

7011 2000 0000 5036 4694

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Postage	\$ 1.61
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 7.61</b>

03-24-14C-027  
TS

Postmark  
Here

Sent To SCOTT FOSTER - Grumpy Bears

Street, Apt. No.,  
or PO Box No. P.O. Box 85

City, State, ZIP+4  
Inyokern, CA 93527

PS Form 3800, August 2006 See Reverse for Instructions

**FILE COPY  
MAILED**  
01-23-15 (TH)  
 **SCANNED**



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

January 21, 2015  
System No.: 5403089

Mr. Scott Foster  
Grumpy Bears  
P.O. Box 85  
Inyokern, CA 93527

RE: Citation No. 03-24-14C-028  
Violation of Title 22, California Code of Regulations, Section 64423.1(c),  
For Third Quarter 2014

Dear Mr. Foster:

Enclosed is a Citation issued to the Grumpy Bears (Water System) public water system.

The Water System will be billed at the Division's hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specific 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.

The Water System will receive a bill sent from the 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 Grumpy Bears for the current fiscal year.

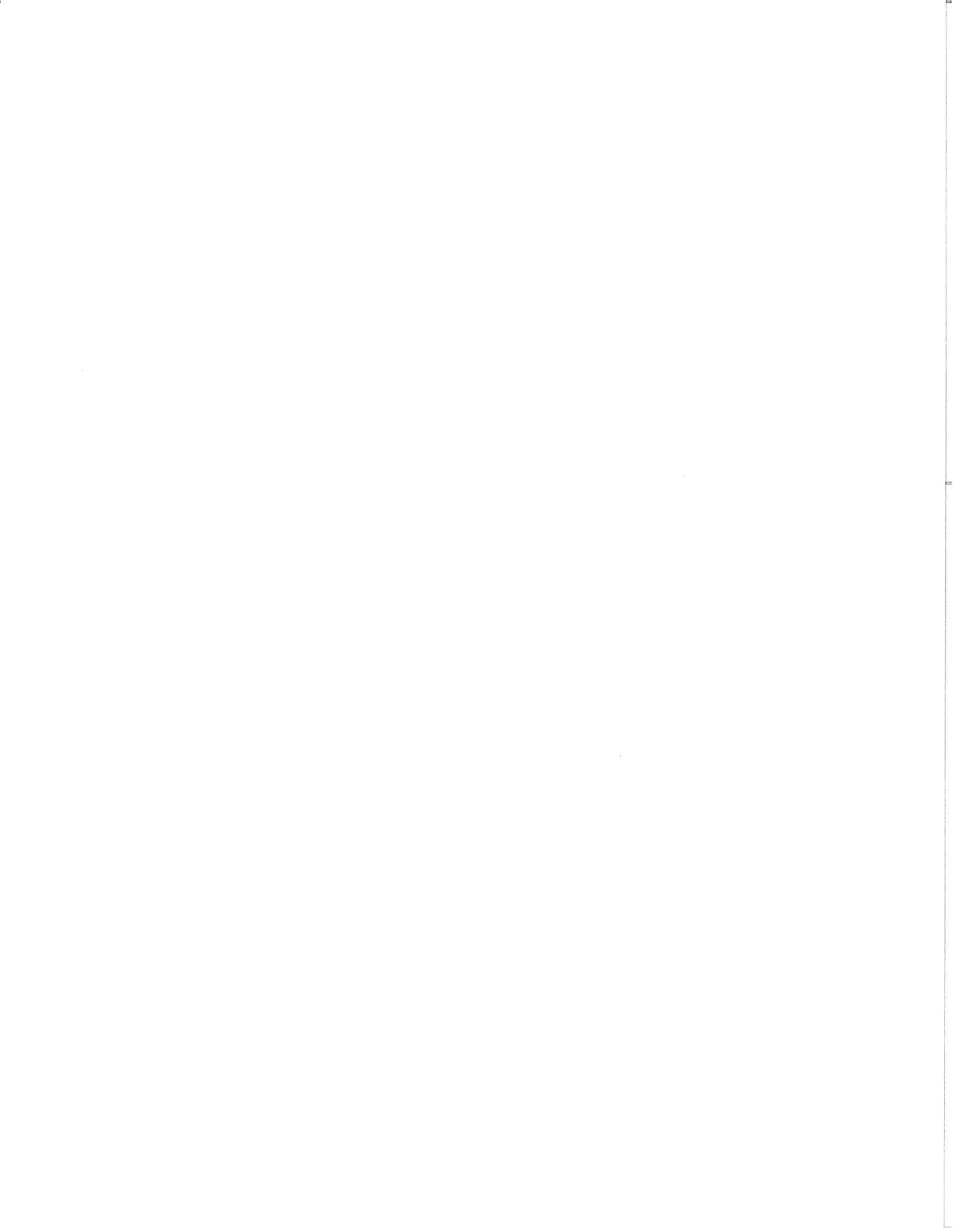
If you have any questions regarding this letter and the enclosed citation, please contact the Tulare District office at (559) 447-3300.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Fischer".

Chad Fischer, P.E.  
Senior Sanitary Engineer, Tulare District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

CJF/TS  
Enclosures  
cc: Tulare County Environmental Health Department



1 APPLICABLE AUTHORITIES

2 The applicable statutes and regulations are provided in Appendix A, attached hereto and  
3 incorporated by reference.  
4

5 STATEMENT OF FACTS

6 The Water System is a Transient non-community water system serving a population of  
7 approximately 52 persons through one service connections. The Bacteriological Distribution  
8 Monitoring Report for the 3<sup>rd</sup> quarter of 2014 is summarized in Attachment A.  
9

10 Section 64423.1(c) specifies that the analytical results of all required samples collected for a  
11 system in a calendar month shall be reported to the Division not later than the tenth day of the  
12 following month. Furthermore, Section 64423.1(c)(2) requires systems serving fewer than  
13 10,000 service connections or 33,000 persons to instruct the laboratory to submit copies of all  
14 required bacteriological monitoring results directly to the Division.  
15

16 The Division issued Enforcement Letter No. 03-12-14E-023 on August 26, 2014, to the Water  
17 System for failure to submit any bacteriological monitoring results for the 2<sup>nd</sup> quarter of 2014.  
18

19 As of the date of this Citation, the Division has not received copies of any bacteriological  
20 monitoring results from either the Water System or the laboratory for the 3<sup>rd</sup> quarter of 2014. As  
21 such, the Division is unable to confirm that the Water System collected the required number of  
22 samples, as required by Section 64423, during the 3<sup>rd</sup> quarter of 2014.  
23

24 The above violation is classified as a non-continuing violation.  
25  
26  
27

- 1 2. The Water System must collect a routine bacteriological sample from the distribution system  
2 by February 20, 2015. The results must be submitted to our Division by November 28,  
3 2014.
- 4
- 5 3. On or before February 20, 2015, notify all persons served by the Water System of the TCR  
6 M&R violation by utilizing the Tier 2 Public Notice for violations of Section 64426.1. Public  
7 notice shall be given pursuant to Sections 64463.4 [lists method, time frame and delivery]  
8 and 64465 [content & format]. The Water System shall use the public notification template  
9 appended as Attachment B to fulfill the public notification requirements. Section 64463.4  
10 allows nontransient noncommunity water systems to give public notice by posting the notice  
11 in conspicuous locations throughout the area served by the water system and by the use of  
12 one or more of the following methods in order to reach persons not likely to be reached by a  
13 public posting: publication in a local newspaper or newsletter distributed to customers, e-  
14 mailing the public notice to water system customers, post the public notice on the internet,  
15 or by delivery to each customer. The Water System shall post the notice in conspicuous  
16 locations throughout the area served by the water system.
- 17
- 18 4. Within 10 days of receipt of this Citation, the Water System shall provide to the Division  
19 certification of public notification using the enclosed Proof of Notification form (Attachment  
20 C). A copy of the final notice that was posted shall also be submitted to the Division with the  
21 proof of notification form.
- 22
- 23 5. The Water System shall also require their contracting laboratory to submit copies of all  
24 required bacteriological monitoring results directly to the Division pursuant to Section  
25 64423.1(c)(2).
- 26
- 27

shall not be less than one sample in each calendar quarter during which the system provides water to the public.

(5) The minimum number of samples for transient-noncommunity water systems using approved surface water shall be based on the population served as shown in Table 64423-A. A system using groundwater under the direct influence of surface water shall begin monitoring at this frequency by the end of the sixth month after the Department has designated the source to be approved surface water.

(6) A public water system shall collect samples at regular time intervals throughout the month, except that a system using groundwater which serves 4,900 persons or fewer may collect all required samples on a single day if they are taken from different sites.

(b) In addition to the minimum sampling requirements, all water suppliers using approved surface water which do not practice treatment in compliance with Sections 64650 through 64666, shall collect a minimum of one sample before or at the first service connection each day during which the turbidity level of the water delivered to the system exceeds 1 NTU. The sample shall be collected within 24 hours of the exceedance and shall be analyzed for total coliforms. If the water supplier is unable to collect and/or analyze the sample within the 24-hour time period because of extenuating circumstances beyond its control, the supplier shall notify the Department within the 24-hour time period and may request an extension. Sample results shall be included in determining compliance with the MCL for total coliforms in §64426.1.

(c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with §64424 and comply with the reporting requirements specified in Sections 64426 and 64426.1.

**Section 64423.1 of Title 22, California Code of Regulations (CCR) states in relevant part:**  
§64423.1. Sample Analysis and Reporting of Results.

(a) The water supplier shall designate (label) each sample as routine, repeat, replacement, or —otherll pursuant to §64421(b), and have each sample analyzed for total coliforms. The supplier also shall require the laboratory to analyze the same sample for fecal coliforms or Escherichia coli (E. coli) whenever the presence of total coliforms is indicated. As a minimum, the analytical results shall be reported in terms of the presence or absence of total or fecal coliforms, or E. coli in the sample, whichever is appropriate.

(b) The water supplier shall require the laboratory to notify the supplier within 24 hours, whenever the presence of total coliforms, fecal coliforms or E. coli is demonstrated in a sample or a sample is invalidated due to interference problems, pursuant to §64425(b), and shall ensure that a contact person is available to receive these analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the Department of any positive bacteriological results if the laboratory cannot make direct contact with the designated contact person within 24 hours.

(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, as follows:

(1) The water supplier shall submit a monthly summary of the bacteriological monitoring results to the Department.

(2) For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the Department.

(3) For systems serving more than 10,000 service connections, or 33,000 persons, the water supplier shall require the laboratory to submit copies of bacteriological

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 the 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.

**Section 64465. of Title 22, California Code of Regulations (CCR) states in relevant part:**  
 §64465. Public Notice Content and Format.

- (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."

.....

# Bacteriological Distribution Monitoring Report

**5403089 Grumpy Bears**

*Distribution System Freq: 1/Q*

<i>Sample Date</i>	<i>Location</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Type</i>	<i>CI2</i>	<i>CI2 Avg</i>	<i>Viol. Type</i>	<i>GWR Satisfied?</i>	<i>Comments</i>
9/1/2014	No Sample								MR2		Citation 03-24-14C-028

### *Violation Key*

MCL	Exceeds the maximum contaminant level	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR1	No monthly sample for the report month	MR6	No source sample
MR2	No quarterly sample for the report month	MR7	No summary report submitted
MR3	Incorrect number of routine samples for the report month	MR8	Other comments and/or info
MR4	Did not collect 5 routine samples for previous month's positive sample	MR9	CI2 not reported

**PROOF OF NOTIFICATION**  
(Return with copy of the Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Grumpy Bears** of the failure to meet the **monitoring and reporting requirement for coliform bacteria monitoring for the third quarter of 2014** as directed by the Division. At least one primary distribution method is required along with a second method in order to reach persons not likely to be reached by a mailing, direct delivery or posting:

Notification was made on \_\_\_\_\_  
(date)

To summarize report delivery used and good-faith efforts taken, please check all items below that apply and fill-in where appropriate:

- The notice was distributed by mail delivery to each customer served by the water system.
- The notice was distributed by direct delivery to each customer served by the water system. Specify direct delivery method(s) used: \_\_\_\_\_
- Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).
- Posted the notice at the following conspicuous locations served by the water system (if needed, please attach a list of locations). \_\_\_\_\_
- Email message to employees or students. \_\_\_\_\_
- Other method used to notify customers. \_\_\_\_\_

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 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 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.

Certified by Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Due to the Division of Drinking Water within 10 days of notification to the public  
Total Coliform Monitoring and Reporting non-compliance  
Enforcement Action No.: 03-24-14C-028