



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

May 13, 2013

PWS No.: 3410018

Certified Mail
7009 1680 0001 3114 5301

Ms. Mary Henrici
General Manager
Rio Linda/Elverta Community Water District
730 L Street
Rio Linda, CA 95673

Dear Ms. Henrici:

COMPLIANCE ORDER NO. 01-09-13R-001-3410018-WW TO RESOLVE WATER PRESSURE AND SUPPLY PROBLEMS ISSUED TO THE RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT

Enclosed is Compliance Order No. 01-09-13R-001-3410018-WW, issued to the Rio Linda/Elverta Community Water District, to direct resolution of water pressure and supply problems. The deadlines listed in the Directives are consistent with those discussed in prior meetings between our offices. There is no civil penalty associated with this Order. However, failure to comply with the Directives of the Order may lead to an assessment of civil penalties.

If you have any questions regarding this matter, please contact me at (530) 224-4867, or Salvador Turrubiarres at (916) 552-9998, or Salvador.turrubiarres@cdph.ca.gov.

Sincerely,

Richard L. Hinrichs, P.E., Chief
Northern California Section
Drinking Water Field Office Branch

Enclosed: Compliance Order No. 01-09-13R-001-3410018-WW

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**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

RE: Rio Linda / Elverta Community Water District
730 L Street
Rio Linda, CA 95673

COMPLIANCE ORDER

Compliance Order Number 01-09-13R-001-3410018-WW

SYSTEM NO. 3410018

STATEMENT OF FACTS

Rio Linda Elverta Community Water District (hereinafter, District) is currently operating its water system under a domestic water supply permit (Permit No. 65-42) issued by the Department of Public Health (hereinafter, Department) on March 29, 1965, and amended on February 5, 1979, March 18, 1988, March 16, 1994, and March 23, 2012.

The District is a community water system, as defined in California Health and Safety Code (CHSC), Section 116275. The District serves an estimated year-round population of 13,386 through 4,616 active service connections. The distribution system contains one pressure zone with the service area being relatively flat, ranging from about 35 to 90 feet above mean sea level (MSL). The active sources



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2 of water supply for the District consist of groundwater sources, which are disinfected
3 prior to being served to the distribution system.
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6 As more fully set forth below, the Department is informed and believes that the
7 Company is in violation of HSC, Section 116555(a) and the California Waterworks
8 Standards, Title 22, California Code of Regulations (CCR), Chapter 16, Articles 1-5.
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11 The District experienced repeated incidents of low pressure in its distribution system
12 during the month of September 2007. On November 19, 2007, the Department
13 issued Compliance Order 01-09-07-CO-004 to the District for water source capacity
14 and low system pressure violations and directed the District to study solutions to
15 resolve the violations and to take measures to closely monitor the system pressure
16 and flow rates from its sources. Also imposed by Compliance Order 01-09-07-CO-
17 004 was a service connection moratorium, based on the understanding that any
18 additional demand on the distribution system, including additional service
19 connections would have resulted in further violations of existing regulations. On
20 April 1, 2008, the District began monitoring its pressure at multiple pressure
21 recording stations. Specific and recent low pressure events reported by the District
22 are documented in Compliance Order 01-09-09-CO-004, issued December 28,
23 2009.
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25 In response to the Order, the District submitted a study titled "Evaluation of Source
26 Capacity and Compliance Plan" in compliance with Directive 6 of Compliance Order
27 01-09-07-CO-004, proposing that the District construct three new wells (Wells 14,
15, and 16) in the Rio Linda area to provide additional source capacity to the water



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3 system. At the time it received the study, the CDPH deemed the recommendations
4 as appropriate and an acceptable means of returning the District to compliance.

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6 On March 5, 2009, the District held a meeting to discuss the status of the
7 completion of the Compliance Order's Directives. Consulting engineers Camp
8 Dresser and McKee had completed another study for the District, which reinforced
9 and confirmed the previous Study's evaluation of the current source capacity. The
10 Interim General Manager, Mr. Gilbert Tafoya, also stated that the District intended
11 to construct a 1.5-million gallon storage tank in addition to providing arsenic
12 treatment at Well 14. At this point it appeared that the District would continue
13 following the recommendation to construct three new wells (Wells 14, 15, and 16).

14
15 On August 18, 2009, a meeting was held at the CDPH Sacramento District office to
16 discuss the District's plan for satisfying Compliance Order 01-09-07-CO-004. Due
17 to many delays, the submitted Technical Report and schedule were no longer
18 feasible for the District and the District wished to discuss changes in water source
19 projects. The District had decided to no longer continue to pursue Well 14 with the
20 addition of arsenic treatment due to operation and maintenance costs. The District
21 still planned to construct three wells to meet current and future water demands, and
22 to return the District to compliance. The three wells were designated to be Well 15,
23 Well 16, and Well 17. On October 30, 2009, the District submitted a final schedule
24 for the project to construct Wells 15, 16, and 17, and to place them in service by no
25 later than January 1, 2011.

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27 On July 28, 2010, the District submitted a request for extension for the completion
of the three new wells, Wells 15, 16, and 17. Based on the information provided



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3 and CDPH knowledge of the situation with both the District and the environmental
4 clearance from the Army Corps of Engineers and from the State Historic Prevention
5 Office, the request was granted. On July 29, 2010, CDPH granted an extension to
6 Directives 3 and 4 of Compliance Order No. 01-09-09-CO-004, to complete all
7 improvements to the water system to correct the water capacity problem and ensure
8 the system could provide a reliable and adequate supply of pure, wholesome,
9 healthful, and potable water, which is in compliance with all primary drinking water
10 standards by no later than June 1, 2011.

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12 On June 30, 2011, the District and CDPH executed State Revolving Funding
13 Agreement No. SRF11CX107 for a construction loan in the amount of \$7,499,045 to
14 construct Wells 15, 16, and 17 in the Rio Linda area. The CDPH approved SRF
15 Project 3410018-001, based on plans and specifications approved by the State on
16 April 11, 2011. The project deadline to complete the three new wells was defined to
17 be not later than three years from the date of execution, June 30, 2011. On July 22,
18 2011, the CDPH extended the deadline again for Directives 3 and 4 of Compliance
19 Order 01-09-09-CO-004, to correspond to the same deadline date defined in the
20 Funding Agreement. The District was to complete all improvements to the water
21 system to correct the capacity problem and ensure the system is provided with a
22 reliable and adequate supply of pure, wholesome, healthful and potable water, and
23 is to be in compliance with all primary drinking water standards by no later than
24 June 30, 2014.

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26 On March 11, 2012, the District and CDPH executed Funding Agreement No.
27 SRF11CX107 Amendment A-1 in response to the District submitting a change in
Scope of Work of Project 3410018-001 on August 18, 2011. Due to circumstances



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3 beyond the District's control, Well 16's construction could not continue at the site
4 approved by CDPH on July 27, 2010. The District's request for a Scope of Work
5 change resulted in changes in the plans and specs for Well 15 and Well 16. Well
6 16 was relocated to Well 14's site and the name changed to Well 14A, to serve as a
7 replacement well to Well 14. Although the changes in Scope of Work involved
8 adding additional piping and changing the location of one well, the total cost of the
9 project remained the same with no additional costs. The deadline established for
10 the District to complete the necessary changes remained the same, June 30, 2014.

11
12 On July 24, 2012, the District submitted a technical memo, dated July 9, 2012, by
13 Domenichelli and Associates, Inc., suggesting to re-calculate required source
14 capacity based on the last 10 years (2003 – 2012) of water production data and
15 update the SRF Project Alternative Analysis. Since the 2009 Source Capacity
16 Study was performed, water demand for the District has slowly and steadily
17 declined over the years. The technical memo determined a new calculated
18 maximum day demand (MDD) and a new calculated peak hourly demand (PHD)
19 and proposed that the District would be able to meet both MDD and PHD with Well
20 15 if it reactivated Well 3 and provided additional source capacity or storage on the
21 west side of the water system. The alternatives evaluated in the memo were: 1)
22 search for another viable well location to construct a new well, 2) provide arsenic
23 treatment at Well 14/14A, 3) or construct a storage tank with a capacity of at least
24 800,000 gallons on the west side of the water system. A meeting with the District
25 and CDPH on July 27, 2012, discussed the technical memo and the results of Well
26 14A's test well water quality data. Water quality data from a test well at Well 14A's
27 site indicated high arsenic and manganese concentrations that would need
treatment prior to delivering water to the distribution system. Treatment was not



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considered at Well 14A under Funding Agreement No. SRF11CX107 Amendment A-1. Alternatives to constructing Well 14A were discussed, CDPH requested that an Engineering Report be developed analyzing SRF Alternatives to Well 14A and Well 17.

On October 1, 2012, the District submitted a SRF Applicant Engineering Report Update, re-evaluating the MDD and PHD for the water system based on the latest 10 years of water production; the last Source and Storage Capacity Study was performed in May 2010. The District also met with CDPH to re-evaluate alternatives to meeting the Water Works Standards since Well 15 is reportedly able to produce 2,800 gallons per minute (gpm). The Engineering Report determined the water system has sufficient source capacity to meet MDD and could accommodate PHD with additional storage capacity. According to the Engineering Report, the most cost efficient solution for the District, under the new circumstances, would be to construct a storage tank with a capacity of at least 1.0 million gallons (MG) near the District Office on the west side of the water system. The completion of the project would also involve the installation of approximately 3,200-feet of new 12-inch pipeline in the District's west side area near the Well No. 5 Booster Pump Station, to increase pressure and water supply to a low pressure area in the District's west side. The District also submitted another request to change the Scope of Work dated October 1, 2012, to include the construction of a storage tank with a capacity of at least 1.0 MG and related improvements to the distribution system near the Well No. 5 Booster Pump Station rather than complete Wells 14A and Well 17.



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APPLICABLE AUTHORITIES

Title 22, Section 64554(a)(1) and (a)(3) of the CCR states:

a) At all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD).

(1) For systems with 1,000 service connections, the system shall be able to meet four hours of peak hourly demand (PHD) with source capacity, storage capacity, and/or emergency source connections.

(3) Both the MDD and the PHD requirements shall be met in the system as a whole and in each individual pressure zone.

Title 22, Section 64602(a) of the CCR states:

a) Each distribution system shall be operated in a manner to assure that the minimum operating pressure in the water main at the user service line connection throughout the distribution system is not less than 20 pounds per square inch (PSI) at all times.

Section 116555(a) of the CHSC states in relevant part:

a) Any person who owns a public water system shall ensure that the system does all of the following:

(3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116655 of the CHSC states in relevant part:

a) Whenever the Department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or

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adopted pursuant to this chapter, the director may issue an order doing any of the following:

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

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

- (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 Department.

DETERMINATIONS

Based on the above Findings of Fact, the Department determines that the District has violated/(or continues to violate) the following:

- (1) Section 64554(a)(1) & (3) of the CCR; specifically, the District continues to exhibit inadequate source capacity and/or storage capacity in its distribution system to meet MDD and PHD.

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(2) Section 64602(a) of the CCR; specifically, the District failed to ensure the water pressure in the distribution system remained above 20 PSI.

(3) Section 116555(a)(3) of the CHSC; specifically, the District failed to ensure the system was provided with a reliable and adequate supply of water at minimum operating pressure (20 psi in the distribution system) to ensure that the water delivered to its customers is at all times pure, wholesome, healthful, and potable.

ORDER

Pursuant to Section 116655, Article 9, Chapter 4, Part 12, Division 104 of the Health and Safety Code, the Department and its Director hereby orders and directs the District to:

Directive 1. The District shall submit 95% design plans and specifications for its storage reservoir and related water main improvements to the Department for review and approval by **no later than September 16, 2013**.

Directive 2. The District shall complete construction and have the storage tank [and piping improvements to the Elverta subdivision] in service by **no later than June 30, 2014**.

Directive 3. In accordance with Title 22, Section 64600 of the CCR, by **no later than December 31, 2013**, the District shall submit an operations and maintenance plan for the District's storage reservoir. The plan shall include a schedule for



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3 routine inspections and the procedures for cleaning and disinfection of the new
4 storage reservoir.

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6 **Directive 4. The service connection moratorium established by Compliance**
7 **Order No. 01-09-04-CO-004 issued on November 19, 2007, shall remain in**
8 **place.** On or after the date of this Order, the District shall not add any new service
9 connections to the system and shall not issue any "will serve" letters to potential
10 water users. This moratorium shall stay in effect until the Department determines
11 that the water system has adequate facilities and capacity to provide a safe,
12 wholesome, and potable supply of domestic water to users in the service area; and
13 gives the District written notification that the moratorium has been lifted.

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

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19 The directives from this Order shall supersede all previous directives from past
20 Orders issued.

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22 All submittals required by this Order shall be submitted to the Department at the
23 following address:

24
25 Richard L. Hinrichs, P.E., Chief
26 Northern California Section
27 Drinking Water Field Operations
California Department of Public Health
1616 Capitol Avenue, MS 7407
P.O. Box 997377
Sacramento, CA 95899-7377



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The District's failure to comply with any directives set forth in this Order by the time prescribed herein, may result in further administrative and/or judicial enforcement action against the District, including imposition of administrative penalties in the amount of up to \$200 per day per violation, pursuant to the California Health and Safety Code, Section 116650, and/or other civil penalties as permitted by law, including without limitation California Health and Safety Code, Section 116725.

The State of California shall not be liable for any injuries or damage to persons or property resulting from acts or omissions by the District, its employees, agents, or contractors in carrying out activities pursuant to this Order; nor shall the State of California be held as a party to any contract entered into by the District or its agents in carrying out activities pursuant to this Order. By issuance of this Order, the Department does not waive its rights to take any further or additional enforcement action(s) against the District.

PARTIES BOUND

This Order shall apply to and be binding upon the District, its officers, directors, agents, employees, contractors, successors, and assignees.

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SEVERABILITY

The directives of this Order are severable, and the District shall comply with each and every provision thereof, notwithstanding the effectiveness of any provision.



Richard L. Hinrichs, P.E., Chief
Northern California Section
DRINKING WATER
FIELD OPERATIONS BRANCH

5/13/2013
Date

