



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

November 20, 2015

System No. 0510016

Teresa Tanaka, Operations Manager  
CCWD - Ebbetts Pass  
P.O. Box 846  
San Andreas, CA 95249

### TRANSMITTAL OF CITATION NO. 01-10-15C-013

The Calaveras County Water District – Ebbetts Pass (hereinafter “Ebbetts Pass”) water system (No. 0510016) failed to collect the required number of reduced Lead and Copper Tap Samples, between June 1, 2015 and September 30, 2015, as specified in Title 22, Section 64675(b)(2), of the California Code of Regulations. The State Water Resources Control Board, Division of Drinking Water has issued Citation No. 01-10-15C-013, in response to this violation. The Citation is being transmitted to Ebbetts Pass under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Brian Kidwell by email at [Brian.Kidwell@waterboards.ca.gov](mailto:Brian.Kidwell@waterboards.ca.gov) or by phone at (209) 948-3963.

Sincerely,

Bhupinder S. Sahota, P.E.  
District Engineer, Stockton District  
NORTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-15C-013

Certified Mail No. 7004 2890 0002 0057 9669

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

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

**TO:** Calaveras County Water District – Ebbetts Pass  
P.O. Box 846  
San Andreas, CA 95249

**Attn:** Teresa Tanaka, Operations Manager  
Calaveras County Water District – Ebbetts Pass

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,**  
**TITLE 22, SECTION 64675(b)(2)**  
**FAILURE TO COLLECT REQUIRED NUMBER OF REDUCED LEAD AND COPPER**  
**TAP SAMPLES BETWEEN JUNE 1, 2015 AND SEPTEMBER 30, 2015**  
**WATER SYSTEM NO. 0510016**  
**CITATION NO. 01-10-15C-013**  
**Issued on November 20, 2015**

The State Water Resources Control Board (hereinafter “Water Board”), acting by and through its Division of Drinking Water (hereinafter “Division”) and the Deputy Director for the Division (hereinafter “Deputy Director”), hereby issues this Citation (hereinafter “Citation”) pursuant to Section 116650 of the California Health and Safety Code (hereinafter “CHSC”) to Calaveras County Water District – Ebbetts Pass (hereinafter,

1 "Ebbetts Pass") for violation of California Code of Regulations (CCR), Title 22, Section  
2 64675(b)(2).

3 **APPLICABLE AUTHORITIES**

4 **Section 116650 of California Health and Safety Code provides:**

5  
6 (a) If the Division determines that a public water system is in violation of this chapter  
7 or any regulation, permit, standard, citation, or order issued or adopted thereunder,  
8 the Division may issue a citation to the public water system. The citation shall be  
9 served upon the public water system personally or by certified mail. Service shall be  
10 deemed effective as of the date of personal service or the date of receipt of the  
11 certified mail. If a person to whom a citation is directed refuses to accept delivery of  
12 the certified mail, the date of service shall be deemed to be the date of mailing.

13  
14 (b) Each citation shall be in writing and shall describe the nature of the violation or  
15 violations, including a reference to the statutory provision, standard, order, citation,  
16 permit, or regulation alleged to have been violated.

17  
18 (c) A citation may specify a date for elimination or correction of the condition  
19 constituting the violation.

20  
21 (d) A citation may include the assessment of a penalty as specified in subdivision (e).

22  
23 (e) The Division may assess a penalty in an amount not to exceed one thousand  
24 dollars (\$1,000) per day for each day that a violation occurred, and for each day that a  
25 violation continues to occur. A separate penalty may be assessed for each violation.

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**California Code of Regulations, Title 22, Section 64675(b)(2) provides, in relevant part:**

(b) During each period, each system conducting reduced tap sampling shall collect at least one sample from the number of sites based on the number of people served specified in table 64675-A under Reduced Tap Sampling, as follows:

(2) The samples shall be collected during the months of June, July, August, or September.

**STATEMENT OF FACTS**

Ebbetts Pass water system is operated under Water Supply Permit No. 03-10-02P-005, which was issued on August 2, 2002.

The Ebbetts Pass water system is publically owned and operated. The water system is located along California Highway 4 in Calaveras County, between Utica Grade, past the town of Murphy's, up to Camp Connell in the Big Trees Park area. Ebbetts Pass' service area spans over several subdivisions and small towns along California Highway 4. The water system is classified as a community water system that serves primarily residential customers living along California Highway 4 from Murphy's to Camp Connell. The water system serves approximately 15,884 people through 5,976 service connections.

Ebbetts Pass' raw water source is the North Fork of the Stanislaus River, downstream of the McKay's Point diversion dam reservoir, from a tap in the Collierville Tunnel. The raw water is treated at the Hunters Water Treatment Plant, a package type surface water treatment plant of 4.0 million gallons per day or 2800-gpm production

1 capacity. The treatment process includes pre chlorination (currently not practiced),  
2 coagulation, contact flocculation and adsorption clarification, gravity filtration, and post  
3 chlorination. Contact time for disinfection inactivation is provided by an on-site 1.0  
4 million gallon (MG) circular clearwell. The treated water is pumped to a total of 15  
5 distribution storage reservoirs throughout the service area, which provide a combined  
6 storage capacity of about 6.0 MG.

7  
8 Based on population, Title 22, Table 64675-A of the California Code of Regulations,  
9 which is shown below, requires Ebbetts Pass to collect 60 lead and copper samples  
10 under standard tap sampling, and 30 samples under reduced tap monitoring.  
11 Currently the Ebbetts Pass water system conducts reduced tap monitoring.

12  
13 **Table 64675-A**  
14 **Lead and Copper Tap Sampling Sites**

15

16 System Size	Standard Tap Sampling	Reduced Tap Sampling
17 >100,000	100	50
18 10,001 to 100,000	60	30
19 3,301 to 10,000	40	20
20 501 to 3,300	20	10
21 101 to 500	10	5
22 <101	5	5

23

24  
25 Title 22, Section 64675(b)(2) of the California Code of Regulations states:

26  
27 (b) During each period, each system conducting reduced tap sampling shall  
28 collect at least one sample from the number of sites based on the number of  
29 people served specified in table 64675-A under Reduced Tap Sampling, as  
30 follows:

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(2) The samples shall be collected during the months of June, July, August, or September.

Therefore, when Ebbetts Pass is required to conduct lead and copper monitoring, the reduced number of lead and copper tap samples, 30, must be collected during the months of June, July, August, or September.

As specified in the 2014 Inspection Memo, which was mailed to Ebbetts Pass:

The next lead and copper tap monitoring shall be conducted between June and September 2015 with a minimum of 30 samples required.

On October 21, 2015, the Division was notified by Ebbetts Pass, via email, that only 21 of the 30 required lead and copper samples were collected during the months of June, July, August, or September. Then, on October 22, 2015, the Division was notified, via email, that Ebbetts Pass found six (6) more lead and copper samples that were collected during the months of June, July, August, or September. Therefore only 27 of the 30 required lead and copper tap samples were collected during the required timeframe.

It should be noted that the Division required Ebbetts Pass to collect the remaining three (3) samples during the month of October. All of the results, including the 27 samples collected previously, were below the action limit for both lead, 0.015 mg/L, and copper, 1.3 mg/L.

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**DETERMINATION**

The Division has determined that Ebbetts Pass failed to comply with Section 64675(b)(2) of the California Code of Regulations due to the fact that Ebbetts Pass failed to collect all 30 lead and copper tap samples during the months of June, July, August, or September. Specifically, Ebbetts Pass only collected 27 lead and copper tap samples during the required timeframe. Therefore Ebbetts Pass is in violation of Section 64675(b)(2) of the California Code of Regulations.

**DIRECTIVES**

Ebbetts Pass is hereby directed to take the following actions:

1. Ebbetts Pass shall collect lead and copper samples again between June 1, 2016, and September 30, 2016.

Note that all lead and copper distribution monitoring shall be conducted using the same sites as were used during the 2015 monitoring. If it is necessary to change a site or sites, the new site(s) address and tier ranking shall be attached to that round's results along with the reason for the change of the sample site(s).

2. The results of the monitoring shall be submitted to the Division's Stockton District office on the Form 141-AR, along with copies of the laboratory results for each site.
3. If the results from 2016 are in compliance with the action levels for both lead, 0.015 mg/L, and copper, 1.3 mg/L, Ebbetts Pass may return to triennial lead and copper monitoring.

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4. Failure to conduct lead and copper tap monitoring is considered a monitoring and reporting violation. As a result, Ebbetts Pass is required to notify the consumers of this violation in the 2015 Consumer Confidence Report, which is required to be distributed to all customers by July 1, 2016. Ebbetts Pass must also complete the attached Proof of Notification form and submit it to the Division, with a copy of the 2015 Consumer Confidence Report, by October 1, 2016.

The Division 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 deemed effective upon issuance.

Nothing in this Citation relieves Ebbetts Pass of its obligation to meet the requirements of the California Safe Drinking Water Act, or of any regulation, permit, standard, or order issued or adopted thereunder.

All submittals required by this Citation shall be submitted to the Division at the following address:

Brian Kidwell, P.E.  
Associate Sanitary Engineer  
State Water Resources Control Board, Division of Drinking Water  
31 E. Channel Street, Room 270  
Stockton, CA 9202

**PARTIES BOUND**

This Citation shall apply to and be binding upon Ebbetts Pass, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

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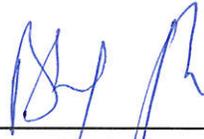
**SEVERABILITY**

The Directives of this Citation are severable, and Ebbetts Pass shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to 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 an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

11-20-2015



Date

Bhupinder S. Sahota, P.E.  
District Engineer, Stockton District  
Division of Drinking Water  
State Water Resources Control Board

Certified Mail No. 7004 2890 0002 0057 9669

Attachment:

Proof of Notification

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**Drinking Water Notification to Consumers**

**PROOF OF NOTIFICATION**

**Name of Water System:** \_\_\_\_\_

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. \_\_\_\_\_

\_\_\_\_\_

Consumers Notified \_\_\_\_\_ Yes \_\_\_\_\_ No

If not, Explain: \_\_\_\_\_

\_\_\_\_\_

Date of Notification: \_\_\_\_\_

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

\_\_\_\_\_ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

\_\_\_\_\_ Newspaper (if the problem has been corrected). Attach a copy of Notice.

\_\_\_\_\_ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

\_\_\_\_\_ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Division approval). Attach copy of Notice.

**I hereby declare the forgoing to be true and correct under penalty of perjury.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Person Serving Notice

**\*\*Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Division within 10 days of giving public notice.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a 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 fine of not more than twenty-five thousand dollars (\$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.