CALIFORNIA
Water Boards

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ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 23, 2015

Bryanna Vaughn
Board President
Big Pine Community Service District
PO Box 639
Big Pine, CA 93513

CITATION NO. 05-13-15C-001
BIG PINE COMMUNITY SERVICE DISTRICT (SYSTEM NO. 1410006)

Dear Mrs. Vaughn:

The State Water Resource Control Board, acting by and through its Division of Drinking Water (Division), hereby issues a citation to the Big Pine Community Service District (hereinafter District) for the following Lead and Copper Rule Violation:

- Failure to comply with the Lead and Copper Rule monitoring requirements per Section 64675.5, Title 22, CCR. Specifically, the District did not collect any samples in its fifth round of triennial (T5) lead and copper tap sampling by September 30, 2015.

If you have any questions regarding this letter, please contact Faraz Asad at (909) 383-4312 or by email at faraz.asad@waterboards.ca.gov.

Sincerely,

Sean F. McCarthy, P.E.
Senior Sanitary Engineer
San Bernardino District
Southern California Field Operations Branch

Enclosure: Citation No. 05-13-15C-001
cc: Denis Tillemans (Big Pine CSD)

ENCLOSURE

CITATION NO. 05-13-15C-001

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Big Pine Community Service District
PO Box 639
Big Pine, CA 93513

ATTN: Bryanna Vaughn
Board President

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64675.5 - WATER SYSTEM NO. 1410006

CITATION NO. 05-13-15C-001

Issued on January 23, 2015

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

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Big Pine Community Service District

(hereinafter District) (mailing address: PO Box 639, Big Pine, CA 93513) for the following violation:

Failure to comply with Lead and Copper Rule monitoring requirements per Section 64675.5, Title 22, CCR. Specifically, the District did not collect any samples in its fifth round of triennial (T5) lead and copper tap sampling by September 30, 2014.

HISTORY

The Big Pine Community Service District (District) is a community water system in Inyo County, which serves 1,040 persons through 320 service connections.

The Lead and Copper Rule requires water systems with 501 to 3,300 persons served to conduct lead and copper tap sampling once every three (3) years, after completing the initial monitoring. The District completed their first two initial annual monitoring in 1996 and 1997 by collecting samples from twenty (20) sample sites. The District followed up with sample collections from twenty (20) sample sites over four triennial periods (T1, T2, T3, and T4) between the years of 1999 – 2011. The District qualifies for reduced monitoring, which requires a minimum of ten (10) sampling sites every three years. The District failed to collect lead and copper samples at ten (10) sites for the triennial period due September 30, 2014. Therefore, Big Pine Community Service District is in noncompliance with the Lead and Copper Rule in accordance with *Section 64675.5 (a)(2) of Title 22, CCR.*

DIRECTIVES:

The District is hereby directed to take the following action:

1. By **July 1, 2015**, the District shall notify its consumers of the failures to:

    - Collect lead and copper samples in conformance with Section 64675.5(b) Title 22, CCR.

    Pursuant to Sections *64463.7 (a) (1) and 64463.7 (b), and (c) or (d)* of Title 22, CCR, a Tier 3 public notice may be included in the 2014 Consumer Confidence Report, due by July 1, 2015. The content of the notice including the mandatory language shall be approved by the Division prior to issuance. A Tier 3 Monitoring Violations Annual Notice Template is attached. **(Attachment No. 1)**

2. By **July 10, 2015**, the District shall submit a copy of the notice and a certification that all the public notice requirements have been met pursuant to Section *64463.7* and *64465* Title 22, CCR. **(Attachment No. 2)**

3. By **September 30, 2015,** the District must complete lead and copper monitoring at ten (10) sample sites. The samples shall be collected during the months of June, July, August or September.

4. By **October 10, 2015**, the District must submit the lead and copper monitoring results to the Division accompanied by a completed Lead and Copper Form 141-AR. **(Attachment No. 3)**

All submittals required by this citation shall be sent to:

Sean F. McCarthy, P.E.
Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water
464 W. 4th Street, Suite 437
San Bernardino, CA 92401

CIVIL PENALTIES

Section 116650 (d) and (e) of the H&S Code allow for the assessment of a civil penalty for failure to comply with requirements of the Safe Drinking Water Act. Failure to comply with any provision in this citation will result in the Division imposing an administrative penalty of up to $200.00 (two hundred dollars) per day as of the date of violation of any provision of this citation.

January 23, 2015
Date

Sean F. McCarthy, P.E.
Senior Sanitary Engineer
San Bernardino District

Attachments (3)

ATTACHEMENT NO. 1

Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [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.

If You Are a…	*You Must Notify Consumers by…*	*…and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method…*
Community Water System [64463.7(c)(1)]	Mail or direct delivery [(a)]	Publication in a local newspaper
		Posting [(b)] in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(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 [(b)] on the Internet or intranet
		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, insertion in an annual notice, or included in the Consumer Confidence Report[1]. 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 standard language for monitoring and testing

[1] CCR may be used as long as public notification timing, content, and delivery requirements are met [64463.7(d)].

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- "We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards."
- "We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]"
- "We plan to take the required samples soon, as described in the last column of the table above."

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 DDW 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 DDW 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.

For more information, please contact [name of contact] at [phone number] or [mailing address].

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 [system].

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

ATTACHEMENT NO. 2

Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it._____

_____

_____

Consumers Notified _____ Yes _____ No

If not, Explain:_____

_____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Department approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated:_____ _____

Signature of Person Serving Notice

****Notice:** Complete this Proof of Notification and return it **along with a copy of the notification** to the State Water Resources Control Board, Division of Drinking Water within **10 days** of receipt of giving public notice.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a 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 each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars ($25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.

ATTACHEMENT NO. 3

Form 141-AR

LEAD AND COPPER RULE SAMPLING REPORT

System's Name:_____ Type: ☐ CWS ☐ NTNCWS

Address:_____

_____

_____

Population: ☐ >100,000
☐ 50,001 to 100,000
☐ 10,001 to 50,000
☐ 3,301 to 10,000
☐ 501 to 3,300
☐ 101 to 500
☐ < 101

Telephone Number:_____

System ID Number:_____

Contact Person:_____

Sample Date(s):_____

SAMPLE SITE IDENTIFICATION

Number of sample sites in each category:

- Single-family structures with copper pipes with lead solder installed after 1982; or contain lead pipes; or are served by lead service lines. (**Tier 1)** _____
- Multi-family structures with copper pipes with lead solder installed after 1982; or contain lead pipes; or are served by lead service lines. (**Tier 2)** _____
- Buildings containing copper pipes with lead solder installed after 1982; or contain lead pipes; or are served by lead service lines. (**Tier 2)** _____
- Single family structures with copper pipes with lead solder installed before 1983. (**Tier 3 –** use only if insufficient number of Tier 1 and Tier 2 sampling sites) _____
- Representative sites throughout the distribution system (sites w/ plumbing materials commonly found at other sites) (use only if insufficient number of Tier 1, 2, and 3 sites) _____

Total: _____

Number of lead service lines present in the distribution system: _____

Number of samples collected from sites served by lead service lines: _____

The following sources have been explored to determine the number of structures that have interior lead pipe or copper pipe with lead solder:

☐ Plumbing and/or building codes.
☐ Plumbing and/or building permits.
☐ Contacts with the building department, Municipal clerk's office, or state regulatory agencies.
☐ Water quality data.
☐ Interviews with building inspectors
☐ Survey of service area plumbers about when and where lead solder was used from 1982 to present.
☐ Survey of residents.
☐ Interviews with local contractors & developers.

The following sources have been explored to determine the number of lead service lines in the distribution system:

☐ Distribution system maps and record drawings.
☐ Capitol improvement plans and/or master plans for distribution system development.
☐ Standard operating procedures and/or operation & maintenance manuals for the types of materials used for service connections.
☐ Utility records including meter installations, customer complaint investigations .
☐ Water quality data.
☐ Interviews with senior personnel.
☐ Conduct service line sampling where lead service lines are suspected to exist.
☐ Review of permit files
☐ Survey of residents.
☐ Interviews with local pipe supplies, contractors and/or developers.

RESULTS OF SAMPLING

Results of Lead and Copper Tap Water Samples: (*Attach copy of all laboratory results to this form.*)

Number of tap samples required:_____ 90th Percentile Lead level:_____mg/L

Number of tap samples collected & submitted:_____ 90th Percentile Copper level:_____mg/L

Results of Water Quality Parameter (WQP) Samples: (*Complete only if system is required to collect WQP samples.*)

Number of WQP samples required to be collected:_____

Number of WQP samples collected & submitted:_____

Number of WQP entry point samples required to be collected: _____

Number of WQP entry point samples collected and submitted _____

CERTIFICATION OF COLLECTION METHODS

I certify that:

- Each first draw tap sample for lead and copper is one liter in volume and has stood motionless in plumbing system of each sampling site for at least six hours.
- Each first draw sample collected from a single-family residence has been collected from the cold water kitchen tap or bathroom sink tap.
- Each first draw sample collected from a non-residential building has been collected at an interior tap from which water is typically drawn for consumption.
- Each first draw sample collected during an annual or triennial monitoring period has been collected in months of June, July, August, or September.
- Each resident who volunteered to collect tap water samples from his or her home has been properly instructed in the proper methods for collecting lead and copper samples. I do not challenge the accuracy of those sampling results.
- **Enclosed is a copy of the material distributed to residents explaining the proper collection methods, and a list of the residents who performed sampling.**

CHANGE OF SAMPLING SITES

Original site address: _____

New site address: _____

Distance between sites (approximately): _____

Targeting Criteria: New Site: ☐ Tier 1 ☐ Tier 2 ☐ Tier 3 Old Site: ☐ Tier 1 ☐ Tier 2 ☐ Tier 3

Reason for sample site change:

_____

_____

SIGNATURE: _____ **DATE:** _____

_____ _____

Print Name Title