



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 13, 2016

Brian Bebee, General Manager
Inyokern Community Services District
P. O. Box 1418
Inyokern, CA 93527

RE: Repeated Failures to Conduct Lead and Copper Tap Sampling – Inyokern Community Services District Water System, Water System No. 1510036
Citation No. 03_19_16C_004

Dear Mr. Bebbe:

The State Water Resources Control Board (hereinafter State Board), Division of Drinking Water has issued Citation No. 03_19_16C_004, for failure to comply with the provisions of the California Health & Safety Code and Title 22, California Code of Regulations. Specifically, the Inyokern Community Services District Water System (hereinafter Inyokern CSD Water System) has repeatedly failed to conduct triennial lead and copper tap sampling which was due in 2008, 2011, 2014, and 2015. The Citation is enclosed. By Directive No. 3 of the citation, Inyokern CSD is required to conduct next lead and copper tap sampling (consisting of 10 samples) between June 1, 2016 and September 30, 2016. **The citation includes a penalty of \$500 (five hundred dollars).** Please note that Directive No. 6 of the Citation describes how to pay the penalty.

The California Safe Drinking Water Act, Section 116577, provides for the State Board to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, the Water System has been billed for the preparation and issuance of this citation. The State Board's current billing rate for enforcement activities is \$153 per hour. The hourly rate is subject to review and change upon approval. You will receive a bill for these costs following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact our office at (661) 335-7315.

Sincerely,

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer, Tehachapi District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosure: Citation No. 03_19_16C_004

CC: Kern County Environmental Health Services Department (w/out enclosure)
Board President, Inyokern Community Services District

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Inyokern Community Services District
P. O. Box 1418
Inyokern, CA 93527

Attn: Brian Bebee, General Manager
Inyokern Community Services District

CERTIFIED MAIL

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTIONS 64675(b)(2) AND 64675.5(a)(2)
LEAD AND COPPER TAP SAMPLING
INYOKERN COMMUNITY SERVICES DISTRICT WATER SYSTEM

WATER SYSTEM NO. 1510036

CITATION NO. 03_19_16C_004

Issued on January 13, 2016

STATEMENT OF FACTS

Section 116650 of the California Health and Safety Code (hereinafter “CHSC”) authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

1 Inyokern Community Services District Water System (hereinafter “Water System”) is
2 classified as a community water system and mainly serves a residential population of
3 approximately 984 persons through 282 service connections.

4
5 The Water System operates under the authority of a domestic water supply permit (#87-
6 16), issued on April 1, 1987, by the State Department of Health Services. Effective July 1,
7 2014, regulatory jurisdiction of the Water System was transferred from the California
8 Department of Public Health to the State Water Resources Control Board.

9
10 The State Water Resources Control Board (hereinafter “State Board”), acting by and
11 through its Division of Drinking Water (hereinafter “Division”) and the Deputy Director
12 for the Division (hereinafter “Deputy Director”), hereby issues a citation to the Water
13 System (mailing address: P. O. Box 1418, Inyokern, CA 93527) for failure to comply with
14 the lead and copper tap monitoring requirements. Specifically, the Water System has
15 violated the California Code of Regulations (CCR), Title 22, Section 64675(b)(2) and
16 Section 64675.5(a)(2) as follows:

- 17 • The Water System conducted initial tap sampling for lead and copper on December
18 29, 1993 and May 31, 1994 at twenty (20) tap sampling sites. The 90th percentile
19 values for lead and copper were below the respective action levels (0.015 mg/L for
20 lead and 1.3 mg/L for copper) for both rounds of sampling.
- 21 • The Water System conducted annual tap sampling for lead and copper at ten (10)
22 sites in 2001 and at nine (9) sites in 2002. The 90th percentile values for lead and



1 copper were below the respective action levels for lead and copper for both rounds
2 of sampling.

3 • The Water System conducted the first round of triennial tap sampling for lead and
4 copper at ten (10) sites in 2005, and the 90th percentile values for lead and copper
5 were below the respective action levels for lead and copper.

6 • The Water System failed to conduct triennial tap sampling for lead and copper in
7 2008 and 2011.

8 • A summary of lead and copper monitoring conducted to date is provided as
9 **Attachment A**.

10 • On August 30, 2013, Enforcement Letter No. 03-19-13E-077 was issued to the
11 Water System for failure to conduct the triennial lead and copper tap sampling.

12 • On September 30, 2014, a Sanitary Survey Letter and Report were mailed to the
13 Water System summarizing the findings of the July 17, 2014, sanitary survey of the
14 Water System. The Sanitary Survey Letter and Report again directed the Water
15 System to conduct the delinquent lead and copper tap sampling.

16 • The Water System failed to conduct the triennial lead and copper tap sampling in
17 2014.

18 • On August 10, 2015, Citation No. 03-19-15C-006 (**Attachment B**) was issued to
19 the Water System for failure to conduct the triennial lead and copper tap sampling.
20 In this citation, the Water System was directed to collect 10 lead and copper
21 samples by September 30, 2015, and report the results (along with a completed
22 Form141-AR) to the State Board by the 10th day of the month following the
23 sampling.

- The Water System has failed to collect several rounds of triennial lead and copper tap samples which were due in 2008, 2011, 2014, and 2015 [Sections 64675(b)(2) and 64675.5(a)(2), *Authorities*].

AUTHORITIES

Section 116577 of the CHSC, states in relevant part:

“(a) Each public water system shall reimburse the State Board for the actual costs incurred by the State Board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section.”...

Section 116650 of the California Health and Safety Code (hereinafter CHSC), states in relevant part:

“(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

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

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

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

(e) The State Board 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.”



1 **Section 116655 of the CHSC**, states in relevant part:

2 (a) Whenever the State Board determines that any person has violated or is violating
3 this chapter, or any permit, regulation, or standard issued or adopted pursuant to this
4 chapter, the director may issue an order doing any of the following:

- 5 (1) Directing compliance forthwith.
6 (2) Directing compliance in accordance with a time schedule set by the State Board.
7 (3) Directing that appropriate preventive action be taken in the case of a threatened
8 violation.

9
10 (b) An order issued pursuant to this section may include, but shall not be limited to,
11 any or all of the following requirements:

- 12 (1) That the existing plant, works, or system be repaired, altered, or added to.
13 (2) That purification or treatment works be installed.
14 (3) That the source of the water supply be changed.
15 (4) That no additional service connection be made to the system.
16 (5) That the water supply, the plant, or the system be monitored.
17 (6) That a report on the condition and operation of the plant, works, system, or
18 water supply be submitted to the State Board.”

19
20 **Section 64675 of Title 22 of the CCR**, states in relevant part:

21 “(a) During each period, each system shall conduct standard tap sampling by collecting one
22 sample from the number of sites based on the number of people served specified in table
23 64675-A under Standard Tap Sampling.

24
25 (b) During each period, each system conducting reduced tap sampling shall collect at least
26 one sample from the number of sites based on the number of people served specified in
27 table 64675-A under Reduced Tap Sampling, as follows:

- 28 (1) The sites shall be representative of the sites required for standard tap sampling.
29 (2) The samples shall be collected during the months of June, July, August, or
30 September, unless the State Board approves an alternate set of four months based on a
31 review of the system’s operations and lead and copper data, in which case the system shall
32 initiate sampling during the alternate set of four months when directed in writing to do so
33 by the Department, as follows:

- 34 (A) No later than 21 months after the previous period, if sampling annually, or
35 (B) No later than 45 months after the previous period, if sampling triennially.
36
37

Table 64675-A		
Lead and Copper Tap Sampling Sites		
System Size	Standard Tap Sampling (Minimum Number of Sites)	Reduced Tap Sampling (Minimum Number of Sites)
>100,000	100	50
10,001 – 100,000	60	30
3301 – 10,000	40	20

Table 64675-A Lead and Copper Tap Sampling Sites		
System Size	Standard Tap Sampling (Minimum Number of Sites)	Reduced Tap Sampling (Minimum Number of Sites)
501 - 3300	20	10
101 - 500	10	5
<101	5	5

(c) Sample sites shall be selected pursuant to section 64676 (Sample Site Selection).”

Section 64675.5 of 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;

(2) For systems that do not meet the criteria in paragraph (1), after two consecutive periods with no action level exceedance, the frequency may be reduced to annually at the reduced number of sites, if the system receives written approval from the based on its review of the system’s data. After sampling for three years (including the initial sampling year) with no action level exceedance, the frequency may be reduced to once every three years at the reduced number of sites, if the system receives written approval from the State Board.”

DETERMINATIONS

Based upon the above *Statement of Facts and Authorities*, the State Board has determined that the Inyokern Community Services District Water System has violated the following:

1. CCR, Title 22, Sections **64675(a)(2) and 64675(b)(2)**; Specifically, the Water System violated the lead and copper tap sampling regulations by failing to conduct several rounds of triennial lead and copper tap sampling which was due in 2008, 2011, 2014, and 2015.

1 ADMINISTRATIVE PENALTIES

2 **Pursuant to CHSC Section 116650**

3 Section 116650(a) of the CHSC allows for the issuance of a citation for failure to comply
4 with the requirements of the California Safe Drinking Water Act, or any regulation, permit,
5 standard, citation, or order issued thereunder. Section 116650(d) and (e) allow for the
6 assessment of a penalty not to exceed one thousand dollars (\$1,000) per day for each day
7 that a violation continues to occur. A separate penalty may be assessed for each violation.

8
9 Despite the State Board’s efforts to work with the Water System, the Water System has
10 failed to comply with the provisions of the CHSC and Title 22, CCR, by not conducting
11 the lead and copper tap sampling which was due in 2008, 2011, 2014, and 2015.
12 Therefore, the State Board hereby assesses an administrative penalty of five hundred
13 dollars (\$500) upon the Inyokern Community Services District Water System. **Directive**
14 **No. 6** below describes the requirements for payment of the Penalty.

15
16 DIRECTIVES

17 The Inyokern Community Services District Water System is hereby directed to take
18 the following actions:

- 19
20 1. Cease and desist from failing to comply with Section 116555(a) of the California
21 Health and Safety Code (CHSC) and Sections 64675(a)(2) and 64675.5(b)(2) of
22 Title 22, California Code of Regulations.
23
24 2. By **February 1, 2016**, the Water System shall submit a written response to the
25 State Board acknowledging receipt of the citation and steps it has taken or plan to
26 take to comply with the lead and copper tap sampling requirements.

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3. The Water System shall collect ten (10) lead and copper tap samples between **June 1, 2016 and September 30, 2016**, to be analyzed for lead and copper and continue to conduct triennial lead and copper sampling afterwards. The Water System shall report the results to the State Board no later than the 10th day of the month following the sampling. A completed Form 141-AR (provided under **Attachment C of Citation No. 03-19-15C-006, provided as Attachment B to this citation**) shall be submitted along with the results of each round of sampling.
4. By **February 12, 2016**, provide Tier 2 public notification of the current monitoring and reporting (M&R) violation to the persons served by the Water System, by using the attached template (**Attachment C**).
5. Submit the attached (**Attachment D**) completed *Certification of Completion of Public Notification* Form to the State Board within 10 days of providing the public notification and no later than **February 22, 2016**.
6. Pay the Penalty of five hundred dollars (\$500) **within 30 days** of date of issuance of this citation. Payment shall be made payable to the State Water Resources Control Board – Division of Drinking Water. Further instructions on submittal of the payment are provided in **Attachment E, Notice of Citation Issuance**.
7. All submittals required by this Citation shall be submitted to the State Board at the following address:

Jaswinder S. Dhaliwal, P.E.
State Water Resources Control Board
Division of Drinking Water, Tehachapi District
4925 Commerce Drive, Suite 120
Bakersfield, CA 93309

1 8. The Water System shall reimburse the State Board, in accordance with an invoice
2 that shall be provided to the Water System, the costs for enforcement activities, and
3 such reimbursement shall be made prior to September 1 (or by a different date if
4 specified by the State Board) of the fiscal year following the fiscal year in which
5 such costs are incurred as described in CHSC Sections 116577(a)(1-2) and
6 116577(b).

7 The State Board reserves the right to make such modifications to the Citation as it may
8 deem necessary to protect public health and safety. Such modifications may be issued as
9 amendments to this Citation and shall be effective upon issuance.

10
11 Nothing in this Citation relieves Inyokern CSD of its obligation to meet the requirements
12 of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with
13 Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

14
15 **PARTIES BOUND**

16 This Citation shall apply to and be binding upon the Inyokern CSD, its owners,
17 shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

18
19 **SEVERABILITY**

20 The Directives of this Citation are severable, and the Inyokern CSD shall comply with
21 each and every provision hereof, notwithstanding the effectiveness of any other provision.

22
23 **FURTHER ENFORCEMENT ACTION**

24 The California SDWA authorizes the State Board to: issue a citation with assessment of
25 administrative penalties to a public water system for violation or continued violation of the
26 requirements of the California SDWA or any regulation, permit, standard, citation, or order
27 issued or adopted thereunder including, but not limited to, failure to correct a violation

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

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Carl L. Carlucci, P.E., Chief
Central California Section
State Water Resources Control Board
Division of Drinking Water

1-13-2016
Date

Via Certified Mail No. 7015 1660 0000 0781 8107



Attachments

- Attachment A: Inyokern CSD Lead and Copper Database Report
 - Attachment B: Citation No. 03-19-15C-006
 - Attachment C: Lead and Copper Public Notice Template
 - Attachment D: Certification of Completion of Public Notification Form
 - Attachment E: Notice of Citation Issuance
- CC: Kern County Environmental Health Services Department (w/o attachments)
Board President, Inyokern CSD

Attachment A

Inyokern CSD Lead and Copper Database Report

Individual System Lead and Copper Rule Tracking Report

1510036 **INYOKERN CSD** **Pop: 984** **Eng: OJJ** **Lead Action Level: 0.015 mg/L**
Copper Action Level: 1.3 mg/L

Sample Date Begin/(End)	Monitoring Period	Sample Set ID	Number Required	Number Sampled	Lead 90th % (mg/L)	Copper 90th % (mg/L)	Action Taken	Action Type	Next Due Date	Next Due Freq	Comments
(12/29/1993)	6M2ND-1993	1st 6	20	20	0.0	0.0	EL	04E-89 DATED 07	6/30/1994	2nd 6	2nd round of initial sampling was not completed
(5/31/1994)	6M1ST-1994	2nd 6	20	20	<0.005	<0.05			9/30/1995	A1	
(6/5/2001)	YR2001	A1	10	10	0.0086	0.092			9/30/2002	A2	
(6/5/2002)	YR2002	A2	10	9	0.0	0.068			9/30/2005	T1	
(7/7/2005)	3Y2003-2005	T1	10	10	0.0	0.095			6/1/2008	T2	Form 141-AR not completed
(8/29/2013)	3Y2011-2013		0	0			EL	03-19-13E-077			Enforcement letter issued for five year delinquency
(8/10/2015)	3Y2013-2015		0	0							Citation 03_19_15C_006 issued for 10 year delinquency

Legend:

Cit: Citation	1st 6: 1st initial 6-mo. round of monitoring	A1: 1st Annual monitoring	T1: 1st Triennial (3 yr) monitoring
EL: Enforcement letter	2nd 6: 2nd initial 6-mo. round of monitoring	A2: 2nd Annual monitoring	T2: 2nd Triennial (3 yr) monitoring
			T3: 3rd Triennial (3 yr) monitoring

1/12/2016

Attachment B

Copy of Citation No. 03-19-15C-006, Issued August 10, 2015

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Inyokern Community Services District
P. O. Box 1418
Inyokern, CA 93527

Attn: Brian Bebee, General Manager
Inyokern Community Services District

CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTIONS 64675(b)(2) AND 64675.5(a)(2)**

LEAD AND COPPER TAP SAMPLING

INYOKERN COMMUNITY SERVICES DISTRICT WATER SYSTEM

WATER SYSTEM NO. 1510036

CITATION NO. 03-19-15C-006

Issued on August 10, 2015

STATEMENT OF FACTS

Inyokern Community Services District (Inyokern CSD) Water System (hereinafter Water System) is classified as a community water system and mainly serves a residential population of approximately 984 persons through 282 service connections.

The Water System operates under the authority of a domestic water supply permit #87-16, issued on April 1, 1987, by the State Department of Health Services.



1 Section 116650 of the California Health and Safety Code authorizes the issuance of a
2 citation to a public water system for violation of the California Safe Drinking Water
3 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with
4 Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit
5 or order issued or adopted thereunder.

6
7 The State Water Resources Control Board, acting by and through its Division of
8 Drinking Water (hereinafter "Division") and the Deputy Director for the Division
9 (hereinafter "Deputy Director"), hereby issues a citation to Inyokern CSD Water
10 System (mailing address: P. O. Box 1418, Inyokern, CA 93527) for failure to comply
11 with the lead and copper tap monitoring. Specifically, the Water System has violated
12 the California Code of Regulations (CCR), Title 22, Section 64675(b)(2) and Section
13 64675.5(a)(2).
14

- 15 • The Water System conducted initial tap sampling for lead and copper on
16 December 29, 1993 and May 31, 1994 at twenty (20) tap sampling sites. The
17 90th percentile values for lead and copper were below the respective action
18 levels (0.015 mg/L for lead and 1.3 mg/L for copper) for both rounds of
19 sampling.
20
- 21 • The Water System conducted annual tap sampling for lead and copper at ten
22 (10) sites in 2001 and at nine (9) sites in 2002. The 90th percentile values for
23 lead and copper were below the respective action levels for lead and copper for
24 both rounds of sampling.
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- The Water System conducted first round of triennial tap sampling for lead and copper at ten (10) sites in 2005, and the 90th percentile values for lead and copper were below the respective action levels for lead and copper.
- The Water System failed to conduct triennial tap sampling for lead and copper in 2008 and 2011.
- A summary of lead and copper monitoring conducted to date is provided as **Attachment A**.
- On August 30, 2013, Enforcement Letter No. 03-19-13E-077 (**Attachment B**) was issued to the Water System for failure to conduct the triennial lead and copper tap sampling.
- On September 30, 2014, a Sanitary Survey Letter and Report was mailed to the Water System summarizing the findings of the July 17, 2014, sanitary survey of the Water System. The Sanitary Survey Letter and Report again directed the Water System to conduct the delinquent lead and copper tap sampling.
- The Water System failed to conduct the triennial lead and copper tap sampling in 2014.
- **Inyokern CSD Water System has failed to collect three rounds of triennial lead and copper tap samples which were due in 2008, 2011, and 2014 [Sections 64675(b)(2) and 64675.5(a)(2), *Authorities*].**

AUTHORITIES

Section 116577 of the CHSC, states in relevant part:
“(a) Each public water system shall reimburse the Division for the actual costs incurred by the Division for any of the following enforcement activities related to that water system:
(1) Preparing, issuing, and monitoring compliance with, an order or citation.
(2) Preparing, and issuing public notification
...
(b) The Division shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and

1 the hourly cost rate of the Division. The costs set forth in the invoice shall not exceed the total actual
2 costs to the Division of the enforcement activities specified in this section.”...

3 **Section 116650 of the California Health and Safety Code (hereinafter CHSC), states in relevant part:**

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

10 (b) Each citation shall be in writing and shall describe the nature of the violation or violations,
11 including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to
12 have been violated.

13 (c) A citation may specify a date for elimination or correction of the condition constituting the violation.

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

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

18 **Section 116655 of the CHSC, states in relevant part:**

19 (a) Whenever the Division determines that any person has violated or is violating this chapter, or
20 any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an
21 order doing any of the following:

- 22 (1) Directing compliance forthwith.
- 23 (2) Directing compliance in accordance with a time schedule set by the department.
- 24 (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

25 (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the
26 following requirements:

- 27 (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be
submitted to the Division.”

Section 64675 of Title 22 of the CCR, states in relevant part:

“(a) During each period, each system shall conduct standard tap sampling by collecting one sample from
the number of sites based on the number of people served specified in table 64675-A under Standard
Tap Sampling.

(b) During each period, each system conducting reduced tap sampling shall collect at least one sample
from the number of sites based on the number of people served specified in table 64675-A under
Reduced Tap Sampling, as follows:

- (1) The sites shall be representative of the sites required for standard tap sampling.
- (2) The samples shall be collected during the months of June, July, August, or September,
unless the Department approves an alternate set of four months based on a review of the system’s
operations and lead and copper data, in which case the system shall initiate sampling during the alternate
set of four months when directed in writing to do so by the Department, as follows:
 - (A) No later than 21 months after the previous period, if sampling annually, or
 - (B) No later than 45 months after the previous period, if sampling triennially.



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**Table 64675-A
Lead and Copper Tap Sampling Sites**

System Size	Standard Tap Sampling (Minimum Number of Sites)	Reduced Tap Sampling (Minimum Number of Sites)
>100,000	100	50
10,001 – 100,000	60	30
3301 – 10,000	40	20
501 - 3300	20	10
101 - 500	10	5
<101	5	5

(c) Sample sites shall be selected pursuant to section 64676 (Sample Site Selection)."

Section 64675.5 of 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;

(2) For systems that do not meet the criteria in paragraph (1), after two consecutive periods with no action level exceedance, the frequency may be reduced to annually at the reduced number of sites, if the system receives written approval from the Division based on its review of the system's data. After sampling for three years (including the initial sampling year) with no action level exceedance, the frequency may be reduced to once every three years at the reduced number of sites, if the system receives written approval from the Division."

DETERMINATIONS

Based upon the above *Statement of Facts and Authorities*, the Division has determined that the Inyokern CSD Water System has violated the following:

1. CCR, Title 22, Sections 64675(a)(2) and 64675(b)(2); Specifically, the Water System violated the lead and copper tap sampling regulations by failing to conduct three (3) rounds of triennial lead and copper tap sampling which was due in 2008, 2011, and 2014.

The above violations are classified as non-continuing violations.



DIRECTIVES

Inyokern CSD Water System is hereby directed to take the following actions:

1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Sections 64675(a)(2) and 64675.5(b)(2) of Title 22, California Code of Regulations.
2. By August 24, 2015, the Water System shall submit a written response to the Division acknowledging receipt of the citation and steps it has taken or plan to take to comply with the lead and copper tap sampling.
3. The Water System shall collect ten (10) lead and copper tap samples before **September 30, 2015**, to be analyzed for lead and copper and continue to conduct triennial lead and copper sampling afterwards. The Water System shall report the results to the Division no later than the 10th day of the month following the sampling. A completed Form 141-AR (provided under **Attachment C**) shall be submitted along with the results of each round of sampling.
4. All submittals required by this Citation shall be submitted to the Division at the following address:

Jaswinder S. Dhaliwal, P.E.
State Water Resources Control Board
Division of Drinking Water, Tehachapi District
4925 Commerce Drive, Suite 120
Bakersfield, CA 93309
5. The Water System shall reimburse the Division, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 (or by a different date if specified by the Division) of the fiscal year following the fiscal year in



1 also authorizes the Division to take action to suspend or revoke a permit that has been
2 issued to a public water system if the public water system has violated applicable law
3 or regulations or has failed to comply with an order of the Division; and to petition the
4 superior court to take various enforcement measures against a public water system that
5 has failed to comply with an order of the Division. The Division does not waive any
6 further enforcement action by issuance of this Citation.

7
8 **CIVIL PENALTIES**

9 Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a
10 civil penalty for failure to comply with the requirements of the Safe Drinking Water
11 Act. Failure to comply with any provision of this Citation may result in the Division
12 imposing a penalty in an amount not to exceed one thousand dollars (\$1,000) per day
13 for each day that a violation occurred, and for each day that a violation continues to
14 occur. A separate penalty may be assessed for each violation

15
16 August 10, 2015
17 Date

18 Jaswinder S. Dhaliwal
19 Jaswinder S. Dhaliwal, P.E.
20 Senior Sanitary Engineer
21 Drinking Water Field Operations Branch

22 Certified Mail No. 7015 0920 000 3175 8341

23 **ATTACHMENTS**

- 24 Attachment A: Inyokern CSD Lead and Copper Database Report
25 Attachment B: Enforcement Letter 03-19-13E-077
26 Attachment C: Lead and Copper Guidance and Form 141-AR

27 CC: Kern County Environmental Health Services Department (w/o attachments)
JSD/dc



Attachment C

Lead and Copper Public Notice Template

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.

Lead and Copper Tap Sampling Monitoring Requirements Not Met for Inyokern Community Services District

Inyokern Community Services District has failed to monitor as required for a drinking water monitoring standard during the calendar years 2008, 2011, 2014, and 2015 and, therefore, was in violation of the monitoring and reporting regulations. As our customers, you have a right to know what you should do, what happened and what are doing to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the calendar years 2008, 2011, 2014, and 2015, we did not conduct monitoring for lead and copper tap sampling and therefore cannot be sure of the quality of our drinking water during that time. This monitoring was required to be conducted during the summer months (June thru September) of 2008, 2011, 2014, and 2015.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant we did not properly test for during 2008, 2011, 2014, and 2015; how many samples we are required to take and how often, how many samples we took when samples should have been taken, and the date on which the most recent nitrate samples were taken.

Required Number of Distribution Sites	Contaminants	Required sampling frequency	Number of samples taken in 2008, 2011, 2014, and 2015	Last sample date
10	Lead and Copper	Triennial (every 3 years)	0 (None)	07/07/2005

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

We have been directed by the State Water Resources Control Board to collect the required lead and copper tap samples between June 1, 2014 and September 30, 2015. For more information, please contact Brian Bebee with Inyokern CSD at 760-377-4708.

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 notice in a public place or distributing copies by hand or mail.

Date posted: _____

Brian Bebee, General Manager
Inyokern CSD (1510036)

Attachment D

Certification of Completion of Public Notification Form

Certification of Completion of Public Notification
(Include a Copy of Public Notice with the Certification of Public Notification)

This form, when completed and returned to the Division of Drinking Water – Tehachapi District (4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 or fax to 661-335-7316), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: Inyokern Community Services District

Public Water System No.: 1510036

Public notification for **failure to comply with the Lead and Copper Triennial Tap Sampling for Calendar years 2008, 2011, 2014, and 2015** was performed by the following method(s) (check and complete those that apply):

- The notice was mailed to users on: _____
A copy of the notice is attached.
- The notice was hand delivered to water customers on: _____
A copy of the notice is attached.
- The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.
- The notice was posted at conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.
- The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

Date

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 each day that the 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.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers and no later than February 12, 2016

Enforcement Action No. 03-19-16C-004

Attachment E

Notice of Citation Issuance

DRINKING WATER FIELD OPERATIONS BRANCH

**NOTICE OF CITATION ISSUANCE
PENALTY**

BACKGROUND STATEMENT

The State Water Resources Control Board, Division of Drinking Water, issued **Citation No. 03_19_16C_004** for **Inyokern Communities Services District Water System** (Public Water System No. **1510036**).

This Citation carries a penalty of \$500.00 (five hundred dollars).

METHOD OF PAYMENT

Within 30 days of date of issuance of Citation #03-19-16C-004, submit a check in the amount of \$500.00 (five hundred dollars) made payable to:

SWRCB – Division of Drinking Water

and mail to:

**SWRCB Accounting Office
ATTN: Drinking Water Program Fees
P.O. Box 1888
Sacramento, CA 95812-1888**

(Please indicate the Citation No. 03_19_16C_004 on the Check)

(Attach Check Here)