



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 5, 2015  
Certified Mail/Return  
7012 3460 0003 1113 1717

Elk Creek Community Services District  
P.O. Box 189  
Elk Creek, CA 95939

Attention: Sharon Green

**Subject: Public Water System No. 1100616 – Citation No. 21-15C-017 for Lead and Copper Rule monitoring violation.**

It has come to our attention that the Elk Creek Community Services District water system did not monitor and report lead and copper samples in the year 2014, according to the Lead and Copper Rule (LCR). Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Sections 64675 and 64690.

Please review the enclosed Citation and take note of the directives for corrective action and public notification.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink that reads "R. Crenshaw".

Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

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STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Public Water System:** Elk Creek Community Services District  
**Water System No.:** 1100616

**To:** Elk Creek Community Services District  
Attn: Sharon Green  
P.O. Box 189  
Elk Creek, CA 95939

**Issued:** March 5, 2015  
VIA CERTIFIED MAIL

**CITATION NO. 21-15C-017 FOR NONCOMPLIANCE**  
**with Title 22 California Code of Regulations**  
**Sections 64675 and 64690**

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

1 hereby issues a citation to Elk Creek Community Services District for failure to comply  
2 with Sections 64675 and 64690, Title 22, of the California Code of Regulations (CCR).

3  
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states:

6  
7 *(a) If the department determines that a public water system is in violation*  
8 *of this chapter or any regulation, permit, standard, citation, or order*  
9 *issued or adopted thereunder, the department may issue a citation to*  
10 *the public water system. The citation shall be served upon the public*  
11 *water system personally or by certified mail. Service shall be deemed*  
12 *effective as of the date of personal service or the date of receipt of*  
13 *the certified mail. If a person to whom a citation is directed refuses to*  
14 *accept delivery of the certified mail, the date of service shall be*  
15 *deemed to be the date of mailing.*

16  
17 *(b) Each citation shall be in writing and shall describe the nature of the*  
18 *violation or violations, including a reference to the statutory provision,*  
19 *standard, order, citation, permit, or regulation alleged to have been*  
20 *violated.*

21  
22 *(c) A citation may specify a date for elimination or correction of the*  
23 *condition constituting the violation.*

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

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

Section 64675.5, Title 22, of the CCR states in relevant part:

*(a) A system shall conduct standard tap sampling for two consecutive periods; thereafter, tap sampling frequency may be reduced pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) as follows:*

*(1) If a system has 90th percentile levels that do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper for two consecutive periods, it may reduce the sampling to once every three years at the reduced number of sites.*

Section 64690.1, Title 22, of the CCR states in relevant part:

*Each system shall report the following within the first 10 days after the end of each period during which such sampling or monitoring was conducted:*

1 (a) For lead and copper tap sampling:  
2

3 (1) The results of all tap samples including the location of each  
4 site and the associated tier criteria from section 64676  
5 (Sample Site Selection);  
6

7 (2) The 90th percentile lead and copper concentrations calculated  
8 pursuant to section 64678 (Determination of Exceedances of  
9 Lead and Copper Action Levels); and  
10

11 (3) With the exception of the first period of tap sampling, an  
12 identification of any site that was not sampled during previous  
13 periods, along with an explanation of why the sampling site  
14 was changed;  
15

16 **STATEMENT OF FACTS**

17 The Elk Creek Community Services District (Water System) is classified as a  
18 community water system serving approximately 300 people. Because the Water  
19 System meets a reduced lead and copper sampling frequency, it is required to collect  
20 five (5) lead and copper samples every three years according to Table 64675-A and  
21 section 64675.5 of Title 22. The Water System failed to collect and report lead and  
22 copper samples at the end of the triennial period in 2014. The last samples submitted  
23 to the Department were taken in December of 2011.  
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1 **DETERMINATIONS**

2 The Department has determined that the Water System violated Section  
3 64675.5(a)(1) and Section 64690.1, Title 22, of the CCR, in that the Water System  
4 failed to collect and report triennial samples in 2014.

5  
6 **DIRECTIVES**

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

- 8  
9 1. Comply with Sections 64675.5 and 64690.1, Title 22, of the CCR in all  
10 future monitoring periods.  
11  
12 2. **Conduct lead and copper monitoring from customer's taps in June,**  
13 **July, August, or September of 2015, and then again in June, July,**  
14 **August, or September of 2017. Thereafter, sampling may resume to**  
15 **triennial.** Samples shall be collected in accordance with the Lead and  
16 Copper Rule Sampling per Title 22, Section 64677. The analytical results  
17 must be reported to the Department by the 10<sup>th</sup> day of the month following  
18 the month in which the analysis was completed.  
19  
20  
21 3. The Water System shall provide public notification (by inclusion in the **2014**  
22 **Consumer Confidence Report**) of the failure to sample lead and copper,  
23 as required by the Lead and Copper regulations.  
24  
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26 All documents required by this Citation to be submitted to the Department shall be  
27 submitted to the following address:

1 Reese B. Crenshaw, P. E.  
2 Valley District Engineer  
3 Drinking Water Field Operations  
4 Division of Drinking Water  
5 State Water Resources Control Board  
6 364 Knollcrest Drive, Suite 101  
7 Redding, CA 96002  
8 (530) 224-4800  
9

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

14  
15 The Division reserves the right to make such modifications to this Citation, as it may  
16 deem necessary to protect public health and safety. Such modifications may be  
17 issued as amendments to this Citation and shall be effective upon issuance.

18  
19 **FURTHER ENFORCEMENT ACTION**

20 The California SDWA authorizes the Board to: issue citation with assessment of  
21 administrative penalties to a public water system for violation or continued violation of  
22 the requirements of the California SDWA or any permit, regulation, permit or order  
23 issued or adopted thereunder including, but not limited to, failure to correct a violation  
24 identified in a citation or compliance order. The California SDWA also authorizes the  
25 Board to take action to suspend or revoke a permit that has been issued to a public  
26 water system if the system has violated applicable law or regulations or has failed to

1 comply with an order of the Board; and to petition the superior court to take various  
2 enforcement measures against a public water system that has failed to comply with  
3 violates an order of the Board. The Board does not waive any further enforcement  
4 action by issuance of this citation.

5

6 **PARTIES BOUND**

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

9

10 **SEVERABILITY**

11 The directives of this Citation are severable, and the Water System shall comply with  
12 each and every provision thereof notwithstanding the effectiveness of any other  
13 provision.

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17

*R. Crenshaw*

18 \_\_\_\_\_  
19 Reese B. Crenshaw, P.E., District Engineer  
20 Valley District  
21 Drinking Water Field Operations Branch

*3/5/14*

22 \_\_\_\_\_  
Date

