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

**TO:** City of Huron  
P.O. Box 339  
Huron, CA 93234

Water System No. 1010044

**Cc:** Dennis Longhofer, Designated Operator  
4131 Northgate Blvd.  
Sacramento, CA 95834

**Attn:** Jack Castro, City Manager

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

**September and October 2015**

**CITATION NO. 03-23-15C-113**

**Issued on January 22, 2016**

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 City of Huron (hereinafter, City) (mailing address: P.O. Box 339, Huron, CA 93234) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1 subsections (b)(2).

34 **APPLICABLE AUTHORITIES**

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

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

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

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

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

49 (e) The Division may assess a penalty in an amount not to exceed one thousand dollars  
50 (\$1,000) per day for each day that a violation occurred, and for each day that a violation  
51 continues to occur. A separate penalty may be assessed for each violation.

52 **California Code of Regulations, Title 22, Section 64426.1, subsections (a) and (b)**  
53 **provide, and Section 64424 subsection (a)(1) and (d) in relevant part:**

54 **§64426.1. Total Coliform Maximum Contaminant Level (MCL).**

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

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

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

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

68 **§ 64424. Repeat Sampling**

69  
70 (a) If a routine sample is total coliform-positive, the water supplier shall collect a  
71 repeat sample set as described in paragraph (1) within 24 hours of being notified  
of the positive result. The repeat samples shall all be collected within the same 24

73 hour time period. A single service connection system may request that the State  
74 Board allow the collection of the repeat sample set over a four-day period.

75  
76 (1) For a water supplier that normally collects more than one routine sample a  
77 month, a repeat sample set shall be at least three samples for each total coliform-  
78 positive sample. For a water supplier that normally collects one or fewer samples  
79 per month, a repeat sample set shall be at least four samples for each total  
80 coliform-positive sample.

81 (d) If a public water system for which fewer than five routine samples per month are  
82 collected has one or more total coliform-positive samples, the water supplier shall  
83 collect at least five routine samples the following month. If the supplier stops  
84 supplying water during the month after the total coliform-positive(s), at least five  
85 samples shall be collected during the first month the system resumes operation.

86

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88

### STATEMENT OF FACTS

89 The City is operated under Water Supply Permit No. 80-025, issued in June 1980 and  
90 amended in April 2010. City of Huron is a community water system serving a population of  
91 approximately seven-thousand three-hundred and six (7,306) through approximately nine-  
92 hundred eight (908) service connections. The City is served by a surface water treatment  
93 system.

94

95 The City is required to collect seven (7) distribution bacteriological samples per month.

96 The bacteriological water analysis results submitted by the City reported the presence of

97 total coliform bacteria in two (2) of nineteen (19) samples in September of 2015. The City

98 also submitted bacteriological water analysis results for the month of October, in which

99 two (2) of twenty (20) samples were positive for total coliform bacteria. None of the

100 positive samples showed the presence of fecal coliform or *E. coli* bacteria.

101

102 The City collected three routine samples on September 1, 2015, which one (1) of the three

103 (3) were positive for total coliform and absent for fecal coliform and *E. coli* bacteria. On

104 September 3, 2015, the City collected four (4) repeat samples and one repeat sample



105 showed a presence for total coliform. The City continued to collect routine samples for  
106 the remainder of September 2015 and were all absent for total coliform.

107

108 The City collected three (3) routine samples on October 13, 2015 and one (1) was positive  
109 for total coliform and absent for fecal coliform and E. coli. On October 15, 2015, the City  
110 collected four (4) repeat samples and all were absent for total coliform. The City collected  
111 three (3) routine samples on October 20, 2015 and one (1) was positive for total coliform  
112 and absent for fecal coliform and E. coli. On October 23, 2015, the City collected four (4)  
113 repeat samples and were all absent for total coliform. The City collected routine samples  
114 for the remainder of the month of October 2015 and were all absent for total coliform. The  
115 chlorine residuals reported for the months of September and October 2015 ranged  
116 between 0.2 ppm-2.12 ppm.

117

118 The following table summarizes the bacteriological monitoring conducted during  
119 September and October 2015:

120

Collection Date	Number of Samples	Sample Labeled	Number TC positive	Number E. Coli positive
9/1/2015	3	Routine	1	0
9/3/2015	3	Repeat	1	0
9/8/2015	3	Routine	0	0
9/15/2015	3	Routine	0	0
9/22/2015	3	Routine	0	0
9/29/2015	3	Routine	0	0
10/8/2015	3	Routine	0	0
10/13/2015	3	Routine	1	0
10/15/2015	3	Repeat	0	0
10/20/2015	3	Routine	1	0

10/23/2015	3	Repeat	0	0
10/27/2015	3	Routine	0	0

121

122 Due to the above-mentioned total coliform positive samples, the City failed the total  
 123 coliform MCL for the months of September and October 2015. Results for water samples  
 124 tested for coliform bacteria during September and October 2015 are summarized in  
 125 Attachment A.

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**VIOLATIONS**

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**NOTIFICATION REQUIREMENTS**

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Section 64426.1(c) requires a public water system to notify the Division and the consumers of the water system, when a violation of Section 64426.1(b)(1) through (4) the total coliform MCL occurs. Notification to the Division shall be by the end of the business day on which the violation has been determined. If the Division is closed, notification shall be within 24 hours of the determination. **The Division was notified in a timely manner and as required.**

A Tier 2 Public Notice for violation of paragraph 64426.1(b) (2) (Attachment B) shall be given pursuant to Section 64463.4 and 64465. The Tier 2 Public Notice shall include the



147 mandatory health effects language from Appendix 64465-A for a total coliform MCL  
148 failure.

149

150 Section 64463.4 allows community water systems to use mail or direct delivery to each  
151 customer and the use of one or more of the following methods: publication in a daily or  
152 weekly newspaper, posting the public notice in a conspicuous public place within the  
153 water system or on the internet, or by delivery to community organizations.

154

155 The City shall either mail or conduct direct delivery of the public notice to all customers  
156 served within the general service area. Section 116450(g) requires that upon receipt of  
157 notification from a public water system, schools must notify school employees, students,  
158 and parents (if the students are minors), residential rental property owners or managers  
159 (including nursing homes and care facilities) must notify their tenants and business  
160 property owners, managers or operators must notify employees of businesses located on  
161 the property. These secondary notification requirements are included in the public notice.

162

163 Proof of Notification is required. The City has not completed public notification and has not  
164 submitted the proof of notification for the months of September and October 2015.

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166

### DIRECTIVES

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The City is hereby directed to take the following actions:

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1. By **February 15, 2016** the City of Huron water system shall provide public  
170 notification of the total coliform Maximum Contaminant Level failure by mail or  
171 conduct direct delivery of the public notice to all customers served within the  
172 general service area. The Water System is additionally required to use one or  
173 more of the following notification methods: publication in a daily or weekly



174 newspaper, posting the public notice in a conspicuous public place within the  
175 water system or on the internet, and/or by delivery to community organizations.

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179 By **February 29, 2016** the City shall provide proof of notification of the total  
180 coliform MCL violation notification to each consumer using Attachment E, to:

181

182 Betsy S. Lichti, Senior Sanitary Engineer  
183 State Water Resources Control Board  
184 Division of Drinking Water  
185 265 W. Bullard Avenue, Suite 101  
186 Fresno, CA 93704

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188

189 2. By **February 29, 2016**, the City shall complete and submit the enclosed "Positive  
190 Total Coliform Investigation" form to the Division that describes the incident and all  
191 corrective actions taken, and the results of the investigation. The appropriate  
192 investigation report is provided as Attachment D.

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195

#### **PARTIES BOUND**

196 This Citation shall apply to and be binding upon City of Huron, its officers, directors,  
197 shareholders, agents, employees, contractors, successors, and assignees.

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#### **SEVERABILITY**

200 The Directives of this Citation are severable, and City of Huron shall comply with each and  
201 every provision thereof, notwithstanding the effectiveness of any other provision.

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#### **FURTHER ENFORCEMENT ACTION**



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

215 1/22/16

216 Date

Betsy Lichti

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

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- Attachments:
- A. Bacteriological Distribution Monitoring Report
  - B. Public Notice for September and October 2015
  - C. Proof Notification for September and October 2015
  - D. Total Coliform Investigation Form



Certified Mail 7014 3490 0001 7868 8637

# Bacteriological Distribution Monitoring Report

**1010044**     *Huron, City of*

*Distribution System Freq: 7/M*

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	CI2	Violation	Comment
9/1/2015	9:20	36311 Lassen Ave	P	A		Routine	0.98		
9/3/2015	13:40	source water	A	A		Source Repeat			
9/3/2015	13:52	36311 Lassen ave.	A	A		Repeat	1.00		
9/3/2015	14:00	36301 Lassen Ave	A	A		Repeat	0.92		
9/3/2015	14:08	36461 Lassen ave	P	A		Repeat	0.91	MCL	
9/30/2015		11 samples	A	A		Routine	0.4-2.12		
10/13/2015	8:13	SP3, 36333 Mouren	P	A		Routine	1.44		
10/15/2015	15:08	source water	A	A		Repeat			
10/15/2015	15:16	363200 N. Griffin Dr.	A	A		Repeat			
10/15/2015	15:20	36332 P Street	A	A		Repeat	2.12		
10/15/2015	16:20	SP3	A	A		Repeat	1.60		
10/20/2015	8:32	Sp4, 17094 Myrtle	P	A		Routine	1.46	MCL	
10/23/2015	7:37	source water	A	A		Source Repeat			
10/23/2015	7:47	SP4	A	A		Repeat	1.15		
10/23/2015	7:57	17116 Myrtle	A	A		Repeat	1.24		
10/23/2015	8:25	17051 Myrtle	A	A		Repeat	1.18		
10/31/2015		10 samples	A	A		Routine	0.80-1.84		

**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	CI2 not reported

**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.

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**City of Huron Has Levels of Coliform Bacteria  
Above the Drinking Water Standard**

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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 September and October 2015. \_\_\_\_\_ of these samples showed the presence of total coliform bacteria. The standard is that no more than 1 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 City of Huron.

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 **City of Huron** of the failure to meet the **total coliform bacteria MCL** for the months of **September and October 2015** as directed by the Department.

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: February 29, 2016  
Total Coliform MCL Failure: September and October 2015  
System Number: 1010044  
Citation No.: 03-23-15C-113