CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

July 7, 2015
Certified Mail/Return
7012 3460 0003 1113 1267

Los Molinos CSD
P.O. Box 9
Los Molinos, CA 96055

Attention: James Lowden, General Manager

Subject: Los Molinos CSD, Public Water System No. 5210003 – Compliance Order No. 21-15R-02 for Exceedance of the Arsenic Maximum Contaminant Level.

Dear James Lowden,

Enclosed is an amended Compliance Order for arsenic that was originally issued to the Los Molinos CSD on January 2, 2009. The amended Order is being issued because a return to compliance date for the maximum contaminant level had not been set. Please read this Order carefully, paying special attention to the directives therein.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

R. Crenshaw

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Los Molinos CSD
Attn: James Lowden, General Manager
P.O. Box 9
Los Molinos, CA 96055

AMENDED COMPLIANCE ORDER FOR NONCOMPLIANCE OF THE ARSENIC MAXIMUM CONTAMINANT LEVEL

COMPLIANCE ORDER NO. 21-15R-002

Los Molinos CSD

System No. 5210003

Issued: July 7, 2015

Section 116655 of Chapter 4 of Part 12 of Division 104 of the California Health and Safety Code (H&S Code) authorizes the issuance of a compliance order for failure to comply with a requirement of the California Safe Drinking Water Act or any regulation, standard, permit, or order issued 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, hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to Los Molinos CSD for violation of CHSC section 116655(a)(1) and title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

APPLICABLE AUTHORITIES

Section 116555 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:*
>
> *(1) Complies with primary and secondary drinking water standards.*
>
> *(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 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.

Section 64431 of the CCR states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A:
(Specifically, Table 64431- A indicates a MCL for Arsenic of 0.010 mg/L)

Section 64432 (i) of the CCR states in relevant part:

1. *Compliance with the MCLs shall be determined by a running annual average* (RAA)*; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation.*

STATEMENT OF FACTS

The Los Molinos CSD water system (hereinafter, "System") is a community water system located in Tehama County that supplies water for domestic purposes to approximately 1500 people. The System utilizes Well No. 4 (Stanford Well) as one of its sources of domestic water. Beginning in 2002 to the present, arsenic levels from Well No. 4 have averaged 11.5 ppb, ranging from 10.0 ppb to 13.0 ppb.

As shown in the most recent quarterly results in the table below, Well No. 4 continues to produce water that exceeds the arsenic MCL.

Sample Quarter	Well No. 2
3rd Quarter of 2014	11.0 ppb
4th Quarter of 2014	11.0 ppb
1st Quarter of 2015	12.0 ppb
2nd Quarter of 2015	10.0 ppb
RAA	**11.0 ppb**

As a result of this violation, the System was issued Compliance Order No. 01-21-09(O)52001 in January of 2009.

While the System has made progress towards compliance with the original compliance order, it does not contain a return to compliance date.

DETERMINATIONS

Based on the above Statement of Facts, The Division has determined that the System continues to violate Section 116555 of the CHSC, and Sections 64431 and 64432 of the CCR, in that the water produced by System's Well No. 4 continues to exceed the arsenic MCL.

DIRECTIVES

This compliance order amends the above referenced compliance order as provided by the following directives:

1. On or before July 7, 2018, comply with the maximum contaminant levels specified in Sections 64431 and 64432 of the California Code of Regulations.

2. On or before July 31, 2015, and every three months thereafter, submit a quarterly progress report to the Division in the form provided as attachment 'A'.

3. Until such time that the System is in compliance with the maximum contaminant level for arsenic, the System shall continue to provide public notification to all consumers once each calendar quarter, at approximately 90-day intervals that notify consumers that the domestic water exceeds the arsenic maximum contaminant level. The System shall submit a copy of the quarterly notification and certification that it has been distributed to water users to the Division by no later than the tenth day of the month following the month the notification was distributed.

All submittals required by this Order shall be addressed to:

Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field Operations
Division of Drinking Water
State Water Resources Control Board
364 Knollcrest Drive, Suite 101
Redding, CA 96002
(530) 224-4800

Nothing in this Order relieves the System of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

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.

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 regulation, permit, standard, citation, 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 or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

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

SEVERABILITY

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

Richard L. Hinrichs, P.E., Chief
Northern California Section
State Water Resources Control Board
Division of Drinking Water

7/7/2015
Date

Attachments:

'A' Quarterly Progress Report

Attachment A

Quarterly Progress Report

Water System: **Los Molinos CSD**	Water System No.: **5210003**
Compliance Order No. **01_21_15R_001_5210003_02**	Violation: **Arsenic MCL Exceedance**
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by water system personnel with appropriate authority to implement the directives of the Compliance Order. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Valley District Office.

Summary of progress in the reporting quarter:

Anticipated compliance date (no later than July 7, 2018) :_____

_____ Name

_____ Signature

_____ Title

_____ Date