STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Jackie Dugan
God's Family Church
7272 W. Shaw
Fresno, CA 93722

Water System No. 1000495

CITATION NO. 03-23-15C-088
FOR
VIOLATION OF HEALTH AND SAFETY CODE SECTIONS 106885 and 116555
AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 63770 OPERATOR CERTIFICATION REQUIREMENTS

Issued on: October 23, 2015

The State Water Resources Control Board (hereinafter "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 pursuant to Section 116650 of the California Health and Safety Code (hereinafter "CHSC") to the God's Family Church water system (hereinafter Water System) for violation of CHSC Sections 106885 (b) and 116555 (b), and Title 22 California Code of Regulations (CCR), Section 63770 .

APPLICABLE AUTHORITIES

CHSC, Section 106885(b) states in relevant part:

(b) All persons who are in responsible charge of the water distribution system of a community water system or a nontransient noncommunity water system shall possess a valid and current water distribution operator certificate of the appropriate grade in accordance with the regulations referred to in Section 106910.

CHSC, Section 116555(b) states in relevant part:

(b) Any person who owns a community water system or a nontransient noncommunity water system shall do all of the following:

(1) Employ or utilize only water distribution system operators who have been certified by the department at the appropriate grade for positions in responsible charge of the distribution system.

(2) Place the direct supervision of the water system, including water treatment plants, water distribution systems, or both under the responsible charge of an operator or operators holding a valid certification equal to or greater than the classification of the treatment plant and the distribution system.

CHSC, Section 116650(a) and (b) states in relevant part:

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

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

Title 22, CCR, Section 63770 (hereinafter "Section 63770"), states in relevant part:

(b) Water systems shall utilize only certified distribution operators to make decisions addressing the following operational activities:

(1) Install, tap, re-line, disinfect, test and connect water mains and appurtenances.
(2) Shut-down, repair, disinfect and test broken water mains.
(3) Oversee the flushing, cleaning, and pigging of existing water mains.
(4) Pull, reset, rehabilitate, disinfect and test domestic water wells.
(5) Stand-by emergency response duties for after hours distribution system operation emergencies.
(6) Drain, clean, disinfect, and maintain distribution reservoirs.

(c) Water systems shall utilize either certified distribution operators or treatment operators that have been trained to make decisions addressing the following operational activities:

(1) Operate pumps and related flow and pressure control and storage facilities manually or by using a system control and data acquisition (SCADA) system.
(2) Maintain and/or adjust system flow and pressure requirements, control flows to meet consumer demands including fire flow demands and minimum pressure requirements.

(d) Water systems shall utilize either certified distribution operators or treatment operators to make decisions addressing the following operational activities:

(1) Determine and control proper chemical dosage rates for wellhead disinfection and distribution residual maintenance.
(2) Investigate water quality problems in the distribution system.

STATEMENT OF FACTS

The Division is informed by the Water System and believes that the God's Family Church water system is a nontransient noncommunity water system, as defined in CHSC Section 116275, located in Fresno County. The God's Family Church provides domestic water to its customers in the service area consisting of a main church and preschool. The Water System serves a population of approximately 200-225 on Sundays and fifty-five (55) children that attend the week-day preschool via two (2) service connections.

The God's Family Church operates under the authority of Water Supply Permit No. 03-23-08P-036 issued in August 2008. There have been no amendments to the original permit to date. The Water System utilizes one groundwater well as its sole source of domestic water.

Records show that the Division has informed the Water System on several occasions of the Regulations that require the Water System to employ a certified distribution operator to operate and maintain the water system. The August 5, 2008 domestic water supply permit, Condition No. 6, classified the Water System as a D1 distribution system and required the Water System to be under the oversight of a D1 certified operator or higher grade operator. The Division issued Enforcement Letter No. 03-23-10E-095 on July 26, 2010; for noncompliance with the distribution operator requirements. In the most recent inspection report issued on September 8, 2015, the Water System was required to obtain a certified distribution operator by October 1, 2015. As of the date of this Citation, the Water System has not provided documentation that it has complied with the distribution operator requirement.

DETERMINATIONS

Based on above Statement of Facts, the Division has determined that the God's Family Church Water System is in violation of CHSC Section 116555 and Section 63770 by operating without a designated D1 certified distribution operator.

DIRECTIVES

The God's Family Church is hereby directed to take the following actions:

1) On or before **December 15, 2015**, the God's Family Church shall comply with Section 63771 by employing or having a written contract with a water distribution system operator who has been certified by the Division at the appropriate grade for positions in responsible charge of the distribution system.

2) On or before **November 15, 2015**, submit a written response to the Division indicating its agreement to comply with the directives of this Citation.

4) Submit the items required in Directive Nos. 2 and 3 above to the State Water Resources Control Board, Division of Drinking Water, to the attention of:

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

As used in this Citation, the date of issuance shall be the date of this Citation; and the date of service shall be the date of service of this Citation, by personal delivery or by certified mail, on the Water System.

The Division reserves the right to make such modifications to this Citation and/or to issue such further citation(s) 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 Water System of its obligation to meet the requirements of the California Safe Drinking Water Act (SDWS) or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

This Citation shall apply to and be binding upon God's Family Church, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and God's Family Church shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTIONS

The California SDWA authorizes the Board to: issue a 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 regulation, permit, standard, citation 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 Board to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this Citation.

CIVIL PENALTY

CHSC, Section 116650, subsections (d) and (e) allow for the assessment of a civil penalty for the failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any Directive of this Citation may result in the Division imposing an administrative penalty of not less than $1,000 (one thousand dollars) for each day that the violation occurred, and for each day that a violation continues to occur.

10/23/15
Date

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

Certified Mail No. 7015 1660 0000 0781 7780