



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW ROBERTS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

December 2, 2015

Mr. Nick Melkonian
Lone Star Dehydrator
2730 S. Dewolf Avenue
Sanger, CA 93657

RE: Lone Star Dehydrator – System No. 1000576
Citation No. 03_23_15C_085

Dear Mr. Melkonian:

The State Water Resources Control Board – Division of Drinking Water (Division) has issued a Citation No. 03-23-15C-085 to Lone Star Dehydrator water system, for violation of the DBCP MCL. The Citation is enclosed. The Citation requires the submittal of a written response, indicating the willingness to respond to the directives within, by **December 24, 2015**.

Further, the Citation requires that the Water System present a Corrective Action Plan by **January 29, 2016** to the Division at an office meeting. A deadline has been established via this Citation for Lone Star Dehydrator to demonstrate compliance with the DBCP MCL by no later than **September 30, 2016**.

The California Safe Drinking Water Act, Section 116577 provides for this agency to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, your water system will be billed for the preparation and issuance of this order. Our costs are approximately \$153 per hour. At this time we have spent approximately 1 hour on enforcement activities associated with this violation. You will receive a bill for these costs in August, following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact Sudarshan Poudyal at (559) 447-3300.

Sincerely,

Betsy S. Lichti, P.E.
Senior Sanitary Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

BSL/sp
cc: Tyler Thomas

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**STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

IN RE: **LONE STAR DEHYDRATOR**
WATER SYSTEM NO. 1000576

TO: MR. NICK MELKONIAN
2730 S. DEWOLF AVENUE
SANGER, CA 93657

CITATION NO. 03_23_15C_085

**FOR VIOLATION OF THE
CALIFORNIA HEALTH AND SAFETY CODE SECTION 116555(a)(1)
AND DIRECTIVES OF COMPLIANCE ORDER NO. 03-23-09O-020 AND
CITATION NO. 03-23-13C-006**

Issued on December 2, 2015

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27 The State Water Resources Control Board (hereinafter "Board"), acting by and through its
28 Division of Drinking Water (hereinafter "Division") and the Deputy Director for the
29 Division (hereinafter "Deputy Director"), hereby issues this Citation pursuant to Section
30 116650 of the California Health and Safety Code (hereinafter "CHSC") to Lone Star
31 Dehydrator for violation of CHSC section 116555(a)(1), directives of Compliance Order
32 No. 03-23-09O-020 (hereinafter "Compliance Order") and directives of Citation No. 03-
33 23-13C-006.

35 **APPLICABLE AUTHORITIES**

36

37 **CHSC, Section 116555(a)(1) states in relevant part:**

38

39 (a) Any person who owns a public water system shall ensure that the system does all of the
40 following:

41

42 (1) Complies with primary and secondary drinking water standards.

43

44 **CHSC, Section 116650 states in relevant part:**

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46 (a) If the department determines that a public water system is in violation of this chapter or
47 any regulation, permit, standard, citation, or order issued or adopted thereunder, the
48 department may issue a citation to the public water system. The citation shall be served
49 upon the public water system personally or by certified mail. Service shall be deemed
50 effective as of the date of personal service or the date of receipt of the certified mail. If a
51 person to whom a citation is directed refuses to accept delivery of the certified mail, the
52 date of service shall be deemed to be the date of mailing.

53

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

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

58

59 (e) The department may assess a penalty in an amount not to exceed one thousand dollars
60 (\$1,000) per day for each day that a violation occurred, and for each day that a violation
61 continues to occur. A separate penalty may be assessed for each violation

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64 **STATEMENT OF FACTS**

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66 Lone Star Dehydrator Water System (hereinafter “Water System”), is a privately owned
67 nontransient noncommunity water system located in Fresno County that supplies water to
68 a fruit packing facility with 25 permanent and 100 seasonal employees. The Water System
69 utilizes groundwater obtained from a single source of supply that is contaminated with

70 DBCP. The Water System operates under a Domestic Water Supply Permit No. 03-23-
71 10P-011, issued on December 29, 2010.

72

73 The Division issued a Compliance Order No. 03-23-09O-020 to the Water System on
74 September 29, 2009, for violation of the DBCP Maximum Contaminant Level (MCL). A
75 copy of the Compliance Order is included as Attachment A. On February 12, 2013,
76 Citation No. 03-23-13C-006 was issued to the Water System due to failure to meet the
77 directives of the Compliance Order No. 03-23-09O-020. A copy of the Citation is included
78 as Attachment B. The Citation directed the Water System to take certain actions, including
79 the followings:

80

81 *1. The Water System shall immediately comply with all requirements and orders described*
82 *in Compliance Order No. 03-23-09O-020. Specifically, the Water System shall take the*
83 *following actions:*

84 (a) *Cease and Desist from failing to comply with H&S Code Section*
85 *116555(a)(1) and (3) by ensuring that the system is provided with a reliable*
86 *and adequate source of pure, wholesome, healthful, and potable water that*
87 *is in compliance with all primary drinking water standards.*

88 (b) *By April 1, 2013, the Lone Star Dehydrator water system shall submit to the*
89 *Department, for review and approval, a plan for improvements to the water*
90 *system that describes a project designed to correct the water quality*
91 *problem (exceedance of the DBCP MCL) and eliminates the need to deliver*
92 *water to consumers that does not meet primary drinking water standards.*
93 *The plan shall include a time schedule for completion of various phases of*

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the project such as evaluation of alternatives, design, construction, and startup.

*(c) The Lone Star Dehydrator water system shall submit quarterly progress reports to the Department, beginning **July 2013**. The progress reports shall describe the status of compliance with the plan and the proposed project.*

*(d) The Water System must conduct public notification in accordance with CCR Section 64463 and inform the public of its inability to meet the DBCP MCL until a project is completed to provide water meeting drinking water standards. The Water System shall distribute the Department-approved notice, which was included as Attachment B of the Compliance Order, to all consumers. Notification must be directly delivered to all customers (mail or hand delivery). The public notification shall be provided to each customer by **February 28, 2013**, to satisfy the notification requirements for the first quarter of 2013. Notification to the public shall be **repeated every three months as long as the violation exists**. Please contact our office in order to request an electronic copy of the notice.*

*(e) Proof of public notification to all water system users shall be provided to the Department following each quarterly notification by the 10th day of the month following notification. The Proof of Notification certification, which is provided as Attachment C of the Compliance Order, shall be submitted to the Department. The proof of notification for the first quarter of 2013 shall be submitted to the Department by **March 11, 2013**.*

*2. The Lone Star Dehydrator water system shall submit a written response by **February 28, 2013**, indicating its willingness to comply with all directives of the Citation.*

120 Subsequently, a permit application was received in September 2013 to add existing
121 agricultural well into the system that met all the drinking water quality and well
122 construction requirements. The Water System has not provided the Division with an
123 updated status of the project since April 2014.

124

125 The Water System has not complied with Directive No. 1(c). Specifically, the Water
126 System has not submitted the quarterly progress reports. The Water System continues to
127 violate the DBCP MCL and has not notified the Division of progress of its plan to bring
128 the Water System back into compliance at the earliest time possible.

129

130 **DETERMINATIONS**

131 The water system has failed to comply with Directive Nos. 1(c) of the Citation No. 03-23-
132 13C-006 that were reiterated from the Compliance Order No. 03-23-09O-020.

133

134 **DIRECTIVES**

135 The Lone Star Dehydrator Water System and its owner of record are hereby directed to
136 take the following actions:

137

138 1. Comply with the Directives of Compliance Order No. 03-23-09O-020 and Citation
139 No. 03-23-13C-006.

140

141 2. Prepare for Division approval a Corrective Action Plan identifying improvements
142 to the water system designed to correct the water quality problem (violation of

143 DBCP MCL) and ensure that the Water System delivers water to consumers that
144 meets primary drinking water standards. The plan shall include a time schedule for
145 completion of each of the phases of the project such as alternatives evaluation and
146 selection, design, permitting and construction, and startup to ensure compliance is
147 achieved with the DBCP MCL by the date specified in Directive No. 2.

148
149 3. Present a Corrective Action Plan to the Division's Fresno District in an office
150 meeting by no later than **January 29, 2016**, for review and approval.

151
152 4. Submit a written response to this Citation indicating a willingness to comply with
153 the directives herein no later than **December 24, 2015**.

154
155 5. Notify the Division in writing no later than five (5) days prior to the deadline for
156 performance of any Directive set forth herein if Water System and/or its owner of
157 record anticipates it will not timely meet such performance deadline.

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159 6. Complete the project to correct DBCP MCL violation at the earliest time possible
160 and no later than **September 30, 2016**.

161
162 All submittals required by this Order shall be addressed to:

163
164 Betsy S. Lichti, P.E.,
165 Senior Sanitary Engineer
166 State Water Resources Control Board
167 Division of Drinking Water
168 Fresno District
169 265 W. Bullard Avenue, Suite 101
170 Fresno, CA 93704

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173 As used in this Citation, the date of issuance shall be the date of this Citation; and the date
174 of service shall be the date of service of this Citation, personal or by certified mail, on the
175 Water System or its owner of record.

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177 The Division reserves the right to make such modifications to this Citation and/or to issue
178 such further citations as it may deem necessary to protect public health and safety. Such
179 modifications may be issued as amendments to this Citation and shall be deemed effective
180 upon issuance.

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182 Nothing in this Citation relieves the Water System or its owner of record of its obligation
183 to meet the requirements of the California SDWA, or any regulation, standard, permit or
184 order issued thereunder.

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186 **PARTIES BOUND**

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188 This Citation shall apply to and be binding upon the Water System, its owners,
189 shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

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191 **SEVERABILITY**

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193 The Directives of this Citation are severable, and the Water System and its owner of record
194 shall comply with each and every provision hereof, notwithstanding the effectiveness of
195 any other provision.

196 **FURTHER ENFORCEMENT ACTION**

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198 The California SDWA authorizes the Board to issue a citation with assessment of
199 administrative penalties to a public water system for violation or continued violation of the
200 requirements of the California SDWA or any regulation, permit, standard, citation, or order
201 issued or adopted thereunder including, but not limited to, failure to correct a violation
202 identified in a citation or compliance order. The California SDWA also authorizes the
203 Board to take action to suspend or revoke a permit that has been issued to a public water
204 system if the public water system has violated applicable law or regulations or has failed to
205 comply with an order of the Board; and to petition the superior court to take various
206 enforcement measures against a public water system that has failed to comply with an order
207 of the Board. The Board does not waive any further enforcement action by issuance of this
208 Citation.



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12/2/15

Date

BSL/sp

Betsy S. Lichti

Betsy S. Lichti, P.E.

Senior Sanitary Engineer

Fresno District

SOUTHERN CALIFORNIA

DRINKING WATER FIELD OPERATIONS



Attachments:

Attachment A: Compliance Order No. 03-23-09O-020

Attachment B: Citation No. 03-23-13C-006

Attachment C: Updated Quarterly Progress Report Form

Attachment D: Updated Public Notification Form

Attachment E: Updated Proof of PN

Via Certified Mail: 7015166000007819500

Compliance Order No. 03-23-09O-020

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

IN RE: Lone Star Dehydrator
System No. 1000576

TO: Mark Melkonian, President
Lone Star Dehydrator
2730 S. DeWolf Avenue
Sanger, CA 93657

CC: Fresno County Human Services System
CDPH – Food & Drug Branch

**COMPLIANCE ORDER
FOR
VIOLATION OF THE DBCP MAXIMUM CONTAMINANT LEVEL
Issued on September 29, 2009**

Section 116655, Chapter 4 of the California Health and Safety Code authorizes the issuance of an Order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

FINDINGS

Lone Star Dehydrator (Water System) operates a non-transient non-community water system supplying water to approximately 25 permanent and 100 seasonal employees through approximately 1 service connection. The Water System has been identified as an

unpermitted public water system and has submitted a permit application to the Department dated September 1, 2008.

Regulatory oversight of this water system was transferred from Fresno County to the California Department of Public Health (Department) on September 1, 2007. According to our records, the source of supply for the Lone Star Dehydrator water system is groundwater obtained from one (1) active well, Well 01. The facility processes and dehydrates fruit.

Regulations require increased monitoring for dibromochloropropane (DBCP) following any single sample which exceeds the Maximum Contaminant Level (MCL) for DBCP of 0.2 ug/L. Compliance is based on the running annual average of quarterly samples. If any sample result will cause the annual average to exceed the MCL, the system shall be out of compliance immediately.

Based on data submitted to the Department for Well 01, the running annual average (RAA) of samples collected during three quarters from 2008 and 2009 is 0.28 ug/L, when data is averaged over four quarters. This shows that Well 01 exceeds the DBCP MCL. As a result, the Water System has failed to comply with the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5.5, Section 64444, which establishes the state MCL for DBCP of 0.2 ug/L.

The analytical results for DBCP sampling from the Water System's Well 01 are tabulated in Table 1 below. The July and August 2009 results were both collected in the third

quarter of 2009, and the results averaged prior to calculation of the Running Annual Average. The three quarters represented in the monitoring have been averaged over a four-quarter period to establish that the running annual average for DBCP has exceeded the MCL based on three quarters of data.

Table 1. Lone Star Dehydrator DBCP Monitoring Summary Well 01

Sample Date	DBCP Concentration (ug/L)	Running Annual Average (ug/L)
	DBCP MCL = 0.2 ug/L	
10/30/2008	0.43	
04/06/2009	0.46	
07/20/2009	0.38	
08/18/2009	0.10	0.28

Due to the violation of the DBCP MCL, the Water System is required to conduct quarterly public notification beginning with the third quarter of 2009 and must be repeated every three months as long as the violations exists.

CONCLUSIONS OF LAW

Based on the above Findings, the Department has determined that the Lone Star Dehydrator water system has violated provisions contained in the California Health and Safety Code and Title 22, California Code of Regulations (CCR). These violations include, but are not limited to the following:

1. Health and Safety (H&S) Code Section 116555(a)(1) Specifically, the Lone Star Dehydrator water system is operating a well that produces water that does not comply with a primary drinking water standard.

2. H&S Code Section 116555(a)(3) Specifically, the Lone Star Dehydrator water system failed to ensure that a reliable and adequate supply of pure, wholesome, healthful, and potable water is provided to all of its consumers.
3. CCR Section 64444 Specifically, the water produced by Lone Star Dehydrator, Well 01, has exceeded the maximum contaminant level of 0.2 ug/L for Dibromochloropropane (DBCP) and, therefore, does not comply with a primary drinking water standard.

ORDER

In order to ensure that the water supplied by the Lone Star Dehydrator water system is at all times safe, wholesome, healthful, and potable, and pursuant to Section 116655 of the H&S Code, the water system is ordered to take the following actions:

1. (a) Cease and Desist from failing to comply with H&S Code Section 116555(a)(1) and (3) by ensuring that the system is provided with a reliable and adequate source of pure, wholesome, healthful, and potable water that is in compliance with all primary drinking water standards.
- (b) By **November 15, 2009**, submit to the California Department of Public Health, for review and approval, a plan to correct the existing water quality problem and eliminate the need to deliver water to the system that does not meet the primary drinking water standards. The plan shall include a time schedule for completion of various phases of the project, such as alternatives evaluation, design, construction, and start-up.
- (c) Lone Star Dehydrator shall submit quarterly progress reports on the status of implementation of the plan to the Department, beginning **January 1, 2010**.

2. Lone Star Dehydrator shall provide Tier 2 public notification in accordance with CCR Section 64463 of its inability to meet the DBCP MCL. Attachment A is a Department-approved notice to be provided to all consumers. The first notification shall be provided by **October 30, 2009**, by direct delivery to each employee and by posting the notices at prominent locations throughout the service area. The notification shall be provided by Lone Star Dehydrator at least once every three months until the problem is corrected. An electronic copy of this notice may be requested from the Department.
3. Proof of public notification (Attachment B) shall be provided to the Department following each quarterly notification. Proof of public notification shall be submitted to the Department by the 10th day of the month following notification.
4. Quarterly monitoring of Well 01 for DBCP must be conducted, preferably before each quarterly notice is released, so the notice can reflect the most recent sample results.
5. The Department reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

All submittals required by this Order shall be addressed to:

Betsy S. Lichti, P.E.
Senior Sanitary Engineer
Department of Public Health
Southern California Branch
Drinking Water Field Operations
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

6. If Lone Star Dehydrator is unable to perform the tasks specified in this Order for any reason, whether within or beyond its control, and if Lone Star Dehydrator notifies the Department in writing no less than five days in advance of the due date, the Department may extend the time for performance if Lone Star Dehydrator demonstrates that it has used its best efforts to comply with the schedule and other requirements of this Order.

7. If Lone Star Dehydrator fails to perform any of the tasks specified in this Order by the time described herein or by the time subsequently extended pursuant to Item 6 above, Lone Star Dehydrator, shall be deemed to have not complied with the obligations of this Order and may be subject to additional judicial action, including civil penalties specified in H&S Code, Section 116725 and 116730.

8. The State of California shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by Lone Star Dehydrator, its employees, agents, or contractors in carrying out activities pursuant to this Order, nor shall the State of California be held as a party to any contract entered into by Lone Star Dehydrator or its agents in carrying out activities pursuant to this Order.

PARTIES BOUND

This Order shall apply to and be binding upon Lone Star Dehydrator, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The requirements of this Order are severable, and Lone Star Dehydrator shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

September 29, 2009

Date

A handwritten signature in black ink, appearing to read 'Richard L. Haberman', is written over a horizontal line. The signature is enclosed in a rectangular box.

Richard L. Haberman, P.E., Chief
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

RLH/bsl

Attachments:

Attachment A: Public Notice

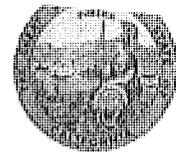
Attachment B: Proof of Public Notification

1000576 DBCP CO 9-28-09.doc



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

February 12, 2013
System No. 1000576

Mark Melkonian, President
Lone Star Dehydrator
2730 S. DeWolf Avenue
Sanger, CA 93657

RE: Citation No. 03-23-13C-006 for noncompliance with Compliance Order No. 03-23-09O-020

Dear Mr. Melkonian:

The California Department of Public Health (Department) issued Citation No. 03-23-13C-006 to the Lone Star Dehydrator water system on February 12, 2013 (attached) for noncompliance with the directives of the Compliance Order No. 03-23-09O-020 issued on September 29, 2009 for violation of Dibromochloropropane (DBCP) maximum contaminant level (MCL). The compliance order requires your water system to submit "a plan for improvements to the water system encompassing a project designed to correct the water quality problem (exceedence of the DBCP MCL) and eliminate the need to deliver water to consumers that does not meet primary drinking water standards."

Please submit a written response to our office by February 28, 2013, regarding your intent to comply with the directives of this Citation re-iterated from the Compliance Order. The Compliance Order also requires the submission of quarterly progress reports to the Department even if no progress has been made. The first progress report is due no later than July 2013.

Please note that Departmental approval is required before proceeding with any changes or additions to your treatment facility whether using state funding or your own financial resources.

If you have any questions regarding this matter, please contact Sudarshan Poudyal or me at (559) 447-3300.

Sincerely,

Betsy S. Lichti, P.E.
Senior Sanitary Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

BSL/sp



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
<http://www.fypower.org>

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**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

IN RE: **LONE STAR DEHYDRATOR**
WATER SYSTEM NO. 1000576

TO: Mark Melkonian
Lone Star Dehydrator
2730 S. DeWolf Avenue
Sanger, CA 93657

**CITATION FOR NONCOMPLIANCE WITH
COMPLIANCE ORDER NO. 03-23-09O-020**

Section 116650, Chapter 4 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

VIOLATION

The Drinking Water Field Operations Branch of the California Department of Public Health (hereinafter 'Department') hereby issues a Citation to the Lone Star Dehydrator Water System (hereinafter 'Water System') for failure to comply with orders issued under Compliance Order No. 03-23-09O-020 (hereinafter 'Compliance Order').

1 The Water System currently operates under a Domestic Water Supply Permit No. 03-23-
2 10P-011 issued by the Department on December 29, 2010. The Water System is a non-
3 transient non-community water system serving a fruit packing facility with 25 permanent
4 and 100 seasonal employees via single service connection. The Water Systems utilizes
5 untreated groundwater obtained from a single groundwater well as the sole source of
6 domestic water supply
7

8
9 The Department issued Compliance Order No. 03-23-09O-020, included as Attachment A
10 of this Citation, to the Water System for violations of the DBCP maximum contaminant
11 level (hereinafter 'MCL'). In accordance with the CHSC Section 116650,, this citation is
12 being issued to the Water System for violation of the Compliance Order. Specifically, the
13 Water System has failed to comply with the following Orders.
14

15
16 1. (a) Cease and Desist from failing to comply with H&S Code Section
17 116555(a)(1) and (3) by ensuring that the system is provided with a reliable and
18 adequate source of pure, wholesome, healthful, and potable water that is in
19 compliance with all primary drinking water standards.

20 (b) By November 15, 2009, submit to the California Department of Public
21 Health, for review and approval, a plan to correct the existing water quality
22 problem and eliminate the need to deliver water to the system that does not meet
23 the primary drinking water standards. The plan shall include a time schedule for
24 completion of various phases of the project such as evaluation of alternatives,
25 design, construction, and startup.
26
27

1 (c) Lone Star Dehydrator shall submit quarterly progress reports to the
2 Department, beginning January 1, 2010.

3
4 2. Lone Star Dehydrator shall provide Tier 2 public notification in accordance with
5 CCR Section 64463 of its inability to meet the DBCP MCL. Attachment A is a
6 Department-approved notice to be provided to all consumers. The first notification
7 shall be provided by **October 30, 2009**, by direct delivery to each employee and by
8 posting the notices at prominent locations throughout the service area. The
9 notification shall be provided by Lone Star Dehydrator at least once every three
10 months until the problem is corrected. An electronic copy of this notice may be
11 requested from the Department.

12
13 3. Proof of public notification (Attachment B) shall be provided to the Department
14 following each quarterly notification. Proof of public notification shall be
15 submitted to the Department by the 10th day of the month following notification.

16
17 4. Quarterly monitoring of Well 01 for DBCP must be conducted, preferably before
18 each quarterly notice is released, so the notice can reflect the most recent sample
19 results.

20
21 5. The Department reserves the right to make such modifications to this Order as it
22 may deem necessary to protect public health and safety. Such modifications may be
23 issued as amendments to this Order and shall be effective upon issuance.

24 Pursuant to Compliance Order No. 03-23-09O-020, Order No.1, the Water System is
25 required to submit a plan and time schedule for improvements to resolve the violations.
26 The Department has not received a plan and time schedule for compliance from the Water
27 System, nor have the required quarterly progress reports been submitted. Furthermore, the

1 Water System has failed to regularly conduct the public notification and submit the
2 necessary proof of notification to the Department, as required by Order Nos. 2 and 3,
3 respectively.
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5 **DIRECTIVES**
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7
8 The Water System is hereby directed to take the following actions:

9 1. The Water System shall immediately comply with all requirements and orders
10 described in Compliance Order No. 03-23-09O-020. Specifically, the Water
11 System shall take the following actions:

12 (a) Cease and Desist from failing to comply with H&S Code Section
13 116555(a)(1) and (3) by ensuring that the system is provided with a reliable
14 and adequate source of pure, wholesome, healthful, and potable water that
15 is in compliance with all primary drinking water standards.
16

17 (b) By **April 1, 2013**, the Lone Star Dehydrator water system shall submit to
18 the Department, for review and approval, a plan for improvements to the
19 water system that describes a project designed to correct the water quality
20 problem (exceedance of the DBCP MCL) and eliminates the need to deliver
21 water to consumers that does not meet primary drinking water standards.
22 The plan shall include a time schedule for completion of various phases of
23 the project such as evaluation of alternatives, design, construction, and
24 startup.

25 (c) The Lone Star Dehydrator water system shall submit quarterly progress
26 reports to the Department, beginning **July 2013**. The progress reports shall
27 describe the status of compliance with the plan and the proposed project.

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(d) The Water System must conduct public notification in accordance with CCR Section 64463 and inform the public of its inability to meet the DBCP MCL until a project is completed to provide water meeting drinking water standards. The Water System shall distribute the Department-approved notice, which was included as Attachment B of the Compliance Order, to all consumers. Notification must be directly delivered to all customers (mail or hand delivery). The public notification shall be provided to each customer by **February 28, 2013**, to satisfy the notification requirements for the first quarter of 2013. Notification to the public shall be **repeated every three months as long as the violation exists**. Please contact our office in order to request an electronic copy of the notice.

(e) Proof of public notification to all water system users shall be provided to the Department following each quarterly notification by the 10th day of the month following notification. The Proof of Notification certification, which is provided as Attachment C of the Compliance Order, shall be submitted to the Department. The proof of notification for the first quarter of 2013 shall be submitted to the Department by **March 11, 2013**.

2. The Lone Star Dehydrator water system shall submit a written response by **February 28, 2013**, indicating its willingness to comply with all directives of the Citation.

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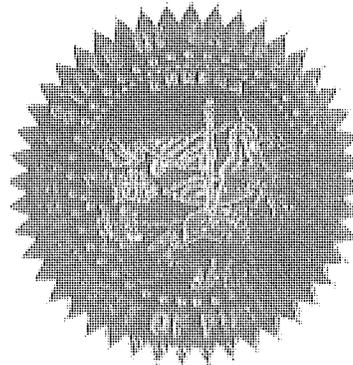
CIVIL PENALTIES

Sections 116650(d) and 116650(e) of the CHSC allow for the assessment of a civil penalty for failure to comply with requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the Department imposing an administrative penalty of up to \$200 (two hundred dollars) per day as of the date of violation of any provision of this Citation.

2/14/13
Date

Betsy S. Licht
Betsy S. Licht, P.E.
Senior Sanitary Engineer
DRINKING WATER FIELD OPERATIONS BRANCH

Attachment A: Compliance Order No. 03-23-19O-020



Quarterly Progress Report

Water System: Lone Star Dehydrator	Water System No.: 1000576
Citation No.: 03_23_15C_085	Violation: DBCP MCL
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Fresno District Office.

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

Tasks remaining to complete:

Anticipate compliance date:

Name

Signature

Title

Date

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.

**Lone Star Dehydrator Has Levels of
Dibromochloropropane (DBCP) Above Drinking Water Standards**

Water produced our water system failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results collected over the past four quarters from the treated water showed an average DBCP concentration of _____ [level and units]. This is above the standard or maximum contaminant level (MCL) of 0.2 ug/L.

What should I do?

- **You do not need to use an alternative (e.g. , bottled) water supply.** However, if you have specific health concerns, consult your doctor.
- *This is not an emergency. If it had been, you would have been notified immediately. However, some people who drink water containing DBCP in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

[Describe corrective action] _____ . We anticipate resolving the problem within [estimated time frame] _____. For more information, please contact _____ [insert name of contact] at _____ [insert phone number] or at the following mailing address: _____ [insert mailing address].

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 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.

This notice is being sent to you by Lone Star Dehydrator.

Date distributed: _____.

PWS ID No. 1000576

Certification of Completion of Public Notification

This form, when completed and returned to the Division of Drinking Water - Fresno District (265 W. Bullard Ave. #101, Fresno, CA 93704 or faxed to 559-447-3304), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: Lone Star Dehydrator_____

Public Water System No.: 1000576_____

Public notification for failure to comply with DBCP MCL 1st quarter of 2015 was performed by the following method(s) (check and complete those that apply):

The notice was mailed to users on: _____
A copy of the notice is attached.

The notice was hand delivered to water customers on: _____
A copy of the notice is attached.

The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.

The notice was published in conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.

The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

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 each day that the 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 to the Division of Drinking Water within 10 days of issuance of notice to customers

System Number: 1000576

Enforcement Action No. _03-23-09O-020, 03-23-13C-006, 03-23-15C-085_