STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Johnny Quik Food Store #161
96 Shaw Avenue, Suite #240
Clovis, CA 93612

Water System No. 1000537

Attn: Andrea Alatorre

CITATION FOR VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE, SECTIONS 116530 AND 116460

ANNUAL REPORT TO THE DRINKING WATER PROGRAM

CALENDAR YEAR 2013

C I T A T I O N NO. 03-23-14C-054

Issued on September 4, 2014

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Johnny Quik Food Store #161 Water System (hereinafter, "Water System") (mailing address: 96 Shaw Avenue, Suite #240, Clovis, CA

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STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10924

93612) for violation of CHSC Sections 116530 and 116460. Specifically, the Water System failed to submit an Annual Report to the Drinking Water Division for the year ending December 31, 2013 and an updated Emergency Notification Plan.

APPLICABLE AUTHORITIES

Section 116530 of California Health and Safety Code provides:

that a public water system shall submit a technical report to the Division when requested. The Division has established a requirement for each public water system under its jurisdiction to submit a technical report annually specifying contact and operational information for the prior calendar year.

Section 116460 of California Health and Safety Code specifies:

that no person shall operate a public water system without an Emergency Notification Plan that has been submitted to and approved by the Division. The request for the 2013 ARDWP also included a requirement for submittal of an updated Emergency Notification Plan.

STATEMENT OF FACTS

The Division has not received the Annual Report to the Drinking Water Program (ARDWP) for 2013 from the Johnny Quik Food Store #161 water system. Additionally, the Division has not received an updated Emergency Notification Plan from the Water System.

DETERMINATION

The Division has determined that Johnny Quik Food Store #161 has failed to comply with Sections 116530 and 116460 of the CHSC.

DIRECTIVES

Johnny Quik Food Store #161 is hereby directed to take the following actions:

1. By **October 1, 2014**, the Water System shall complete and submit electronically, as outlined in Attachment A, the *2013 Annual Report to the Drinking Water*

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STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10924

Program, reporting operational inform for the calendar year ending December 31, 2013.

2. By **October 1, 2014**, the Water System shall complete and submit an updated Emergency Notification Plan using Attachment B

3. All documents required under this order shall be submitted to the Division at the following address:

Betsy S. Lichti, Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

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 Johnny Quik Food Store #161 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:

Betsy S. Lichti, P.E.
District Engineer
State Water Resources Control Board
Division of Drinking Water
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

PARTIES BOUND

This Citation shall apply to and be binding upon Johnny Quik Food Store #161, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and Johnny Quik Food Store #161 shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division 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 Division 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 Division; 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 Division. The Division does not waive any further enforcement action by issuance of this citation.

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STD. 113 (REV. 3-95)
OSP 98 10924

9/4/14

Date

Betsy S. Licht, P.E.,
District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachments:

A: Guidance for submission of the 2013 Electronic ARDWP
B: Emergency Notification Plan Template