



Ron Chapman, MD, MPH  
Director & State Health Officer

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

DRINKING WATER FIELD OPERATIONS BRANCH  
50 D STREET, SUITE 200, SANTA ROSA, CA 95404  
PHONE: (707) 576-2145 / FAX: (707) 576-2722  
INTERNET ADDRESS: [www.cdph.ca.gov](http://www.cdph.ca.gov)



EDMUND G. BROWN JR.  
Governor

May 28, 2013

Water System No. 4900640

Jeff Leyden  
Sonoma County Mutual Water Company  
2280 Cazadero Highway  
Cazadero, CA 95421

**CITATION NO. 02-18-13C-018**  
**FAILURE TO COMPLY WITH A COMPLIANCE ORDER, May 2013**

Enclosed is a citation issued to Sonoma County Mutual Water Company (System) water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation. You will receive a bill sent from our Fee Billing Unit in Sacramento by August 1, 2013. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact Karen Bolan of my staff at (707) 576-2730.

Sincerely,

Janice M. Thomas, P.E.  
Sonoma District Engineer  
Drinking Water Field Operations Branch

Enclosures:

Citation No. 02-18-13C-018  
Attachment A: Tier 2 Public Notice  
Appendix 1: May 10, 2013 Letter from Gary Mickelson  
Appendix 2: Department Comments

CC:

Patrick M. Green, 2360 Cazadero Highway, Cazadero, CA 95421  
Gary Mickelson, P.O. Box 2689, Petaluma, CA 94953

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STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** Sonoma County Mutual Water Company  
**Water System No:** 4900640

**To:** Sonoma County Mutual Water Company  
2280 Cazadero Highway  
Cazadero, CA 95421

**Issued:** May 28, 2013

**CITATION FOR NONCOMPLIANCE**  
**WITH**  
**Compliance Order 02-18-12CO-001**

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a citation to Sonoma County Mutual Water Company (System) for failure to comply with directives contained within Compliance Order 02-18-12CO-001.

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**APPLICABLE AUTHORITIES**

Section 116650 of the CHSC states in relevant part:

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

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**STATEMENT OF FACTS**

The California Health and Safety Code (CHSC) gives the California Department of Public Health (Department) the authority to issue a citation for the failure to comply with any regulation, permit, standard, citation or order issued to the System.

Compliance Order Number 02-18-12CO-001 (Order) was issued to the System on February 3, 2012 as a result of violations of the following: Provision 3 of Domestic Water Supply Permit 02-18-04P-4900640, and Sections: 64652, 64653, 64654, 64655, 64656, 64660, 64661, 64662, 64664, 64665, 64554 and 64413.7 of the California Code of Regulations (CCR), Title 22. The System has failed to comply with two of the directives from the Order, which are stated below.

1. *Sonoma County Mutual Water Company must identify an alternative (either Alternative A, Alternative B) to resolve the inadequate treatment of its source. To comply with this directive, a written report, analyzing each alternative, identifying one, and including a time schedule for compliance, shall be submitted to the Department by **April 30, 2012**. Any Department comments must be addressed by **June 30, 2012**. The report must be prepared by a Civil Engineer registered in the State of California, with at least three years of experience in designing drinking water related projects. Additional alternatives may be considered with Department approval.*

**ALTERNATIVE A. INSTALL SURFACE WATER TREATMENT**

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2 *The water system shall provide multibarrier treatment that ensures 99.9*  
3 *percent (3-log) reduction of Giardia cysts and 99.99 percent (4-log)*  
4 *reduction of viruses, as required by Section 64652 of the CCR. The*  
5 *water system shall provide the Department with a complete permit*  
6 *application, including acceptable plans and specifications, by **August 31,***  
7 ***2012.** The plans must include provisions for the installation of approved*  
8 *filtration and disinfection facilities, the specifications for the proposed*  
9 *treatment system, and they must address the design standards in*  
10 *Section 64658 and reliability requirements of Section 64659 of the CCR.*  
11 *The compliance schedule must specify that the new treatment facilities*  
12 *will be installed and operational, and the treatment plant shall be in*  
13 *compliance with all sections of the Surface Water Treatment Rule*  
14 *(Chapter 17 [Sections 64650 through 64666, inclusive] of the CCR), by*  
15 ***January 31, 2014.***

#### **ALTERNATIVE B. INSTALL A GROUNDWATER SOURCE**

16 *The water system shall install a new well whose only source of water is*  
17 *groundwater. The water system shall provide the Department with a*  
18 *complete permit application, including all items required in Section*  
19 *64560(a) of the CCR, by **August 31, 2012.** The compliance schedule*  
20 *must specify that the new well will be installed and operational, and in*  
21 *compliance with all sections of the California Waterworks Standards*  
22 *(Chapter 16 [Sections 64551 through 64604, inclusive] of the CCR), by*  
23 ***January 31, 2014.***

24  
25 A letter describing a preliminary analysis (Appendix 1) was submitted on  
26 May 10, 2013, over a year past the April 30, 2012 deadline. The letter is not  
27 an adequate alternative analysis. Department comments are included in  
Appendix 2.



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2. *By **August 31, 2012**, Sonoma County Mutual Water Company shall submit a plan to address the storage capacity inadequacy. The plan should allow for storage capacity equal to or greater than maximum day demand, as specified in Section 64554(a)(2) of the CCR. Any new storage reservoir must comply with the design and construction standards in Section 64585 of the CCR. Additional storage capacity must be constructed and operational by **January 31, 2014**.*

A letter stating the progress of initial planning (Appendix 1) was submitted on May 10, 2013, over a year past the April 30, 2012 deadline. The letter is not an adequate compliance plan. Department comments are included in Appendix 2.

**DETERMINATIONS**

**THE DEPARTMENT HAS DETERMINED:**

The System has failed to comply with Compliance Order 02-18-12CO-001 issued February 3, 2012.

**DIRECTIVES**

Sonoma County Mutual Water Company is hereby directed to take the following actions:

1. **By May 30, 2014**, comply with CHSC Sections 116555(a)(1) and (a)(3) and CCR, Title 22, Section 64431 by ensuring that the System supplies a reliable and adequate supply of pure, wholesome, healthful, and potable water, which complies with all primary drinking water standards.

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2. Identify an alternative (either Alternative A, Alternative B) to resolve the inadequate treatment of its source. To comply with this directive, a written report, analyzing each alternative, identifying one, and including a time schedule for compliance, shall be submitted to the Department by **July 30, 2013**. The report shall address Department comments as included in Appendix 2. Additional alternatives may be considered with Department approval.

**ALTERNATIVE A. INSTALL SURFACE WATER TREATMENT**

The water system shall provide multibarrier treatment that ensures 99.9 percent (3-log) reduction of *Giardia* cysts and 99.99 percent (4-log) reduction of viruses, as required by Section 64652 of the CCR. The water system shall provide the Department with a complete permit application, including acceptable plans and specifications, by **October 4, 2013**. The plans must include provisions for the installation of approved filtration and disinfection facilities, the specifications for the proposed treatment system, and they must address the design standards in Section 64658 and reliability requirements of Section 64659 of the CCR. The compliance schedule must specify that the new treatment facilities will be installed and operational, and the treatment plant shall be in compliance with all sections of the Surface Water Treatment Rule (Chapter 17 [Sections 64650 through 64666, inclusive] of the CCR), by **May 30, 2014**.

**ALTERNATIVE B. INSTALL A GROUNDWATER SOURCE**

The water system shall install a new well whose only source of water is groundwater. The water system shall provide the Department with a complete permit application, including all items

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required in Section 64560(a) of the CCR, by **October 4, 2013**. The compliance schedule must specify that the new well will be installed and operational, and in compliance with all sections of the California Waterworks Standards (Chapter 16 [Sections 64551 through 64604, inclusive] of the CCR), by **May 30, 2014**.

3. By **July 30, 2013**, Sonoma County Mutual Water Company shall submit a plan to address the storage capacity inadequacy. The plan should allow for storage capacity equal to or greater than maximum day demand, as specified in Section 64554(a)(2) of the CCR. Any new storage reservoir must comply with the design and construction standards in Section 64585 of the CCR. Additional storage capacity must be constructed and operational by **May 30, 2014**.
  
4. Submit a Universal Pre-Application for funding by **June 28, 2013** in order to be ranked on the Department's project priority list. The Universal Pre-Application is available at: <http://drinc.des.ucdavis.edu/unipreapp>. For assistance with the Pre-Application, please call (916) 449-5600.
  
5. Notify all persons served by the System of the failure to sample, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR, and as follows:
  - a) Completion of Attachment A to include the name, address, and telephone number of a water system official as a source of additional information concerning the public notice. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the water system to prevent this violation from occurring in the future. You must use the space provided on page 2 of Attachment A for this written description.**

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b) By mail or direct delivery of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, to each customer receiving a bill, including those that provide their drinking water to others. This notice must also be given to all service connections which receive water from this Water System. This notice must be delivered to each customer by **June 27, 2013**.

c) By publication of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in a local newspaper. This notice must be published for one day. The publication in a local newspaper must be completed by **June 13, 2013**.

d) Provide public notice for this violation in accordance with Section 64465(c), Title 22 or the CCR, which requires for each non-English speaking group that exceeds 1,000 residents or 10% of the residents in a community (whichever is less) that the public notice contain information in the appropriate language(s) regarding the importance of the notice, or contain a telephone number or address where such residents may contact the water system to receive a translated copy of the notice or to receive assistance in the appropriate language.

The Department reserves the right to make such 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 System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104,

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2 Part 12, Chapter 4, commencing with Section 116270), or any regulation,  
3 standard, permit or order issued thereunder.

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

7 Janice M. Thomas, P.E., Sonoma District Engineer  
8 Department of Public Health  
9 Drinking Water Field Operations Branch  
10 50 D Street, Suite 200  
11 Santa Rosa, CA 95404

12 **PARTIES BOUND**

13  
14 This Citation shall apply to and be binding upon the System, its officers,  
15 directors, agents, employees, contractors, successors, and assignees.

16 **SEVERABILITY**

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

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22 **FURTHER ENFORCEMENT ACTION**

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24 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the  
25 California Health and Safety Code authorizes the Department to: issue  
26 additional citations with assessment of penalties if the System continues to fail  
27 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

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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. The Department does not waive any further enforcement action by issuance of this citation.

Janice M. Thomas  
Janice M. Thomas, P.E.,  
District Engineer  
Sonoma District  
Drinking Water Field Operations Branch

May 28, 2013  
Date

Enclosures:  
*Attachment A: Tier 2 Public Notice*

CC: Patrick M. Green  
2360 Cazadero Highway  
Cazadero, CA 95421  
  
Gary Mickelson  
P.O. Box 2689  
Petaluma, CA 94953



Certified Mail No. 7012 2210 0001 9133 4031

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