CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 10, 2019

System No. 1000406

Samuel Xiong, Assistant Pastor
Fresno Hmong Alliance Church
8234 E. Belmont
Fresno, CA 93737

CITATION NO. 03-23-19C-003
FAILURE TO SUBMIT THE 2017 ANNUAL REPORT TO THE DRINKING WATER PROGRAM

Enclosed is Citation No. 03-23-19C-003 (hereinafter "Citation"), issued to the Fresno Hmong Alliance Church (hereinafter "Water System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Water System 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 Water System 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 Water 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.

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. 7018 0040 0000 3159 8862

Citation No. 03-23-19C-003

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Fresno Hmong Alliance Church

Water System No: 1000406

Attention: Samuel Xiong, Assistant Pastor
8234 E. Belmont
Fresno, CA 93737

Issued: January 10, 2019

CITATION FOR NONCOMPLIANCE

CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 104, PART 12

CHAPTER 4, ARTICLE 7, SECTION 116530

FAILURE TO SUBMIT 2017 ANNUAL REPORT VIOLATION

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.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10924

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. 03-23-19C-003 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Fresno Hmong Alliance Church (hereinafter "Water System"), for violation of CHSC, Division 104, Part 12, Chapter 4, Article 7, Section 116530.

Applicable statutes and regulations can be found at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html

STATEMENT OF FACTS

The Water System is classified as a transient noncommunity public water system with a population of 55, serving 5 connections.

Pursuant to Section 116530 of the CHSC, the Water System must submit a technical report to the State Water Board when requested. The State Water Board has established a requirement for public water systems to annually submit a technical report specifying contact and operational information for the prior calendar year. On March 17, 2017, the State Water Board sent to all public water systems an email notification that the Annual Report for Calendar Year 2017 was due to be submitted by June 1, 2018. This notice also included instructions on how to submit the report electronically to the State Water Board. The Water System failed to submit the report by the due date. On June 28, 2018, the State Water Board sent a notice to the Water System that its 2017 Annual Report was past due. As of the date of this Citation, the State Water Board has not received the report from the Water System.

DETERMINATION

The Water System has failed to submit an electronic Annual Report for the Calendar year 2017. Consequently, the State Water Board has determined that the Water System violated CHSC, Division 104, Part 12, Chapter 4, Article 7, Section 116530.

DIRECTIVES

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

1. By **February 28, 2019** complete an Annual Report for 2017 and submit it to the State Water Board at http://drinc.ca.gov/ear in accordance with the instructions provided in the notice contained in Appendix 2.

All submittals required by this Citation, with the exception of the 2017 Annual Report, shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation shall 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 deemed 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 of 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 other 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.

1/10/2019

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

Date

Appendices [1]:

1. 2017 Annual Report Notification

Certified Mail No. 7018 0040 0000 3159 8862