CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 12, 2015

Doug Cords
437 Laverne
Clovis, CA 93611

RE: Shaver Lake Point No. 2 – Water System No. 1000072
Arsenic MCL Violation – Compliance Order No. 03-23-15R-004

Dear Mr. Cords:

On January 12, 2015, the State Water Resources Control Board – Division of Drinking Water (Division) issued Compliance Order No. 03-23-15R-004 (enclosed) to the Shaver Lake Point No. 2 Water System (Water System) for violation of the arsenic maximum contaminant level (MCL). This Compliance Order replaces Compliance Order No. 03-23-14R-002, issued on January 7, 2014.

The Compliance Order requires your water system to present to the Division a Corrective Action Plan for improvements to the water system to correct the water quality problem (violation of the arsenic MCL) and eliminate the need to deliver water to customers that does not meet primary drinking water standards. The Compliance Order also requires that the water system achieve an arsenic running annual average that is less than the arsenic MCL, at each arsenic sampling point, by no later than **December 31, 2016**.

Please submit a written response to our office by September 15, 2013, regarding your intent to comply with the attached 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 **February 6, 2015**.

Please note that Departmental approval is required before proceeding with any changes or additions to your treatment or source of supply. Item No. 1(e) requires that the Corrective Action Plan be presented to the Department in an Office Meeting no later than October 31, 2013. Arrangements for presenting the plan can be made by contacting Philip Dutton or myself at (559) 447-3300.

Sincerely,

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

BSL/PD

Enclosure

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

IN RE: **SHAVER LAKE POINT NO. 2**
WATER SYSTEM NO. 1000072

TO: MR. DOUG CORDS
SHAVER LAKE POINT NO. 2
437 LAVERNE
CLOVIS, CA 93611

COMPLIANCE ORDER NO. 03-23-15R-001

FOR NONCOMPLIANCE WITH THE ARSENIC MAXIMUM CONTAMINANT LEVEL SECTION 64431, TITLE 22, CALIFORNIA CODE OF REGULATIONS

Issued on January 12, 2015

Section 116655 of the California Health and Safety Code authorizes the issuance of a compliance order to a public water system for violation of 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 (hereinafter "State 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 compliance order to Shaver

Lake Point No. 2 for violation of California Code of Regulations (hereinafter "CCR"), Section 64431, Maximum Contaminant Levels – Inorganic Chemicals.

APPLICABLE AUTHORITIES

Section 116655, California SDWA, states in relevant part:

(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the department.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

Section 64431, Title 22, CCR, states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

Chemical	*Maximum Contaminant Level, mg/L*
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Chemical	*Maximum Contaminant Level, mg/L*
Beryllium	0.004
Cadmium	0.005

Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO3)	45.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Additional *Applicable Authorities* are located in Attachment A, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Shaver Lake Point No. 2 Water System (hereinafter "Water System") is a privately owned community water system located in Fresno County that supplies water for domestic purposes to a residential population of 210 individuals, as reported to the Division, served through 93 single family residential service connections that are predominantly seasonal homes. The Water System operates under Domestic Water Supply Permit No. 03-23-13P-023, issued on November 21, 2013.

The Water System utilizes nondisinfected groundwater from three off-site groundwater wells as its sources of domestic water. The combined wells discharge to a tank farm located within the service area, where a booster station discharges the stored water into the distribution system.

CCR, Title 22, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. Community and nontransient noncommunity water systems must comply with the maximum contaminant level for arsenic of 0.010 mg/L, as established in CCR, Section 64431

CCR, Section 64432(g)(1), establishes an increased quarterly monitoring frequency when the level of an inorganic chemical exceeds an MCL. CCR, Section 64432(h) allows the Division to direct the Water System to discontinue the use of a well, when the average concentration of a sample and confirmation sample(s) exceed ten times an inorganic chemical MCL.

CCR, Section 64432(i), specifies ongoing compliance determinations for quarterly inorganic chemical monitoring; specifically, compliance with an inorganic chemical MCL is based on a running annual average (hereinafter "RAA") of the quarterly monitoring samples, computed each quarter. Further, the section states that if any one sample would cause the RAA to exceed the MCL, the system is immediately in violation.

The Water System was notified of the requirement to begin quarterly arsenic monitoring of Well 01 via a letter dated September 26, 2013. The Water System verbally informed the Division that the September 2013 sample had been collected from Well 01 although it was reported by the analyzing laboratory to the Well 03 PS-Code. A second letter, dated March 13, 2014, notified the Water System that MCL exceedances in each well now prompted the requirement for quarterly arsenic monitoring of each well.

Compliance Order No. 03-23-14R-002, was issued to the Water System on January 7, 2014, following a fourth quarter 2013 sample that caused the Water System to be in violation of the arsenic MCL. The sample, collected on December 1, 2013, resulted in a four-quarter arsenic RAA concentration of 0.0233 mg/L in Well 01, which exceeded the arsenic MCL of 0.010 mg/L. Again, the Water System verbally informed the Division that the December 2013 sample had been collected from Well 01 although it was reported by the analyzing laboratory to the Well 03 PS-Code. The Compliance Order was issued as a violation of the arsenic MCL in the water produced by Well 01, although to date, the 2013 monitoring remains reported as Well 03 results.

The Division has previously directed the Water System to ensure that the laboratory results are reported for the correct sources and to work with the analyzing laboratory to resolve any reporting errors. A summary of the Water System's arsenic monitoring, as reported to the Division, is presented in Table 1 below and shows that subsequent arsenic monitoring has caused the Water System to violate the arsenic MCL in each of the three wells. **This Compliance Order replaces Compliance Order No. 03-23-14R-002 and reflects the arsenic MCL violation in all three wells.**

Table 1: Well 01 Arsenic Monitoring Results (mg/L)

Sample Quarter	Sample Date	Well 01 – Lateral Well	Well 02 – Original Meadow Well	Well 03 – Meadow Well
2Q 2013	6/13/2013	--	--	0.074
3Q 2013	9/2/2013	--	--	0.002
4Q 2013	12/1/2013	0.017	--	0.017
1Q 2014	1/12/2014	--	0.069	0.039
	3/23/2014	0.014	0.054	0.034
2Q 2014	5/11/2014	0.012	0.069	0.026
3Q 2014	8/10/2014	0.020	0.046	--
	9/14/2014	0.005	0.062	0.052
4Q 2014	11/30/2014	0.069	0.006	0.130
4Q 2014 Running Annual Average		**0.0112**	**0.0634**	**0.0611**

The third quarter 2014 RAAs for *Well 01 – Lateral Well, Well 02 – Original Meadow Well, and Well 03 Meadow Well*, calculated as the four 2014 sample results averaged over a four quarter period, are 0.0.0112 mg/L, 0.0634 mg/L, and 0.0611 mg/L, respectively, which each exceeds the arsenic MCL of 0.010 mg/L.

The November 30, 2014, arsenic sample collected from Well 03 resulted in an arsenic concentration of 0.130 mg/L, which is greater than ten times the arsenic MCL of 0.010 mg/L. CCR, Title 22, Section 64432(h) states that if the concentration of an inorganic chemical exceeds ten times the MCL, the Water System, if directed by the Division, shall immediately discontinue use of the contaminated water source, and not return the source to service without written approval from the Division. In a letter dated December 23, 2014, the Division directed the Water System to immediately collect an arsenic confirmation sample from *Well 03 – Meadow (PS-Code 1000072-003)*. The Water System was required to discontinue use of the well, pending the results of the confirmation sample. If the average concentration of the original result and the confirmation sample exceed ten times the

arsenic MCL, the letter directed that Well 03 shall not be returned to service without written approval from the Division.

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that the Water System has violated the arsenic MCL in water produced by each of its active sources, during the third quarter of 2014, as shown in Table 1 above.

DIRECTIVES

To ensure that the water supplied by the Shaver Lake Point No. 2 Water System is at all times safe, wholesome, healthful, and potable, and pursuant to the California SDWA, Shaver Lake Point No. 2 is hereby directed to take the following actions:

1. Comply with CCR, Title 22, Section 64431 in future monitoring periods after conducting upgrades of the physical facilities or implementing treatment operations.

2. Provide quarterly public notification of its inability to the meet the arsenic MCL during any calendar quarter that the four-quarter running annual average exceeds the MCL. Notification procedures and format are provided in Attachment B. An electronic version of Attachment B is available upon request.

3. Provide proof of public notification to the Division following each quarterly notification by the 10th day of the month following notification, using the form provided as Attachment C.

4. Continue to collect quarterly samples for arsenic from each well, as required by CCR, Title 22, Section 64432(g). The analytical results shall be reported to the Division electronically by the analyzing laboratory no later than the 10th day following the month in which the analysis was completed.

5. Prepare a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem (violation of the arsenic MCL) and eliminate the need to deliver water to consumers that does not meet primary drinking water standards. The plan shall include a time schedule for completion of various phases of the project such as design, construction, and startup.

6. Present the Corrective Action Plan required under Directive No. 5, above, to the Division in an office meeting no later than **April 10, 2015**.

7. Submit quarterly progress reports to the Division. The first quarterly progress report shall describe progress made in the first quarter of 2015 and shall be submitted to the Division by **July 10, 2015**, using the form provided as Attachment D.

8. Submit a written response by **February 6, 2015**, indicating its willingness to comply with the directives of this Compliance Order.

9. By no later than **December 31, 2016**, as established in Compliance Order No. 03-23-14R-002, achieve compliance with the arsenic maximum contaminant level, with the completion of a project and demonstration that the running annual average is reliably less than the MCL. The Water System shall provide written notification of the date that compliance is achieved, no later than ten days following receipt of the laboratory sampling results.

All submittals required by this Order shall be addressed to:

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

The Division 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. Nothing in this Compliance Order relieves Shaver Lake Point No. 2 of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or order issued thereunder.

If the Shaver Lake Point No. 2 Water System is unable to perform the tasks specified in this Order for any reason, whether within or beyond its control, and if the Shaver Lake Point No. 2 Water System notifies the Division in writing no less than five days in advance of the due date, the Division may extend the time for performance if the Shaver Lake Point No. 2

Water System demonstrates that it has used its best efforts to comply with the schedule and other requirements of this Order.

PARTIES BOUND

This Compliance Order shall apply to and be binding upon Shaver Lake Point No. 2, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Compliance Order are severable, and Shaver Lake Point No. 2 shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division to issue citations and compliance orders 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 an order of the Division. The Division does not waive any further enforcement action by issuance of this compliance order.

1-12-2015
Date

Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA
DRINKING WATER FIELD OPERATIONS

CLC/PD

Attachments:
Attachment A: Applicable Authorities
Attachment B: Public Notification Form
Attachment C: Proof of Notification Form
Attachment D: Quarterly Progress Report Form

Applicable Authorities

Violation of Maximum Contaminant Levels for

Arsenic

California Health and Safety Code, Section 116655, states in relevant part:

(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the department.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

California Code of Regulations, Title 22, states in relevant part:

§64431. Maximum Contaminant Levels--Inorganic Chemicals.
Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

Chemical	*Maximum Contaminant Level, mg/L*
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO3)	45.

Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

§64432. Monitoring and Compliance--Inorganic Chemicals.

(a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1. All community and nontransient-noncommunity water systems shall monitor to determine compliance with the perchlorate MCL, pursuant to subsections (d), (e), (l), and section 64432.3. All community and nontransient-noncommunity water systems shall also monitor to determine compliance with the other MCLs in table 64431-A, pursuant to subsections (b) through (n) and, for asbestos, section 64432.2. Monitoring shall be conducted in the year designated by the Department of each compliance period beginning with the compliance period starting January 1, 1993.

(b) Unless directed otherwise by the Department, each community and nontransient-noncommunity water system shall initiate monitoring for an inorganic chemical within six months following the effective date of the regulation establishing the MCL for the chemical and the addition of the chemical to table 64431-A.

(1) If otherwise performed in accordance with this section, groundwater monitoring for an inorganic chemical performed no more than two years prior to the effective date of the regulation establishing the MCL may be used to satisfy the requirement for initiating monitoring within six months following such effective date.

(2) For routine monitoring required in subsection (c), chromium monitoring may be used in lieu of hexavalent chromium monitoring if the chromium results are less than the chromium DLR set forth in table 64432-A.

(c) Unless more frequent monitoring is required pursuant to this Chapter, the frequency of monitoring for the inorganic chemicals listed in table 64431-A, except for asbestos, nitrate/nitrite, and perchlorate, shall be as follows:

(1) Each compliance period, all community and nontransient-noncommunity systems using groundwater shall monitor once during the year designated by the Department. The Department will designate the year based on historical monitoring frequency and laboratory capacity. All community and nontransient-noncommunity systems using approved surface water shall monitor annually. All systems monitoring at distribution entry points which have combined surface and groundwater sources shall monitor annually.

(2) Quarterly samples shall be collected and analyzed for any chemical if analyses of such samples indicate a continuous or persistent trend toward higher levels of that chemical, based on an evaluation of previous data.

(d) For the purposes of sections 64432, 64432.1, 64432.2, and 64432.3, detection shall be defined by the detection limits for purposes of reporting (DLRs) in table 64432-A.

Table 64432-A
Detection Limits for Purposes of Reporting (DLRs) for Regulated Inorganic Chemicals

Chemical	*Detection Limit for Purposes of Reporting (DLR) (mg/L)*
Aluminum	0.05
Antimony	0.006
Arsenic	0.002
Asbestos	0.2 MFL>10um*
Barium	0.1
Beryllium	0.001
Cadmium	0.001
Chromium	0.01
Cyanide	0.1
Fluoride	0.1
Hexavalent chromium	0.001
Mercury	0.001
Nickel	0.01
Nitrate (as NO3)	2.
Nitrite (as nitrogen)	0.4
Perchlorate	0.004
Selenium	0.005
Thallium	0.001

* MFL=million fibers per liter; DLR for fibers exceeding 10 um in length.

(e) Samples shall be collected from each water source or a supplier may collect a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment. The system shall collect each sample at the same sampling site, unless a change is approved by the Department.

(f) A water system may request approval from the Department to composite samples from up to five sampling sites, provided that the number of sites to be composited is less than the ratio of the MCL to the DLR. Approval will be based on a review of three years of historical data, well construction and aquifer information for groundwater, and intake location, similarity of sources, and watershed characteristics for surface water. Compositing shall be done in the laboratory.

(1) Systems serving more than 3,300 persons shall composite only from sampling sites within a single system. Systems serving 3,300 persons or less may composite among different systems up to the 5-sample limit.

(2) If any inorganic chemical is detected in the composite sample at a level equal to or greater than one fifth of the MCL, a follow-up sample shall be analyzed within 14 days from each sampling site included in the composite for the contaminants which exceeded the one-fifth-MCL level. If available, duplicates of the original sample taken from each sampling site used in the composite may be used instead of resampling; the analytical results shall be reported within 14 days. The water supplier may collect up to two additional samples each from one or more of the sources to confirm the result(s).

(3) Compliance for each site shall be determined on the basis of the individual follow-up samples, or on the average of the follow-up and confirmation sample(s) if the supplier collects confirmation sample(s) for each detection.

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

(1) Inform the Department within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or
(2) Inform the Department within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the Department within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

(h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the Department and resample as confirmation. The water supplier shall notify the Department of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).
(1) If the average concentration of the original and confirmation sample(s) is less than or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in the quarter following the quarter in which the exceedance occurred.
(2) If the average concentration of the original and confirmation sample(s) exceeds ten times the MCL, the water supplier shall, if directed by the Department;
(A) Immediately discontinue use of the contaminated water source; and
(B) Not return the source to service without written approval from the Department.

(i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

(j) If a system using groundwater has collected a minimum of two quarterly samples or a system using approved surface water has collected a minimum of four quarterly samples and the sample results have been below the MCL, the system may apply to the Department for a reduction in monitoring frequency.

(k) Water quality data collected prior to January 1, 1990, and/or data collected in a manner inconsistent with this section shall not be used in the determination of compliance with the monitoring requirements for inorganic chemicals.

(l) Water quality data collected in compliance with the monitoring requirements of this section by a wholesaler providing water to a public water system shall be acceptable for use by that system for compliance with the monitoring requirements of this section.

(m) A water system may apply to the Department for a waiver from the monitoring frequencies specified in subsection (c)(1), if the system has conducted at least three rounds of monitoring (three periods for groundwater sources or three years for approved surface water sources) and all previous analytical results are less than the MCL. The water system shall specify the basis for its request. If granted a waiver, a system shall collect a minimum of one sample per source while the waiver is in effect and the term of the waiver shall not exceed one compliance cycle (i.e., nine years).

(n) A water system may be eligible for a waiver from the monitoring frequencies for cyanide specified in subsection (c)(1) without any prior monitoring if it is able to document that it is not vulnerable to cyanide contamination pursuant to the requirements in §64445(d)(1) or (d)(2).

(o) Transient-noncommunity water systems shall monitor for the inorganic chemicals in table 64431-A as follows:
(1) All sources shall be monitored at least once for fluoride; and

(2) Surface water sources for parks and other facilities with an average daily population use of more than 1,000 people and/or which are determined to be subject to potential contamination based on a sanitary survey shall be monitored at the same frequency as community water systems.

§64463.4. Tier 2 Public Notice

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:

(A) Where a Tier 1 public notice is required under section 64463.1; or

(B) Where the Department determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and

(3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the Department as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by;

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(2) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

§64469 Reporting Requirements

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under 64463.7(d), each water system shall submit a certification to the Department that it has done so, along with a representative copy of each type of public notice given.

ATTACHMENT B

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.

Shaver Lake Point No. 2 Has Levels of Arsenic Above Drinking Water Standards

Water produced by 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. Results of water samples collected over the last year show an average arsenic concentration of _____ in Well 01, _____ in Well 02, and _____ in Well 03 This is above the standard or maximum contaminant level (MCL) of 0.010 mg/L or 10 ug/L.

What should I do?

- **You <u>do not</u> 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 arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, 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 a 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
Shaver Lake Point No. 2 – State Water System No. 1000072

Date distributed_____.

Attachment C

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 fax 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: Shaver Lake Point No. 2

Public Water System No.: 1000072

Public notification for **failure to comply with the** Arsenic MCL **for the quarter of 20** ___ 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 imprisionment.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers
System Number: 1009051
Enforcement Action No. 03-23-15R-001

Attachment D

Quarterly Progress Report

Water System: Shaver Lake Point No. 2	Water System No.: 1000072
Compliance Order No.: 03-23-15R-001	Violation: Arsenic 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