CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

May 12, 2017
System No.: 1503657

Mr. Ken Richins, Support Services Manager
Kimberlina Housing Unit
15443 Beech Avenue
Wasco, CA 93280

RE: CITATION NO. 03_12_17C_019
Violation of Domestic Water Supply Permit Conditions and Nitrate Treatment Technique
FOR November, December 2016 and February 2017

Dear Mr. Richins:

Enclosed is a Citation issued to the Kimberlina Housing Unit public water system (hereinafter "Water System").

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Board") hourly rate 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. At this time, the State Board has spent approximately 1.5 hour(s) on enforcement activities associated with this violation.

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 contract Cristina Knudsen of my staff at (559) 447-3317 or me at (559) 447-3398.

Sincerely,

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

TAW/CK
Enclosures
Certified Mail No. 7016 2070 0000 4896 3353
cc:
Mr. Dennis Gatson, McMor Chlorination Inc., 6734 Charity Avenue., Bay #8, Bakersfield, CA 93308
Kern County Environmental Health Department

Citation No. 03_12_17C_019

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Kimberlina Housing Unit

Water System No: 1503657

Attention: Mr. Ken Richins, Support Services Manager
15443 Beech Avenue
Wasco, CA 93280

Issued:

CITATION FOR NONCOMPLIANCE

FOR VIOLATION OF CONDITIONS OF

DOMESTIC WATER SUPPLY PERMIT NO. 03-19-12P-023 AND

FOR NITRATE TREATMENT TECHNIQUE

May 12, 2017

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 (hereinafter "Division") and the Deputy Director for the Division, hereby issues this citation pursuant to Section 116650 of the CHSC to the Kimberlina Housing Unit water system (hereinafter "Water System") for violation of Section 64431, 64432 and 64432.1 of Title 22, California Code of Regulations (hereinafter "CCR"). Specifically, the Water System failed to comply with monitoring and compliance requirements and the primary standard for Nitrate (post-treatment) during the months of November, December 2016 and February 2017.

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, owned by Farmland Reserve, Inc. is classified as a Transient Noncommunity water system with a population of eleven, serving eight residential service connections. Residents are employees of South Valley Farms, owned by Farmland Reserve, Inc. The population can fluctuate during the year, reaching above 25 people for five months during the year. The Water System operates under Domestic Water Supply Permit 03-19-12P-023 (hereinafter "Permit"), issued by the Division on October 10, 2013. This permit has been amended one (1) time since that issuance. Permit Amendment No. 03-12-16PA-011 (hereinafter "Permit Amendment") was issued on September 8, 2016, and is the most recent amendment.

The Water System's source of supply is groundwater provided by a single well, Well 01. Well 01 serves as a supply for both domestic and irrigation purposes. From the well, water is pumped into a 5,000-gallon raw water storage tank, which stores water for both domestic and irrigational purposes. Domestic water is treated to reduce the concentrations of nitrate via ion exchange and dibromochloropropane (DBCP) via granulated activated carbon (GAC). Immediately downstream of treatment, water is disinfected with sodium hypochlorite. Finished water is stored

in a 10,000-gallon storage tank and is boosted into the distribution system via a 1,000-gallon pressure tank.

The treatment facility consists of two parallel treatment trains (East and West), each comprised of two ion exchange vessels followed by two GAC vessels. The two ion exchange vessels operate in a lead/lag configuration. Only one treatment train runs at a given time. The Water System is required to provide weekly nitrate field test results at two locations: following combined nitrate/DBCP treatment and at the finished storage tank effluent. These tests are to be summarized in a monthly Record of Operation Log (herein "operations log") and submitted to the Division by the 10th day of the following month.

The Water System's submitted monthly operations log do not indicate where the nitrate field reading is collected, does not provide the quantity of water treated prior to taking a vessel out of service and replacing it, nor does it include a summary of laboratory nitrate sample results of the raw water and treated water (post combined treatment and at the finished storage tank effluent). Operator signatures are also missing from the monthly operations log. The Water System's monthly reports submitted to the Division are considered incomplete, and must be filled out with more detailed information about the treatment plant operation, and monitoring and reporting data.

In January 2015, regulatory oversight of the Water System transferred to the Visalia District office. Since 2015, there have been three (3) nitrate samples that have resulted in a concentration greater than the maximum contaminant level (herein "MCL") of 10 mg/L post-treatment. By regulation, the Water System is required to notify the Division whenever a sample result exceeds an MCL. However, the Division was not contacted by the Water System about these sample results. The treatment technique failures are summarized in Table 1 below:

Table 1: Nitrate Treatment MCL Violation Dates

Date	Nitrate as N Field Reading (in mg/L)	Nitrate as N Combined Treatment (in mg/L)	Nitrate as N Storage Tank-Effluent (in mg/L)
11/28/16	2.8	11	11
12/07/16	4.1	12	12
12/28/16	4.2	10	5.7
02/01/17	5.7	12	12

A comparison of field nitrate readings obtained from the monthly operations log versus the associated nitrate laboratory sample result show a discrepancy in the nitrate concentration. The nitrate laboratory sample results are greater than the field sample readings. Only one follow-up sample was collected following an exceedance during December 2016. However, the nitrate sample was collected only after the operator switched operation from the East treatment train to West treatment train, according to the Water System's monthly operations log.

According to the Operations Plan on file, when the lead ion exchange vessel exceeds 10 mg/L (as N), the lead vessel is removed, and the lag vessel moves into the lead position. A new vessel is then added to the treatment train, as the lag vessel. The plan also indicates that the exhausted treatment vessel is taken offsite by a licensed contractor for regeneration or media replacement. The monthly operations log includes when treatment trains are changed, however does not indicate when a treatment vessel is removed and replaced. According to the monthly operations log, treatment trains are switched even at low nitrate field readings. An explanation why treatment trains are being switched should be provided in the monthly operations log.

DETERMINATION

CCR, Title 22, Section 64431 specifies that public water systems shall comply with the primary MCLs as specified. The MCL for Nitrate (as N) is 10 mg/L. The Water System has installed treatment for the groundwater source that exceeds the nitrate MCL; however it is not being operated properly. To comply with Section 64431, 64432.1 of the CCR, the Water System must provide effective treatment to ensure that water meeting the nitrate MCL is delivered to the

customers. The Water System does not appear to be operating the treatment trains effectively to optimize treatment.

Section 64432.1(a) states that a water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL. The water supplier shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to notify the Division of any acute nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. In addition, within 24 hours of notification, the water supplier shall collect another sample.

The Water System is required to notify its consumers whenever there is a failure to comply with the nitrate MCL. Public notification for violations of Sections 64431 and 64432.1 of the CCR is included in Appendix 1. Proof of Public Notification (Appendix 3) must be submitted to the Division within ten (10) days of disseminating Attachment A. The Water System must either mail or hand-deliver the notice to all of its customers.

DIRECTIVES

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

1. The Water System shall submit a written report to the Division by **June 15, 2017**, describing:
   (a) the cause of the failure to provide water that meets the nitrate MCL, and any corrective actions taken, and
   (b) any necessary operational changes that will be made to prevent future treatment failures.

2. The Water System shall notify the Division no later than by the end of the next business day or within 24 hours when the laboratory sample of nitrate on any given day is above the nitrate (as N) MCL of 10 mg/L (as N).

3. The Water System shall provide public notification to all customers by mail or hand-delivery by **June 7, 2017**, informing them that the water did not meet the nitrate MCL during the months of November, December 2016 and February 2017. The public notification is included in Attachment A.

4. The Water System shall provide proof of publication of the notification to the Division by **June 7, 2017**. A copy of this form is included as Attachment B.

5. The Water System needs to provide an updated Nitrate Treatment Operations Plan along with a revised Operation of Records Log template by **July 1, 2017**. The Plan should include new procedures to ensure the Water System consistently meets the nitrate MCL.

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 name and number, 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.

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

May 12, 2017
Date

TAW/CNK

Appendices (4):

1. Applicable Statutes and Regulations
2. Notification Template / Public Notice for Nitrate Exceedance
3. Proof of Notification Form / Compliance Certification Form
4. Historical Treated Nitrate Results

Certified Mail No. 7016 2070 0000 4896 3353

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 03_12_17C_019

MONITORING AND COMPLIANCE- INORGANIC CHEMICALS TREATED NITRATE MAXIMUM CONTAMINANT LEVEL

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):

Section 64431. Maximum Contaminant Levels--Inorganic Chemicals states
Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article. California Code of Regulations, Title 22 (CCR) as noted in the Directives:

Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

Chemical	*Maximum Contaminant Level, mg/L*
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010

Mercury	0.002
Nickel	0.1
Nitrate (as nitrogen)	10.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006

Section 64432. Monitoring and Compliance--Inorganic Chemicals.

(a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1. All community and nontransient-noncommunity water systems shall monitor to determine compliance with the perchlorate MCL, pursuant to subsections (d), (e), and (l), and section 64432.3. All community and nontransient-noncommunity water systems shall also monitor to determine compliance with the other MCLs in table 64431-A, pursuant to subsections (b) through (n) and, for asbestos, section 64432.2. Monitoring shall be conducted in the year designated by the State Board of each compliance period beginning with the compliance period starting January 1, 1993.

(b) Unless directed otherwise by the State Board, each community and nontransient-noncommunity water system shall initiate monitoring for an inorganic chemical within six months following the effective date of the regulation establishing the MCL for the chemical and the addition of the chemical to table 64431-A.

(1) If otherwise performed in accordance with this section, groundwater monitoring for an inorganic chemical performed no more than two years prior to the effective date of the regulation establishing the MCL may be used to satisfy the requirement for initiating monitoring within six months following such effective date.

(2) For routine monitoring required in subsection (c), chromium monitoring may be used in lieu of hexavalent chromium monitoring if the chromium results are less than the chromium DLR set forth in table 64432-A.

(c) Unless more frequent monitoring is required pursuant to this Chapter, the frequency of monitoring for the inorganic chemicals listed in table 64431-A, except for asbestos, nitrate/nitrite, and perchlorate, shall be as follows:

(1) Each compliance period, all community and nontransient-noncommunity systems using groundwater shall monitor once during the year designated by the State Board. The State Board will designate the year based on historical monitoring frequency and laboratory capacity. All community and nontransient-noncommunity systems using approved surface water shall monitor annually. All systems monitoring at distribution entry points which have combined surface and groundwater sources shall monitor annually.

(2) Quarterly samples shall be collected and analyzed for any chemical if analyses of such samples indicate a continuous or persistent trend toward higher levels of that chemical, based on an evaluation of previous data.

(d) For the purposes of sections 64432, 64432.1, 64432.2, and 64432.3, detection shall be defined by the detection limits for purposes of reporting (DLRs) in table 64432-A.

Table 64432-A
Detection Limits for Purposes of Reporting (DLRs) for Regulated Inorganic Chemicals

Chemical	*Detection Limit for Purposes of Reporting (DLR) (mg/L)*
Aluminum	0.05
Antimony	0.006
Arsenic	0.002
Asbestos	0.2 MFL>10um*
Barium	0.1
Beryllium	0.001
Cadmium	0.001
Chromium	0.01
Cyanide	0.1
Fluoride	0.1
Hexavalent chromium	0.001
Mercury	0.001
Nickel	0.01
Nitrate (as nitrogen)	0.4
Nitrite (as nitrogen)	0.4
Perchlorate	0.004
Selenium	0.005
Thallium	0.001

* MFL=million fibers per liter; DLR for fibers exceeding 10 um in length.

(e) Samples shall be collected from each water source or a supplier may collect a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment. The system shall collect each sample at the same sampling site, unless a change is approved by the State Board.
(f) A water system may request approval from the State Board to composite samples from up to five sampling sites, provided that the number of sites to be composited is less than the ratio of the MCL to the DLR. Approval will be based on a review of three years of historical data, well construction and aquifer information for groundwater, and intake location, similarity of sources, and watershed characteristics for surface water. Compositing shall be done in the laboratory.

(1) Systems serving more than 3,300 persons shall composite only from sampling sites within a single system. Systems serving 3,300 persons or less may composite among different systems up to the 5-sample limit.
(2) If any inorganic chemical is detected in the composite sample at a level equal to or greater than one fifth of the MCL, a follow-up sample shall be analyzed within 14 days from each sampling site included in the composite for the contaminants which exceeded the one-fifth-MCL level. If available, duplicates of the original sample taken from each sampling site used in the composite may be used instead of resampling; the analytical results shall be reported within 14 days. The water supplier may collect up to two additional samples each from one or more of the sources to confirm the result(s).
(3) Compliance for each site shall be determined on the basis of the individual follow-up samples, or on the average of the follow-up and confirmation sample(s) if the supplier collects confirmation sample(s) for each detection.

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

(1) Inform the State Board within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or
(2) Inform the State Board within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the State Board within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

(h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the State Board and resample as confirmation. The water supplier shall notify the State Board of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).

(1) If the average concentration of the original and confirmation sample(s) is less than or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in the quarter following the quarter in which the exceedance occurred.
(2) If the average concentration of the original and confirmation sample(s) exceeds ten times the MCL, the water supplier shall, if directed by the State Board;
(A) Immediately discontinue use of the contaminated water source; and
(B) Not return the source to service without written approval from the State Board.

(i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.
(j) If a system using groundwater has collected a minimum of two quarterly samples or a system using approved surface water has collected a minimum of four quarterly samples and the sample results have been below the MCL, the system may apply to the State Board for a reduction in monitoring frequency.
(k) Water quality data collected prior to January 1, 1990, and/or data collected in a manner inconsistent with this section shall not be used in the determination of compliance with the monitoring requirements for inorganic chemicals.
(l) Water quality data collected in compliance with the monitoring requirements of this section by a wholesaler providing water to a public water system shall be acceptable for use by that system for compliance with the monitoring requirements of this section.
(m) A water system may apply to the State Board for a waiver from the monitoring frequencies specified in subsection (c)(1), if the system has conducted at least three rounds of monitoring (three periods for groundwater sources or three years for approved surface water sources) and all previous analytical results are less than the MCL. The water system shall specify the basis for its request. If granted a waiver, a system shall collect a minimum of one sample per source while the waiver is in effect and the term of the waiver shall not exceed one compliance cycle (i.e., nine years).
(n) A water system may be eligible for a waiver from the monitoring frequencies for cyanide specified in subsection (c)(1) without any prior monitoring if it is able to document that it is not vulnerable to cyanide contamination pursuant to the requirements in §64445(d)(1) or (d)(2).
(o) Transient-noncommunity water systems shall monitor for the inorganic chemicals in table 64431-A as follows:

(1) All sources shall be monitored at least once for fluoride; and
(2) Surface water sources for parks and other facilities with an average daily population use of more than 1,000 people and/or which are determined to be subject to potential contamination based on a sanitary survey shall be monitored at the same frequency as community water systems.

Section 64432.1 Monitoring and Compliance--Nitrate and Nitrite.

(a) To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems using groundwater and transient-noncommunity systems using approved surface water shall monitor annually, and all community and nontransient-noncommunity systems using approved surface water shall monitor quarterly.

(1) The water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Board of any acute nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. Within 24 hours of notification, the water supplier shall:

(A) Collect another sample, and

(B) Analyze the new sample; if the average of the two nitrate sample results exceeds the MCL, report the result to the State Board within 24 hours. If the average does not exceed the MCL, inform the State Board of the results within seven days from the receipt of the original analysis.

(C) If a system is unable to resample within 24 hours, it shall notify the consumers by issuing a Tier 1 Public Notice pursuant to section 64463.1 and shall collect and analyze a confirmation sample within two weeks of notification of the results of the first sample.

(2) For public water systems using groundwater, the repeat monitoring frequency shall be quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than the MCL, a system may request that the State Board reduce monitoring frequency to annual sampling.

(3) For public water systems using approved surface water, the repeat monitoring frequency shall be quarterly following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than 50 percent of the MCL, a system may request that the State Board reduce monitoring frequency to annual sampling. A system using approved surface water shall return to quarterly monitoring if any one sample is greater than or equal to 50 percent of the MCL.

(4) After any round of quarterly sampling is completed, each community and nontransient-noncommunity system which initiates annual monitoring shall take subsequent samples during the quarter which previously resulted in the highest analytical results.

(b) All public water systems shall monitor to determine compliance with the MCL for nitrite in Table 64431-A, by taking one sample at each sampling site during the compliance period beginning January 1, 1993.

(1) If the level of nitrite in a single sample is greater than the MCL, the water supplier shall proceed as for nitrate in accordance with paragraph (a)(1) of this section.

(2) The repeat monitoring frequency for systems with an analytical result for nitrite that is greater than or equal to 50 percent of the MCL shall be quarterly monitoring for at least one year. After four consecutive quarterly samples are less than the MCL, a system may request that the State Board reduce monitoring frequency to annual sampling, collecting subsequent samples during the quarter which previously resulted in the highest analytical results.

3) The repeat monitoring frequency for systems with an analytical result for nitrite that is less than 50 percent of the MCL shall be one sample during each compliance period (every three years).

(c) All public water systems shall determine compliance with the MCL for nitrate plus nitrite in Table 64431-A. If the level exceeds the MCL, the water supplier shall proceed as for nitrate in accordance with paragraphs (a)(1) through (a)(4) of this section.

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number: 03_12_17C_019

Name of Water System: Kimberlina Housing Unit Water System

System Number: 1503657

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological violation of California Code of Regulations, Title 22, Section 64426.1 for the compliance period of [Compliance Month Year] and the required actions listed below were completed.

Required Action	Date Completed
*(Citation Directive 2) Public Notification Method(s) Used:*_____	

_____

Signature of Water System Representative Date

Attach a copy of the public notice distributed to the water system's customers with a copy of the certification form.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE BOARD, DIVISION OF DRINKING WATER, NO LATER THAN [Certification Due Date]

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.