



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 29, 2014
Certified Mail/Return
7012 3460 0003 1113 0314

Orland Livestock Commission Yard, Inc.
P.O. Box 96
Orland, CA 95963

RE: Orland Livestock Commission Yard, Inc., Public Water System No. 1100443– Citation No. 21-14C-012 for July 2014, Exceedance of the Bacteriological Maximum Contaminant Level

Dear Wade Lacque,

Enclosed is a citation issued to Orland Livestock Commission Yard, Inc. (System). The citation is being issued because the System failed to comply with the drinking water standard for total coliform bacteria during July 2014. Please be aware that the Directives section of the citation contains required actions that must be taken by the System.

Note that Section 116577 of the California Safe Drinking Water Act provides for the Division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation to that system. In accordance with Section 116577, the System will be billed for the preparation and issuance of this citation. The current reimbursement rate is approximately \$128 per hour. The estimated time to prepare this citation is one hour.

If you have any questions regarding this matter, please call Ray Bruun at (530) 224-3252 or me at (530) 224-4861.

Sincerely,


Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field Operations Branch

Enclosures

1 Citation No. 21-14C-012

2
3 STATE OF CALIFORNIA
4 WATER RESOURCES CONTROL BOARD
5 DIVISION OF DRINKING WATER
6

7 **Public Water System:** Orland Livestock Commission Yard, Inc.

8 **Water System No.:** 1100443
9

10 **To:** Orland Livestock Commission Yard, Inc.

11 Attn: Wade Lacque, Manager

12 P.O. Box 96

13 Orland, CA 95963
14

15 **Issued:** August 29, 2014

16 VIA CERTIFIED MAIL
17

18 **CITATION FOR NONCOMPLIANCE**

19 **With Title 22 California Code of Regulations**

20 **Section 64426.1(b)**
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
23 issuance of a citation for failure to comply with a requirement of the California Safe
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.
26

27 The State Water Resources Control Board (hereinafter "Board"), acting by and
28 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director

1 for the Division, hereby issues a citation to Orland Livestock Commission Yard, Inc.
2 (System) for failure to comply with Section 64426.1(b), Title 22, of the California
3 Code of Regulations (CCR).

4
5 **APPLICABLE AUTHORITIES**

6 Section 116650 of the CHSC states:

7
8 *(a) If the department determines that a public water system is in*
9 *violation of this chapter or any regulation, permit, standard, citation,*
10 *or order issued or adopted thereunder, the department may issue a*
11 *citation to the public water system. The citation shall be served*
12 *upon the public water system personally or by certified mail. Service*
13 *shall be deemed effective as of the date of personal service or the*
14 *date of receipt of the certified mail. If a person to whom a citation is*
15 *directed refuses to accept delivery of the certified mail, the date of*
16 *service shall be deemed to be the date of mailing.*

17
18 *(b) Each citation shall be in writing and shall describe the nature of the*
19 *violation or violations, including a reference to the statutory*
20 *provision, standard, order, citation, permit, or regulation alleged to*
21 *have been violated.*

22
23 *(c) A citation may specify a date for elimination or correction of the*
24 *condition constituting the violation.*

25
26 *(d) A citation may include the assessment of a penalty as specified in*
27 *subdivision (e).*

1
2 (e) *The department may assess a penalty in an amount not to exceed*
3 *one thousand dollars (\$1,000) per day for each day that a violation*
4 *occurred, and for each day that a violation continues to occur. A*
5 *separate penalty may be assessed for each violation.*
6

7 Section 64426.1(b), Title 22, of the CCR states:

8
9 (b) *A public water system is in violation of the total coliform MCL*
10 *[maximum contaminant level] when any of the following*
11 *occurs:*
12

13 (1) *For a public water system which collects at least 40*
14 *samples per month, more than 5.0 percent of the*
15 *samples collected during any month are total coliform-*
16 *positive; or*
17

18 (2) *For a public water system which collects fewer than*
19 *40 samples per month, more than one sample*
20 *collected during any month is total coliform-positive; or*
21

22 (3) *Any repeat sample is fecal coliform-positive or E. coli-*
23 *positive; or*
24

25 (4) *Any repeat sample following a fecal coliform-positive*
26 *or E. coli-positive routine sample is total coliform-*
27 *positive.*

1

2 **STATEMENT OF FACTS**

3 The Orland Livestock Commission Yard, Inc., domestic water system (System) is
4 classified as a transient noncommunity water system serving approximately 100
5 persons per day. In accordance with Section 64423 of Title 22, the System is
6 required to collect one routine bacteriological sample per quarter, unless there was a
7 positive bacteriological sample, in which case, five routine bacteriological samples
8 are required the following month. On July 30, 2014, the System collected one
9 routine sample from the distribution system, which contained total coliform bacteria.
10 Four repeat samples were collected on July 31, 2014. All four repeat samples
11 showed the presence of total coliform bacteria. The cause of the contamination was
12 attributed to a recent well pump replacement by a local well company. The System
13 subsequently disinfected the water system. Additional follow up sampling (four
14 special samples collected on August 20, 2014) resulted in all samples having
15 detectible total coliform bacteria but at much lower levels (just above the detection
16 limit). The System has scheduled additional chlorination and flushing to be followed
17 by four more special samples. No sample discussed herein was positive for E. coli.

18

19 **DETERMINATIONS**

20 The Division has determined that the System violated Section 64426.1(b)(2), Title
21 22, of the CCR, in that the System exceeded the total coliform MCL during the
22 month of July 2014.

23

1 **DIRECTIVES**

2 The System is hereby directed to take the following actions:

- 3
- 4 1. Comply with Section 64426.1, Title 22, of the CCR in all future monitoring
- 5 periods.
- 6
- 7 2. **Within 30 days** of the issuance of this Citation, notify all persons served by
- 8 the System of the MCL violation as required by Section 64463.4 and Section
- 9 64465, Title 22, of the CCR. Notification shall be completed in accordance
- 10 with each of the following:
- 11
- 12 (A) Posting in conspicuous locations throughout the area served by the
- 13 water system.
- 14
- 15 3. Changes and/or modifications to Attachment 'A' shall be not be made unless
- 16 approved by the Division.
- 17
- 18 4. Complete and return Attachment 'B' "Certification of Completion of Public
- 19 Notification" form **within 10 days** of giving public notice. A copy of the notice
- 20 used to provide public notification shall be attached to the form.
- 21
- 22

1 The completed and signed copy of Attachment 'B' shall be submitted to the following
2 address:

3
4 Reese B. Crenshaw, P. E.

5 Valley District Engineer

6 Drinking Water Field Operations

7 Division of Drinking Water

8 State Water Resources Control Board

9 364 Knollcrest Drive, Suite 101

10 Redding, CA 96002

11 (530) 224-4800

12
13 Nothing in this Citation relieves the System of its obligation to meet the requirements
14 of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe
15 Drinking Water Act), or any regulation, permit, standard or order issued or adopted
16 thereunder.

17
18 The Division reserves the right to make such modifications to this Citation, as it may
19 deem necessary to protect public health and safety. Such modifications may be
20 issued as amendments to this Citation and shall be effective upon issuance.

21
22 **FURTHER ENFORCEMENT ACTION**

23 The California SDWA authorizes the Board to: issue citation with assessment of
24 administrative penalties to a public water system for violation or continued violation
25 of the requirements of the California SDWA or any permit, regulation, permit or order

1 issued or adopted thereunder including, but not limited to, failure to correct a
2 violation identified in a citation or compliance order. The California SDWA also
3 authorizes the Board to take action to suspend or revoke a permit that has been
4 issued to a public water system if the system has violated applicable law or
5 regulations or has failed to comply with an order of the Board; and to petition the
6 superior court to take various enforcement measures against a public water system
7 that has failed to comply with violates an order of the Board. The Board does not
8 waive any further enforcement action by issuance of this citation.

9
10 **PARTIES BOUND**

11 This Citation shall apply to and be binding upon the System, its officers, directors,
12 agents, employees, contractors, successors, and assignees.

13
14 **SEVERABILITY**

15 The directives of this Citation are severable, and Orland Livestock Commission
16 Yard, Inc. shall comply with each and every provision thereof notwithstanding the
17 effectiveness of any other provision.

18
19
20
21 *R. Crenshaw*

22 Reese B. Crenshaw, P.E., District Engineer
23 Valley District
24 Drinking Water Field Operations Branch

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8/29/14

Date

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- 'A' Public Notification Template
- 'B' Certification of Completion



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.

Orland Livestock Commission Yard, Inc. Has Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated 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. We took five (5) samples to test for the presence of coliform bacteria during July 2014 and four (4) samples during August 2014. All of those samples showed the presence of total coliform bacteria. The standard is that no more than one (1) sample per month may do so.

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 test for total coliform bacteria in any sample, we also test 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 testing.** If we had, we would have notified you immediately. However, we are still finding coliforms in the drinking water.
- 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 U.S. 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?

In August 2014, after five water samples had tested positive for total coliform organisms, the water distribution system was chlorinated and flushed. A second round of four samples was collected on August 20, 2014. These samples also contained total coliform bacteria but at much lower concentrations. The problem is thought to be caused by recent work (pump replacement) done on the well. Within the next few days, we intend to again chlorinate the water system and collect additional samples. We will inform you when our sampling shows that no bacteria are present. We anticipate resolving the problem within the next 10 days.

For more information, please contact Teresa Kaber at (530) 865-4411.

This notice was posted by the Orland Livestock Commission Yard, Inc., water system.

State Water System ID#: 1100443.

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Orland Livestock Commission Yard, Inc.

Public Water System No. 1100443

Public notification for the July 2014 bacteriological failure was performed by the following method:

 The attached notice was posted in the following conspicuous places:

For this method, provide the date (or dates) that the notice was posted _____.

I hereby certify that the above information is factual.

Printed Name

Signature

Date