

State Water Resources Control Board

Division of Drinking Water

May 27, 2015
System No.: 1502645

Mr. Randy Asbill, Board President
Meadows of the Kern Mutual Water Company
7201 Meadows of The Kern Dr.
Bakersfield, CA 93308

RE: Citation No. 03-12-15C-007
Violation of Title 22, California Code of Regulations, Section 64426.1,
For April 2015

Dear Mr. Asbill:

Enclosed is a Citation issued to the Meadows of the Kern Mutual Water Company (Water System) public water system.

The Water System will be billed at the Division's hourly rate (currently estimated at \$126.00) for the time spent on issuing this Citation. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation.

The Water System will receive a bill sent from the Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent during the current fiscal year.

If you have any questions regarding this letter and the enclosed citation, please contact Mr. Adam Forbes or me at (559) 447-3300.

Sincerely,



Tricia A. Wathen, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

TAW/LR
Enclosures
cc: Kern County Environmental Health Department

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CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

IN RE: MEADOWS OF THE KERN MUTUAL WATER COMPANY
Water System No.: 1502645

TO: Mr. Randy Asbill, Board President
7201 Meadows of The Kern Dr.
Bakersfield, CA 93308

Cc: Kern County Environmental Health Department

CITATION NO. 03_12_15C_007
FOR
VIOLATION OF HEALTH AND SAFETY CODE SECTION 116650(a)
AND THE PRIMARY DRINKING WATER STANDARD FOR TOTAL COLIFORM
Issued: May 27, 2015

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issued this citation (hereinafter "Citation"), pursuant to Section 116650 of the California Health and Safety Code (hereinafter "CHSC") to Meadows of The Kern Mutual Water Company (hereinafter "Water System") for violation of CHSC section 116550(a) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64426.1.

1 **APPLICABLE AUTHORITIES**

2 **CHSC, Section 116550 states in relevant part:**

- 3
- 4 (a) If the department determines that a public water system is in violation of this chapter or
5 any regulation, permit, standard, citation, or order issued or adopted thereunder, the
6 department may issue a citation to the public water system. The citation shall be served
7 upon the public water system personally or by certified mail. Service shall be deemed
8 effective as of the date of personal service or the date of receipt of the certified mail. If a
9 person to whom a citation is directed refuses to accept delivery of the certified mail, the
10 date of service shall be deemed to be the date of mailing.
- 11 (b) Each citation shall be in writing and shall describe the nature of the violation or
12 violations, including a reference to the statutory provision, standard, order, citation,
13 permit, or regulation alleged to have been violated.
- 14 (c) A citation may specify a date for elimination or correction of the condition constituting the
15 violation.
- 16 (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- 17 (e) The department may assess a penalty in an amount not to exceed one thousand dollars
18 (\$1,000) per day for each day that a violation occurred, and for each day that a violation
19 continues to occur. A separate penalty may be assessed for each violation.

20 **Title 22, CCR, Section 64421 (hereinafter “Section 64421”), states in relevant part:**

21 **Section 64421**

22 (a) Each water supplier shall:

23 ...

- 24 (5) Comply with the Maximum Contaminant Level as required in §64426.1.

25 **Title 22, CCR Section 64426.1 (hereinafter “Section 64426.1”) provides in relevant
26 part:**

27 **Section 64426.1: Total Coliform Maximum Contaminant Level (MCL).**

...

- 28 (b) A public water system is in violation of the total coliform MCL when any of the following
29 occurs:
- 30 (1) For a public water system which collects at least 40 samples per month, more than
31 5.0 percent of the samples collected during any month are total coliform-positive;
32 or
- 33 (2) For a public water system which collects fewer than 40 samples per month, more
34 than one sample collected during any month is total coliform-positive; or
- 35 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- 36 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine
37 sample is total coliform-positive.

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STATEMENT OF FACTS

The Water System is a community water system serving a residential population of approximately 32 persons through 16 service connections. The Water System's source of water supply is four groundwater wells identified as Well Nos. 01, 02, 03, and 04. In addition, there are two 15,500 gallon welded steel storage tanks and one (1) 30,000 gallon redwood storage tank. The two welded steel tanks are located on the same sites as Well Nos. 3 and 4, and one 30,000 gallon redwood tank located on the same well site as Well No. 1.

The Water System is required to collect a minimum of one distribution system bacteriological sample per month. The bacteriological water analysis results submitted by the Water System reported the presence of total coliform bacteria in 2 of 7 samples collected by the Water System in April 2015. None of the positive samples showed the presence of fecal coliform or *E. coli* bacteria.

In response to the detection of total coliform bacteria in one routine samples collected on April 7, 2015, a total of 3 repeat samples on April 10, 2015. One of the repeat samples showed the presence of total coliform bacteria. An additional set of 3 repeat samples were then collected on April 14, 2015, and the results were all negative for total coliform bacteria. All water samples for coliform bacteria collected during April 2015 are summarized in Attachment A.

The cause of the failure is inconclusive based on the investigation conducted by the Water System (see Attachment B). Continuous disinfection of the distribution system is provided and routine monitoring is conducted on a quarterly frequency. Samples collected from Well

1 01 on April 7th and 10th both detected the presence of total coliform bacteria only. Wells
2 Nos. 2, 3 and 4 were also sampled on the 10th of April for coliform bacteria in compliance
3 with the Groundwater Rule; the analytical results for these wells were all negative for total
4 coliform bacteria. All source water samples for coliform bacteria collected in April 2015 are
5 summarized in Attachment C.
6

7 The five routine samples required the month following a month with one or more total
8 coliform positive samples were collected on May 11, 2015, and were all negative for total
9 coliform bacteria.
10

11 Public notification to the Division and consumers of a water system is required whenever a
12 violation of the Total Coliform MCL occurs. The Division was accordingly notified on April
13 13, 2015.
14

15 Public notification to the customers of the Water System was conducted on April 21, 2015,
16 advising each customer of the failure of the total coliform MCL during the month of April
17 2015. A copy of the notice that was to each customer is provided as Attachment D. Proof
18 of Notification is provided as Attachment E.
19

20 **DETERMINATION**

21 Based on the above Statement of Facts, the Division has determined that the Water System
22 has violated CHSC, Section 116550 and Section 64426.1 in that the water produced by the
23 Water System failed to comply with Title 22, CCR, Section 64426.1, Total Coliform MCL for
24 the month of April 2015 due to the presence of total coliform bacteria in 2 of 7 samples
25 collected in April 2015.
26
27

1 **DIRECTIVES**

2 The Water System has completed the necessary public notification and investigation and no
3 other directives are necessary at this time.

4
5 All submittals required by this Citation shall be addressed to:

6 Tricia Wathen, Senior Sanitary Engineer
7 State Water Resources Control Board
8 Division of Drinking Water, Visalia District
9 265 W. Bullard Ave, Suite 101
 Fresno, CA 93704

10
11 As used in this Citation, the date of issuance shall be the date of this Citation; and the date
12 of service shall be the date of service of this Citation, personal or by certified mail, on the
13 Water System.

14
15 The Division reserves the right to make such modifications to the Citation as it may deem
16 necessary and/or to issue such further citation(s) as it may deem necessary to protect public
17 health and safety. Such modifications may be issued as amendments to this Citation and
18 shall be effective upon issuance.

19
20 Nothing in this Citation relieves Water System of its obligation to meet the requirements of
21 the California SDWA, or any regulation, standard, permit or order issued thereunder.

22 **PARTIES BOUND**

23 This Citation shall apply to and be binding upon Meadows of the Kern Mutual Water
24 Company, its owners, shareholders, officers, directors, agents, employees, contractors,
25 successors, and assignees.
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SEVERABILITY

The Directives of this Citation are severable, and Water System shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

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

May 27, 2015
Date

Tricia A. Wathen
Tricia Wathen, P.E.
Senior Sanitary Engineer, Visalia District
DRINKING WATER FIELD OPERATIONS BRANCH

Certified Mail No. 7014 3490 0001 7868 8842

- TAW/LR
- Attachments:
- Attachment A: Summary of Distribution Bacteriological Samples for April and May 2015
- Attachment B: Positive Total Coliform Investigation report
- Attachment C: Summary of Source Bacteriological Samples for April 2015
- Attachment D: Public Notice for April 2015
- Attachment E: Proof of Notification Form



Bacteriological Distribution Monitoring Report

1502645 Meadows of the Kern MWC

Distribution System Freq: 1/M

<i>Sample Date</i>	<i>Location</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Type</i>	<i>Cl2</i>	<i>Cl2 Avg</i>	<i>Viol. Type</i>	<i>GWR Satisfied?</i>	<i>Comments</i>
5/11/2015	7001 Meadows of the Kern	A	A			Routine	2.14				
5/11/2015	7301 Meadows of the Kern	A	A			Routine	0.03				
5/11/2015	7601 Meadows of the Kern	A	A			Routine	2.16				
5/11/2015	7550 Meadows of the Kern	A	A			Routine	1.98				
5/11/2015	7701 Meadows of the Kern	A	A			Routine	1.92				
4/14/2015	7602 Meadows of the Kern	A	A			Repeat	2.16				
4/14/2015	7552 Meadows of the Kern	A	A			Repeat	0.19				
4/14/2015	7601 Meadows of the Kern	A	A			Repeat	2.18				
4/10/2015	7602 Meadows of the Kern	A	A			Repeat	2.14				
4/10/2015	7601 Meadows of the Kern	A	A			Repeat	0.95				
4/10/2015	7552 Meadows of the Kern	P	A			Repeat	0.97				
4/7/2015	7552 Meadows of the Kern	P	A			Routine	0.03				

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	Cl2 not reported

POSITIVE TOTAL COLIFORM INVESTIGATION
Simple Well with Pressure Tank Systems

This form is intended to assist public water systems in completing the investigation required by the Division of Drinking Water (Section 64426(b) of Title 22, California Code of Regulations) and may be modified to take into account conditions unique to the system.

ADMINISTRATIVE INFORMATION

PWS Name: Meadows of the Kern	PWSID NUMBER: 1502645
Name	Address
Operator in Responsible Charge (ORC) Scott Moore	3220 Patton Way, Bakersfield CA
Person that collected TC samples if different than ORC Steve Horst	3220 Patton Way, Bakersfield CA
Owner	Telephone #
Certified Laboratory for Microbiological Analyses BC Labs	661-323-5115
Date Investigation Completed: 28 April 2015	661-323-5115
Month(s) of Total Coliform MCL Failure: 1	800-878-4911

INVESTIGATION DETAILS

SOURCE	WELL (name)	COMMENTS				
	Well 1	Well 2	Well 3	Well 4	Well 4	
1. Inspect each well head for physical defects and report						
a. Is raw water sample tap upstream from point of disinfection?	Yes	Yes	Yes	Yes	Yes	
b. Is wellhead vent pipe screened?	Yes	Yes	Yes	Yes	Yes	
c. Is wellhead seal watertight?	Yes	Yes	Yes	Yes	Yes	
d. Is well head located in pit or is any piping from the wellhead submerged?	No	No	No	No	No	
e. Does the ground surface slope towards well head?	No	No	No	No	No	
f. Is there evidence of standing water near the wellhead?	No	No	No	No	No	
g. Are there any connections to the raw water piping that could be cross connections? (describe all connections in comments)	No	No	No	No	No	
h. Is the wellhead secured to prevent unauthorized access?	Yes	Yes	Yes	Yes	Yes	
i. To what treatment plant (name) does this well pump?	N/A	N/A	N/A	N/A	N/A	
j. How often do you take a raw water total coliform (TC) test?	Quarterly	Quarterly	Quarterly	Quarterly	Quarterly	Or after routine TC Positive
k. Provide the date and result of the last TC test at this location	4/10/15	4/10/15	4/10/15	4/10/15	1/12/15	
	Absent	Absent	Absent	Absent	Absent	

RECEIVED
MAY -1 2015
SWARDEN - DEAN
FRESNO FOB

DISTRIBUTION SYSTEM

SYSTEM RESPONSES	35
1. What is the minimum pressure you are maintaining in the distribution system?	

POSITIVE TOTAL COLIFORM INVESTIGATION

Page 2 of 3

DISTRIBUTION SYSTEM	SYSTEM RESPONSES
2. Did pressure in the distribution system drop to less than 5 psi prior to experiencing the TCR positive finding.	No
3. Has the distribution system been worked on within the last week? (service taps, hydrant flushing, main breaks, main extensions, etc.) If yes, provide details.	No
4. Are there any signs of excavations near your distribution system not under the direct control of your maintenance staff?	No
5. Did you inspect your distribution system to check for mainline leaks? Do you or did you have a mainline leak?	Yes, no mainline leaks
6. If there was a mainline leak, when was it repaired?	N/A
7. On what date was the distribution system last flushed?	10 April 2015
8. Is there a written flushing procedure you can provide for our review?	No
9. Do you have an active cross connection control program?	No
10. What is name and phone number of your Cross-Connection Control Program Coordinator?	N/A
11. Is the review and testing of backflow prevention devices current?	N/A
12. On what date was the last physical survey of the system done to identify cross-connections?	N/A

SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)	7552 Meadows of the Kern
1. What is the height of the sample tap above grade? (inches)	18' to 36'
2. Is the sample tap located in an exterior location or is it protected by an enclosure?	ext
3. Is the sample tap threaded, have a swing arm (kitchen sink) or aerator (sinks)?	Threaded
4. Is the sample tap in good condition, free of leaks around the stem or packing?	Yes
5. Can the sample tap be adjusted to the point where a good laminar flow can be achieved without excessive splash?	Yes
6. Is the sample tap and area around the sample tap clean and dry (free of animal droppings, other contaminants or spray irrigation systems)	Yes
7. Is the area around the sample tap free of excessive vegetation or other impediments to sample collection	Yes
8. Describe how the tap was treated in preparation for sample collection (ran water, swabbed with disinfectant, flamed, etc.)	Swabbed
9. Is this sample tap designated on the sampling plan submitted with this information request?	Yes
10. What were the weather conditions at the time of the positive sample (rainy, windy, sunny).	Sunny

GENERAL OPERATIONS:	Response
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POSITIVE TOTAL COLIFORM INVESTIGATION

Page 3 of 3

1. Where there any power outages that affected water system facilities during the 30 days prior to the TC+ or EC + findings?	No
2. Where there any main breaks, water outages, or low pressure reported in the service area where TC+ or EC+ samples were located.	No
3. Does the system have backup power or elevated storage?	No
4. During or soon after bacteriological quality problems, did you receive any complaints of any customers' illness suspected of being waterborne? How many?	No
5. What were the symptoms of illness if you received complaints about customers being sick?	N/A

ADDITIONAL INFORMATION TO BE SUBMITTED WITH RESPONSES TO THE ABOVE QUESTIONS

1. Sketch of System showing all sources, treatment locations, storage tanks, microbiological sampling sites and general layout of the distribution system including the location of all hazardous connections such as the wastewater treatment facility.
2. A set of photographs of the well, pressure tanks, and storage tanks in the system may be submitted if they would show that the contamination is directly related and changes have been made since the last inspection by our Department
3. Name, certification level and certificate number of the Operator in Responsible Charge.
4. Copy of the last cross connection survey performed that identifies the location of all unprotected cross connections.

SUMMARY: BASED ON THE RESULTS OF YOUR INVESTIGATION AND ANY OTHER INFORMATION AT YOUR DISPOSAL, WHAT DO YOU BELIEVE TO BE THE CAUSE OF THE POSITIVE TOTAL COLIFORM SAMPLES FROM YOUR PUBLIC WATER SYSTEM?

It is the belief of this operator that the sample site, 7552 Meadows of the Kern, did not have significant time being flushed.

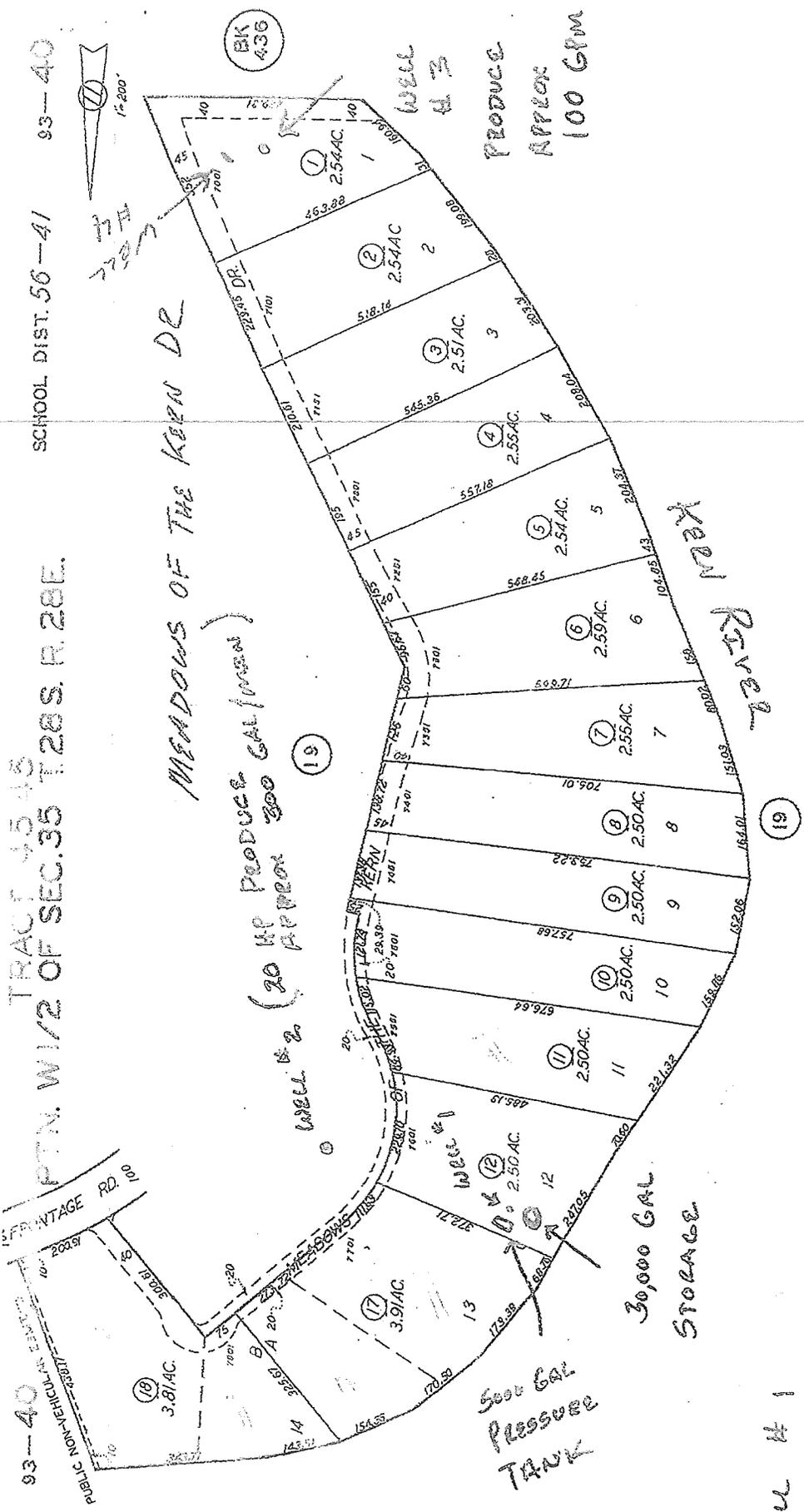
CERTIFICATION: I CERTIFY THAT THE INFORMATION SUBMITTED IN RESPONSE TO THE QUESTIONS ABOVE IS ACCURATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE

NAME: Scott Moore TITLE: Operator DATE: 28 Apr 2015

TRACT 4543
PTN. W1/2 OF SEC.35 T.28S. R.28E.

SCHOOL DIST. 56-41

93-40



MEADOWS OF THE KERN DE

WELL # 2 (20 HP PRODUCE 300 GAL/MIN)

WELL # 3
PRODUCE
APPROX
100 GPM

500 GAL
PRESSURE
TANK
30,000 GAL
STORAGE

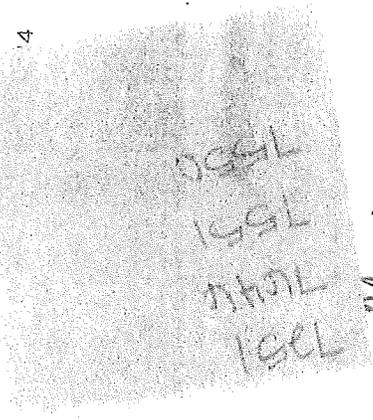
WELL # 1
PRODUCE 60-100 GPM

NOTE: NEXT TO THE
PRESSURE TANK AND
THE STORAGE TANK
ARE 3 BOOSTER PUMPS
(SEE NEXT PAGE)

Note: This map is for assessment purposes only. It is not to be construed as performing legal ownership or divisions of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO. 93-40

4



MEADOWS OF THE KERN WATER MAP #1

Source Bacteriological Monitoring Report

1502645 Meadows of the Kern MWC

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>Sample Type</i>	<i>Test Method</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Violation</i>	<i>Comments</i>
4/10/2015		Wells 2 & 3	Well	MPN	<1	<1				
4/10/2015	9:34	Well 1	Well	MPN	1.0	<1				
4/7/2015	8:09	Well 1	Well	P/A	P	A				
1/12/2015		Wells: 1,2,3,4	Well	P/A	A	A				

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.

**Meadows of the Kern MWC Had Levels of Coliform Bacteria
Above the Drinking Water Standard**

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 11 samples to test for the presence of coliform bacteria in April 2015. Three (3) 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?

The system sample point that showed the presence of total coliform bacteria has been flushed a significant amount of time. The system chlorine residual has been minimally increased. The problem has been resolved.

For more information, please contact Randy Asbill at (661) 331-9570 or at the following mailing address: 7201 Meadows of the Kern Drive, Bakersfield, CA 93308.

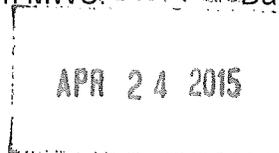
Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies 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 provided by the Meadows of the Kern MWC. RECEIVED Date distributed: 4-21-15.



SWRCB - DDW
FRESNO, CA

PROOF OF NOTIFICATION
(Return with copy of the Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the Meadows of the Kern MWC (1502645) of the failure to meet the **total coliform bacteria MCL** for the month of April 2015 as directed by the Division. At least one primary distribution method is required: mail, hand-delivery or newspaper publication. A second method is also required in order to reach persons not likely to be reached by a mailing, direct delivery or newspaper publication (renters, nursing home patients, prison inmates, etc.):

Notification was made on 4-21-15
(date)

To summarize report delivery used and good-faith efforts used, please check all items below that apply and fill-in where appropriate:

- The notice was distributed by mail delivery to each customer served by the water system.
- The notice was distributed by direct delivery to each customer served by the water system.
Specify direct delivery method(s) used: _____
- Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).
- Posted the notice at the following conspicuous locations served by the water system (if needed, please attach a list of locations).

- Posted the notice on the Internet at www. _____
- Other method used to notify customers. _____

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.

Certified by Name and Title: Randy Asbill Pres.
Date: 4-21-15 Signature: Randy Asbill

Due to the Division of Drinking Water within 10 days of notification to the public
Total Coliform MCL Failure / Enforcement Action No.: In progress