



COUNTY OF MADERA
PUBLIC WORKS DEPARTMENT
JOHANNES J. HOEVERTSZ
DIRECTOR

200 West 4th Street
Madera, CA 93637
Main Line - (559) 675-7811
Special Districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310

PROJECT NO. 12-006

October 9, 2015

ADDENDUM NO. 1

To Proposers:

Addendum No. 1 is being issued to the Request for Qualifications and Proposal for **ENGINEERING SERVICES FOR WATER SYSTEM IMPROVEMENTS IN COUNTY SERVICE AREA NO. 16 – SUMNER HILL**

MADERA COUNTY, revising the Request for Qualifications and Proposal as follows:

1) Section 1.1 Introduction/Background, page 3, of the RFQ/RFP states:

“On November 21, 2015, the State DDW issued another Compliance Order to the District for still not meeting the State Drinking Water Standards...”

Shall be replaced in its entirety with the following date change:

“On November 21, 2014, the State DDW issued another Compliance Order to the District for still not meeting the State Drinking Water Standards...”

2) Section 1.1 Introduction/Background, page 4, second paragraph, of the RFQ/RFP states:

“Currently, 39 connections are active and 10 on standby.”

Shall be replaced in its entirety with the:

“Currently, 40 connections are active and 9 on standby.”

- Due to a construction this summer that was completed for a standby lot, there are now 40 connections that are active and 9 on standby.

3) Section 1.3 Purpose, page 6, task 4, of the RFQ/RFP notes:

“Task 4: Meeting the fire flow requirements

- *Design and increase the system storage capacity to meet the County fire flow requirements*
- *Verifying the P&P analysis of the fire flow capacity 252,000 gallons”*

Shall be replaced in its entirety with the following requirement:

“Task 4: Meeting the fire flow requirements, disinfection CT, and current operational storage Requirements

- *Design and increase the system storage capacity to meet the County fire flow requirements, disinfection CT, and current operational storage Requirements*
- *Verify the P&P analysis of the 252,000 gallons is adequate to meet disinfection CT, current operational storage, and fire protection storage requirements (Exhibit D of RFQ/RFP).*

- *The County Fire Code (2013 Ca. Fire Code section B105.1) requires 120,000 gallons of storage for 2 hours.”*

4) Section 1.3 Purpose, page 6, of the RFQ/RFP –Add the Following task:

Task 6: Design Project Schedule/Time

- Submit a project schedule/timeline (using MS Project/Excel or something equivalent)
The schedule should include:
 - Projected timeline of the entire design phase of the project
 - The design phase costs per tasks, submittals, and the due dates.

Questions Raised By Potential Proposers

Questions/Answers (Q/As):

- Q1. What was the time line for this, were you guys trying to push for a certain date to begin construction?
- A1. The CSA-16 Water System currently is in violation with the State Water Resources Control Board, Division of Drinking Water (State DDW) for not meeting the drinking water standards and also the with the State Regional Water Quality Control Board (RWQCB) for their discharge of the Backwash water. The County would like the design to be completed by early next year and the construction completed before the summer of next year if possible. However, the County does have a comply by date by State DDW by 01/01/2018. The RWQCB has requested a timeline of the design and construction of the improvements from the County.
- Q2. For construction, what was the project budget? Is this construction project over \$250,000?
- A2. The construction cost will be estimated by the consultant during the design phase as part of the scope of work of this RFQ/RFP. There was a cost analysis of the project in the P&P report for the different alternatives.
- Q3. How is this project funded?
- A3. This project will be privately funded by CSA-16. The Tax Collector's office is working with the Public Works Department to determine if this will be funded by a loan/bond.
- Q4. Who will be evaluating the RFPs/RFQs?
- A4. An evaluation committee from the Public Works Department and/or other County Departments shall be formed to evaluate all accepted RFQ'S/RFP's.
- Q5. When was the 2nd filter added to the plant?
- A5. The expansion of the plant to add the 2nd plant, tank, etc. was in 1994. The Boyle Report (Exhibit C) in Section 2 (page 2-1) lists the original facilities that was constructed in 1988 and the expansion facilities in 1994.
- Q6. What is the current water rates for CSA-16?
- A6. For the 40 improve lots, the rate is \$127.98 monthly and the 9 standby users pay \$37.50 monthly.
- Q7. With the County's timeline preference, does the County/CSA have the funds readily available to issue the contract/NTP to the consultants to start the design work after being evaluated and chosen for the project?
- A7. The County is working with the County Treasure/Tax Collector's office to secure the funding for the CSA-16 District.

Q8. The District only has surface water as a source of water, is drilling a well an option?

A8. The Boyle Report includes several documents from Madera County Environmental Health Department (MCEHD) which states that the subdividers initially did try to use hard rock wells as a source of water. The (MCEHD) reported that the wells drilled in the area were low producing wells (10 gpm) due to lack of groundwater.

Q9. For the treatment plant operation etc., who is the operator contact?

A9. See Contact Information Below:

➤ Marty Duvall, Supervising Utility Worker: 559-676-0270

➤ Jason Mitchell, Utility Worker II: 559-517-7798

Q10. Does the County have any call services with a geotechnical firm or any preference to a geotechnical firm for their services?

A10. No. The County does not have any call services with any geotechnical firm for geotechnical consulting services. The County has requested quotes and worked with many geotechnical firms and does not have a preference.

Q11. For the property acquisitions in Exhibit E, the pending property requisition is not illustrated. What is the additional area that is being acquired from the County?

A11. The County is in the process adding to the existing Outlot J by vacationing/recording a road easement where currently tank #2 is on. The County will provide the consultants the property documents when it becomes available.

Q12. Where is the most recent Compliance order, could that be placed online?

A.12. See attachment 1 and 2.

Attachment 1 State Water Resources Control Board, November 21, 2014 Compliance Order

Attachment 2 State of California Department of Public Health, August 29, 2013 Compliance Order

Addendum 1

Attachment 1



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 21, 2014
System No. 2000729

Mr. Steve Norman
Special Districts Manager
SA-16 Sumner Hill Water System
County of Madera, Public Works Department
200 West 4th Street, Third Floor
Madera, CA 93637

RE: Compliance Order No. 03-11-14R-007
Violation of Title 22, California Code of Regulations, Section 64533(a), TTHM and
HAA5 MCL

Dear Mr. Norman:

The State Water Resources Control Board – Division of Drinking Water (Division) has issued Compliance Order No. 03-11-14R-007, for violation of the Stage 2 Disinfection Byproduct Rule Total Trihalomethanes Maximum Contaminant Level (TTHM MCL). The compliance order is enclosed.

The SA-16 Sumner Hill Water System (SA-16) was previously in violation of the HAA5 MCL under the Stage 1 Disinfection Byproduct Rule. Compliance Order No. 03-11-14R-005 was issued to SA-16 on August 29, 2013, for the HAA5 MCL violation. This compliance order replaces and voids Compliance Order No. 03-11-14R-005 and its directives.

As required in the Compliance Order, the SA-16 is expected to propose a solution and implement a project to ensure that water delivered to customers meets the TTHM and HAA5 MCL. It is noted that SA-16 is already working with an engineering consulting firm to draft plans for treatment plant improvements and collecting samples on a quarterly basis. The SA-16 is required to provide quarterly public notification for TTHM and HAA5 MCL violation and to continue quarterly TTHM and HAA5 monitoring of ST2DBP-13514 Kilarney Drive.

The SA-16 will be billed at the Division's hourly rate (currently estimated at \$128.00) for the time spent on issuing this Compliance Order. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with an order. At this time, the Division has spent approximately two hours on enforcement activities associated with this violation.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

SA-16 Sumner Hills Water System
Compliance Order 03-11-14R-007

The SA-16 will receive a bill sent from the Division of Drinking Water Fee Billing Unit in the next fiscal year. This bill will contain fees for any enforcement time spent on Water System for the current fiscal year. If you have any questions regarding this matter, please contact me at (559) 447-3316.

Sincerely,



Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
Central California Region
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

CLC/KDC/mlm
Enclosures
Cc: Madera County Environmental Health Department

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

IN RE: SA-16 SUMNER HILL WATER SYSTEM
Water System No. 2000729

TO: Mr. Steve Norman
Special District Manager
County of Madera, Public Works Department
200 West 4th Street, Third Floor
Madera CA 93637

CC: Madera County Environmental Health Department

COMPLIANCE ORDER FOR VIOLATION
OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64533(a)
STAGE 2 DISINFECTION BYPRODUCT RULE,
MAXIMUM CONTAMINANT LEVELS FOR
TOTAL TRIHALOMETHANES AND HALOACETICE ACIDS

Issued on November 21, 2014

Section 116655 of the California Health and Safety Code authorizes the issuance of a compliance order to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "State Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a compliance order to the County of Madera, Public

1
2 Works Department (hereinafter "County") for violation of California Code of Regulations
3 (hereinafter "CCR"), Section 64533(a), Maximum Contaminant Levels for Disinfection Byproducts.

4
5 **APPLICABLE AUTHORITIES**

6 The applicable statutes and regulations are provided in Attachment A, attached hereto and
7 incorporated by reference.

8
9 **FINDINGS**

10 The SA-16 Sumner Hill Water System (hereinafter "SA-16") is a community water system serving
11 a residential population of approximately one hundred (100) persons through fifty (50) service
12 connections. Effective July 1, 2013, the Madera County Environmental Health Department
13 transferred the regulatory oversight for this water system to the Division. The SA-16 currently
14 operates under a water supply permit issued by Madera County Environmental Health
15 Department on July 30, 1996. The Division will be issuing a Revised Water Supply Permit in the
16 near future.

17
18 In August 2013, under the Stage 1 Disinfection Byproduct Rule, the SA-16 failed to meet the five
19 haloacetic acids (HAA5) MCL in the distribution system and was issued a compliance order (03-
20 11-14R-005) by the Division. The SA-16 continued to monitor for disinfection byproducts, total
21 trihalomethanes (TTHM) and HAA5, and provide public notification on a quarterly basis.

22
23
24 On December 17, 2013, an inspection of the water system was conducted by one of the Division's
25 staff to evaluate the surface water treatment plant operations. A copy of the inspection report was
26 provided to consulting engineers for SA-16 working on a proposed plan to comply with the HAA5

1 MCL. The SA-16 was granted an extension to April 30, 2015 to submit plans to correct the HAA5
2 MCL exceedance.
3

4
5 CCR, Title 22, Chapter 15.5 (hereinafter "Stage 2 Disinfection Byproduct Rule" or "S2DBPR")
6 adopted by California, effective June 21, 2012, requires water systems serving less than 10,000
7 persons to monitor and report disinfection byproduct and residual disinfectant levels. The
8 S2DBPR applies to any community or nontransient noncommunity water system that treats water
9 with a chemical disinfectant in any part of the treatment process or that provides water containing
10 a chemical disinfectant. CCR Section 64533 establishes a maximum contaminant level
11 (hereinafter "MCL") in drinking water for TTHM and HAA5 in drinking water of 0.080 mg/L and
12 0.060 mg/L, respectively.
13

14 CCR, Section 64534.2(d), establishes a routine monitoring frequency for a surface water system
15 serving a population less than 500 individuals of one sample for TTHMs and HAA5s per year per
16 treatment plant during the month of warmest water temperature. The SA-16 is on an increased
17 monitoring frequency of one sample per quarter per treatment plant, as required by Section
18 64534.2(d)(5).
19

20
21 CCR, Section 64535.2(e)(1), specifies ongoing compliance determinations for quarterly TTHM
22 and HAA5 monitoring; specifically, compliance with the TTHM and HAA5 MCLs are based on a
23 locational running annual average (LRAA), computed quarterly, at each approved sample site.
24 The SA-16 is required to collect one TTHM sample and one HAA5 sample at the location in the
25 distribution system with the highest historic TTHM and HAA5 results, respectively. The SA-16's
26 approved S2DBPR sample site is: ST2DBP-13514 Kilarney Drive. A summary of the SA-16's
27 recent TTHM and HAA5 monitoring results is presented in the table below.

Table 1: Stage 2 DBPR Sample Site Results

Sample Location 13514 Kilarney Dr	Sample Date				LRAA
	Q4 2013	Q1 2014	Q2 2014	Q3 2014	
	10/25/13	1/22/14	4/25/14	7/02/14	
TTHM	0.110 mg/L	0.045 mg/L	0.073 mg/l	0.130 mg/l	0.090 mg/L
HAA5	0.160 mg/l	0.051 mg/l	0.077 mg/l	0.0100 mg/l	0.097 mg/l

DETERMINATIONS

Based on the above findings, the Division has determined that SA-16 has violated the LRAA MCL for TTHMs and HAA5s during the third quarter of 2014, as shown in Table 1 above.

DIRECTIVES

To ensure that the water supplied by the SA-16 Sumner Hills water system is at all times safe, wholesome, healthful, and potable, and pursuant to the California SDWA, the County of Madera, Public Works Department is hereby directed to take the following actions:

1. Comply with CCR, Title 22, Section 64533(a) in future monitoring periods after conducting upgrades of the treatment facility and treatment operations.
2. Provide quarterly public notification of its inability to meet the TTHM and HAA5 MCL during any calendar quarter that the four-quarter locational running annual average exceeds the TTHM and HAA5 MCLs. Notification procedures and format are provided in Attachment B. An electronic version of Attachment B is available upon request.

- 1
2 3. Proof of public notification shall be provided to the Division following each quarterly
3 notification by the 10th day of the month following notification, using the form provided as
4 Attachment C.
- 5
6 4. Continue to collect quarterly samples for TTHM's and HAA5's from the distribution system in
7 accordance with an approved DBP monitoring plan. The analytical results shall be reported
8 to the Division electronically by the analyzing laboratory no later than the 10th day following
9 the month in which the analysis was completed.
- 10
11 5. By **April 30, 2015**, the SA-16 shall submit a Corrective Action Plan identifying improvements
12 to the water system designed to correct the water quality problem (violation of the TTHM
13 and HAA5 MCL) and eliminate the need to deliver water to consumers that does not meet
14 primary drinking water standards. The plan shall include a time schedule for completion of
15 various phases of the project such as design, construction, and startup.
- 16
17 6. Submit quarterly progress reports to the Division. The first quarterly progress report shall
18 describe progress made in the fourth quarter of 2014 and shall be submitted to the Division
19 by **January 1, 2015**, using the form provided as Attachment D.
- 20
21 7. Operate the existing water system to minimize formation of total trihalomethanes and
22 haloacetic acids in the distribution system.
- 23
24 8. Submit a written response by **December 15, 2014**, indicating its willingness to comply with
25 the directives of this Compliance Order.
26
27

1 9. By no later than **January 1, 2018**, achieve compliance with the total trihalomethanes and
2 haloacetic acids maximum contaminant level, with the completion of a project and
3 demonstration that the locational running annual average is reliably less than the MCL. The
4 SA-16 shall provide written notification of the date that compliance is achieved, no later than
5 ten days following receipt of the laboratory sampling results.

6
7 10. All submittals required by this Order shall be addressed to:

8 Kassy D. Chauhan, P.E.,
9 Senior Sanitary Engineer, Merced District
10 State Water Resources Control Board
11 Division of Drinking Water
12 265 W. Bullard Avenue, Suite 101
13 Fresno, CA 93704

14
15 11. The Division reserves the right to make such modifications to this Order as it may deem
16 necessary to protect public health and safety. Such modifications may be issued as
17 amendments to this Order and shall be effective upon issuance. Nothing in this Compliance
18 Order relieves County of Madera, Public Works Department, of its obligation to meet the
19 requirements of the California SDWA, or any regulation, standard, permit or order issued
20 thereunder.
21

22
23 If the Water System is unable to perform the tasks specified in this Order for any reason, whether
24 within or beyond its control, and if the Water System notifies the Division in writing no less than
25 five days in advance of the due date, the Division may extend the time for performance if the
26 Water System demonstrates that it has used its best efforts to comply with the schedule and other
27 requirements of this Order.

1
2 **PARTIES BOUND**

3 This Compliance Order shall apply to and be binding upon the County of Madera, Public Works
4 Department, its owners, shareholders, officers, directors, agents, employees, contractors,
5 successors, and assignees.
6

7 **SEVERABILITY**

8 The directives of this Compliance Order are severable, and County of Madera, Public Works
9 Department shall comply with each and every provision thereof notwithstanding the effectiveness
10 of any provision.
11

12 **FURTHER ENFORCEMENT ACTION**

13 The California SDWA authorizes the Division to issue citations and compliance orders with
14 assessment of administrative penalties to a public water system for violation or continued violation
15 of the requirements of the California SDWA or any permit, regulation, permit or order issued or
16 adopted thereunder including, but not limited to, failure to correct a violation identified in a citation
17 or compliance order. The California SDWA also authorizes the Division to take action to suspend
18 or revoke a permit that has been issued to a public water system if the system has violated
19 applicable law or regulations or has failed to comply with an order of the Division; and to petition
20 the superior court to take various enforcement measures against a public water system that has
21 failed to comply with an order of the Division. The Division does not waive any further
22 enforcement action by issuance of this compliance order.
23
24
25
26
27

11-21-2014

1 Date



Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

6 CLC/KDC/mlm

7 Attachments:

8 Attachment A: Applicable Authorities

9 Attachment B: Public Notification Form

10 Attachment C: Proof of Notification Form

11 Attachment D: Quarterly Progress Report Form



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Applicable Statutes and Regulations for Compliance Order No. 03-11-14R-007

Section 116655 of the California Health and Safety Code (CHSC), states in relevant part:

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

Section 64533(a), Title 22, CCR, states in relevant part:

- (a) Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535, and 64535.2, the primary MCLs for the disinfection byproducts shown in table 64533-A shall not be exceeded in drinking water supplied to the public.

**Table 64533-A
Maximum Contaminant Levels and Detection Limits for Purposes of Reporting
Disinfection Byproducts**

Disinfection Byproduct	Maximum Contaminant Level (mg/L)	Detection Limit for Purposes of Reporting (mg/L)
Total trihalomethanes (TTHM)	0.080	
Bromodichloromethane		0.0010
Bromoform		0.0010
Chloroform		0.0010
Dibromochloromethane		0.0010
Haloacetic acids (five) (HAA5)	0.060	
Monochloroacetic Acid		0.0020
Dichloroacetic Acid		0.0010
Trichloroacetic Acid		0.0010
Monobromoacetic Acid		0.0010
Dibromoacetic Acid		0.0010
Bromate	0.010	0.0050
Chlorite	1.0	0.020

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.

SA-16 Sumner Hills Water System has levels of Disinfection Byproducts Above Drinking Water Standards

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 you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results we received between the 4th quarter 2013 and 3rd quarter 2014 showed that our system's running annual average exceeds the standards, or maximum contaminant level (MCL), for Total Trihalomethanes and Haloacetic acids. The MCL standards for Total Trihalomethanes is 80 ug/L and for Haloacetic acids is 60 ug/l. The average level of Total Trihalomethanes over the last year was 98.5 ug/l. The Haloacetic acids was 97 ug/l.

What should I do?

- **You do not 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 use water containing trihalomethanes and haloacetic acids in excess of the MCL over many years may experience liver, kidney, or central nervous system problems, and 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 happened? What was done?

[Describe corrective action] _____

We anticipate resolving the problem within _____.

For more information, please contact [name] _____ 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 on the property.

This notice is being sent to you by the SA-16 Sumner Hills water system.

State Water System ID#: 2000729.

Date distributed: _____.

Certification of Completion of Public Notification

This form, when completed and returned to the Division of Drinking Water - Merced District (265 W. Bullard Ave. #101, Fresno, CA 93704 or fax to 559-447-3304), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: _____

Public Water System No.: _____

Public notification for **failure to comply with the TTHM MCL and/or HAA5 MCL for the 3rd quarter of 2014** was performed by the following method(s) (check and complete those that apply):

The notice was mailed to users on: _____
A copy of the notice is attached.

The notice was hand delivered to water customers on: _____
A copy of the notice is attached.

The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.

The notice was published in conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.

The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state 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 separate violation each day that the 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 the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers
System Number: _____
Enforcement Action No. _____

Quarterly Progress Report

Water System:	Water System No.:
Compliance Order No.:	Violation:
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Merced District Office.

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

Tasks remaining to complete:

Anticipate compliance date:

Name

Signature

Title

Date

Addendum 1

Attachment 2

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

IN RE: SA- 16 SUMNER HILL
Water System No. 2000729

TO: Steven Norman, Special Districts Manager/Director
Resource Management Agency - Engineering
2037 Cleveland Avenue
Madera, CA 93637

CC: Madera County Environmental Health Department

COMPLIANCE ORDER FOR NONCOMPLIANCE
OF THE DISINFECTION BY-PRODUCT, FIVE HALOACETIC ACIDS,
MAXIMUM CONTAMINANT LEVELS

Issued on August 29, 2013

Section 116655, Chapter 4, Part 12, Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a compliance order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued hereunder.

FINDINGS

The SA-16 Sumner Hill Water System (hereinafter "SA-16") is a community water system that supplies water for domestic purposes to a population of approximately 100 persons

1 through 50 service connections. The Department established regulatory jurisdiction of SA-
2 16 beginning July 1, 2013. The SA-16's water system receives raw surface water from the
3 San Joaquin River. The raw water receives chemical pretreatment, clarification, filtration
4 and disinfection to provide a minimum reduction of 3.0 logs of *Giardia*, 2.0 logs of
5 *Cryptosporidium*, and 4.0 logs of virus.

6
7 Beginning on January 1, 2004, USEPA's Stage 1 Disinfectants/Disinfection Byproducts
8 (D/DBP) Rule required water systems serving less than 10,000 persons to begin monitoring
9 and reporting disinfection byproduct levels and residual disinfectant levels to the California
10 Department of Public Health (hereinafter "Department"). Water systems serving 10,000 or
11 more persons had to comply by January 1, 2002. The D/DBP Rule applies to any
12 community and non-transient non-community water system that treats their water with a
13 chemical disinfectant in any part of the treatment process or which provides water that
14 contains a chemical disinfectant. The D/DBP Rule set new maximum contaminant levels
15 (MCLs) in drinking water for total trihalomethanes (TTHM) at 0.080 mg/L (or 80 µg/L)
16 and for five haloacetic acids (HAA5) at 0.060 mg/L (or 60 µg/L). The D/DBP Rule was
17 adopted in California and became effective on June 17, 2006. Prior to this date, any non-
18 compliance issues were referred to USEPA for enforcement action.

19
20 Based on the population of the SA-16's water system, the SA-16 is required to collect one
21 sample per quarter taken at a point reflecting the maximum residence time in the
22 distribution system and analyzed for TTHM and HAA5. The SA-16 has been monitoring
23 for TTHM and HAA5 on a quarterly frequency since 2006. The TTHM and HAA5 MCLs
24 are based on the running annual average (RAA), computed quarterly. If the RAA covering
25 any consecutive four-quarter period exceeds the TTHM MCL or the HAA5 MCL, then the
26 system is in violation of the MCL. The RAA of the analytical results for HAA5 submitted
27 to the Department for the years 2009, 2010, 2011 and 2012. exceeded the HAA5 MCL (see

1 Attachment A). The RAA for HAA5 was 79.8 ug/L. Specifically, the SA-16 exceeded the
2 the HAA5 MCL as specified in Section 64533 (a), Title 22, California Code of Regulations
3 (CCR).

4
5 **CONCLUSIONS OF LAW**

6 Based on the above Findings, the Department has determined that the SA-16 has violated
7 provisions contained in the California Health and Safety Code (CHSC) and Title 22,
8 California Code of Regulations (CCR). These violations include, but are not limited to, the
9 following:

- 10
11 1. CHSC, Section 116555 (a)(1): Specifically, the SA-16 has failed to provide water
12 that complies with primary and secondary drinking water standards.
13
14 2. CHSC, Section 116555 (a)(3): Specifically, the SA-16 has failed to ensure that the
15 system is provided with a reliable and adequate supply of pure, wholesome,
16 healthful and potable water.
17
18 3. CCR, Section 64533: Specifically, the SA-16 has failed to comply with Section
19 64533 of Title 22 of the CCR, which established the MCL for HAA5s. The SA-16
20 does not at all times deliver water to its customers which contains less than 60 µg/L
21 of HAA5 based on a RAA, thereby failing to provide water to the public that
22 complies with all primary drinking water standards. Section 64535.2 specifies that
23 compliance is based on a RAA.
24
25
26
27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

ORDER

To ensure that the water supplied by the SA-16 is at all times safe, wholesome, healthful, and potable, and pursuant to Section 116555 of the CHSC, the SA-16 is ordered to take the following actions:

1. a) Cease and Desist from failing to comply with CHSC Section 116555(a)(1), (a)(3) and CCR Section 64533 by ensuring that the system is provided with a reliable and adequate supply of pure, wholesome, healthful, and potable water, which is in compliance with all primary drinking water standards.

- b) The SA-16 shall provide quarterly public notification of its inability to the meet the HAA5 MCL during any calendar quarter that the four-quarter running annual average exceeds the MCL. Notification procedures and format are provided in Attachment B. Proof of public notification shall be provided to the Department following each quarterly notification by the 10th day of the month following notification, using the form provided as Attachment C.

- c) The SA-16 shall continue to collect quarterly samples for TTHMs and HAA5s from the distribution system in accordance with the approved DBP monitoring plan. The analytical results shall be reported to the Department no later than the 10th day following the month in which the samples were collected.

- d) By **September 30, 2013**, the SA-16 shall submit to the Department, for review and approval, a plan for improvements to the water system to correct

1 the water quality problem (exceedance of the HAA5 MCLs) and eliminate
2 the delivery of water to consumers that does not meet the primary drinking
3 water standards. The SA-16 must also include a time schedule for
4 completion of various phases of the project such as design, construction and
5 startup. The plan must include an evaluation of the options that are outlined
6 in Attachment D.

7
8 e) The SA-16 must be in compliance with the primary drinking water standards
9 for total trihalomethanes and five haloacetic acids by June 1, 2015.

10
11 f) The SA-16 shall submit quarterly progress reports to the Department
12 beginning on **October 1, 2013**.

13
14 g) The SA-16 shall operate the existing water system to minimize formation of
15 total trihalomethanes and haloacetic acids.

16
17 2. The SA-16 shall submit a written response by **September 13, 2013**, indicating its
18 willingness to comply with the directives of this Order.

19
20 3. The Department reserves the right to make such modifications to this Order as it may
21 deem necessary to protect public health and safety. Such modifications may be
22 issued as amendments to this Order and shall be effective upon issuance. All
23 submittals required by this Order shall be addressed to:

24 Carl L. Carlucci, P.E., Supervising Sanitary Engineer
25 California Department of Public Health
26 Southern California Branch
27 Drinking Water Field Operations
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

- 1 4. If the SA-16 is unable to perform the tasks specified in this Order for any reason,
2 whether within or beyond its control, and if the SA-16 notifies the Department in
3 writing no less than five days in advance of the due date, the Department may
4 extend the time for performance if the SA-16 demonstrates that it has used its best
5 efforts to comply with the schedule and other requirements of this Order.
6
- 7 5. If the SA-16 fails to perform any of the tasks specified in this Order by the time
8 described herein or by the time subsequently extended pursuant to Item 4 above, the
9 SA-16 shall be deemed to have not complied with the obligations of this Order and
10 may be subject to additional judicial action, including civil penalties specified in
11 CHSC Code, Sections 116725 and 116730.
12
- 13 6. The State of California shall not be liable for any injuries or damages to persons or
14 property resulting from acts of omissions by the SA-16, its employees, agents, or
15 contractors in carrying out activities pursuant to this Order, nor shall the State of
16 California be held as a party to any contract entered into by the SA-16 or its agents in
17 carrying out activities pursuant to this Order.
18

19 **PARTIES BOUND**

20 This Order shall apply to and be binding upon the SA-16, its officers, directors, agents,
21 employees, contractors, successors, and assignees.
22

23 **SEVERABILITY**

24 The requirements of this Order are severable, and the SA-16 shall comply with each and
25 every provision thereof notwithstanding the effectiveness of any provisions.
26
27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

CIVIL PENALTIES

Failure to comply with any provision or compliance schedule of this Order may result in the Department imposing additional enforcement actions (Citations) and administrative penalties.

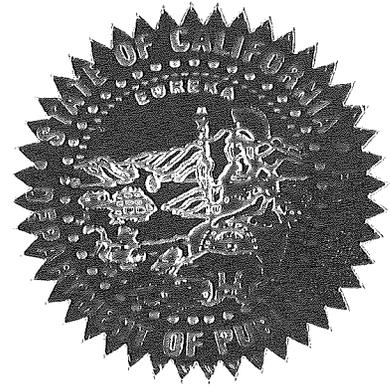
8-29-2013
Date


Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

- Attachment A: Summary of Analytical TTHM & HAA5 results
- Attachment B: Public Notification Method & Notice
- Attachment C: Proof of Notification Form
- Attachment D: Improvement Plan Options

CLC/mlm/2000729/03-11-13R-005-2000729-02.doc



SUMMARY OF TTHM AND HAA5 RESULTS (2009-2012)
 SA-16 SUMNER HILL
 SYSTEM NO. 2000729

Year	Quarter	HAA5s Results, ug/l	HAA5 RAA, ug/l	TTHM Results, ug/l	TTHM RAA, ug/l	COMMENTS
2009	1st	150		75		* EXCEEDS HAA5 MCL OF 60 ug/l
2009	2nd	110		70		
2009	3rd	52		62		
2009	4th	75		51		
RAA			96.8 *		64.5	
2010	1st	140		89		* EXCEEDS HAA5 MCL OF 60 ug/l
2010	2nd	77		62		
2010	3rd	64		72		
2010	4th	110		60		
RAA			97.8 *		70.8	
2011	1st	130		88		* EXCEEDS HAA5 MCL OF 60 ug/l
2011	2nd	51		100		
2011	3rd	89		80		
2011	4th	73		56		
RAA			85.8 *		80.5	
2012	1st	52		43		* EXCEEDS HAA5 MCL OF 60 ug/l
2012	2nd	60		57		
2012	3rd	86		83		
2012	4th	100		69		
RAA			74.5 *		63	

Instructions for Tier 2 HAA5 MCL Notice Template

Template Attached

Since exceeding the HAA5 maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **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 [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(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 on the Internet or intranet ^(b)
		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. 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 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-

Attachment B

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 Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove arsenic or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for arsenic."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

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.

**The SA-16 Sumner Hill Has Levels of Five Halo Acetic Acids
Above the Drinking Water Standard**

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

We routinely monitor for the presence of drinking water contaminants. Water sample results received for the years 2009, 2010, 2011 and 2012 showed five halo acetic acids at levels of 74 micrograms per liter as calculated as a running annual average. This is above the standard, or maximum contaminant level (MCL) of 60 micrograms per liter.

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an emergency. However, some people who use water containing five halo acetic 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 happened? What is being done?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

For more information, please contact <insert name> at <insert address>, <insert phone number>.

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

Attachment B

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 the SA-16 Sumner Hill.

State Water System ID#: 2000729. Date distributed: _____.

Attachment C

PROOF OF NOTIFICATION
(Return with copy of the Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the SA-16 Sumner Hill of the failure to meet the HAA5 MCL for the:

Circle one: 1st 2nd 3rd 4th quarter of _____ (year).

Notification was made on _____ by
(date)

hand delivered and/or mailed and/or posted written notice.
(circle all completed)

Signature of Water System Representative

Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state 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 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 the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Dept. of Public Health within 10 days of notification to the public
HAA5 MCL Exceedance
System Number: 2000729



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
<http://www.fypower.org>

ATTACHMENT D

Improvement Plan Options

1. GAC treatment
2. Minimizing water age in the distribution system and maximizing reservoir turnover
3. Treatment optimization and increased DBP precursor removal through enhanced coagulation
4. Disinfection dosage and CT ratio optimization
5. Alternative disinfectant injection points
6. Alternative disinfectants
7. Any other options