification

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requirement. **The CWSC Salinas water system must edit the wording of the sample notification as necessary.**

4. Proof of Notification must be provided to the Department by submitting copies of the notices distributed to the customers by mail or direct delivery and by secondary method, with the completed Proof of Notification form (Attachment B) to the Department **within ten (10) days following issuance of the Public Notification**.

All responses to the directives contained in this Citation shall be submitted to:

Jan R. Sweigert, P.E.
District Engineer, Monterey District
California Department of Public Health
Drinking Water Field Operations Branch
1 Lower Ragsdale, Building 1, Suite 120
Monterey, CA 93940

Further Enforcement Actions

Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California Health and Safety 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

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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 additional or alternative enforcement action again the System including, but not limited to, assessment of penalties as authorized by law.

Failure to comply with any provision or directive of this Citation may result in the Department imposing penalties.

5/20/2013
Date

Jan Sweigert
Jan. R. Sweigert, P.E.
District Engineer, Monterey District
DRINKING WATER FIELD OPERATION BRANCH

Enclosures: Attachment A: Public Notification
Attachment B: Proof of Notification

CERTIFIED MAIL NO. 7008-1830-0004-5435-4132

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.

If You Are a…	*You Must Notify Consumers by…*	*…and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method…*
Community Water System [64463.7(c)(1)]	Mail or direct delivery [(a)]	Publication in a local newspaper
		Posting [(b)] 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 [(b)]	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting [(b)] 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[1]. 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

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

procedure violations and notification language in italics unchanged. This language is mandatory [64465].

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.

Contaminant	*Required Sampling Frequency*	*Number of Samples Taken*	*When All Samples Should Have Been Taken*	*When Samples Were or Will Be Taken*
VOCs [(a)]	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.

May 20, 2013

Citation No. 02-05-13C-004-2710010-03
CWSC Salinas
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.

Nitrate Monitoring & Reporting Requirements Not Met for CWSC Salinas – WS #2710010

Our water system failed to monitor as required for nitrate during calendar year 2012 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 the calendar year of 2012, we did not collect and report a nitrate sample result from Well 16-01 and therefore, cannot be sure of the quality of our drinking water during that time. In response, nitrate samples were collected on March 11, 2013 and March 12, 2013 from Well 16-01. The sampling results of 5.1 and 5.2 mg/L show that the nitrate levels are less than the maximum contaminant level of 45 mg/L and therefore, meet compliance with nitrate monitoring and reporting requirements for calendar year 2013.

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.

Contaminant	*Required Sampling Frequency*	*Number of Samples Taken*	*When All Samples Should Have Been Taken*	*When Samples Were or Will Be Taken*
Nitrate	Once per calendar year	0	January 1, 2012 through December 31, 2012	Samples collected on March 11, 2013 & March 12, 2013

- 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 CWSC Salinas water system.

State Water System ID#: 2710010 Date distributed: _____

System Representative Name & Title: _____

System Representative Signature: _____

PROOF OF NOTIFICATION

Citation No. 02-05-13C-004-2710010-03

CWSC Salinas

System Number: 2710010

Certification

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the CWSC Salinas water system of the violation of Title 22, California Code of Regulations for the compliance period of calendar year, 2012. I complied with the directives of this Citation as indicated below:

Required Action	Date Completed
Public Notification – Mail or Direct Delivery	
Public Notification - *List Secondary Method Used*: _____	

_____ _____

Signature of Water System Representative Date

***** Attach a copy of the public notices distributed. *****

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.