
State Water Resources Control Board

Division of Drinking Water

August 29, 2014
Certified Mail/Return
7009 1680 0001 3113 3148

Hank Apodaca's Water System
PO Box 1329
Willows, CA 95988

RE: Hank Apodaca's Water System, Public Water System No. 1100159 – Citation No. 21-14C-017 for June 2014, Failure to Collect a Routine Bacteriological Water Sample

Dear Hank Apodaca,

Enclosed is a citation issued to Hank Apodaca's Water System (System). The citation is being issued because the System, in June 2014, failed to collect and report a routine bacteriological water in accordance with Sections 64423(a)(2) and 64423.1(c), Title 22, of the California Code of Regulations (CCR). 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-017**

2

3 **STATE OF CALIFORNIA**

4 **WATER RESOURCES CONTROL BOARD**

5 **DIVISION OF DRINKING WATER**

6

7 **Public Water System:** Hank Apodaca's Water System

8 **Water System No.:** 1100159

9

10 **To:** Hank Apodaca's Water System

11 Attn: Hank Apodaca

12 PO Box 1329

13 Willows, CA 95988

14

15 **Issued:** August 29, 2014

16 VIA CERTIFIED MAIL

17

18 **CITATION FOR NONCOMPLIANCE**

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

20 **Sections 64423(a)(2) and 64423.1(c)**

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 Hank Apodaca's Water System (System)
2 for failure to comply with Sections 64423(a)(2) and 64423.1(c), Title 22, of the
3 California 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 CCR, Section 64423(a) states in relevant part:

8
9 Each water supplier shall collect routine bacteriological water samples as
10 follows:

11
12 (2) The minimum number of samples for nontransient-noncommunity water
13 systems shall be based on the known population served as shown in
14 Table 64423-A during those months when the system is operating.
15

16 CCR, Section 64423.1(c) states in relevant part:

17
18 Analytical results of all required samples collected for a system in a calendar
19 month shall be reported to the Department not later than the tenth day of the
20 following month.
21

22 **STATEMENT OF FACTS**

23 The System is classified as a nontransient noncommunity water system serving
24 approximately 25 employees in addition to restaurant and hotel customers. In
25 accordance with Section 64423(a)(2) of Title 22, the System is required to collect
26 one routine bacteriological sample per month. A routine bacteriological sample was
27 not collected during the month of June 2014.
28

1 **DETERMINATIONS**

2 The Division has determined that the System violated Sections 64423(a)(1) and
3 64423.1(c), Title 22, of the CCR, in that the System failed to collect a routine
4 bacteriological water sample in June 2014.

5
6 **DIRECTIVES**

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

- 8
- 9 1. Comply with the sampling requirements of Sections 64423(a)(2) and
10 64423.1(c), Title 22, of the CCR in all future monitoring periods.
11
 - 12 2. Notify all persons served by the System of the failure to sample, in
13 conformance with Sections 64423(a)(2) and 64423.1(c), Title 22 of the CCR.
14 Notification must be completed in accordance with the following:
15
16 a) By posting of the notice in Attachment A in conspicuous locations served
17 by the water system **by no later than September 10, 2014.**
18
 - 19 3. Changes and/or modifications to Attachment 'A' shall not be made unless
20 approved by the Division.
21
 - 22 4. Complete and return Attachment 'B' "Certification of Completion of Public
23 Notification" form **within 10 days** of giving public notice. A copy of the notice
24 used to provide public notification shall be attached to the form.
25
26

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 Hank Apodaca's Water System
16 shall comply with each and every provision thereof notwithstanding the effectiveness
17 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

25
26
27 8/29/74
Date

- 28 Attachments:
29 '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.

**HANK APODACA'S WATER SYSTEM FAILED TO COLLECT
A ROUTINE BACTERIOLOGICAL SAMPLE IN JUNE 2014**

Our water system recently violated a monitoring requirement. Although this 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.

What happened? What was done?

Hank Apodaca's Water System failed to collect a routine bacteriological sample in June 2014 as required by state and federal regulations. Both regulations require that public water systems notify their customers for monitoring violations.

For more information, please contact Roger Kumar at (530) 934-4603.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the Hank Apodaca's Water System.

State Water System ID#: 1100159. Date distributed: _____.

