



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

October 23, 2015
Certified Mail/Return
7012 3460 0003 1113 0338.

Butte City Community Services District
P.O. Box 124
Butte City, CA 95928

Attention: Jesus Campos, President

Subject: Public Water System No. 1100711 – Citation No. 21-15C-034 for Consumer Confidence Report and Lead and Copper Rule monitoring violations.

It has come to our attention that the Butte City Community Services District water system failed to follow a citation directive to collect and report lead and copper samples between June and September of 2015. The water system also failed to prepare and deliver the annual 2014 Consumer Confidence Report to its customers. Consequently, the Division of Drinking Water has issued the enclosed Citation to the water system for Noncompliance (Citation). The enclosed Citation includes directives for corrective action and public notification.

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. In accordance with Section 116577, the water system will be billed approximately two hours for the preparation and issuance of this Citation.

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

Handwritten signature of Reese B. Crenshaw.

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

Enclosures

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Citation No. 21-15C-034

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Public Water System: Butte City Community Services District

Water System No.: 1100711

To: Butte City Community Services District
Attn: Jesus Campos, President
P.O. Box 124
Butte City, CA 95928

Issued: October 23, 2015
VIA CERTIFIED MAIL

CITATION FOR NONCOMPLIANCE
With Title 22 California Code of Regulations
Sections 64675, 64480, & 64483

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.

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Butte City Community Services District for
4 failure to comply with Section 64675.5, Title 22, of the California Code of Regulations.
5

6 **APPLICABLE AUTHORITIES**

7 Section 116650 of the CHSC states:

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

22
23 *(c) A citation may specify a date for elimination or correction of the*
24 *condition constituting the violation.*
25

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

3
4 (e) The division may assess a penalty in an amount not to exceed one
5 thousand dollars (\$1,000) per day for each day that a violation
6 occurred, and for each day that a violation continues to occur. A
7 separate penalty may be assessed for each violation.
8

9 Section 64675.5, Title 22, of the California Code of Regulations (CCR) states in
10 relevant part:

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

15
16 (1) If a system has 90th percentile levels that do not exceed
17 0.005 mg/L for lead and 0.65 mg/L for copper for two
18 consecutive periods, it may reduce the sampling to once every
19 three years at the reduced number of sites.
20

21 Section 64480(a), Title 22, of the CCR states in relevant part:

22 (a) Except as provided in subsection (b), each community and
23 nontransient-noncommunity (NTNC) water system shall
24 prepare and deliver the first Consumer Confidence Report by
25 July 1, 2001, and subsequent reports by July 1 annually
26 thereafter.

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Section 64483(c), Title 22, of the CCR states in relevant part:

(c) No later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each water system shall mail a copy of the report to the State Board, followed within 3 months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the State Board.

STATEMENT OF FACTS

The Butte City Community Services District (hereinafter "Water System") is classified as a community water system serving approximately 100 people. Because the Water System meets reduced lead and copper sampling frequency, it is required to collect five (5) lead and copper samples every three years according to Table 64675-A and section 64675.5 of Title 22. The Water System failed to collect lead and copper samples at the end of the triennial period in 2014. As a result of this violation the Water System was issued Citation 21-15C-005 on January 22, 2015, which included a specific directive to collect lead and copper samples between June and September of 2015.

Furthermore, the Water System was required to prepare and deliver the annual Consumer Confidence Report to its customers by July 1, 2015, and submit a certification of distribution of the Consumer Confidence Report to the State Board by October 1, 2015.

1 As of the date of this citation, the State Board has not received from the Water
2 System lead and copper laboratory results or certification that the Consumer
3 Confidence Report was distributed to customers.

4
5 **DETERMINATIONS**

6 The Division has determined that the Water System violated Sections 64675.5(a)(1),
7 64480(a), and 64483(c), Title 22, of the CCR, in that the Water System failed to
8 complete the following in 2015:

- 9
- 10 • Failure to collect and report Lead and Copper samples between June and
11 September.
 - 12 • Failure to distribute the annual Consumer Confidence Report to customers by
13 July 1st.
 - 14 • Failure to submit certification to the State Board that the annual Consumer
15 Confidence Report was distributed to customers.

16 **DIRECTIVES**

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

- 18
- 19 1. **Conduct lead and copper monitoring from customer's taps in June, July,**
20 **August, or September of 2016, and then again in June, July, August, or**
21 **September of 2017. Thereafter, sampling may resume to triennial,**
22 provided that lead and copper levels meet the requirements for reduced
23 sampling frequency. Samples shall be collected in accordance with the Lead
24 and Copper Rule sampling per Title 22, Section 64677. The analytical results
25 must be reported to the Division by the 10th day of the month following the
26 month in which the analyses were completed.



1 **2. The Water System shall prepare and distribute the 2014 Consumer**
2 **Confidence Report to its customers by December 31, 2015.** The Consumer
3 Confidence Report must be prepared and delivered in accordance with Title
4 22, Sections 64480 through 64483.

5
6 **3. The Water System shall include in the 2014 Consumer Confidence Report**
7 **public notification of the failure to collect lead and copper samples in**
8 **2014 and 2015, and failure to provide the 2014 Consumer Confidence**
9 **Report by July 1, 2015.**

10
11 All documents required by this Citation to be submitted to the Division shall be
12 submitted to the following address:

13
14 Reese B. Crenshaw, P. E.
15 Valley District Engineer
16 Drinking Water Field Operations
17 Division of Drinking Water
18 State Water Resources Control Board
19 364 Knollcrest Drive, Suite 101
20 Redding, CA 96002
21 (530) 224-4800

22
23 Nothing in this Citation relieves the Water System of its obligation to meet the
24 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
25 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
26 adopted thereunder.

27

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

4

5 **FURTHER ENFORCEMENT ACTION**

6 The California SDWA authorizes the Board to: issue citation with assessment of
7 administrative penalties to a public water system for violation or continued violation of
8 the requirements of the California SDWA or any permit, regulation, permit or order
9 issued or adopted thereunder including, but not limited to, failure to correct a violation
10 identified in a citation or compliance order. The California SDWA also authorizes the
11 Board to take action to suspend or revoke a permit that has been issued to a public
12 water system if the system has violated applicable law or regulations or has failed to
13 comply with an order of the Board; and to petition the superior court to take various
14 enforcement measures against a public water system that has failed to comply with
15 orders of the Board. The Board does not waive any further enforcement action by
16 issuance of this citation.

17

18 **PARTIES BOUND**

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

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22 **SEVERABILITY**

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

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R. Crenshaw

10/23/15

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

Date

