STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Johann Dairy
11511 W. Floral Avenue
Fresno, CA 93706

Water System No. 1000604

Attn: John Verwey

CITATION FOR VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE,

SECTIONS 116530 AND 116460

ANNUAL REPORT TO THE DRINKING WATER PROGRAM

CALENDAR YEAR 2014

C I T A T I O N NO. 03-23-15C-064

Issued on June 22, 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 Johann Dairy Water System (hereinafter, "Water System") (mailing address: 11511 W. Floral Avenue, Fresno, CA 93706) for violation of

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OSP 98 10924

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, 2014 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 2014 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 2014 from the Johann Dairy water system. Additionally, the Division has not received an updated Emergency Notification Plan from the Water System.

DETERMINATION

The Division has determined that Johann Dairy has failed to comply with Sections 116530 and 116460 of the CHSC.

DIRECTIVES

Johann Dairy is hereby directed to take the following actions:

1. By **July 31, 2015**, the Water System shall complete and submit electronically, as outlined in Attachment A, the *2014 Annual Report to the Drinking Water Program*, reporting operational information for the calendar year ending December 31, 2014.

By **July 31, 2015**, the Water System shall complete and submit an updated Emergency Notification Plan using Attachment B and return it 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 Johann Dairy 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

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PARTIES BOUND

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

SEVERABILITY

The Directives of this Citation are severable, and Johann Dairy 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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6/22/15

Date

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

Attachments:
A: Guidance for submission of the 2014 Electronic ARDWP
B: Emergency Notification Plan Template

CERTIFIED MAIL: 7014 3490 0001 7868 9979

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Guidance for the submission of the 2014 Electronic ARDWP

To access the electronic ARDWP on-line page, please go to the ***DRINC Portal*** at the following link:

http://drinc.ca.gov/ear/

If you are not a registered user on the DRINC Portal:
In order to ensure the integrity of the information collected, we have implemented an on-line registration process to ensure that only valid water system representatives can access the online report. To access the eARDWP online page, please go to the following link for our DRINC Portal at http://drinc.ca.gov and then select the Electronic Annual Report link on the left-hand side of the page or go directly to http://drinc.ca.gov/ear/ and **Register**. You need only register once to complete reports for multiple systems for which you are responsible. Within 3 to 5 days after you have registered and the local regulatory agency: DDW District Engineer if your water system is regulated by DDW or the Local Primacy Agency (LPA) staff if your water system is regulated by the county; has reviewed your registration, you will receive an email to allow you access to start a report for your public water system(s).

If you registered last year:
If you have previously registered, you do not need to register again to begin completing the 2014 eARDWP. Simply login to the eARDWP Portal using your user name (email address) and password; then go to the **MY EAR REPORTS** tab. Each previously submitted report will have a link on this page. At the bottom of the page is a link to start the 2014 eARDWP.

If you need to add another water system to your registered list:
You must ensure you are registered for each water system for which you must submit a report. *To register for a new system*, you must login to the eARDWP Portal using your user name (email address) and password, then go to the **MY PROFILE** tab and add a water system from the list. Within 3 to 5 days after you have added the new water system to your list, and the local regulatory agency has reviewed your registration, you will receive an email to allow you access to start a report for that new public water system(s). You may begin creating the 2014 eARDWP for any water systems that have prior approval while you are waiting for the approval for the newly added water system.

If you forgot your password or changed email addresses:
Password: You must first login using your user name (email address). When you are at the screen requiring your password, click on the link **Forgot Password?**. Your password will be forwarded to your email account.
Email Address: If your email address has changed, you must re-register to create a new account with the updated email address. You should then connect the water system(s) to the new account for which you need to submit a 2014 eARDWP.

Emergency Notification Plan (ENP)
Each year, SWRCB-DDW Fresno District requires an updated Emergency Notification Plan. Please complete and sign the form attached and mail it to the SWRCB Fresno District Office or email a scanned copy as noted below. *The ENP must be signed by a representative of the water system that has been identified as a contact on the 2014 eARDWP.*

Submittal of eARDWP and ENP

Any documents that you wish to accompany the eARDWP, such as the required Emergency Notification Plan, or an updated Bacteriological Sample Siting Plan or Operations Plan, must be submitted in hard copy or via email (scanned signed copies only) to the SWRCB Fresno District Office at one of the following:

Mail: Betsy Lichti, P.E., District Engineer
SWRCB-DDW Fresno District
265 W. Bullard Ave., Suite 101
Fresno, CA 93704

Email: DWPDist23@waterboards.ca.gov

The Frequently Asked Questions (FAQ) is posted on the eARDWP portal. If you have any questions that are not addressed in the FAQ related to the 2014 eARDWP, please contact your local regulatory agency or send an email to DRINC@*waterboards.ca.gov*. If you do not have access to the Internet and cannot complete the form online, please call your local regulatory agency to request a paper copy.

You can continue to access the **Drinking Water Systems Geographic Reporting Tool** through the eARDWP Portal website. We have previously informed you about the **Drinking Water Systems Geographic Reporting Tool**, which was launched as a public health service by the DDW in cooperation with the UC Davis Information Center for the Environment (ICE). This web-based tool is designed to produce high resolution, digital maps of drinking water system customer service areas for the entire state of California, to assist water systems in digitizing their customer service area boundaries and identifying their neighboring systems, and to create a geographic information system (GIS) layer useful for emergency preparedness, for public health prevention and response, and for public health research.

If you have not already done so, you are invited to create or edit your service area boundaries and enter them in the Drinking Water Systems Geographic Reporting Tool. You can access the Drinking Water systems Geographic Reporting Tool on the DRINC portal at http://drinc.ca.gov.

Consumer Confidence Report Reminder

Water Systems are required to submit their 2014 Consumer Confidence Report electronically via the DRINC Portal by July 1, 2015.

(This requirement applies only to community and nontransient noncommunity water systems)

If you have any questions, please contact our office at (559) XXX-XXXX.

ATTACHMENT B

WATER QUALITY EMERGENCY NOTIFICATION PLAN

Name of Utility: _____

Physical Location/Address: _____

The following persons have been designated to implement the plan upon notification by the Division of Drinking Water, SWRCB that an imminent danger to the health of the water users exists:

Water Utility: Contact Name & Title	Email Address	Telephone Day	Telephone Evening	Telephone Cell
1.				
2.				
3.				

The implementation of the plan will be carried out with the following DDW-SWRCB and County Health Department personnel:

DDW-SWRCB & County Health Departments: Contact Name & Title	Telephone Day	Telephone Evening
1. Betsy S. Lichti, District Engineer SWRCB DDW-Fresno District	(559) 447-3300	(559) 323-1460 (559) 647-2388
2. Carl L. Carlucci, Regional Engineer SWRCB DDW-Central CA Region	(559) 447-3300	(559) 280-6363
3. Wayne Fox, Supervising REHS Fresno County Health Department	(559) 600-3357	(559) 600-3357

4. If the above personnel cannot be reached, contact:

Office of Emergency Services Warning Center (24 hrs.) (800) 852-7550 or (916) 845-8911
When reporting a water quality emergency to the Warning Center, please ask for the State Water Resources Control Board – Division of Drinking Water Duty Officer.

NOTIFICATION PLAN

Attach a written description of the method or combination of methods to be used (radio, television, door-to-door, sound truck, etc.) **to notify customers in an emergency.** For each section of your plan give an estimate of the time required, necessary personnel, estimated coverage, etc. Consideration must be given to special organizations (such as schools), non-English speaking groups, and outlying water users. Ensure that the notification procedures you describe are practical and that you will be able to actually implement them in the event of an emergency. Examples of notification plans are attached for large, medium and small communities.

Report prepared by:

_____ _____

PLAN I (Medium Community)

During regular working hours our people will contact the news media at television station KXYZ to broadcast the necessary warning. The local radio stations will also be contacted. The television and radio personnel are available at all hours. As a follow-up measure, we will also contact the Daily Bee, a local newspaper that serves both Ourtown and Hometown.

The warnings will be issued in both English and Spanish to cover all members of the community. Outlying areas of the water service area (such as Isolated Canyon and Lonesome Mountain subdivisions) will also be notified by sound truck and/or handbill distributed to their respective areas. Both of these areas are very small and this can be done quite quickly.

A special telephone answering service can also be quickly set up at the utility headquarters (using the regular company numbers) to answer questions that will come in from consumers. Questions are anticipated, especially from the Hometown area, because that area is served by three different water companies. A map will be available to the telephone answering personnel to determine the water company serving the caller.

It is anticipated that the time for notification to the television and radio audiences will be very short. The areas served by handbill and sound truck will also be notified within an hour. For notification to be issued in other than normal hours, the same media will be contacted and an announcement will be scheduled for as long as is necessary. A sound truck(s) will be used in the early morning hours to quickly alert the people not listening to their radio or television.

PLAN II (Small Community)

Our community is very small and the most efficient means of notification will be both sound truck and handbill. It is estimated that the entire service area can be covered in less than three hours.

PLAN III (Large Community)

The same plan as implemented in Plan I should be used here with the exceptions noted. All the news media will be contacted in the entire metropolitan area. This includes all television and radio stations and all local and general area newspapers. Maps have been prepared to be distributed to the media to locate the boundaries of the water company. This system is large enough that it may only be necessary to notify some of the water users. This information will be transmitted to the media and an answering service at the water company will respond to consumers' calls. Unless the problems are limited to isolated areas it is unreasonable to assume that contact can be made through sound truck or handbill.