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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Auberry Branch Library
c/o Fresno County Libraries
2420 Mariposa
Fresno, CA 93721

Water System No. 1000589

Attn: Patrick Hinds

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

July and August 2015

CITATION NO. 03-23-15C-100

Issued on December 21, 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 Branch Library Water System (hereinafter, Water System) (mailing address: 2420 Mariposa, Fresno, CA 93721) for

30 violation of California Code of Regulations (CCR), Title 22, Section 64426.1 subsections
31 (b)(2).

32 **APPLICABLE AUTHORITIES**

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

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

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

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

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

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

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

52 **§64426.1. Total Coliform Maximum Contaminant Level (MCL).**

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

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

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

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



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§64424 (d) Repeat Sampling

if a public water system for which fewer than five routine samples per month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month.

STATEMENT OF FACTS

The Water System is operated under Water Supply Permit No. 03-23-11P-027, issued on July 13, 2011. The Water System serves a reported transient population of approximately one hundred (100) persons through one (1) service connection. Water supply is provided through one well without any treatment.

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 three (3) of five (5) samples collected by the Water System in July 2015 and in two (2) of thirteen (13) samples collected by the Water System in August 2015. None of the positive samples showed the presence of fecal coliform or *E. coli* bacteria. Two of the samples collected from the well were total coliform positive.

The following table summarizes the bacteriological monitoring conducted during the months of July, August, and September of 2015.

Collection Date	Number of Samples	Sample Labeled	Number TC positive	Number E. Coli positive
7/9/2015	1	Routine	1	0
7/13/2015	4	Repeat (including well)	2 (distribution and well)	0
8/4/2015	5	Routine (distribution only)	1 (distribution only)	0
8/6/2015	4	Repeat (including well)	1 (well only)	0

8/17/2015	4	Repeat (including well)	0	0
9/28/2015	5	Routine (distribution only)	1 (distribution only)	0
9/30/2015	4	Repeat (including well)	0	0

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Due to the above-mentioned total coliform positive samples, the Water System failed the total coliform MCL for the months of July and August 2015. Results for water samples tested for coliform bacteria during 2015 are summarized in Attachment A. The Division provided the Water System with an Investigative Form on July 14, 2015, which has not been completed and returned to the Division. The Water System has a history of testing positive for total coliform in its distribution as well as in its primary source. Citation No. 03-23-12C-052 issued by the Division (CDPH at that time) on September 13, 2012 directed that any further Total Coliform Rule Maximum Contaminant Level (TCR MCL) violations would require the installation of continuous chlorination. As of the date of this citation, there have been three additional TCR MCL violations (July 2013, July 2015 and August 2015); an application to permit continuous chlorination has not yet been submitted by the Water System.

The five routine distribution samples required the month following August 2015, which had two total coliform-positive samples, were collected on September 28, 2015; one of those distribution samples was positive for total coliform bacteria, however repeat sampling of the same site was negative for total coliform bacteria on September 30, 2015. Additionally, the five routine distribution samples required the month following September 2015, which had one total coliform-positive sample, were collected on October 26, 2015. All of those samples were negative for total coliform bacteria.

111 The Groundwater Rule adopted by the Division, effective August 18, 2011, requires the
112 collection of a sample for bacteriological evaluation from wells serving the system in
113 response to a coliform positive distribution sample. This requirement was met with all
114 repeat sampling collected during July, August and September of 2015.

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DETERMINATION

117 The Drinking Water Field Operations Branch of the State Water Resources Control Board
118 – Division of Drinking Water (hereinafter 'Division') has determined that Auberry Branch
119 Library Water System (hereinafter 'Water System'), has failed to comply with Section
120 116555(a)(1) of the CHSC and Sections 64426.1(b)(2) and 64424(d) of Title 22, California
121 Code of Regulations (CCR). Specifically, the Water System failed to comply with the total
122 coliform Maximum Contaminant Level (MCL) for the months of July and August 2015.

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NOTIFICATION REQUIREMENTS

125 Section 64426.1(c) requires a public water system to notify the Division and the
126 consumers of the water system, when a violation of Section 64426.1(b)(1) through (4)
127 occurs. Notification to the Division shall be by the end of the business day on which the
128 violation has been determined. If the Division is closed, notification shall be within 24
129 hours of the determination. The Division was notified on July 14, 2015, in accordance
130 with the above-referenced section.

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132 A Tier 2 Public Notice for violation of paragraph 64426.1(b) (2) shall be given pursuant to
133 Section 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory health
134 effects language from Appendix 64465-A for a total coliform MCL failure. Section 64463.4
135 allows non-community water systems to give public notice by posting the notice in
136 conspicuous locations throughout the area served by the water system and by the use of
137 one or more of the following methods in order to reach persons not likely to be reached by



138 a public posting: publication in a local newspaper or newsletter distributed to customers,
139 e-mailing the public notice to water system customers, posting the public notice on the
140 internet, or by delivery to each customer.

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142 The appropriate Tier 2 notification template was provided to the Water System on July 14,
143 2015 and is provided again here as Attachment B. The Water System shall post the
144 public notice provided as Attachment B in conspicuous locations within the water system
145 and shall deliver the public notice directly to each student and employee.

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147 Section 116450(g) requires that upon receipt of notification from a public water system,
148 schools must notify school employees, students, and parents (if the students are minors),
149 residential rental property owners or managers (including nursing homes and care
150 facilities) must notify their tenants and business property owners, managers or operators
151 must notify employees of businesses located on the property.

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153 Proof of Notification is required. The Water System shall complete Attachment C and
154 return it to the Division by **January 31, 2016**.

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DIRECTIVES

157 The Water System is hereby directed to take the following actions:

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- 159 1. By **January 15, 2016**, the Auberry Branch Library water system shall provide
160 public notification of the total coliform Maximum Contaminant Level failure by
161 posting of the public notice provided as Attachment B in conspicuous places
162 throughout the general service area and by one or more of the following
163 notification methods: publication in a local newspaper or newsletter distributed to



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customers, e-mailing the public notice to water system customers, posting the public notice on the internet, or by delivery to each customer.

By **January 31, 2016**, the Water System shall provide proof of notification of the total coliform MCL violation notification to each consumer by completing and returning Attachment C to:

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

2. By **January 31, 2016**, the Water System shall complete and submit the enclosed "Positive Total Coliform Investigation" form to the Division that describes the incident and all corrective actions taken, and the results of the investigation. The appropriate investigation report is provided as Attachment D.

3. The Water System is hereby required to provide continuous chlorination treatment. The following requirements shall be implemented:
 - a) By **January 31, 2016**, the Water System shall make application to the Division for a permit to allow the continuous chlorination of the water supply. The appropriate form is provided as Attachment E. A permit fee of \$258 shall be included at the time the application is submitted to the Division.

 - b) Information regarding the permanent chlorination equipment, installation location, diagrams and installation procedures shall be submitted to the Division for review and approval prior to installation. The installation shall be conducted by a person qualified and experienced with chlorination equipment.

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- c) The Water System shall have on staff or under contract a minimum of a D1 Certified Distribution Operator to operate the chlorination equipment. Documentation of the contract with the operator as well as the operator's certification shall be provided to the Division by **January 31, 2016**.

- d) A Chlorination Treatment Operations Plan shall be prepared and submitted for approval to the Division. A template that can be used is provided as Attachment F.

- e) The certified operator shall visit the well site and review the chlorination treatment on at least a monthly basis. The following shall be recorded on the Monthly Chlorination Report (Attachment G): the date and time of the visit, well meter reading, chlorine solution strength, gallons of chlorine solution in tank, free chlorine residual after injection point, free chlorine residual at furthest point in distribution system, and any remarks or comments.

- f) The chlorine residual at the well site shall be measured at least weekly by an individual trained by the certified operator and using approved field test kits. The chlorine residual shall be recorded on the Monthly Chlorination Report.

- g) The distribution system chlorine residual must be measured and reported at the same time and location(s) that the bacteriological sample(s) are collected. The residual(s) should be provided to the Division along with the bacteriological laboratory analysis.

- h) The Water System shall submit the Monthly Chlorination Report to the Division by the 10th day of the following month. The Monthly Chlorination Report shall

223 be signed by the certified operator approved for oversight of the chlorination
224 treatment.
225

226 i) The Water System shall initiate monthly sampling of the raw well water for
227 coliform bacteria. The sample must be collected at a location ahead of
228 chlorination and shall be analyzed for total and fecal coliform or E.coli bacteria
229 using a density analytical method with the analytical results reported in
230 MPN/100 ml. The results of all samples shall be submitted to the Division by
231 the 10th day of the following month. After six consecutive monthly samples do
232 not show the presence of coliform bacteria, the water system may submit a
233 written request to the Division for a reduction in sampling to one sample per
234 quarter.

235 **PARTIES BOUND**

236 This Citation shall apply to and be binding upon Auberry Branch Library Water System, its
237 officers, directors, shareholders, agents, employees, contractors, successors, and
238 assignees.

239 **SEVERABILITY**

240 The Directives of this Citation are severable, and Auberry Branch Library Water System
241 shall comply with each and every provision thereof, notwithstanding the effectiveness of
242 any other provision.

243 **FURTHER ENFORCEMENT ACTION**

244 The California SDWA authorizes the Division to: issue citation with assessment of
245 administrative penalties to a public water system for violation or continued violation of the
246 requirements of the California SDWA or any permit, regulation, permit or order issued or
247 adopted thereunder including, but not limited to, failure to correct a violation identified in a
248 citation or compliance order. The California SDWA also authorizes the Division to take
249 action to suspend or revoke a permit that has been issued to a public water system if the



250 system has violated applicable law or regulations or has failed to comply with an order of
251 the Division; and to petition the superior court to take various enforcement measures
252 against a public water system that has failed to comply with violates an order of the
253 Division. The Division does not waive any further enforcement action by issuance of this
254 citation.

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12/21/15

Date

Betsy S. Lichti

Betsy S. Lichti, 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 Public Notice
- D. Positive Total Coliform Investigation Form
- E. Permit Amendment Application
- F. Chlorination Treatment Operations Plan Template
- G. Monthly Chlorination Report

Certified Mail Receipt Tracking Number: 7014 3490 0001 7868 8255



Bacteriological Distribution Monitoring Report

1000589 Auberry Branch Library
Distribution System Freq: 1/Q

Sample Date	Time	Location	T Coll	E Coll	F Coll	Type	Cl2	Violation	Comment
1/5/2015	11:45	Site 1-OHB @ SW side of bldg	A	A		Routine			
4/6/2015	14:10	Site 2 -OHB @ picnic area	A	A		Routine			
7/9/2015	14:40	Site 1 OHB @ SW side of bldg	P	A		Routine			
7/13/2015	10:25	Well	2.0	<1		Source Repeat			
7/13/2015	10:35	OHB @ SW side of Bldg	<1	<1		Repeat			
7/13/2015	10:43	Upstream-OHB @ NW Side of Bldg	2.0	<1		Repeat		MCL	
7/13/2015	10:48	Downstream-Sink @ break room	<1	<1		Repeat			
8/4/2015	10:55	SW Side of Bldg	A	A		Routine			
8/4/2015	11:03	OHB @ NW Side of Bldg	P	A		Routine			
8/4/2015	11:10	OHB @ Picnic Area	A	A		Routine			
8/4/2015	11:15	Sink @ Breakroom	A	A		Routine			
8/4/2015	11:20	Sink @ Men's RR	A	A		Routine			
8/6/2015	12:30	Well	1.0	<1		Source Repeat		MCL	
8/6/2015	12:38	OHB @ SW of Bldg	<1	<1		Repeat			
8/6/2015	12:48	Upstream OHB @NW Side of Bldg	<1.1	<1		Repeat			
8/6/2015	12:53	Downstream Sink @ Break Room	<1	<1		Repeat			
8/17/2015	12:30	Downstream - Sink @ Break Room	<1	<1		Repeat			
8/17/2015	12:38	Upstream OHB @ NW Side of Bldg	<1	<1		Repeat			
8/17/2015	12:42	OHB @ SW side of Bldg	<1	<1		Repeat			
8/17/2015	12:48	Well	<1	<1		Source Repeat			
9/28/2015	12:30	Sink @ Men's RR	A	A		Routine			
9/28/2015	12:35	Sink @ Break Room	P	A		Routine			
9/28/2015	12:40	OHB @ SW Side of Bldg	A	A		Routine			
9/28/2015	12:45	OHB @ Picnic Area	A	A		Routine			
9/28/2015	12:50	OHB @ NW Side of Bldg	A	A		Routine			
9/30/2015	12:15	Well	<1	<1		Source Repeat			
9/30/2015	12:23	OHB @ SW Side of Bldg	<1	<1		Repeat			
9/30/2015	12:34	Downstream - Sink @ Break Room	<1	<1		Repeat			
9/30/2015	12:34	Upstream OHB @ NW Side of Bldg	<1	<1		Repeat			
10/26/2015	11:30	Sink @ Men's RR	A	A		Routine			
10/26/2015	11:36	Sink @ Break Room	A	A		Routine			
10/26/2015	11:43	OHB @ NW Side of Bldg	A	A		Routine			
10/26/2015	11:50	OHB @ Picnic Area	A	A		Routine			
10/26/2015	11:57	OHB @ SW Side of Bldg	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	Cl2 not reported

Source Bacteriological Monitoring Report

1000589 Auberry Branch Library

<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>
7/20/2015	10:30	1st draw	Well	MPN	<1	<1.1				
7/20/2015	10:31	1 min	Well	MPN	1.0	<1				
7/20/2015	10:35	well 5 min	Well	MPN	<1	<1				
7/20/2015	10:45	well 15 min	Well	MPN	<1	<1				
7/20/2015	11:00	30 min	Well	MPN	<1	<1				
7/27/2015	10:00	@ 1st draw	Well	MPN	<1	<1				
7/27/2015	10:01	@ 1 min	Well	MPN	<1	<1				
7/27/2015	10:05	5 Min	Well	MPN	<1	<1				
7/27/2015	10:15	@15 min	Well	MPN	<1	<1				
7/27/2015	10:30	30 min	Well	MPN	<1	<1				

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 Branch Library Water System Had 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 _____ () samples to test for the presence of coliform bacteria in July 2015. _____ of these samples showed the presence of total coliform bacteria. Additionally, we took _____ () samples to test for the presence of coliform bacteria in August 2015. _____ 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?

[Describe corrective action]. _____

For more information, please contact _____ [name of contact] at _____ [phone number] or _____ [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 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.

This notice is being sent to you by Auberry Branch Library Water System Date distributed: _____



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

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 Branch Library Water System** of the failure to meet the **total coliform bacteria MCL** for the months of **July and August 2015** as directed by the Division.

Notification was made on _____ by _____
(date)

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

Signature of Water System Representative

Printed Name

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: January 31, 2016
Total Coliform MCL Failure: July and August 2015
System Number: 1000589
Citation No.: 03-23-15C-100