

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

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IN RE: Sundale Mutual Water Company
P.O. Box 6708
Lancaster, CA 93539

TO: Ms. Vanessa Carrier, General Manager
Sundale Mutual Water Company

CITATION FOR NONCOMPLIANCE - WATER SYSTEM NO. 1900563

CITATION NO. 04_07_15C_002

Issued on April 15, 2015

Section 116650 of Chapter 4, Part 12, Division 104 of the California Health and Safety Code (hereinafter, H&S Code) authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

The Division of Drinking Water of the State Water Resources Control Board (hereinafter, Division) hereby issues a citation to Sundale Mutual Water Company (hereinafter, Sundale) for the failure to comply with Sections 64421(a)(2), 64421(a)(3), 64423.1(c), Title 22, California Code of Regulations.

APPLICABLE AUTHORITIES

Section 116650 of the H&S Code provides:

116650. Citations

- (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 Division 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*

1 *that a violation continues to occur. A separate penalty may be assessed for each*
2 *violation.*

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4 Title 22, California Code of Regulations, Sections 64421(a)(2), 64421(a)(3), and
5 64423.1(c) states in relevant part:

6
7 Sections 64421(a)(2) & 64421(a)(3)

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9 (a) *Each water supplier shall:*

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11 (2) *Collect routine, repeat and replacement samples as required in Sections*
12 *64423, 64424, and 64425;*

13
14 (3) *Have all samples analyzed by laboratories approved to perform those*
15 *analyses by the Department and report the results as required in Section 64426.*

16
17 Section 64423.1(c)

18
19 (c) *Analytical results of all required samples collected for a system in a calendar*
20 *month shall be reported to the Department not later than the tenth day of the*
21 *following month, as follows:*

22
23 (1) *The water supplier shall submit a monthly summary of the bacteriological*
24 *monitoring results to the Department.*

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

4 **STATEMENT OF FACTS**

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 6 Background

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 9 Sundale operates a small community water system in northeastern Los Angeles
 10 County, near the border between Los Angeles County and Kern County. Sundale
 11 serves 1,050 persons through 324 service connections. Sundale operates its water
 12 system under the authority of a Domestic Water Supply Permit, which was issued by
 13 the Division on March 8, 2012. Sundale's water system consists of two non-
 14 contiguous pressure zones (designated as Zone A and Zone B) that have no physical
 15 connection between them and operate independently of each other. Each pressure
 16 zone consists of two groundwater wells, two water storage reservoirs, and
 17 accompanying distribution system pipes for the delivery of the produced groundwater.
 18 Sundale has no physical connection to any outside water system. Pursuant to Table
 19 64423-A of Section 64423, Title 22, California Code of Regulations, Sundale is
 20 required to collect a minimum of one total coliform monitoring sample from each
 21 pressure zone on a monthly basis.

22
 23 Summary of Event

24
 25 January 2015

26 In January 2015, Sundale did not collect and analyze its required routine monitoring
 27 samples for total coliform. Each month, Sundale is required to collect a minimum of

1 one routine sample from Pressure Zone A and one routine sample from Pressure
2 Zone B, and have these samples analyzed for the presence of total coliform by a
3 certified drinking water laboratory.

4
5 The Division has determined that these routine monitoring samples were not collected
6 based on the fact that no laboratory sample results were submitted to the Division for
7 the monitoring period of January 2015.

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9 **DETERMINATIONS**

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11 The Division has determined that Sundale did not comply with Sections 64421(a)(2),
12 64421(a)(3), 64423.1(c) of Title 22, California Code of Regulations for not collecting its
13 required routine samples for the monitoring period of January 2015 and having these
14 samples analyzed for the presence of total coliform.

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16 **DIRECTIVES**

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18 Sundale is hereby directed to take the following actions:

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- 20 1. Sundale shall ensure that all monthly routine coliform samples are collected,
21 delivered, analyzed, and reported in a timely manner. Sundale shall develop
22 internal procedures to ensure that these requirements will be met on a monthly
23 basis. This should include, but not be limited to, obtaining a copy of the chain-of-
24 custody as samples are delivered to its laboratory and ensuring that staff collecting
25 samples are training on the procedure document. Sundale shall provide the
26 Division with its procedure document for review and comment.

27

1 2. Under the Public Notification Requirements, the January 2015 total coliform
2 monitoring violation is classified as a Tier 3 Violation. Within one year of receiving
3 this citation, Sundale shall complete the public notification and inform persons
4 served by the Sundale water system. Sundale shall deliver the notice to each
5 customer receiving a bill by mail or direct delivery. A template for the Tier 3 public
6 notice is attached (Attachment 1). Public notification may also be accomplished by
7 using the annual report, also known as the Consumer Confidence Report
8 (pursuant to Section 64463.7(b)(3)). Whether the public notification is provided by
9 using the template or the Consumer Confidence Report, the content of the notice
10 shall be approved by the Department prior to issuance. A copy of the notification
11 shall be submitted to the Division within 10 days of issuance of the Tier 3 public
12 notice, along with the enclosed proof of notification form (Attachment 2).

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

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18 Nothing in this Citation relieves Sundale of its obligation to meet the requirements of
19 H&S Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or
20 any regulation, permit, standard or order issued or adopted thereunder.

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1 All submittals required by this Citation shall be submitted to the Division at the
2 following address:

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Paul Williams, P.E.
District Engineer, Hollywood District
State Water Resources Control Board
Division of Drinking Water
500 N. Central Avenue, Suite 500
Glendale, CA 91203

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11 **PARTIES BOUND**

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13 This Citation shall apply and be binding upon Sundale, its officers, managers, agents,
14 employees, contractors, successors and assignees.

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16 **SEVERABILITY**

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18 The directives of this citation are severable, and Sundale shall comply with each and
19 every provision thereof notwithstanding the effectiveness of any provision.

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21 **FURTHER ENFORCEMENT ACTION**

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23 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the H&S Code
24 authorizes the Division to issue additional citations with assessment of penalties if a
25 public water system continues to fail to correct a violation identified in a citation; take
26 action to suspend or revoke a permit that has been issued to a public water system if
27 the system has violated applicable law or regulations or has failed to comply with

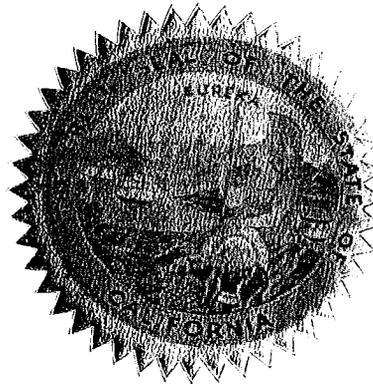
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orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. By issuance of this citation, the Division does not waive any right to take further enforcement action against Sundale, including but not limited to the assessment of civil penalties as authorized by law.

Apr 15, 2015
Date



Paul Williams, P.E.
District Engineer
Hollywood District
Drinking Water Field Operations Branch



- 20 Attachments (1): Tier 3 Public Notification Template
- 21 (2): Proof of Notification Certification Form

23 BY CERTIFIED MAIL NO. 7014 2870 0001 2130 1243

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Tier 3 Public Notification Template

Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [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 [64463.7(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(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, insertion in an annual notice, or included in the Consumer Confidence Report¹. 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 standard language for monitoring and testing

¹ CCR may be used as long as public notification timing, content, and delivery requirements are met [64463.7(d)].

procedure violations and notification language in italics unchanged. This language is mandatory [64465].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs ^(a)	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system 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.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- “We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.”
- “We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]”
- “We plan to take the required samples soon, as described in the last column of the table above.”

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 DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

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.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

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.

Monitoring Requirements Not Met for [System]

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was 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 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 our 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 our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
	[number] sample every [number][time interval]			

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being 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 Public Notification Certification Form

PROOF OF NOTIFICATION

Name of Water System: **Sundale Mutual Water Company**

System Number: 1900563

**Certification of Notification for
Monitoring and Reporting Violation**

As required by *California Code of Regulations*, Title 22, Section 64463.7, I notified the users of the water supplied by Sundale Mutual Water Company of the violation of Sections 64421(a)(2), 64421(a)(3), and 64423.1(c) of, Title 22, *California Code of Regulations*. I complied with the requirement to conduct public notification as indicated below:

<u>Required Action (indicate all that were used)</u>	<u>Date Completed</u>
Public Notification – Hand Delivery	<input type="text"/>
Public Notification - Mail Delivery	<input type="text"/>
Public Notification – Continuous Posting	<input type="text"/>
Public Notification - Consumer Confidence Report	<input type="text"/>
Public Notification - Other method Specify other method used: <hr/>	<input type="text"/>

Signature of Water System Representative

Date

ATTACH A COPY OF THE NOTICE USED.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION