



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

March 25, 2016
Certified Mail/Return
7012 3460 0003 1113 0543

Wilderness Unlimited
22425 Meekland Ave.
Hayward, CA 94547

Attention: Rick Copeland, President

RE: Wilderness Unlimited Public Water System No. 0600032 – Citation No. 21-16C-010 for failure to collect quarterly routine bacteriological samples and failure to follow enforcement directives.

Enclosed is a Citation issued to the Wilderness Unlimited water system. The Citation is being issued because the water system failed to collect and report fourth quarter 2015 and first quarter 2016 routine bacteriological samples, and has failed to follow enforcement directives of Citation No. 21-16C-002, issued on February 5, 2016. Public notification is required to inform consumers of these violations.

Please be advised that it is the Division's intention to impose civil penalties if the enclosed citation directives are not addressed by the deadlines specified therein.

Section 116577 of the California Safe Drinking Water Act provides for the Division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. In accordance with Section 116577, the water system will be billed for the preparation and issuance of this citation. The current reimbursement rate is approximately \$153.00 per hour.

If you have any questions regarding this matter, please call Paul Rowe at (530) 224-4866 or myself at (530) 224-4861.

Sincerely,

A handwritten signature in black ink that reads "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
Division of Drinking Water
State Water Resources Control Board

Enclosures

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

1 **Citation No. 21-16C-010**

2
3 **STATE OF CALIFORNIA**
4 **WATER RESOURCES CONTROL BOARD**
5 **DIVISION OF DRINKING WATER**
6

7 **Public Water System:** Wilderness Unlimited

8 **Water System No.:** 0600032

9
10 **To:** Wilderness Unlimited
11 Attn: Rick Copeland, President
12 22425 Meekland Ave.
13 Hayward, CA 94547
14

15 **Issued:** March 25, 2016
16 VIA CERTIFIED MAIL
17

18 **CITATION FOR NONCOMPLIANCE**
19 **With Title 22, California Code of Regulations**
20 **Section 64423**
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
23 issuance of a citation for failure to comply with a requirement of the California Safe
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Wilderness Unlimited for failure to comply
4 with Section 64423(a), Title 22, of the California Code of Regulations (CCR).

5
6 **APPLICABLE AUTHORITIES**

7 Section 116650 of the CHSC states:

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

19
20 *(b) Each citation shall be in writing and shall describe the nature of*
21 *the violation or violations, including a reference to the statutory*
22 *provision, standard, order, citation, permit, or regulation alleged*
23 *to have been violated.*

24
25 *(c) A citation may specify a date for elimination or correction of the*
26 *condition constituting the violation.*

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

3
4 (e) The Division may assess a penalty in an amount not to exceed
5 one thousand dollars (\$1,000) per day for each day that a
6 violation occurred, and for each day that a violation continues
7 to occur. A separate penalty may be assessed for each
8 violation.

9
10 Section 64423 (a)(3), Title 22, of the CCR states in relevant part:

11
12 (a) Each water supplier shall collect routine bacteriological water
13 samples as follows:

14 (3) The minimum number of samples for transient -
15 noncommunity water systems using groundwater and
16 serving 1000 or fewer persons a month shall be one in
17 each calendar quarter during which the system provides
18 water to the public.

19
20 **STATEMENT OF FACTS**

21 Wilderness Unlimited (hereinafter "System") is classified as a transient -
22 noncommunity water system. In accordance with Section 64423(a)(3) of Title 22, the
23 System is required to collect one routine bacteriological water sample each quarter. In
24 February of 2016, the System received Citation No. 21-16C-002 for failing to collect a
25 routine bacteriological sample in the fourth calendar quarter of 2015. As part of the
26 corrective action for the aforementioned citation, the System was directed to post
27 public notification to consumers as well as submit certification of delivery to the

1 Division for the public notice. As of the date of this current citation, the Division has
2 not received such certification. Furthermore, the System has failed to collect a routine
3 bacteriological sample in the first quarter of 2016 per the bacteriological sample site
4 plan. The last bacteriological sample reported was from August 2015.

5
6 **DETERMINATION**

7 The Division has determined that the Water System violated Section 116650 (a) of the
8 CHSC in that it failed to correct violations identified in Citation 21-16C-002, namely, to
9 provide public notification of the failure to collect a routine bacteriological sample in
10 the fourth quarter of 2015 and to submit certification of public notification to the
11 Division. Furthermore, the System has violated Section 64423(a), Title 22, of the CCR
12 in that it failed to collect routine bacteriological samples in the fourth quarter of 2015
13 and again in the first quarter of 2016.

14
15 **DIRECTIVES**

16 The Water System is directed to take the following actions:

- 17
18 1. Comply with Section 116650(a) of the CHSC regarding enforcement
19 directives and comply with Section 64423(a)(3), Title 22, of the CCR
20 regarding all future bacteriological monitoring.
- 21
22 2. Within 30 days of the issuance of this Citation, notify all persons served by
23 the System of this violation as required by Section 64463.4 and Section
24 64465, Title 22, of the CCR. Notification shall be completed in accordance
25 with each of the following:
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a. Provide the notice contained in Attachment 'A' by posting in conspicuous locations throughout the area served by the System. Changes and/or modifications to Attachment 'A' shall not be made unless approved by the Division.

3. Complete and return Attachment 'B' "Certification of Completion of Public Notification" form within 10 days of giving public notice. A copy of the notice used to provide public notification shall be attached to the form.

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 the System 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:

Reese B. Crenshaw, P. E.
Valley District Engineer
State Water Resources Control Board
Division of Drinking Water
364 Knollcrest Dr. Suite 101
Redding, CA 96002

PARTIES BOUND

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

3 **SEVERABILITY**

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

7 **FURTHER ENFORCEMENT ACTION**

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

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3/25/16

Date

R. Crenshaw

Reese B. Crenshaw, P.E.,
Valley District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachments:

- A. Public Notification Form
- B. Proof of Notification Form



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.

**WILDERNESS UNLIMITED DID NOT COLLECT
QUARTERLY ROUTINE BACTERIOLOGICAL SAMPLES
DURING THE FOURTH QUARTER OF 2015 OR
THE FIRST QUARTER OF 2016**

Our water system has been in violation of a monitoring requirement since the fourth quarter of 2015. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

What should you do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened? What was done?

We are required to monitor the 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 fourth calendar quarter of 2015 and the first quarter of 2016, we did not collect a quarterly routine bacteriological sample. Therefore, we could not be sure of the quality of your drinking water during that time. We have since taken the required routine sample on _____, 2016.

For more information, please contact Rick Copeland @ 510-785-4868.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being posted by Wilderness Unlimited.

State Water System ID#: 0600032 Date distributed: _____.

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Wilderness Unlimited

Public Water System No. 0600032

Public notification for the fourth calendar of 2015 and the first calendar quarter of 2016 bacteriological monitoring failure was performed by the following method:

 Posting in conspicuous locations throughout the area served by the water system.
Please indicate the date(s) and location(s) the notice was posted:

I hereby certify that the above information is factual.

Printed Name

Signature

Date