



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

October 12, 2016

System No. 3910018

Sam Hedge, Water and Wells Chairman
San Joaquin River Club
30000 Kasson Road
Tracy, CA 95376

TRANSMITTAL OF CITATION NO. 01-10-16C-013

The San Joaquin River Club water system (hereinafter "River Club") violated the Maximum Contaminant Level (MCL) for total coliform bacteria during the month of September 2016, as specified in Chapter 15, Title 22, of the California Code of Regulations. The State Water Resources Control Board, Division of Drinking Water has issued Citation No. 01-10-16C-013, in response to this violation. The Citation is being transmitted to the River Club under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Brian Kidwell by email at brian.kidwell@waterboards.ca.gov or by phone at (209) 948-3963.

Sincerely,

Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-16C-013

Certified Mail No. 7004 2890 0002 0057 9799

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: San Joaquin River Club
30000 Kasson Road
Tracy, CA 95376

Attn: Mr. Sam Hedge, Water and Wells Chairman
San Joaquin River Club

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1 (b)(2)
WATER SYSTEM NO. 3910018
CITATION NO. 01-10-16C-013
Issued on October 12, 2016

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 (hereinafter "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 San

1 Joaquin River Club water system (hereinafter, "River Club") for violation of California
2 Code of Regulations (CCR), Title 22, Section 64426.1 subsection (b)(2).

3
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

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

14
15 (b) Each citation shall be in writing and shall describe the nature of the violation or
16 violations, including a reference to the statutory provision, standard, order, citation,
17 permit, or regulation alleged to have been violated.

18
19 (c) A citation may specify a date for elimination or correction of the condition
20 constituting the violation.

21
22 (d) A citation may include the assessment of a penalty as specified in subdivision (e).

23
24 (e) The Division may assess a penalty in an amount not to exceed one thousand
25 dollars (\$1,000) per day for each day that a violation occurred, and for each day that a
26 violation continues to occur. A separate penalty may be assessed for each violation.



1 **California Code of Regulations, Title 22, Section 64426.1, subsection (b)(2)**
2 **provides, in relevant part:**

3
4 (b) A public water system is in violation of the total coliform Maximum Contaminant
5 Level (hereinafter MCL) when any of the following occurs:

6 (2) For a public water system which collects fewer than 40 samples per month, more
7 than one sample collected during any month is total coliform-positive.

8
9 **California Code of Regulations, Title 22, Section 64426, Subsection (a)(3)**
10 **provides, in relevant part:**

11
12 (a) Any of the following criteria shall indicate a possible significant rise in bacterial
13 count:

14 (3) A system fails the total coliform MCL as defined in Section 64426.1.

15
16 **STATEMENT OF FACTS**

17 The River Club is operated under Water Supply Permit No. 65-83. A Permit
18 Amendment, No. 03-10-95PA-009, was issued on July 24, 1995.

19
20 The River Club operates a small water system located approximately eleven miles
21 southeast of the City of Tracy. The system is a community water system that serves
22 the residents of the River Club including a centralized clubhouse. According to the
23 2015 Annual Report to the Division, the River Club serves approximately 600 people
24 through 385 service connections. The system obtains its water supply from two active
25 wells, Well No. 01 and Well No. 04, located on the River Club property. The River
26 Club does not chlorinate the groundwater. Also, the water system does not have any



1 water storage; however there is one hydro pneumatic tank. The distribution system is
2 maintained as one pressure zone.

3
4 On September 22, 2016, the River Club collected one routine bacteriological sample
5 from the distribution system. The sample, collected from 4B6 Willow, tested positive
6 for total coliform bacteria. The sample was negative for E. coli bacteria.

7
8 On September 23, 2016, the River Club collected four repeat bacteriological samples;
9 One from the original positive site, and the three specified in the River Club's
10 Bacteriological Sample Siting Plan. Two of the repeat samples, collected from 4B6
11 Willow and 4A8 Willow, tested positive for total coliform bacteria and negative for E.
12 coli bacteria. It should also be noted that the River Club collected the triggered
13 source water sample; it was negative for total coliform and E. coli bacteria.

14
15 The River Club believes the positive bacteriological samples are due to a recent main
16 break. Therefore, the water system opted to install temporary chlorination on its water
17 sources.

18
19 The River Club collects fewer than 40 samples per month; therefore, the three
20 positive total coliform samples constitute failure of the total coliform MCL for
21 September 2016, per Section 64426.1(b)(2), Title 22, CCR.

22
23 It should be noted that the River Club has already completed a Revised Total Coliform
24 Rule Level 1 assessment.



1 **DETERMINATION**

2 The Division has determined that the River Club failed to comply with the
3 requirements of Section 64426.1(b)(2) due to the fact that the River Club is in violation
4 of the total coliform MCL because the water system collects fewer than 40 samples
5 per month, and more than one sample collected during the month of September 2016
6 was total coliform positive. Therefore the River Club is in violation of Section 64426.1,
7 subsection (b)(2), of the CCR for the month of September 2016.

8
9 **DIRECTIVES**

10 The River Club is hereby directed to take the following actions:

- 11
- 12 1. By **October 31, 2016**, notify the consumers served by the River Club of the
13 bacteriological quality (Total Coliform Rule) failure in conformance with
14 Section 64463.4 (a)(1), Title 22, CCR. The notification shall be provided in
15 accordance with the following:
 - 16 a. Provide written notice of the bacteriological water quality MCL violation
17 to all residents, via hand delivery or mail, and post a written notice on
18 the drinking water fountains, in the rest rooms, and all other water
19 service areas at the centralized clubhouse. The notification shall be
20 delivered and posted no later than January 15, 2015. The posted notice
21 shall remain posted for at least 7 days.
 - 22 b. A sample notification form that can be used to satisfy the notification
23 requirement is attached to this Citation. Within ten (10) days of
24 supplying the written notification and posting of the written notification,
25
26



1 the River Club shall submit to the Division a copy of the notification,
2 including certification of its delivery and posting.

3
4 2. By **October 31, 2016**, the River Club shall submit a written response to the
5 Division indicating its willingness to comply with the directives of this Citation.

6
7 3. Since the River Club had a total coliform positive routine bacteriological
8 sample, the water system must collect five routine bacteriological samples
9 during the month of October 2016.

10
11 4. Comply with Section 64426.1, Title 22, CCR, in all future monitoring periods.

12
13 The Division reserves the right to make such modifications to this Citation as it may
14 deem necessary to protect public health and safety. Such modifications may be
15 issued as amendments to this Citation, and shall be deemed effective upon issuance.

16
17 Nothing in this Citation relieves the River Club of its obligation to meet the
18 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
19 standard, or order issued or adopted thereunder.

20
21 All submittals required by this Citation shall be submitted to the Division at the
22 following address:

23
24 Brian Kidwell, P.E.
25 Associate Sanitary Engineer
26 State Water Resources Control Board
27 Division of Drinking Water
28 31 E. Channel Street, Room 270
29 Stockton, CA 9202

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PARTIES BOUND

This Citation shall apply to and be binding upon the River Club, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and the River Club shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

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

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10/12/2016

Date

Bhupinder S. Sahota, P.E.,
District Engineer, Stockton District
Division of Drinking Water
State Water Resources Control Board

Attachments:

- 1. Public Notification
- 2. Proof of Notification Form



Certified Mail No. 7004 2890 0002 0057 9799

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Instructions for Tier 2 Resolved Total Coliform Notice Template

Template Attached

Since exceeding the total coliform bacteria maximum contaminant level 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 ^(b) in public places served by the water system or on the Internet
		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 ^(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. 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-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.

Description of the Violation

Make sure that the notice is clear about the fact that the coliform problem has been resolved, and there is no current cause for concern. The description of the violation and the MCL vary depending on the number of samples you take. The following table should help you complete the second paragraph of the template.

<u>If You Take Fewer Than 40 Samples a Month</u>	<u>If You Take 40 or More Samples a Month</u>
State the number of samples testing positive for coliform. The standard is that no more than one sample per month may be positive.	State the percentage of samples testing positive for coliform. The standard is that no more than 5.0 percent of samples may test positive each month.

Corrective Action

In your notice, describe corrective actions you have taken. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- “We have increased sampling for coliform bacteria to catch the problem early if it recurs.”
- “The well and/or distribution system has been disinfected and additional samples do not show presence of coliform bacteria.”

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)].

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.

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.

[System] Has Levels of Coliform Bacteria 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 did to correct this situation.

We routinely monitor for drinking water contaminants. We took [number] samples to test for the presence of coliform bacteria during [month year]. [Number/percentage] of our samples showed the presence of total coliform bacteria. The standard is that no more than [1 sample per month/5.0 percent of samples] may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

[Describe corrective action].

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: _____

PROOF OF NOTIFICATION

As required by Section 116450 of the California Health and Safety Code, I notified all users that _____ failed the Total Coliform MCL during September 2016.

Notification was made on _____ by _____
(date)

_____ written notice.
hand delivery or posted (circle one)

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 may be liable for a civil penalty not to exceed five thousand (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 By: October 31, 2016
Failed Total Coliform MCL: September 2016
System Number: 3910018
Citation No.: 01-10-16C-013