CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

April 14, 2017
System No. 1502221

Mr. Frank Ohnesorgen, Superintendent
Pond School Water System
29585 Pond Road
Pond, CA 93280

RE: Citation No. 03_12_17C_012
Lead and Copper Rule Monitoring and Reporting Violation
For 2016 Calendar Year

Dear Mr. Ohnesorgen:

Enclosed is a Citation issued to the Pond School Water System (hereinafter "Water System") public water system.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Board") hourly rate (currently estimated at ($161.00) for the time spent on issuing this citation. California Health and Safety Code, Section 116577, provides that a public water system must reimburse the State Board for actual costs incurred by the State Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. The Water System will receive a bill sent from the State 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 an order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code section 116625) or Article 9 (commencing with Health and Safety Code section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the order or decision. Appendix 1 to the enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code section 116701.

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received 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 Eli McFarland of my staff at (559) 447-7101 or me at (559) 447-3300.

Sincerely,

Tricia A. Wathen

Tricia A. Wathen, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

TAW/LR
Enclosures
Certified Mail No. 7016 2070 0000 4896 3629
cc: Kern County Environmental Health Department
McMor Chlorination, Inc., 6734 Charity Ave., Bay #8, Bakersfield, CA 93308

Citation No. 03_12_17C_012

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Pond School Water System

Water System No: 1502221

Attention: Mr. Ohnesorgen, Superintendent
29585 Pond Road
Pond, CA 93280

Issued: April 14, 2017

CITATION FOR NONCOMPLIANCE

LEAD AND COPPER RULE MONITORING AND REPORTING VIOLATION

CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64675 AND 64690.10

2016 Calendar Year

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Board") to issue a citation to a public water system when the State 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 Board, acting by and through its Division of Drinking Water and the Deputy Director for the Division (hereinafter "Division"), hereby issues this citation pursuant to Section 116650 of the CHSC to the Pond School Water System (hereinafter "Water System") for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (CCR), Title 22, Sections 64675 and 64690.10.

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

STATEMENT OF FACTS

The Water System is classified as a nontransient noncommunity water system with a population of 253 persons served through 2 connections.

The Water System is required to maintain a monitoring program for lead and copper levels at the consumers' tap. The number of tap sample sites required for the Water System is based on the population served and whether the Water System is on a standard or reduced monitoring frequency. The reduced triennial monitoring frequency for the Water System is five (5) lead and copper samples due in the 2016 calendar year. The Division has not received any data to date to indicate that the 2016 calendar year monitoring was done.

The analytical results must be reported to the Division by the 10th day of the month following the month in which the analyses were completed, along with the Lead and Copper Rule Sampling Report (Form 141-AR) with copies the data. A summary of your system monitoring is provided in Appendix 2.

DETERMINATION

The Division has determined that the Water System has failed to comply with the Lead and Copper Rule's monitoring and reporting requirements pursuant to CCR, Title 22, Sections 64675 and 64690.10.

DIRECTIVES

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

1. Comply with CCR, Title 22, Section 64675 in all future monitoring periods.

2. On or before **July 1, 2017**, notify all persons served by the Water System of the violation of Sections 64675 and 64690.10, in conformance with Sections 64463.7(b)&(c) and 64465. Copies of Sections 64463.7 and 64465 are included in Appendix 1. The Water System may utilize the 2016 Consumer Confidence Report to meet the requirement of notification within a one year period.

3. In addition to the required information for the Consumer Confidence Report, the Water System shall include the following language in the Consumer Confidence Report: "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 the 2016 calendar year, we did not complete all monitoring or testing for lead and copper sampling in the distribution system and therefore, cannot be sure of the quality of your drinking water during that time."

4. Complete Appendix 3: Compliance Certification Form. Submit it together with a copy of the public notification required by directive 2 to the Division on or before **July 10, 2017.**

5. The Water System shall ensure that their lead and copper monitoring program is maintained in accordance with the Lead and Copper Rule and that the analytical results are reported to the Division no later than the 10th day of the month following completion of the analyses, along with the Lead and Copper Rule Sampling Report (Form 141-AR) attached as Appendix 4.

6. The Water System shall collect the 2017 Lead and Copper samples between June 1, 2017 and September 30, 2017 and ensure that school is in session when the samples are collected. The sample results shall be submitted and reported to the Division by **July 31, 2017.**

All submittals required by this Citation shall be electronically submitted to the Division at the following address. The subject line for all electronic submittals corresponding to this citation shall include the following information: Water System number and name, citation number and title of the document being submitted.

Tricia A. Wathen, P.E., Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water, Visalia District
265 W. Bullard Ave, Suite 101
Fresno, CA 93704
Dwpdist12@waterboards.ca.gov

The State Board 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.

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 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 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 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 Board. The State Board does not waive any further enforcement action by issuance of this Citation.

Tricia Wathen

Tricia Wathen, P.E.
Senior Sanitary Engineer, Visalia District
DRINKING WATER FIELD OPERATIONS BRANCH

April 14, 2017
Date

Appendices (4):
1. Applicable Statutes and Regulations
2. Individual system lead and copper report
3. Compliance Certification Form
4. Lead and Copper Sampling Report (Form 141-AR)

Certified Mail No. 7016 2070 0000 4896 3629

APPENDIX 1. Applicable Statutes and Regulations for Citation No. 03_12_17C_012 Lead and Copper Rule Monitoring and Reporting Violation

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

(1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).

(2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.

(3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.

(4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).

(5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.

(6) Chapter 7 (commencing with Section 116975).

(7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).

(8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).

(9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.

(10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).

(11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).

(12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

(k) (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.

(2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116555 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.

(2) Will not be subject to backflow under normal operating conditions.

(3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116650 states in relevant part:
(a) If the state board 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 state board 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 state board 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 that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

Section 116701. Petitions to Orders and Decisions states
(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.
(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.
(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.
(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.
(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.
(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.

California Code of Regulations, Title 22 (CCR):

Article 1. General Requirements and Definitions

Section 64670. Lead and Copper General Requirements states:
(a) Unless otherwise indicated, the requirements in this chapter apply to community water systems and nontransient-noncommunity water systems (hereinafter referred to as "water systems" or "systems").
(b) An action level exceedance shall not constitute a violation of this chapter.
(c) Analyses for lead, copper, pH, conductivity, calcium, alkalinity, orthophosphate, silica, and temperature shall be conducted using the methods prescribed at 40 Code of Federal Regulations, Section 141.89 [Federal Register (FR) 56 (110), 26460-26564, June 7, 1991; amended July 15, 1991 (56 FR 32113), June 29, 1992 (57 FR 28786), June 30, 1994 (59 FR 33860), and January 12, 2000 (65 FR 1250)]. Field tests shall be performed by water treatment or distribution operators certified by the Department pursuant to Section 106875 of the Health and Safety Code or by personnel trained to perform these tests by the Department, a certified laboratory, or certified operator.
(d) A new water system shall initiate compliance with this chapter within six months of distributing water to consumers. An existing system that changes size pursuant to the definitions in sections 64671.30, 64671.40 and 64671.70, shall initiate compliance with the requirements of this chapter applicable to the new size within six months.

Section 64671.30. Large Water System states:
"Large water system", for the purpose of this chapter only, means a water system that serves more than 50,000 persons.

Section 64671.40. Medium-size Water System states:
"Medium-size water system", for the purpose of this chapter only, means a water system that serves greater than 3,300 and less than or equal to 50,000 persons.

Section 64671.70. Small Water System states:
"Small water system", for the purpose of this chapter only, means a water system that serves 3,300 persons or fewer.

Article 2. Requirements According to System Size

Section 64673. Small and Medium-size Water System Requirements states:
(a) The requirements in this section are applicable to all small and medium-size water systems.
(b) Each small and medium-size system shall conduct standard tap sampling for lead and copper pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper). Tap sampling frequency may be reduced pursuant to section 64675.5 (Tap Sampling Frequency).
(c) A small or medium-size system with an action level exceedance shall take the following steps:
(1) Monitor WQPs beginning with the first period after the exceedance, pursuant to section 64681 (Initial WQP Monitoring).
(2) Proceed with subparagraphs (A) through (E) if a corrosion control study is required by the Department based on a review of the system's water quality, distribution system, water treatment, and system features. If such a study is required, the Department will notify the system in writing within 12 months of the action level exceedance.
(A) Complete the study, pursuant to section 64683 (Corrosion Control Study Procedure), within eighteen months of being notified of the requirement; the system will be notified of the Department's designation within six months of the study's completion;
(B) Begin installation of the CCT designated by the Department, pursuant to section 64684 (CCT Installation and Operation), within twelve months of being notified of the Department's designation;
(C) Complete CCT installation and begin operation within 24 months of the designation;
(D) Complete two periods of standard tap sampling pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) and two periods of WQP monitoring pursuant to section 64682 (WQP Monitoring After CCT Installation) within 36 months of the designation; and
(E) Monitor WQPs and operate in compliance with the WQP levels specified by the Department pursuant to section 64684 (CCT Installation and Operation), beginning no later than within 42 months of the designation.
(3) If the Department does not require a corrosion control study, the system shall submit to the Department, within six months of the action level exceedance, a written recommendation for CCT. The Department may require the system to conduct additional WQP monitoring to assist in the review of the CCT recommendation. The Department will designate CCT and notify the system in writing within the following timeframes; the system shall then comply with paragraphs (2)(B) through (E):
(A) For medium-size systems, within 12 months of the exceedance, and
(B) For small-size systems, within 18 months of the exceedance;
(4) Monitor source waters, pursuant to article 6 (Source Water Requirements for Action Level Exceedances) of this chapter;

(d) A small or medium-size system with an action level exceedance for lead shall:
(1) Complete a lead public education program, pursuant to article 7 (Public Education Program for Lead Action Level Exceedances) of this chapter; and
(2) Replace lead service lines, pursuant to article 8 (Lead Service Line Requirements for Action Level Exceedances) of this chapter.

(e) A small or medium-size system that is required to comply with subsections (c) or (d) may cease completing the steps whenever the system does not have an action level exceedance during each of two consecutive periods. If any such system thereafter has an exceedance during any period, the system shall:
(1) Resume completion of the applicable steps, beginning with the first step that was not previously completed. The Department may require a system to repeat steps previously completed if the Department determines that this is necessary to implement the requirements of this section, based on a review of the system's data and treatment status.
(2) Resume standard tap sampling pursuant to 64675 (General Requirements for Tap Sampling for Lead and Copper).
(3) Conduct WQP monitoring during the period in which the system exceeded the action level, pursuant to section 64682, (WQP Monitoring After CCT Installation) or 64684 (CCT Installation and Operation).

Article 3. Monitoring for Lead and Copper

Section 64675. General Requirements for Tap Sampling for Lead and Copper states:
(a) During each period, each system shall conduct standard tap sampling by collecting one sample from the number of sites based on the number of people served specified in table 64675-A under Standard Tap Sampling.
(b) During each period, each system conducting reduced tap sampling shall collect at least one sample from the number of sites based on the number of people served specified in table 64675-A under Reduced Tap Sampling, as follows:
(1) The sites shall be representative of the sites required for standard tap sampling.

(2) The samples shall be collected during the months of June, July, August, or September, unless the Department approves an alternate set of four months based on a review of the system's operations and lead and copper data, in which case the system shall initiate sampling during the alternate set of four months when directed in writing to do so by the Department, as follows:

(A) No later than 21 months after the previous period, if sampling annually, or

(B) No later than 45 months after the previous period, if sampling triennially.

Table 64675-A
Lead and Copper Tap Sampling Sites

System Size	Standard Tap Sampling	Reduced Tap Sampling
	(Minimum Number of Sites)	
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
<101	5	5

(c) Sample sites shall be selected pursuant to section 64676 (Sample Site Selection).

Section 64675.5. Tap Sampling Frequency states:

(a) A system shall conduct standard tap sampling for two consecutive periods; thereafter, tap sampling frequency may be reduced pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) as follows:

(1) If a system has 90th percentile levels that do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper for two consecutive periods, it may reduce the sampling to once every three years at the reduced number of sites;

(2) For systems that do not meet the criteria in paragraph (1), after two consecutive periods with no action level exceedance, the frequency may be reduced to annually at the reduced number of sites, if the system receives written approval from the Department based on its review of the system's data. After sampling for three years (including the initial sampling year) with no action level exceedance, the frequency may be reduced to once every three years at the reduced number of sites, if the system receives written approval from the Department.

(b) If a system demonstrates for two consecutive periods that the difference between the 90th percentile tap sampling lead level and the highest source water monitoring result for each period is less than the reporting level for purposes of reporting (DLR), pursuant to subsections 64678(a), (b), and (c) or that the source water lead levels are below the method detection level of 0.001 mg/L and the 90th percentile lead level is equal to or less than the DLR for each period, the system shall conduct tap sampling once every three years.

Section 64463.7. Tier 3 Public Notice states:

(a) Each water system shall give public notice pursuant to this section if any of the following occurs:

(1) Monitoring violations;

(2) Failure to comply with a testing procedure, except where a Tier 1 public notice is required pursuant to section 64463.1 or the State Board determines that a Tier 2 public notice is required pursuant to section 64463.4; or

(3) Operation under a variance or exemption.

(b) Each water system shall give the public notice within one year after it learns of the violation or begins operating under a variance or exemption.

(1) The water system shall repeat the public notice annually for as long as the violation, variance, exemption, or other occurrence continues.

(2) Posted public notices shall remain in place for as long as the violation, variance, exemption, or other occurrence continues, but in no case less than seven days.

(3) Instead of individual Tier 3 public notices, a water system may use an annual report detailing all violations and occurrences for the previous twelve months, as long as the water system meets the frequency requirements specified in this subsection.

(c) Each water system shall deliver the notice in a manner designed to reach persons served within the required time period, as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by

(A) Mail or direct delivery 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; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
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 State Board 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 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.

(d) Community and nontransient-noncommunity water systems may use the Consumer Confidence Report pursuant to sections 64480 through 64483, to meet the initial and repeat Tier 3 public notice requirements in subsection 64463.7(b), as long as the Report meets the following:

(1) Is given no later than one year after the water system learns of the violation or occurrence;

(2) Includes the content specified in section 64465; and

(3) Is distributed pursuant to paragraph (b)(1) and (2) or subsection (c).

Section 64465. Public Notice Content and Format states:

(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."

(b) A Tier 3 public notice for a water system operating under a variance or exemption shall include the elements in this subsection. If a water system has violated its variance or exemption conditions, the public notice shall also include the elements in subsection (a).

(1) An explanation of the reasons for the variance or exemption;

(2) The date on which the variance or exemption was issued;

(3) A brief status report on the steps the water system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and

(4) A notice of any opportunity for public input in the review of the variance or exemption.

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(1) For a Tier 1 public notice:

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

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

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or
2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and

(3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

(1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;

(2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and

(3) Not contain language that minimizes or contradicts the information being given in the public notice.

Appendix 64465-D. Health Effects Language – Inorganic Contaminants states in relevant part:

Contaminant	Health Effects Language
Lead	Infants and children who drink water containing lead in excess of the action level may experience delays in their physical or mental development. Children may show slight deficits in attention span and learning abilities. Adults who drink this water over many years may develop kidney problems or high blood pressure.
Copper	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time may experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years may suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.

Section 64469 (Reporting Requirements) states in relevant part:

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

Section 64481 (Content of the Consumer Confidence Report) states in relevant part:

(g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

(1) Monitoring and reporting of compliance data.

Individual System Lead and Copper Rule Tracking Report

1502221 **POND SCHOOL WATER SYSTEM** Pop: **300** Eng:

Lead Action Level: 0.015 mg/L
Copper Action Level: 1.3 mg/L

Sample Date Begin/(End)	Monitoring Period	Sample Set ID	Number Required	Number Sampled	Lead 90th % (mg/L)	Copper 90th % (mg/L)	Action Taken	Action Type	Next Due Date	Next Due Freq	Comments
(1/11/1994)	YR1994						EL	PWS-94-NOV-607	9/15/1994	1st 6	*EPA sent Notice of Violation for not conducting Pb & Cu monitoring.*
(9/1/1994)	6M2ND-1994	1st 6	10	5	0.0043	0.812				2nd 6	
(12/19/2002)	6M2ND-2002	1st 6	10	10	0.0	0.0			6/30/2003	2nd 6	
(6/17/2003)	6M1ST-2003	2nd 6	20	10	0.0	0.0			9/30/2006	T1	
(6/7/2005)	3Y2003-2005	T1	5	5	0.0025	0.0			9/30/2008	T2	
(6/27/2008)	3Y2006-2008	T2	5	5	0.0032	0.0165			9/30/2011	T3	
(8/6/2012)	3Y2010-2012	T3	5	5	0.011	0.0045			9/30/2015	T4	
(10/23/2013)	3Y2011-2013	T4	5	5	0.0	0.0			9/30/2016	T5	*Sampled 2 years early*

Legend:

Cit: Citation
EL: Enforcement letter

1st 6: 1st initial 6-mo. round of monitoring
2nd 6: 2nd initial 6-mo. round of monitoring

A1: 1st Annual monitoring
A2: 2nd Annual monitoring

T1: 1st Triennial (3 yr) monitoring
T2: 2nd Triennial (3 yr) monitoring
T3: 3rd Triennial (3 yr) monitoring

4/12/2017

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number: 03_12_17C_012

Name of Water System: Pond School Water System

System Number: 1502221

Certification

I certify that the users of the water supplied by this water system were notified of the Lead and Copper Rule monitoring and reporting violation of California Code of Regulations, Title 22, Sections 64675 and 64690.10 for the compliance period of **2016 Calendar Year** and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method(s) Used: Included in the 2016 Consumer Confidence report	

Signature of Water System Representative

Date

Attach a copy of the public notice or Consumer Confidence Report distributed to the water system's customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE BOARD, DIVISION OF DRINKING WATER, NO LATER THAN July 10, 2017

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars ($5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than $25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

APPENDIX 4. LEAD AND COPPER SAMPLING REPORT

Form 141-AR

LEAD AND COPPER RULE SAMPLING REPORT

System's Name:_____

Address:_____
_____
_____

Telephone Number:_____

System ID Number:_____

Contact Person:_____

Type: ☐ CWS ☐ NTNCWS

Size: ☐ >100,000
☐ 50,001 to 100,000
☐ 10,001 to 50,000
☐ 3,301 to 10,000
☐ 501 to 3,300
☐ 101 to 500
☐ ≤ 100

Sample Date(s):_____

SAMPLE SITE IDENTIFICATION

Number of sample sites in each category:

- Single-family structures with copper pipes with lead solder installed after 1982; or lead pipes; or lead service lines. _____
- Multi-family structures with copper pipes with lead solder installed after 1982; or lead pipes; or lead service lines. _____
- Buildings containing copper pipes with lead solder installed after 1982; or lead pipes; or lead service lines. _____
- Single family structures with copper pipes with lead solder installed before 1983. _____

Total: _____

Number of lead service lines present in the distribution system: _____

Number of samples collected from sites served by lead service lines: _____

The following sources have been explored to determine the number of structures that have interior lead pipe or copper pipe with lead solder:

- ☐ Plumbing and/or building codes
- ☐ Plumbing and/or building permits
- ☐ Contacts with the building department, municipal clerk's office, or state regulatory agencies.
- ☐ Water quality data
- ☐ Interviews with building inspectors
- ☐ Survey of service area plumbers about when and where lead solder was used from 1982 to present
- ☐ Survey of residents
- ☐ Interviews with local contractors & developers

The following sources have been explored to determine the number of lead service lines in the distribution system:

- ☐ Distribution system maps and record drawings
- ☐ Capital improvement plans and/or master plans for distribution system development
- ☐ Standard operating procedures and/or operation & maintenance manuals for the types of materials used for service connections
- ☐ Utility records including meter installations, customer complaint investigations
- ☐ Water quality data
- ☐ Interviews with senior personnel
- ☐ Conduct service line sampling where lead service lines are suspected to exist
- ☐ Review of permit files
- ☐ Survey of residents
- ☐ Interviews with local pipe supplies, contractors and/or developers

RESULTS OF SAMPLING

Results of Lead And Copper Tap Water Samples: (*Attach copy of all results to this form.*)

Number of tap samples required:_____ 90th Percentile Lead level:_____mg/L

Number of tap samples collected & submitted:_____ 90th Percentile Copper level:_____mg/L

Results of Water Quality Parameter (WQP) Samples: (*Complete only if system is required to collect WQP samples.*)

Number of WQP samples required to be collected: _____

Number of WQP samples collected & submitted: _____

Number of WQP entry point samples required to be collected: _____

Number of WQP entry point samples collected and submitted _____

CERTIFICATION OF COLLECTION METHODS

I certify that:

- Each first draw tap sample for lead and copper is one liter in volume and has stood motionless in plumbing system of each sampling site for at least six hours.
- Each first draw sample collected from a single-family residence has been collected from the cold water kitchen tap or bathroom sink tap.
- Each first draw sample collected from a non-residential building has been collected at an interior tap from which water is typically drawn for consumption.
- Each first draw sample collected during an annual or triennial monitoring period has been collected in months of June, July, August, or September.
- Each resident who volunteered to collect tap water samples from his or her home has been properly instructed in the proper methods for collecting lead and copper samples. I do not challenge the accuracy of those sampling results.
- Enclosed is a copy of the material distributed to residents explaining the proper collection methods, and a list of the residents who performed sampling.

CHANGE OF SAMPLING SITES

Original site address: _____

New site address: _____

Distance between sites (approximately): _____

Targeting Criteria: New Site: ☐ Tier 1 ☐ Tier 2 ☐ Tier 3 Old Site: ☐ Tier 1 ☐ Tier 2 ☐ Tier 3

Reason for sample site change:

_____

_____

SIGNATURE: _____ **DATE:** _____

_____ _____

Print Name Title