



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 10, 2015

System No. 0510006

Teresa Tanaka, Operations Manager
CCWD – Jenny Lind
P.O. Box 846
San Andreas, CA 95249

TRANSMITTAL OF CITATION NO. 01-10-15C-015

The Calaveras County Water District – Jenny Lind (hereinafter “Jenny Lind”) water system (No. 0510006) 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-015, in response to this violation. The Citation is being transmitted to Jenny Lind 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 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-015

Certified Mail No. 7004 2890 0002 0057 9645

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Calaveras County Water District – Jenny Lind
P.O. Box 846
San Andreas, CA 95249

Attn: Teresa Tanaka, Operations Manager
Calaveras County Water District – Jenny Lind

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. 0510006
CITATION NO. 01-10-15C-015
Issued on November 10, 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 – Jenny Lind (hereinafter,

1 "Jenny Lind") 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.



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

3
4 (b) During each period, each system conducting reduced tap sampling shall collect at
5 least one sample from the number of sites based on the number of people served
6 specified in table 64675-A under Reduced Tap Sampling, as follows:

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

9
10 **STATEMENT OF FACTS**

11 The Jenny Lind water system is operated under Water Supply Permit No. 03-10-98P-
12 001, which was issued on May 14, 1998.

13
14 The Jenny Lind water system is publically owned and operated. The water system is
15 located in Calaveras County along State Highway 26, approximately 25 miles to the
16 east of the City of Stockton. The service areas include Rancho Calaveras, La
17 Contenta, Mother Lode Acres, and the New Hogan/La Contenta water and sewer
18 Assessment District areas to the south of State Highway 26 between the towns of
19 Jenny Lind and Valley Springs. The water system is classified as a community water
20 system that serves primarily residential customers living within Jenny Lind's service
21 area. The water system serves approximately 13,649 people through 3,689 service
22 connections.

23
24 Jenny Lind's raw water supply is the Calaveras River. The raw water intake to the
25 surface water treatment plant (hereinafter "SWTP") is located about one mile
26 downstream from the New Hogan reservoir. This surface water supply is treated at
27 the Jenny Lind SWTP, which has a rated capacity of 6 million gallons per day (MGD).



1 The treatment train includes pre-ozonation, coagulation, contact clarification/filtration,
2 disinfection treatment, corrosion control, and optional pH stabilization.

3
4 The finished water is stored in two on-site clearwells with a combined storage
5 capacity of 245,000 gallons, and a 2.0 million gallon water storage tank (Water
6 Storage Tank A), for chlorine contact time. The treated water is then delivered to the
7 distribution system. Jenny Lind has a total of 5 distribution reservoirs, including Water
8 Storage Tank A, with a total storage capacity of 4.7 MG.

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

14
15 **Table 64675-A**
16 **Lead and Copper Tap Sampling Sites**

18 System Size	Standard Tap Sampling	Reduced Tap Sampling
19 >100,000	100	50
20 10,001 to 100,000	60	30
21 3,301 to 10,000	40	20
22 501 to 3,300	20	10
23 101 to 500	10	5
24 <101	5	5

25
26
27 Title 22, Section 64675(b)(2) of the California Code of Regulations states:

28
29 (b) During each period, each system conducting reduced tap sampling shall
30 collect at least one sample from the number of sites based on the number of

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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.

Therefore, when Jenny Lind 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 Jenny Lind:

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 Jenny Lind, via email, that all 30 required lead and copper samples were not collected during the months of June, July, August, or September. When Jenny Lind submitted its lead and copper results, on November 3, 2015, it was determined two samples were collected during October 2015. Therefore only 28 of the 30 required lead and copper tap samples were collected during the required timeframe.

It should be noted that all of the lead and copper results, including the 2 samples collected in October 2015, 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 Jenny Lind failed to comply with Section 64675(b)(2) of the California Code of Regulations due to the fact that Jenny Lind failed to collect all 30 lead and copper tap samples during the months of June, July, August, or September. Specifically, Jenny Lind only collected 28 lead and copper tap samples during the required timeframe. Therefore Jenny Lind is in violation of Section 64675(b)(2) of the California Code of Regulations.

DIRECTIVES

Jenny Lind is hereby directed to take the following actions:

1. Jenny Lind shall collect 30 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, Jenny Lind 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, Jenny Lind 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. Jenny Lind 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 Jenny Lind 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 Jenny Lind, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

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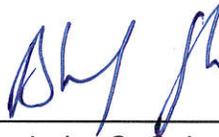
SEVERABILITY

The Directives of this Citation are severable, and Jenny Lind 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.

11-10-2015



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 9645

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.