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MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

June 23, 2016

Surfwood Mutual Water Corporation  
Attn: Eric Miller, President  
PO Box 166  
44720 Driftwood Rd  
Mendocino, CA 95460

### **CITATION NO. 02\_03\_16C\_022 FOR PUBLIC WATER SYSTEM #2300590 TOTAL TRIHALOMETHANE (TTHM) AND HALOACETIC ACID (HAA5) – MAXIMUM CONTAMINANT LEVEL VIOLATIONS**

Enclosed is a citation issued to the Surfwood Mutual Water Corporation (System) by the State Water Resources Control Board, Division of Drinking Water (Division) for failure to comply with the TTHM locational running annual average maximum contaminant level (LRAA MCL) and the HAA5 LRAA MCL during 2014, 2015, and 2016.

Because this is an enforcement action for noncompliance with State regulations, your System will be billed at the Division's hourly rate (currently estimated at \$160.00) for the time spent issuing this citation. You will receive a bill for these fees sent from our Fee Billing Unit in Sacramento later this year.

If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604 or (707) 576-2145.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheri K. Miller".

Sheri K. Miller, P.E.  
Mendocino District Engineer  
Division of Drinking Water

Enclosure

c: Mendocino County Environmental Health Department  
Barbara Garcia, Surfwood MWC V.P., 44901 Baywood Drive, Mendocino, CA 95460  
Chris Beebe, Certified Operator, 8715 Airport Rd., Suite B, Redding, CA 96002

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

2300590/ComplianceFile #4/  
02\_03\_16C\_022-2300590-02/LSH

50 D Street, Suite 200, Santa Rosa, CA 95404 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

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

**Name of Public Water System:** Surfwood Mutual Water Company

**Water System Number:** 2300590

**To:** Eric Miller, President  
Mendocino, CA 95460

**Issued:** June 23, 2016

**CITATION FOR NONCOMPLIANCE WITH SECTION 64533, TITLE 22,**  
**CALIFORNIA CODE OF REGULATIONS**  
**Maximum Contaminant Levels for Disinfection Byproducts**  
**Total Trihalomethanes and Haloacetic Acids**  
**2014, 2015 and 2016**

The State of California Water Resources Control Board, Division of Drinking Water (hereinafter "Division") hereby issues a citation to the Surfwood Mutual Water Company (hereinafter "System") for failure to comply with Section 64533, Title 22, of the California Code of Regulations (CCR).

Chapter 4, Article 9, Section 116550 of Part 12 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply

1 with requirements of Chapter 4 (California Safe Drinking Water Act), or any regulation,  
2 standard, permit, or order issued thereunder. A copy of the *Applicable Statutes and*  
3 *Regulations* is located in Appendix 3, which is attached hereto and incorporated by  
4 reference.

### 6 STATEMENT OF FACTS

7 The Surfwood Mutual Water Company is classified as a community water system.

8 The System supplies domestic water to 102 service connections, primarily single-  
9 family residences and a population of approximately 160. The System utilizes water  
10 from Jack Peter's Creek as its source of supply.

11  
12 Pursuant to Title 22, CCR, Section 64534.2, the System is on an increased monitoring  
13 schedule for disinfection byproducts (DBP) and is required to collect one distribution  
14 system sample per quarter for the analysis of total trihalomethanes (TTHM) and  
15 haloacetic acids (HAA5), in accordance with its approved Stage 2 DBP Monitoring  
16 Plan. Section 64535.2(b)(1), Title 22, of the CCR, states that compliance with the  
17 TTHM maximum contaminant level (MCL) of 0.080 milligrams per liter (mg/L) and the  
18 HAA5 MCL of 0.060 mg/L is based on a locational running annual average (LRAA),  
19 calculated quarterly.

20  
21 The Division received laboratory results for quarterly TTHM and HAA5 samples  
22 collected between September 31, 2014 and March 31, 2016. Samples were collected  
23 at sampling site DBP-44951 Woodstock Drive, PS-Code 1710003-003. Table 1 lists  
24 the TTHM and HAA5 results and associated LRAAs.

25

1 Table 1: TTHM and HAA5 Results (units reported in ug/L), and associated LRAA

Date Sampled	TTHM (ug/L)	LRAA (ug/L)	HAA5 (ug/L)	LRAA (ug/L)
12/17/2013	52.59	-	34.9	-
3/6/2014	110	-	94	-
6/10/2014	56	-	88	-
9/8/2014	85	75.9	50	67.8
12/8/2014	170	105.3	180	103.0
3/23/2015	92	100.8	88	101.5
6/22/2015	56	100.8	21	84.8
9/23/2015	99.9	104.5	64	88.3
12/8/2015	90.4	84.6	55	57.0
2/17/2016	104	87.6	130	67.5

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### DETERMINATIONS

4 The Division has determined that the Surfwood Mutual Water Company violated  
5 Section 64533, Title 22, of the CCR. For a public water system monitoring quarterly  
6 for TTHM and HAA5, each locational running annual average (LRAA), computed  
7 quarterly, shall not exceed the MCL of 0.080 mg/L and MCL of 0.060 mg/L,  
8 respectively. The LRAAs for the quarters are shown in Table 2, collected at PS-Code  
9 2300590-003.

10 Table 2: LRAAs

Year and Quarter	TTHM LRAA (mg/L)	HAA5 LRAA (mg/L)
2014 Q3	Below MCL	0.068
2014 Q4	0.105	0.103
2015 Q1	0.101	0.102
2015 Q2	0.101	0.085
2015 Q3	0.104	0.088
2015 Q4	0.085	Below MCL
2016 Q1	0.088	0.068

1 Therefore, the System failed to comply with the LRAA MCL for TTHM, starting with  
2 the fourth quarter of 2014 and continuing through all subsequent quarters, up to the  
3 date of this citation. The System also failed to comply with the LRAA MCL for HAA5,  
4 starting with the third quarter of 2014 and continuing through subsequent quarters,  
5 except the fourth quarter of 2015, up to the date of this citation.

### 6 7 **DIRECTIVES**

8 The Surfwood Mutual Water Company is hereby directed to take the following actions:

- 9
- 10 1. The System shall comply with Section 64533, Title 22, of the CCR in all future  
11 monitoring periods.  
12
  - 13 2. On or before **July 8, 2016**, notify all persons served by the System of the TTHM  
14 and HAA5 maximum contaminant level violations, in conformance with Section  
15 64463.4 and Section 64465, Title 22 of the CCR. A copy of these regulatory  
16 sections is provided in Appendix 3. The Public Notification form in Appendix 1  
17 must be used to fulfill this directive. **The corrective actions section of the**  
18 **template shall be completed prior to notification.** The completed notice shall  
19 be sent to all customers. In addition, a second method of notification must be  
20 chosen (see Appendix 2 - Compliance Certification). This second method must  
21 also be completed no later than **July 8, 2016**.  
22
  - 23 3. The System shall complete Appendix 2: Compliance Certification. Submit the  
24 Compliance Certification form, together with copies of the **two methods** of public  
25 notification, to the Division on or before **July 15, 2016**.  
26



1 4. The public notification and Certification of Compliance requirements listed in the  
2 directives above shall be **performed quarterly** until the System is no longer in  
3 violation of a disinfection byproduct maximum contaminant level. Future quarterly  
4 public notifications must include the most recent data available and be approved  
5 by the Division prior to distribution to the System's customers. The public notice  
6 shall be distributed within 30 days of receiving laboratory results. A copy of the  
7 public notice shall be submitted to the Division within 40 days of receiving  
8 laboratory results.

9  
10 The Division reserves the right to make such modifications to this Citation as it may  
11 deem necessary to protect public health and safety. Such modifications may be  
12 issued as amendments to this Citation, and shall be deemed effective upon issuance.

13  
14 Nothing in this Citation relieves Surfwood Mutual Water Company of its obligation to  
15 meet the requirements of the California Safe Drinking Water Act, or of any regulation,  
16 permit, standard, or order issued or adopted thereunder.

#### 17 18 **PARTIES BOUND**

19 This Citation shall apply to and be binding upon the System, its officers, directors,  
20 shareholders, agents, employees, contractors, successors, and assignees.

#### 21 22 **SEVERABILITY**

23 The Directives of this Citation are severable, and the System shall comply with each  
24 and every provision thereof, notwithstanding the effectiveness of any other provision.  
25  
26



## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.  
Para una copia de este artículo en español, por favor llame al.

### **Surfwood Mutual Water Corporation Had Levels of Disinfection Byproducts Above the State Drinking Water Standards**

Our water system recently violated the drinking water standards for disinfection byproducts. 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 including total trihalomethanes (TTHMs) and haloacetic acids (HAA5s). These are disinfection byproducts. This means they are byproducts of chlorinating our drinking water. The State of California has set standards for these contaminants, and water systems are not allowed to go above these standards. These standards are called maximum contaminant levels (MCLs). The MCL for TTHMs is 80 micrograms per liter ( $\mu\text{g/L}$ ). The MCL for HAA5s is 60  $\mu\text{g/L}$ . Many of the water samples collected from the Surfwood Mutual Water Company's drinking water during 2014, 2015, and 2016 were over the MCLs for both TTHMs and HAA5s. The average TTHM concentration ranged between 84.6 and 105.3  $\mu\text{g/L}$  during this time period. The average HAA5 concentration ranged between 66.8 and 103  $\mu\text{g/L}$  during the same period. These averages are above the amount that is allowed by state regulations.

#### **What should I do?**

- **You do not need to boil your water or take other corrective actions.** If you have specific health concerns, consult your doctor.
- This is not an emergency. If it had been, you would have been notified immediately.
- Some people who drink water containing disinfection byproducts in excess of the MCL over many years may experience an increased risk of getting cancer.

#### **What happened?**

To protect drinking water from disease-causing organisms, or pathogens, a chlorine based disinfectant is added to drinking water. However, disinfection byproducts can form when organic-rich water is disinfected. A major challenge is how to control and limit risks from pathogens and minimize disinfection byproduct formation at the same time. Disinfection byproducts tend to be highest during the warmest time of year or during periods of long detention times in storage tanks. As a result of disinfection requirements to ensure pathogens are inactivated, we have exceeded the total trihalomethane MCL and the haloacetic acid MCL.

**What corrective actions are being taken to prevent this violation from occurring in the future?**

*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 and employees.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees and customers of businesses located on the property.

This notice is being sent to you by the Surfwood Mutual Water Corporation in collaboration with the State Water Resources Control Board, Division of Drinking Water.

For questions, please call Eric Miller, President for the Surfwood Mutual Water Corporation, at (707) 937-6024.

State Water System ID#: 2300590

Date distributed: \_\_\_\_\_

**APPENDIX 2. COMPLIANCE CERTIFICATION**

**Citation Number : 02\_03\_16C\_022**

**Name of Water System: Surfwood Mutual Water Corporation**

**System Number: 2300590**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations. In addition, I certify that the Surfwood Mutual Water Corporation complied with the directives of this citation as indicated below:

Required Action	Date Completed
Complete Appendix 1 (second page) as required in Directive 2	
Public Notification – Indicate methods below.	
<input checked="" type="checkbox"/> Mail or direct delivery to each customer (REQUIRED)*;	
<u>AND</u> choose one of the following*:	
<input type="checkbox"/> Publication in a local newspaper (attach copy of newspaper); OR	
<input type="checkbox"/> Post in conspicuous place served by the water system for a minimum of 7 days (attach copy of posting, state locations and dates of posting); OR	
<input type="checkbox"/> Posting on the Internet or intranet (provide printout of website page).	

Signature of Water System Representative

Date

**\*Attach copies of all public notices to this Compliance Certification form.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION  
NO LATER THAN JULY 15, 2016**

**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.

## APPENDIX 3 - APPLICABLE STATUTES AND REGULATIONS

### FOR CITATION NO. 02\_03\_16C\_022

*Note: The Department referenced below, formerly the California Department of Public Health, Drinking Water Program, now refers to the State Water Resources Control Board, Division of Drinking Water. The Drinking Water Program moved to the State Water Resources Control Board on July 1, 2014.*

#### **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).

(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.

**California Code of Regulations, Title 22, Section 64533 (a) 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

<i>Disinfection Byproduct</i>	<i>Maximum Contaminant Level (mg/L)</i>	<i>Detection Limit for Purposes of Reporting (mg/L)</i>
<i>Total Trihalomethanes (TTHM)</i>	<b>0.080</b>	
<i>Bromodichloromethane</i>		0.0010
<i>Bromoform</i>		0.0010
<i>Chloroform</i>		0.0010
<i>Dibromochloromethane</i>		0.0010
<i>Haloacetic acids (five) (HAA5)</i>	<b>0.060</b>	
<i>Monochloroacetic Acid</i>		0.0020
<i>Dichloroacetic Acid</i>		0.0010
<i>Trichloroacetic Acid</i>		0.0010
<i>Monobromoacetic Acid</i>		0.0010
<i>Dibromoacetic Acid</i>		0.0010

**California Code of Regulations, Title 22, Section 64535.2 (e)(1) states:**

(e) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(d), shall be determined as follows:

- (1) For systems monitoring quarterly, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533.

**California Code of Regulations Section 64463.4 states, in relevant part:**

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) **Maintain posted notices** in place for as long as the violation or occurrence continues, **but in no case less than seven days;**

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be

given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, **community water systems shall give public notice by:**

(A) **Mail or direct delivery 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; **and**

(B) **Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct 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.

**California Code of Regulations (CCR), Section 64465 states, in relevant part:**

(a) Each public notice given pursuant to this article shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public 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"; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "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 your 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 your drinking water during that time."

(c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or 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. For each non-English

speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:

(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.

(d) Each public notice given pursuant to this article shall:

(1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;

(2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and

(3) Not contain language that minimizes or contradicts the information being given in the public notice.