

1 CALIFORNIA
2 STATE WATER RESOURCES CONTROL BOARD
3 DIVISION OF DRINKING WATER

4
5 TO: Hillview Water Company - Raymond
6 ATTN: Mr. Roger Forester, President
7 P.O. Box 2269
8 Oakhurst, CA 93644

9 AMENDMENT ONE TO COMPLIANCE ORDER NO. 03-11-12O-002
10 Dated June 12, 2015

11
12 The State Water Resources Control Board (hereinafter "Board"), acting by and
13 through its Division of Drinking Water (hereinafter "Division") and the Deputy
14 Director for the Division (hereinafter "Deputy Director"), hereby issues this
15 Amendment No. One to Compliance Order 03-11-12O-002 (hereinafter "Amendment
16 One").

17
18
19 The Board, successor in interest to the California Department of Public Health,
20 issued Compliance Order No. 03-11-12O-002 to Hillview Water Company –
21 Raymond (hereinafter "Water System") on or about August 7, 2012, herein the
22 "Order".

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25 The Board hereby amends the Order as follows:

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27 A. The Water System is further directed as follows:

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A-1. By no later than **July 1, 2018**, achieve compliance with the arsenic and uranium maximum contaminant levels (MCL), with the completion of a project and demonstration that the running annual average is reliably less than the MCL. The Water System shall provide written notification of the date that compliance is achieved.

B. Delete Directive 5 and replace with the following:

"5. The Division reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

All submittals required by this Order shall be addressed to:

Kassy Chauhan, Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water, Merced District
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704"

Except as amended herein, all other terms of Compliance Order No. 03-11-12O-002, shall remain in full force and effect.

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6-12-2015
Date


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

Enclosure:
Compliance Order No. 03-11-12O-002

Certified Mail No. [7014 3490 0001 7868 9641]

cc: Mr. James Foster, Manager, P.O. Box 2269, Oakhurst, CA 93644
Madera County Environmental Health Department
Rami Kahlon, Director, California Public Utilities Commission



Compliance Order No. 03-11-120-002

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

IN RE: HILLVIEW WATER COMPANY - RAYMOND
System No. 2010012

TO: Mr. Jim Foster, Manager
Hillview Water Company
P.O. Box 2269
40312 Greenwood Way
Oakhurst, CA 93644

CC: Madera County Environmental Health Department
Rami Kahlon, Director, California Public Utilities Commission
Roger Forrester, President (19719 Paso Robles Ave, Redding, CA 96003)

COMPLIANCE ORDER
FOR VIOLATION OF THE
ARSENIC AND URANIUM MAXIMUM CONTAMINANT LEVELS
Issued on August 7, 2012

Section 116655, Chapter 4 of the California Health and Safety Code authorizes the issuance of an Order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

FINDINGS

The Hillview Water Company – Raymond water system (hereinafter “Company”) is a community water system located in the community of Raymond. The Company is a California Public Utilities Commission regulated water system that serves a population of



1 approximately 255 persons through 85 service connections. The Company operates under
2 a domestic water supply permit issued by the California Department of Public Health
3 (hereinafter "Department") in February 1990. The Company's water system is supplied by
4 four active groundwater wells with storage provided by seven water storage tanks located
5 throughout the distribution system providing a total of 137,600 gallons. The water is
6 boosted into the distribution system by two booster stations. The water system depends on
7 the water produced by all of the wells to meet system demand. The Raymond system has
8 historically had severe water shortages.
9

10 As of November 28, 2008, California adopted a revised maximum contaminant level
11 (MCL) for arsenic of 0.010 mg/L. Under the Arsenic Rule, compliance with the 0.010
12 mg/L MCL will be based on the average of the monitoring results for four consecutive
13 quarters. If at any time, the average for fewer than four quarters is such that the MCL is
14 certain to be exceeded regardless of additional sampling results; the source is immediately
15 determined to be out of compliance. The water produced by Well No. 11 contains arsenic
16 at a level above the MCL and has been deemed by the Department to be out of compliance.
17 The Company purchased Well No. 11 to provide additional source capacity for the system.
18 However, the initial chemical sampling in 2007 revealed that the well contains arsenic
19 above the MCL. Well No. 11 was brought online in mid-2009. The Company has been
20 providing quarterly public notification to its customers since the beginning of 2009. Well
21 No. 11 has not been formally permitted by the Department. Additionally, the Raymond
22 system is under a Compliance Order (No. 03-11-06O-001 for exceeding the nitrate MCL.
23 The system also has a lack of source capacity. The Company is in process of evaluating
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1 options to solve the water system's water quality and source capacity issues through a
 2 Proposition 84 feasibility study.
 3

4 The analytical results for arsenic sampling from Well No. 11 are tabulated below:
 5

Sample Date	Arsenic Concentration (ug/L)	Running Annual Average (ug/L)
Arsenic MCL = 0.01 ug/L		
11/28/07	0.0228	
5/4/11	0.0232	
07/05/11	0.0246	
08/22/11	0.026	0.024
02/27/12	0.027	0.025
05/22/12	0.024	0.025

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 14 The California Code of Regulations (CCR) Section 64442 establishes the Maximum
 15 Contaminant Levels (MCL) for uranium of 20 pCi/L. CCR Section 64442(g) specifies that
 16 if any radionuclide sample result is greater than an MCL, quarterly samples shall be
 17 collected and analyzed. Compliance shall be determined based on the running annual
 18 average of four consecutive quarterly samples. If any sample result causes the annual
 19 average at any sample site to exceed the MCL, the system shall be out of compliance
 20 immediately upon receiving the result. Well No. 10 produces water with above the MCL
 21 level of uranium and has been deemed to be out of compliance. Additionally, Well No. 11
 22 is on quarterly monitoring for uranium.
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24 The analytical results for uranium monitoring from Wells Nos. 10 and 11 are tabulated
 25 below:
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Sample Date	Well No. 10 Uranium Concentration (pCi/L)	Running Annual Average (pCi/L)	Well No. 11 Uranium Concentration (pCi/L)	Running Annual Average (pCi/L)
8/25/08	40.7			
8/20/09	40.0			
8/22/11	41.0			
12/19/11	38.0	39.9	2.4	
2/27/12	21.0	35.0		
5/22/12	42.0	35.5	49.0	12.9

The uranium running annual average for Well No. 10 is 35.5 pCi/L which exceeds the uranium maximum contaminant level of 20 pCi/L. Water from Well No. 10 is pumped directly to system customers without any treatment to reduce the uranium concentration. Well No. 11 is currently in the process of being monitored quarterly for uranium.

CONCLUSIONS OF LAW

Based on the above Findings, the Department has determined that the Hillview Water Company – Raymond water system has violated provisions contained in the California Health and Safety Code and Title 22, California Code of Regulations (CCR). These violations include, but are not limited to the following:

1. Health and Safety (H&S) Code Section 116555(a)(1) Specifically, the Hillview Water Company – Raymond water system is operating wells that produce water that does not comply with a primary drinking water standard.

- 1 2. H&S Code Section 116555(a)(3). Specifically, the Hillview Water Company –
2 Raymond water system failed to ensure that a reliable and adequate supply of pure,
3 wholesome, healthful, and potable water is provided to all of its consumers.
4
5 3. CCR Section 64444 Specifically, the water produced by Well No. 11 has exceeded the
6 maximum contaminant level of 0.010 ug/L for arsenic and the water produced by Well
7 No. 10 has exceeded the maximum contaminant level of 20 pCi/L for uranium and,
8 therefore, the wells do not comply with the primary drinking water standards.
9

10 **ORDER**

11 In order to ensure that the water supplied by the Hillview Water Company – Raymond
12 water system is at all times safe, wholesome, healthful, and potable, and pursuant to
13 Section 116655 of the H&S Code, the water system is ordered to take the following
14 actions:
15

- 16
17 1. (a) Cease and Desist from failing to comply with H&S Code Section 116555(a)(1) and
18 (3) by ensuring that the system is provided with a reliable and adequate source of
19 pure, wholesome, healthful, and potable water that is in compliance with all primary
20 drinking water standards.
21
22 (b) By **September 15, 2012**, submit to the California Department of Public Health, for
23 review and approval, a plan to correct the existing water quality problem
24 (exceedance of the arsenic MCL and the uranium MCL) and eliminate the need to
25 deliver water to the system that does not meet the primary drinking water standards.
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1 The plan shall include a time schedule for completion of various phases of the
2 project, such as design, construction, and start-up.

3
4 (c) Hillview Water Company shall submit quarterly progress reports on the status of
5 implementation of the plan to the Department, beginning **October 1, 2012**.

6
7 2. During each quarter that Wells Nos. 10 and 11 are in use, Hillview Water Company
8 - Raymond shall provide public notification in accordance with CCR Section 64463
9 of its inability to meet the arsenic and uranium MCLs until a project is completed to
10 provide water meeting drinking water standards. Attachment A is a Department-
11 approved notice to be provided to all consumers. The first notification shall be
12 provided by **September 30, 2012**, by direct delivery to each employee, student, and
13 parent, and by posting the notices at prominent locations. An electronic copy of
14 this notice may be requested from the Department.

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18 3. The notification shall be provided by Hillview Water Company - Raymond at least
19 once every three months until the problem is corrected. Proof of public notification
20 (Attachment B) shall be provided to the Department following each quarterly
21 notification. Proof of public notification shall be submitted to the Department by
22 the 10th day of the month following notification.

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25 4. When Wells Nos. 10 and 11 are being used, quarterly monitoring of the wells for
26 arsenic (Well No. 11) and uranium (Wells Nos. 10 and 11) must be conducted,
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1 preferably before each quarterly notice is released, so the notice can reflect the most
2 recent sample results.

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5 5. The Department reserves the right to make such modifications to this Order as it
6 may deem necessary to protect public health and safety. Such modifications may
7 be issued as amendments to this Order and shall be effective upon issuance.
8

9 All submittals required by this Order shall be addressed to:

10
11 Carl L. Carlucci, P.E.
12 Supervising Sanitary Engineer
13 Department of Public Health
14 Southern California Branch
15 Drinking Water Field Operations
16 265 W. Bullard Avenue, Suite 101
17 Fresno, CA 93704

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22 6. If the Hillview Water Company - Raymond is unable to perform the tasks specified
23 in this Order for any reason, whether within or beyond its control, and if Hillview
24 Water Company – Raymond notifies the Department in writing no less than five
25 days in advance of the due date, the Department may extend the time for
26 performance if Hillview Water Company – Raymond demonstrates that it has used
27 its best efforts to comply with the schedule and other requirements of this Order.

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7. If Hillview Water Company – Raymond fails to perform any of the tasks specified in
this Order by the time described herein or by the time subsequently extended
pursuant to Item 6 above, Hillview Water company – Raymond, shall be deemed to

Instructions for Tier 2 Arsenic MCL Notice Template

Template Attached

Since exceeding the arsenic maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-

Attachment A

speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove arsenic or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for arsenic."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

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.

Hillview Water Company – Raymond Has Levels of Arsenic and Uranium Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results received on [date] from Well No. 11 showed arsenic levels of [level and units]. This is above the U.S. EPA standard, or maximum contaminant level (MCL) of 0.010 milligrams per liter. The average arsenic concentrations from Well No. 11 ranged from _____ mg/L to _____ mg/L.

Compliance with the uranium maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples for each well. Testing results from Well No. 10 collected over the last four quarters (or year) show that our system exceeds the uranium MCL of 20 picocuries per liter (pCi/L). The average uranium concentrations from Well No. 10 ranged from _____ pCi/L to _____ pCi/L.

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an emergency. If it had been, you would have been notified immediately. However, *some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk to getting cancer and some people who drink water containing uranium in excess of the MCL over many years may have kidney problems or an increased risk of getting cancer.*
- 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?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

Attachment A

For more information, please contact Jim Foster at Hillview Water Company at 559-683-4322 or P.O. Box 2269, Oakhurst, CA 93644.

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 sent to you by Hillview Water Company - Raymond.

State Water System ID#: 2010012. Date distributed: _____.

Attachment B

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 **Hillview Water Company - Raymond** of the failure to meet the **Arsenic MCL (Well No. 11) and the Uranium MCL (Well No. 10)** for the:

Circle one: 1st 2nd 3rd 4th quarter of _____ (year).

Notification was made on _____ by _____
(date)

hand delivered and/or mailed and/or posted written notice.
(circle all completed)

Signature of Water System Representative

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 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.

Due to the Dept. of Public Health within 10 days of notification to the public
Arsenic and Uranium MCL Exceedances
System Number: 2010012



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
<http://www.fypower.org>

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(559) 447-3300; Fax (559) 447-3304
Internet Address: <http://www.cdph.ca.gov/programs/Pages/DDWEM.aspx>