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GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

March 6, 2015

Water System No. 4901069

Sonoma County Moose Lodge
Sonoma Valley Moose Lodge #2048
2058 Broadway
Sonoma, CA 95476

**CITATION NO. 02-18-15C-010
NITRATE MONITORING AND REPORTING VIOLATION FOR FOURTH QUARTER
2014**

Enclosed is a Citation issued to the Sonoma Valley Moose Lodge #2048 (System) public water system.

Sonoma Valley Moose Lodge #2048 will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. 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 a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

Sonoma Valley Moose Lodge #2048 will receive a bill sent from our Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on Paradise Ridge Winery for the current fiscal year.

If you have any questions regarding this matter, please contact George Chien of my staff at (707) 576-2971 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E., Sonoma District Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Enclosure: Citation No. 02-18-15C-010

CC (w/ Enclosures): John Ramsier, P.O. Box 3455, Santa Rosa, CA 95402

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Sonoma Valley Moose Lodge #2048

Water System No: 4901069

To: Sonoma County Moose Lodge
20580 Broadway
Sonoma, CA 95476

Issued: March 6, 2015

**CITATION FOR NONCOMPLIANCE
WITH NITRATE MONITORING AND REPORTING VIOLATION
FOURTH QUARTER 2014**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the Sonoma Valley Moose Lodge #2048 (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64432.1.

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,

1 permit, or order issued thereunder. A copy of the *Applicable Statutes and*
2 *Regulations* is located in Appendix 1, which is attached hereto and
3 incorporated by reference.
4

5 **STATEMENT OF FACTS**

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7 The System is classified as a transient noncommunity water system with 1
8 connection serving an approximate population of 80. Pursuant to Section
9 64432.1, Title 22 of the CCR, the System is required to collect quarterly
10 nitrate samples directly from Well 01. Section 64469, Title 22 of the CCR,
11 requires that analytical results of all sample analyses completed in a
12 calendar month shall be reported to the Division no later than the tenth day
13 of the following month.
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16 The Division received a August 19, 2009 nitrate monitoring result for Well 01
17 of 23 milligrams per liter (mg/L). By letter dated September 3, 2009, the
18 System was notified of the requirement to commence quarterly nitrate
19 monitoring from Well 01. The System did not perform the quarterly nitrate
20 monitoring for the fourth quarter of 2010. The System was issued Citation
21 No. 02-18-11C-014 by the Division on March 30, 2011 for failure to comply
22 with the monitoring and reporting requirement in the fourth quarter 2010. As
23 of the date of this Citation, the Division has not received results for a nitrate
24 sample collected in the fourth quarter of 2014.
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DETERMINATIONS

The Division has determined that the System violated Title 22 of the CCR, Section 64432.1, in that the System failed to collect the required number of nitrate samples during the fourth quarter 2014.

DIRECTIVES

Sonoma Valley Moose Lodge #2048 is hereby directed to take the following actions:

1. Comply with Section 64432.1, Title 22, of the CCR in all future monitoring periods. The System must continue with quarterly nitrate monitoring of the Well 01.

2. On or before **April 6, 2015**, notify all persons served by the System of the nitrate monitoring requirements, in conformance with Section 64463.4 and 64465, Title 22 of the CCR. Appendix 2: Public Notification Template may be used to fulfill this directive.

3. The System shall complete Appendix 3: Compliance Certification. Submit it to the Division on or before **April 13, 2015**.

1 The Division reserves the right to make such modifications to this Citation,
2 as it may deem necessary to protect public health and safety. Such
3 modifications may be issued as amendments to this Citation and shall be
4 effective upon issuance.

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7 Nothing in this Citation relieves the System of its obligation to meet the
8 requirements of the California Safe Drinking Water Act (CHSC, Division 104,
9 Part 12, Chapter 4, commencing with Section 116270), or any regulation,
10 standard, permit or order issued thereunder.

11
12 All submittals required by this Citation shall be submitted to the Division
13 at the following address: Janice M. Thomas, P.E.
14 State Water Resources Control Board
15 Division of Drinking Water
16 50 D Street, Suite 200
17 Santa Rosa, CA 95404

18 **PARTIES BOUND**

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

22
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24 **SEVERABILITY**

25 The directives of this Citation are severable, and the System shall comply
26 with each provision thereof notwithstanding the effectiveness of any
27 provision.

FURTHER ENFORCEMENT ACTION

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Division to: issue additional citations with assessment of penalties if the 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 Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

Janice M. Thomas March 16, 2015

Janice M. Thomas, P.E., Sonoma District Engineer Date

Division of Drinking Water

STATE WATER RESOURCES CONTROL BOARD

Appendices (3):

- 1. Applicable Statutes and Regulations
- 2. Public Notification Template
- 3. Compliance Certification



Certified Mail No. 703109000238186104

**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. 02-18-15C-010**

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.

California Code of Regulations (CCR), Section 64432.1 states in relevant part:

- (2) For public water systems using groundwater, the repeat monitoring frequency shall be quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50 percent of the maximum contaminant level (MCL).

California Code of Regulations (CCR), 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:
 - (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; and
- (c) A water system shall deliver the notice, in a manner designed to reach person served, within the required time period as follows:

- (2) 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, noncommunity water systems shall give public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 1. Publication in a local newspaper or newsletter distributed to customers;
 2. E-mail message to employees or students;
 3. Posting on the Internet or intranet; or
 4. Direct delivery to each customer.

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

- (a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), 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 mailll; 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) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:
 - (2) For a Tier 2 or Tier 3 public notice:
 - (A) The notice 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 public water system to obtain a translated copy of the notice or assistance in Spanish; and
 - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
 1. Information in the appropriate language(s) regarding the importance of the notice; or

2. A telephone number or address where such residents may contact the public 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.

**Appendix 64465-A. Health Effects Language
Microbiological Contaminants.**

Contaminant
Nitrate

Health Effects Language

Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.

CCR, Section 64469 states in relevant part:

- (a) Analytical results of all sample analyses completed in a calendar month shall be reported to the Department no later than the tenth day of the following month.
- (c) Analytical results shall be reported to the Department electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.

APPENDIX 2. PUBLIC NOTIFICATION TEMPLATE (TIER 2)

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene informacion muy importante sobre su agua potable.

Traduzcalo o hable con alguien que lo entienda bien.

**System Name Failed to Test for Nitrate during First/Second/Third/Fourth
Quarter YEAR**

We failed to test the drinking water for nitrate during the first/second/third/fourth quarter of YEAR. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened?

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. During QMonth, QMonth, and QMonth YEAR, we did not test for nitrate and, therefore, cannot be sure of the quality of the drinking water at that time.

What does this mean?

The California Water Resources Control Board (SWRCB) sets drinking water standards and has determined that nitrate poses an acute health concern at high levels of exposure. Nitrate is used in fertilizers and found in sewage and wastes from human and animal sources. It generally gets into drinking water from those activities. If the nitrate standard is met, the water served can be considered safe with respect to this chemical. If the nitrate standard is not met, drinking the water may pose a health hazard, especially to infants less than six months of age. Quarterly nitrate sampling is important to periodically verify the quality of your drinking water.

What should I do?

You do not need to take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on nitrate in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What corrective actions have been taken to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact: _____

(*name*)

(*address*)

(*phone number*)

Appendix 3. COMPLIANCE CERTIFICATION

Citation Number: 02-18-15C-010

Name of Water System: Sonoma Valley Moose Lodge #2048

System Number: 4901069

I certify that the users of the water supplied by this water system were notified of the bacteriological violations of Title 22, California Code of Regulations, Section 64426.1 for the compliance period of December 2014 and that the following actions, as directed in 02-18-15C-009 have been completed:

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Mail and Direct Delivery and Other Notification Methods completed.	

Signature of Water System Representative

Date

Attach a copy of the Public Notification posted.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO
LATER THAN APRIL 13, 2015**

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.