



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

Water System No. 4900547  
Sigurd Johnsen  
End-O-Valley Mutual Water Company  
3450 Deer Trail Drive  
Santa Rosa, CA 95404

November 14, 2014

### **CITATION NO. 02-18-14C-038 TOTAL COLIFORM MONITORING AND REPORTING VIOLATION FOR SEPTEMBER 2014**

Enclosed is a Citation issued to the End-O-Valley Mutual Water Company (System) public water system.

End-O-Valley Mutual Water Company will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

End-O-Valley Mutual Water Company will receive a bill sent from our Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on End-O-Valley Mutual Water Company for the current fiscal year.

If you have any questions regarding this matter, please contact Cindi Lee of my staff at (707) 576-2422 or me at (707) 576-2006.

Sincerely,

A handwritten signature in blue ink that reads "Janice M. Thomas".

Janice M. Thomas, P.E., Sonoma District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

Enclosures

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** End-O-Valley Mutual Water Company

**Water System No:** 4900547

**To:** End-O-Valley Mutual Water Company  
3450 Deer Trail Drive  
Santa Rosa, CA 95404

**Issued:** November 14, 2014

**CITATION FOR NONCOMPLIANCE**  
**WITH TOTAL COLIFORM MONITORING AND REPORTING September**  
**2014**

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the End-O-Valley Mutual Water Company (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64423, 64423.1, and 64424.

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or

1 order issued thereunder. A copy of the *Applicable Statutes and Regulations*  
2 is located in Appendix 1, which is attached hereto and incorporated by  
3 reference.  
4

5  
6 **STATEMENT OF FACTS**

7 End-O-Valley Mutual Water Company is classified as a community water  
8 system with 39 connections serving a population of 156. The System  
9 collected a routine bacteriological sample from the upper tank on September  
10 29, 2014, as required by Sections 64422 and 64423. The result of this  
11 sample was total coliform-positive. The laboratory was told by the State  
12 Certified Operator to label this sample as “special” which means it will not be  
13 used for compliance purposes by the Division. If the sample was accepted  
14 as “special”, this means there was no routine sample collected for the month  
15 of September. The September 29, 2014 wellhead sample is not a routine  
16 sample location. Therefore, the Division is considering the “upper tank” as  
17 the routine sample instead of issuing a citation for failure to sample in  
18 September. Pursuant to Section 64424, the System is required to collect a  
19 repeat sample set within 24 hours of being notified by the laboratory of the  
20 positive result.  
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23  
24 As of the date of this citation, the Department has not received any repeat  
25 bacteriological results from the System during September 2014.  
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**DETERMINATIONS**

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2 The Division has determined that the System is in violation of Title 22, CCR,  
3 Section 64423, 64423.1, and 64424, Routine Sampling, Sample Analysis  
4 and Reporting of Results, and Repeat Sampling. Section 64423 defines a  
5 violation of the routine sampling as not collecting the minimum number of  
6 samples. Section 64423.1 defines a violation as not reporting results.  
7 Section 64423 defines a violation of the repeat sampling as not collecting  
8 the minimum number of repeat samples.  
9

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11 The System did not collect the required number of repeat bacteriological  
12 water samples during September 2014. The results, if any, were not  
13 reported. Therefore, the System violated the routine sampling, reporting,  
14 and repeat sampling in Section 64423, 64423.1, and 64424 in September  
15 2014.  
16

**DIRECTIVES**

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18  
19 End-O-Valley Mutual Water Company is hereby directed to take the  
20 following actions:  
21

- 22
- 23 1. Comply with Sections 64423, 64423.1 and 64424, Title 22, CCR in all  
24 future monitoring periods.
  - 25
  - 26 2. On or before **December 15, 2013**, notify all persons served by the  
27 System of the monitoring and reporting violation in conformance with



1 Section 64463.4 and 64465, Title 22, CCR. Appendix 2: Public  
2 Notification Template may be used to fulfill this directive.  
3

- 4 3. The Water System shall provide the following items by **December 15,**  
5 **2014:**

- 6
- 7 a) Submit a revised SWS Bacteriological and Groundwater Rule  
8 Sampling Plan (enclosed) that must show the water system has 2  
9 separate pressure zones served from the Upper Tank: Zone 1  
10 serves 2 homes and Zone 2 serves the rest of the water system.  
11 A routine sample must be collected every month from a house  
12 (provide the addresses) in Zone 1 and Zone 2 (two routine  
13 samples per month). Repeat samples must be from other homes  
14 as noted on the sampling plan. The repeat sample sets for a Zone  
15 must include 1 home from the other Zone. A Section V map as  
16 noted on Page 3 showing each sample location must be included.  
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- 18
- 19 b) Submit a revised Water Quality Emergency Notification Plan  
20 (enclosed).  
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- 22
- 23 c) Submit photos of the wellhead clearly showing a sample tap has  
24 been installed at Well 01's wellhead so raw water samples can be  
25 collected prior to chlorine injection. Provide information verifying  
26 the date this sample tap was installed.  
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4. Pursuant to Section 64424(d), Title 22, CCR, the Water System shall collect five (5) routine bacteriological samples by **November 28, 2014** from homes in each pressure zone. The results of these samples shall be submitted with the attached Compliance Certification form.

5. The System shall complete Appendix 3: Compliance Certification. Submit it together with a copy of the public notification to the Division on or before **December 22, 2013**.

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

Nothing in this Citation relieves the System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

All submittals required by this Citation shall be submitted to the Division at the following address: Janice M. Thomas, P.E.  
State Water Resources Control Board  
Division of Drinking Water  
50 D Street, Suite 200  
Santa Rosa, CA 95404

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**PARTIES BOUND**

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

**SEVERABILITY**

The directives of this Citation are severable, and the System shall comply with each provision thereof notwithstanding the effectiveness of any provision.

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**FURTHER ENFORCEMENT ACTION**

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Division to: issue additional citations with assessment of penalties if the System continues to fail to correct a violation identified in a citation; 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 orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

Janice M. Thomas

November 14, 2014

Janice M. Thomas, P.E., Sonoma District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

Date



Appendices (3):

- 1. Applicable Statutes and Regulations
- 2. Public Notification Template
- 3. Compliance Certification

Certified Mail No. 7012 2210 0002 1674 0649

**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS  
FOR CITATION NO. 02-18-14C-038**

Section 116650 of the CHSC states in relevant part:

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department 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 department 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.

California Code of Regulations (CCR), Section 64423 states in relevant part:

- (c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with Section 64424.

California Code of Regulations (CCR), Section 64423.1 states in relevant part:

- (c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month.

California Code of Regulations, Section 64424 states in relevant part:

- (a) If a routine sample is total-coliform positive, the water supplier shall collect a repeat sample set as described in paragraph (a)(1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the Department allow the collection of the repeat sample set over a four-day period.
  - (1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.

California Code of Regulations (CCR), Section 64463.4 states in relevant part:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
  - (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
    - (A) Where a Tier 1 public notice is required under section 64463.1; or
    - (B) Where the Department determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

- (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
  - (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
  - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
- (c) A water system shall deliver the notice, in a manner designed to reach person served, within the required time period as follows:
  - (1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
    - (A) Mail or direct delivery 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; and
    - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
      1. Publication in a local newspaper;
      2. Posting in conspicuous public places served by the water system, or on the Internet; or
      3. Delivery to community organizations.
  - (2) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give public notice by:
    - (A) Posting in conspicuous locations throughout the area served by the water system; and
    - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
      1. Publication in a local newspaper or newsletter distributed to customers;
      2. E-mail message to employees or students;
      3. Posting on the Internet or intranet; or
      4. Direct delivery to each customer.

California Code of Regulations (CCR), Section 64465 states in relevant part:

- (a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:
  - (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
  - (2) The date(s) of the violation or occurrence;
  - (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
  - (5) Whether alternative water supplies should be used;
  - (6) What actions consumers should take, including when they should seek medical help, if known;
  - (7) What the water system is doing to correct the violation or occurrence;
  - (8) When the water system expects to return to compliance or resolve the occurrence;
  - (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
  - (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public 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; and
  - (11) For a water system with a monitoring and testing procedure violation, this language shall be included: —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 your drinking water meets health standards. During [*compliance period dates*], we [did not monitor or test or did not complete all monitoring or testing] for [*contaminant(s)*], and therefore, cannot be sure of the quality of your drinking water during that time.
- (c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or 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. For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:
- (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.
- (d) Each public notice given pursuant to this article shall:
- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
  - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
  - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

**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.

**End-O-Valley Mutual Water Company Failed to Perform Follow up Testing for Coliform Bacteria and *E. coli* in September 2014**

Our water system failed to perform follow up testing on our drinking water during September 2014, after a routine water sample was tested and found to contain coliform bacteria. Although this is not an emergency, as our customers, you have a right to know about this violation – what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

**What happened?**

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indication of whether or not the drinking water meets health standards. During September 2014, our routine sample tested positive for coliform bacteria. No fecal coliform or *E. coli* bacteria were found. However, we failed to collect the required follow up (or repeat) samples and, therefore, we cannot be sure of the quality of our drinking water during that time period.

**What does this mean?**

Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If water is tested for coliform bacteria and it is found to be absent, the water can be considered safe from bacteria. If the water is not tested, consumption of the water may not necessarily result in illness, but that possibility exists. Routine and repeat sampling is important to periodically verify the quality of drinking water. Our failure to perform repeat sampling for coliform bacteria during September 2014 was a violation of Section 64424, Title 22 of the California Code of Regulations (CCR).

**What should I do?**

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

**What corrective actions have been taken to prevent this violation from occurring in the future?**

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

(name)

\_\_\_\_\_

(address)

\_\_\_\_\_

(phone number)

**APPENDIX 3. COMPLIANCE CERTIFICATION**

**Citation Number 02-18-14C-038**

**Name of Water System: End-O-Valley Mutual Water Company**

**System Number: 4900547**

I certify that the users of the water supplied by this water system were notified of the sampling violations of Title 22, California Code of Regulations (CCR), Sections 64423, 64423.1, and 64424 for the compliance period of September 2014 and that the following actions, as directed in 02-18-14C-038 have been completed:

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – Mail and Direct Delivery and Other Notification Methods completed.	
(Citation Directive 3) Five Bacteriological Samples Collected & Analyzed	
Completed SWS Bacteriological & GW Rule Sampling Plan	
Completed Water Quality Emergency Notification Plan	
Photos or other proof of raw water sample tap at Well 01 wellhead prior to chlorine injection	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the Public Notification posted, the laboratory results, both complete forms and proof of raw water sample tap at Well 01.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN  
DECEMBER 22, 2013**

**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states 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 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 a fine of not more than \$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.