CALIFORNIA
Water Boards

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SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

September 19, 2018

System No. 1000277

Miguel Torres, Supervisor
Elm Court
2975 E. Belmont
Fresno, CA 93701

CITATION NO. 03-23-18C-087
1,2,3-TRICHLOROPROPANE (1,2,3-TCP) MONITORING VIOLATION
FOR FIRST AND SECOND QUARTERS OF 2018

Enclosed is Citation No. 03-23-18C-087 (hereinafter "Citation"), issued to the Elm Court (hereinafter "Water System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Elm Court will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Elm Court will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued <u>under authority delegated to an officer or employee of the State Water Board</u> under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact our office at 559-447-3300.

Sincerely,

José A. Robledo, P.E.
Senior Water Resource Control Engineer
Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7016 3010 0000 0446 2307

Citation No. 03-23-18C-087

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Elm Court

Water System No: 1000277

Attention: Miguel Torres, Supervisor

2975 E. Belmont

Fresno, CA 93701

Issued: September 19, 2018

CITATION FOR NONCOMPLIANCE

CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64445

FAILURE TO CONDUCT INITIAL MONITORING FOR

1,2,3-TRICHLOROPROPANE

FIRST AND SECOND QUARTERS

2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the

California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 03-23-18C-087 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Elm Court (hereinafter "Water System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64445.

A copy of the applicable statutes and regulations is included in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Water System is classified as a community public water system with a population of 64, serving 12 connections.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants, specific treatment techniques, and monitoring and reporting requirements as specified in regulations adopted by the State Water Board.

CCR, Title 22, Section 64445(b) requires the water system to initiate quarterly monitoring for any chemical added to table 64444-A in January after the effective date of the maximum contaminant level.

Effective December 14, 2017, all community and nontransient noncommunity public water systems were required to monitor their active sources for 1,2,3-trichloropropane (hereinafter "1,2,3-TCP"), and report all sampling results to the State Water Board beginning with the first quarter of 2018 (January 1 to March 31, 2018). Initial monitoring to determine compliance with the 1,2,3-TCP maximum contaminant level (hereinafter "MCL") for 1,2,3-TCP consists of four quarterly samples beginning with the first calendar quarter of 2018.

The Water System received a Notice of Violation dated May 17, 2018 for failure to collect and monitor sample(s) for 1,2,3-TCP during the first quarter of 2018.

The State Water Board's electronic water quality database shows that 1,2,3-TCP sampling results have not been submitted for the well(s) listed below for the first and second quarters of 2018.

Primary Station Code	Source Name
001	Well 01

DETERMINATION

The State Water Board has determined that the Water System has failed to comply with the CHSC, Section 116555(a)(1) and initial organic chemical monitoring requirements pursuant to CCR, Title 22, Section 64445.

DIRECTIVES

The Water System is hereby directed to take the following actions:

1. By **September 30, 2018,** collect 1,2,3-TCP sample(s) from the raw water source(s) listed in the table below and submit them to an appropriately accredited laboratory for analysis by a State Water Board-approved method. The analytical result(s) of the sample(s) must be submitted electronically to the State Water Board, by the laboratory that conducts the analysis, no later than the tenth day of the month following completion of the analyses. The Water System must collect at least four (4) quarterly samples from each source listed in the table to remain in compliance with the initial monitoring requirements for 1,2,3-TCP. The Water System must submit proper PS codes to the laboratory with the samples collected.

Primary Station Code	Source Name
001	Well 01

2. By **October 31, 2018**, notify all persons served by the Water System of the violation of CCR, Title 22, Section 64445, in conformance with Sections 64463.4 and 64465. Copies of Sections 64463.4 and 64465 are included in Appendix 1. Appendix 2: Notification Template must be used to fulfill this Directive unless otherwise approved by the State Water Board. The notification must be completed in accordance with the following:
   - By mail or direct delivery of the Public Notification to each customer served by the Water System and;

- By one of the following secondary methods to reach persons not likely to be reached by mail or direct delivery;

  - By publication in a local newspaper, by delivery to community organizations or by posting in conspicuous public places served by the Water System or on the internet. If the Water System opts to issue the notice via internet website, the public notice must remain posted for a minimum of seven (7) consecutive days.

3. Complete Appendix 3: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 2 to the State Water Board by **October 31, 2018.**

4. Include this violation in the 2018 Consumer Confidence Report in accordance with CCR, Title 22, Section 64481(g)(1).

5. By **October 31, 2018**, submit a monitoring plan for 1,2,3-TCP monitoring for all sources listed in Directive 1 that meets initial monitoring requirements per CCR, Title 22, Section 64445. The monitoring plan must include four consecutive quarters of 1,2,3-TCP monitoring.

6. By **October 31, 2018** complete and return to the State Water Board the "Notification of Receipt" form attached to this Citation as Appendix [Appendix 4]. Completion of this form confirms that the Water System has received this Citation and understands that it contains legally enforceable directives(s) with due dates.

All submittals required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation must include the following information: Water System name and number, citation number and title of the document being submitted.

Dwpdist23@waterboards.ca.gov

The State Water Board reserves the right to make 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 Water System of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

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

SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order 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 State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

9/19/18

José A. Robledo, P.E.
Senior Water Resource Control Engineer
Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Date

Appendices [4]:

1. Applicable Statutes and Regulations
2. Notification Template
3. Compliance Certification Form
4. Notification of Receipt Form

Certified Mail No. 7016 3010 0000 0446 2307