



State Water Resources Control Board
Division of Drinking Water

January 7, 2015

System No. 5010006

David Savidge
Water Systems Manager
City of Modesto
P.O. Box 642
Modesto, CA 95353

WATERFORD WATER SYSTEM - TRANSMITTAL OF CITATION NO. 01-10-15C-003 FOR TCR
MCL FAILURE (DECEMBER 2014)

Dear Mr. Savidge:

The City of Modesto-owned Waterford Water System (No. 5010006) violated the Maximum Contaminant Level (MCL) for total coliform bacteria during the month of December 2014, as specified in the Domestic Water Quality and Monitoring Regulations, Chapter 15, Title 22, California Code of Regulations (CCR). The State Water Resources Control Board, Division of Drinking Water (Division) has issued Citation No. 01-10-15C-003, in response to this violation. The citation is being transmitted to the City 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 Tahir Mansoor of this office by email at Tahir.Mansoor@Waterboards.ca.gov or by phone at (209) 948-3879.

Sincerely,

A handwritten signature in blue ink, appearing to read "B Sahota".

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

Attachments:
Citation No. 01-10-15C-003

Certified Mail No. 7004 2890 0002 0057 9539

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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

1 violation of California Code of Regulations (CCR), Title 22, Section 64426.1
2 subsection (b)(2).

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4 **APPLICABLE AUTHORITIES**

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

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

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

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

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

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

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

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

6 (2) For a public water system which collects fewer than 40 samples per month,
7 more 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 Maximum Contaminant Level (MCL) as
15 defined in Section 64426.1.

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17 **STATEMENT OF FACTS**

18 The City of Modesto-owned Waterford Water System is operated under Water Supply
19 Permit No. 03-10-98P-008, issued on October 15, 1998.

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21 The Waterford Water System is located approximately 10 miles east of the City of
22 Modesto on Highway 132 in Stanislaus County. The water system has been owned
23 and operated by the City of Modesto since July 1995, when it was purchased from the
24 Del Este Water Company (DEWCO). The City of Modesto operates numerous other
25 water systems in and around the City of Modesto, including the City of Modesto Water
26 System.

1 The Waterford Water System serves a population of approximately 8,559 people in
2 the town of Waterford, via 2,126 service connections. The City serves the Waterford
3 area with water from six active deep groundwater wells located within the service
4 area. Waterford's groundwater supply is disinfected at each well site using sodium
5 hypochlorite solution to produce a free chlorine residual in the water. The Waterford
6 Water System does not have any storage capability at this time. The distribution
7 system is maintained as one pressure zone.

8
9 As mentioned above, the Waterford Water System serves approximately 8,559
10 permanent residents through 2,126 service connections. Based on the reported
11 population and number of service connections, the City is required to have three
12 samples examined for bacteriological quality every week from the Waterford
13 distribution system. In accordance with the Waterford Water System's Bacteriological
14 Sample Siting Plan, the City elects to collect 14 samples per month. Note that the
15 City needs to collect at least three routine total coliform samples per week. This
16 means that during a month where the sampling day falls in the fifth week, the City
17 should collect 15 samples that month. The City must update its existing
18 bacteriological sample siting plan to incorporate this change.

19
20 On December 22, 2014, the City collected four routine samples for bacteriological
21 quality from the designated sites in the distribution system. Two samples, collected
22 from 323 Fearl Drive and 230 Riverside Road, tested positive for total coliform
23 bacteria. The samples were negative for fecal coliform bacteria.

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25 On December 23, 2014, the City collected 10 repeat distribution system samples (one
26 sample each from the routine coliform positive sample location, two each from the
27 downstream, and the upstream locations). The City also collected samples from

1 Wells Nos. 242, 244, 245, 286, and 302 in accordance with the Ground Water Rule.
2 All 10 repeat distribution samples and the well samples tested negative for total
3 coliform bacteria.

4
5 Note that the City collects fewer than 40 samples per month; therefore, two positive
6 total coliform samples constitute failure of the total coliform MCL for December 2014,
7 per Section 64426.1(b)(2), Title 22, CCR.

8 9 DETERMINATION

10 The Division has determined that the Waterford Water System failed to comply with
11 the requirements of Section 64426.1(b)(2) due to the fact that the Waterford Water
12 System is in violation of the total coliform MCL because the water system collects
13 fewer than 40 samples per month, and more than one sample collected during the
14 month of December was total coliform positive. Therefore the Waterford Water
15 System is in violation of Section 64426.1, subsection (b)(2), of the California Code of
16 Regulations.

17 18 DIRECTIVES

19 The City is hereby directed to take the following actions:

- 20
- 21 1. By **January 30, 2015**, notify the consumers served by the Waterford Water
22 System of the bacteriological quality (Total Coliform Rule) failure in
23 conformance with Section 64463.4 (a)(1), Title 22, CCR. The notification
24 shall be provided in accordance with the following:
25
 - 26 a. Provide written notice of the bacteriological water quality MCL violation
27 by mail or by direct hand delivery to every customer and by publication

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of a notice in a newspaper of general circulation in the Waterford area served by the City. The notice shall be published and delivered once, no later than the above mentioned date.

This notification shall be given in English. In addition, if the Waterford Water System serves a large proportion of other non-English speaking consumers, notices must contain some information in the appropriate language(s) on the importance of the notice as provided in the Division's guidance for the Consumer Confidence Report (CCR).

- b. The contents of the notice, including the mandatory language, shall be approved by the Division prior to publication and delivery.
- c. Within ten (10) days following publication and delivery of the notice, the City shall submit to the Division a copy of the notification including certification of its publication and delivery.

2. By **January 30, 2015**, perform an investigation to determine the cause of possible significant rise in bacterial count in the Waterford's distribution system during the month of December 2014. A report of the investigation shall also be prepared in accordance with Section 64426(b)(2), Title 22, CCR, and submitted to the Division by the above date. The City shall use the enclosed form (Investigation Report for Bacteriological MCL Failure) to meet this requirement.

