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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Auberry LDS Church Water System
P. O. Box 869
Clovis, CA 93613

Water System No. 1000609

Attn: Don McCrary

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22,
SECTION 64426.1 (b) (2) - TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL**

November 2014

CITATION NO. 03-23-15C-006

Issued on February 25, 2015

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 Auberry LDS Church Water System (hereinafter,

30 Water System) (mailing address: P.O. Box 869, Clovis, CA 93613) for violation of
31 California Code of Regulations (CCR), Title 22, Sections 64424, 64426.1. and the
32 Groundwater Rule.

33 **APPLICABLE AUTHORITIES**

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

35 (a) If the division determines that a public water system is in violation of this chapter or
36 any regulation, permit, standard, citation, or order issued or adopted thereunder, the
37 division may issue a citation to the public water system. The citation shall be served upon
38 the public water system personally or by certified mail. Service shall be deemed effective
39 as of the date of personal service or the date of receipt of the certified mail. If a person to
40 whom a citation is directed refuses to accept delivery of the certified mail, the date of
41 service shall be deemed to be the date of mailing.

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

45 (c) A citation may specify a date for elimination or correction of the condition constituting
46 the violation.

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

48 (e) The division may assess a penalty in an amount not to exceed one thousand dollars
49 (\$1,000) per day for each day that a violation occurred, and for each day that a violation
50 continues to occur. A separate penalty may be assessed for each violation.

51 **California Code of Regulations, Title 22, Section 64426.1, subsections (a) and (b)**
52 **provide, in relevant part:**

53 **§64426.1. Total Coliform Maximum Contaminant Level (MCL).**

54 (a) Results of all samples collected in a calendar month pursuant to Sections 64423,
55 64424, and 64425 that are not invalidated by the Division or the laboratory shall be
56 included in determining compliance with the total coliform MCL. Special purpose
57 samples such as those listed in §64421(b) and samples collected by the water
58 supplier during special investigations shall not be used to determine compliance with
59 the total coliform MCL.

60 (b) A public water system is in violation of the total coliform MCL when any of the
61 following occurs:

62 (1) For a public water system which collects at least 40 samples per month, more
63 than 5.0 percent of the samples collected during any month are total coliform-
64 positive; or

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(2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive

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STATEMENT OF FACTS

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Auberry LDS Church Water System has operated as an existing unpermitted water system since the mid-1980's. The Water System submitted an application for a Domestic Water Supply Permit to the Division on July 26, 2013. The Water System serves a reported transient population of approximately one hundred-ninety two (192) persons through one (1) institutional service connection.

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The Water System is required to collect a minimum of one (1) distribution system bacteriological sample per quarter. The Water System reported the presence of total coliform bacteria in five (5) of five (5) samples collected by the Water System in November 2014. None of the positive samples showed the presence of fecal coliform or *E. coli* bacteria.

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The following table summarizes the bacteriological monitoring conducted during the months of November, December and January of 2014.

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Collection Date	Number of Samples	Sample Labeled	Number TC positive	Number E. Coli positive
11/11/2014	1	Routine	1	0
11/17/2014	4	Repeat (including well)	4	0
12/4/2014	5	Well Cycle Test	0	0
12/9/2014	5	Routine (including well)	0	0
1/27/2015	1	Routine (distribution)	0	0

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85 Due to the above-mentioned total coliform positive samples, the Water System failed the
86 total coliform MCL for the month of November 2014. Results for water samples tested for
87 coliform bacteria during 2014 are summarized in Attachment A. The cause of
88 contamination is unknown although it was determined that the well was positive for total
89 coliform bacteria. Disinfection of the well and distribution was conducted during the last
90 week of November 2014.

91
92 The five routine distribution samples required the month following November 2014 were
93 collected on December 9, 2014. None of those samples were positive for coliform
94 bacteria.

95
96 The Groundwater Rule adopted by the Division, effective August 18, 2011, requires the
97 collection of a sample for bacteriological evaluation from wells serving the system in
98 response to a coliform positive distribution sample. This requirement was met with the
99 repeat sampling collected in November 2014.

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101 Section 64426.1(c) requires a public water system to notify the Division and the
102 consumers of the water system, when a violation of Section 64426.1(b)(1) through (4) the
103 total coliform MCL occurs. Notification to the Division shall be by the end of the business
104 day on which the violation has been determined. If the Division is closed, notification shall
105 be within 24 hours of the determination. The Division was notified on November 21, 2014
106 in accordance with the above-referenced section.

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108 Public notification to the consumers of the water system was conducted on November 21,
109 2014 using Attachment B. Proof of Notification is provided as Attachment C.

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DETERMINATION

The Division has determined that the Water System failed to comply with Title 22, CCR Section 64426.1, Total Coliform MCL for the month of November 2014 due to the presence of total coliform bacteria in five (5) of five (5) samples collected by the Water System in November 2014.

DIRECTIVES

The Auberry LDS Church has completed the necessary public notification and investigation and no other directives are necessary at this time.

PARTIES BOUND

This Citation shall apply to and be binding upon Auberry LDS Church Water System, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and Auberry LDS Church Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

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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.

2/25/15

Date

Betsy S. Liciti

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



Attachments:

- A. Bacteriological Distribution and Source Monitoring Reports
- B. Public Notice Template
- C. Proof of Notification

Bacteriological Distribution Monitoring Report

1000609 Auberry LDS Church

Distribution System Freq: 1/Q

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	CI2	Violation	Comment
7/15/2013	9:50	Auberry LDS Church	A	A		Routine			
7/15/2013	9:50	Distribution Tap	A	A		Routine			
11/19/2013	9:15	Auberry LDS Church	A	A		Routine			
1/29/2014	8:30	Auberry LDS Church	A	A		Routine			
4/14/2014	9:45	Auberry LDS church	A	A		Routine			
7/29/2014	9:15	Auberry LDS Church	A	A		Routine			
11/11/2014	11:00	Auberry LDS	P	A		Routine			
11/17/2014	9:45	Custodian	P	A		Repeat		MCL	
11/17/2014	9:45	Kitchen	P	A		Repeat			
11/17/2014	9:45	Nursery	P	A		Repeat			
11/17/2014	9:45	Well Head	P	A		Source Repeat			
12/9/2014	11:00	Well	A	A		Source Routine			
12/9/2014	11:15	Nursery sink	A	A		Routine			
12/9/2014	11:20	Sacrament Sink	A	A		Routine			
12/9/2014	11:25	Cust. Sink	A	A		Routine			
12/9/2014	11:40	Kitchen Sink	A	A		Routine			
1/27/2015	11:00	Auberry LDS	A	A		Routine			

Violation Key

MCL	Exceeds the maximum contaminant level	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR1	No monthly sample for the report month	MR6	No source sample
MR2	No quarterly sample for the report month	MR7	No summary report submitted
MR3	Incorrect number of routine samples for the report month	MR8	Other comments and/or info
MR4	Did not collect 5 routine samples for previous month's positive sample	MR9	CI2 not reported

Source Bacteriological Monitoring Report

1000609 Auberry LDS Church

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>Sample Type</i>	<i>Test Method</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Violation</i>	<i>Comments</i>
12/4/2014	10:43	Well First Discharge	Well	MPN	<1.0	<1.0				
12/4/2014	10:44	Well 1 min	Well	MPN	<1.0	<1.0				
12/4/2014	10:49	Well 5 min	Well	MPN	<1.0	<1.0				
12/4/2014	10:59	Well 15 min	Well	MPN	<1.0	<1.0				
12/4/2014	11:14	Well 30 min	Well	MPN	<1.0	<1.0				

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.

**Auberry LDS Church Water System Has Levels of Coliform Bacteria
Above the Drinking Water Standard**

Our water system recently failed a drinking water standard. Although this incident was 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.

We routinely monitor for drinking water contaminants. We took five (5) samples to test for the presence of coliform bacteria in November 2014. All five (5) of these samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may show the presence of coliform bacteria.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

As a result of the positive Total Coliform tests, we have provided bottled water for any users who would prefer to use it. We are in the process of performing disinfection, on the well.

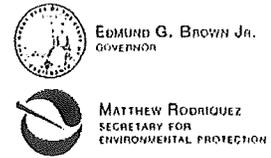
For more information, please contact Don McCrary at 559-901-3571 or 559-291-2600 or PO Box 869 Clovis, CA 93613

Please share this information with all the other people who drink this water, especially those who may not have received this 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 mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.



State Water Resources Control Board
Division of Drinking Water

Attachment C

PROOF OF NOTIFICATION
(Return with copy of notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the Auberry LDS Church of the failure to meet the total coliform bacteria MCL for the month of November 2014 as directed by the Division.

Notification was made on 11/21/14 by (date)

hand delivered and/or mailed and/or posted written notice. (circle all that apply)

[Handwritten Signature]
Signature of Water System Representative

DON MCCRARY
Printed Name

11/21/14
Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state 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 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 the county jail not to exceed one year, or by both the fine and imprisonment.

Due: December 15, 2014
Total Coliform MCL Failure: November 2014
System Number: 1000609
Citation No.: