CALIFORNIA
Water Boards

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ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

February 24, 2017

Phillip Seamount, President
Aerial Acres Water Company, Inc.
18130 Ave. B
North Edwards, CA 93523

RE: Failure to Conduct Triennial Lead and Copper Tap Sampling in 2016 – Aerial Acres Water Company, Inc., Water System No. 1500405
Citation No. 03_19_17C_003

Dear Mr. Seamount:

The State Water Resources Control Board (hereinafter State Board), Division of Drinking Water has issued Citation No. 03_19_17C_003, for failure to comply with the provisions of the California Health & Safety Code and Title 22, California Code of Regulations. Specifically, the Aerial Acres Water Company Water System (hereinafter Water System) failed to conduct triennial lead and copper tap sampling which was due between June and September 2016. The citation is **enclosed**. **By Directive No. 3 of the Citation, the Water System is required to conduct the triennial lead and copper tap sampling (consisting of 5 samples) between June 1, 2017 and June 30, 2017.** Failure to comply will result in additional enforcement action by the State Board, including assessment of a civil penalty.

The California Safe Drinking Water Act, Section 116577, provides for the State Board to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, the Water System has been billed for the preparation and issuance of this citation. The State Board's current billing rate for enforcement activities is $161 per hour. The hourly rate is subject to review and change upon approval. You will receive a bill for these costs following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact our office at (661) 335-7315 or via email at dwpdist19@waterboards.ca.gov.

Sincerely,

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer, Tehachapi District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosure: Citation No. 03_19_17C_003

CC: Kern County Dept. of Public Health, Env. Health Services Department (w/out enclosure)
Phillip Seamount, Aerial Acres Water Company, Contract Sampler (via email)

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Aerial Acres Water Company, Inc.
18130 Ave B
North Edwards, CA 93523

Attn: Phillip Seamount, Director
Aerial Acres Water Company, Inc.

CERTIFIED MAIL

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTIONS 64675(b)(2) AND 64675.5(a)(2) LEAD AND COPPER TAP SAMPLING AERIAL ACRES WATER COMPANY, INC. WATER SYSTEM WATER SYSTEM NO. 1500405

C I T A T I O N NO. 03_19_17C_003

Issued on February 24, 2017

STATEMENT OF FACTS

Section 116650 of the California Health and Safety Code (hereinafter "CHSC") authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

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Aerial Acres Water Company, Inc. Water System (hereinafter Water System) is classified as a community water system and mainly serves residential population of approximately 168 persons through 51 service connections.

The Water System operates under the authority of a domestic water supply permit 03-19-15P-017, issued on December 7, 2015, by the State Water Resources Control Board, Division of Drinking Water. Effective July 1, 2014, regulatory jurisdiction of the Water System was transferred from the California Department of Public Health to the State Water Resources Control Board.

The State Water Resources Control Board (hereinafter "State Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to Aerial Acres Water Company, Inc. Water System (mailing address: 18130 Ave B, North Edwards, CA 93523) for failure to comply with the lead and copper tap sampling. Specifically, the Water System has violated the California Code of Regulations (CCR), Title 22, Section 64675(b)(2) and Section 64675.5(a)(2).

- Under the provisions of Title 22, California Code of Regulations, the Water System was required to conduct triennial tap sampling for lead and copper during the summer months (June 1 – September 30) of 2016. As of the writing of this citation, the Water System failed to conduct the lead and copper tap sampling in 2016.

- **Aerial Acres Water Company, Inc. Water System has failed to collect triennial lead and copper tap samples which were due in 2016 [Sections 64675(b)(2) and 64675.5(a)(2), *Authorities*].**

AUTHORITIES

Section 116577 of the CHSC, states in relevant part:
"(a) Each public water system shall reimburse the State Board for the actual costs incurred by the State Board for any of the following enforcement activities related to that water system:

(1) Preparing, issuing, and monitoring compliance with, an order or citation.
(2) Preparing, and issuing public notification
...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section."...

Section 116650 of the California Health and Safety Code (hereinafter CHSC), 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, 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."

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Section 116655 of the CHSC, states in relevant part:

(a)Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the State Board.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board."

Section 64675 of Title 22 of the CCR, states in relevant part:

"(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 State Board 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 (Minimum Number of Sites)	Reduced Tap Sampling (Minimum Number of Sites)
>100,000	100	50
10,001 – 100,000	60	30
3301 – 10,000	40	20

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Table 64675-A Lead and Copper Tap Sampling Sites		
System Size	Standard Tap Sampling (Minimum Number of Sites)	Reduced Tap Sampling (Minimum Number of Sites)
501 - 3300	20	10
101 - 500	10	5
<101	5	5

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

Section 64675.5 of Title 22 of the CCR, states in relevant part:

"(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 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 State Board."

DETERMINATIONS

Based upon the above *Statement of Facts and Authorities*, the State Board has determined that the Aerial Acres Water Company, Inc. Water System has violated the following:

1. CCR, Title 22, Sections **64675(b)(2) and 64675.5(a)(2)**; Specifically, the Water System violated the lead and copper tap sampling regulations by failing to conduct triennial lead and copper tap sampling which was due in 2016.

The above violation is classified as a non-continuing violation.

DIRECTIVES

Aerial Acres Water Company, Inc. Water System is hereby directed to take the following actions:

1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Sections 64675(b)(2) and 64675.5(a)(2) of Title 22, California Code of Regulations.

2. By **March 3, 2017**, the Water System shall submit a written response to the State Board, acknowledging receipt of the citation and steps it has taken or plan to take to comply with the lead and copper tap sampling.

3. As part of the triennial sampling, the Water System shall collect 5 lead and copper tap samples between **June 1, 2017 and June 30, 2017**, to be analyzed for lead and copper, and triennial sampling afterwards starting 2020, provided there is no exceedance of action level for lead or copper. After conducting each round of monitoring, the Water System shall report the results to the State Board no later than the 10th day of the month following the sampling. A completed Form 141-AR (**Attachment A**) shall be submitted along with the results of each round of sampling.

4. By **March 31, 2017**, provide Tier 2 public notification of the current monitoring and reporting (M&R) violation to the persons served by the Water System, by using the attached template (**Attachment B**).

5. Submit the attached (**Attachment C**) completed *Certification of Completion of Public Notification* Form to the State Board within 10 days of providing the public notification and no later than **April 10, 2017.**

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6. All submittals required by this Citation shall be submitted to the State Board at the following address:

Jaswinder S. Dhaliwal, P.E.
State Water Resources Control Board
Division of Drinking Water, Tehachapi District
4925 Commerce Drive, Suite 120
Bakersfield, CA 93309

7. The Water System shall reimburse the State Board, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 (or by a different date if specified by the State Board) of the fiscal year following the fiscal year in which such costs are incurred as described in CHSC Sections 116577(a)(1-2) and 116577(b).

The State Board reserves the right to make such modifications to the 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 Aerial Acres Water Company, Inc. 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 Aerial Acres Water Company, Inc., its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

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SEVERABILITY

The Directives of this Citation are severable, and the Aerial Acres Water Company, Inc. shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue a citation 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.

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing a penalty in an amount not to exceed one thousand dollars ($1,000) per day for

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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

Feb. 24, 2017
Date

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Tehachapi District (#19)
State Water Resources Control Board
Division of Drinking Water

Via Certified Mail No. 7016 0910 0001 5827 4702

Attachments

Attachment A: Lead and Copper Guidance Document along with Form 141-AR
Attachment B: Lead and Copper Public Notice Template
Attachment C: Certification of Completion of Public Notification Form

CC: Kern County Dept. of Public Health, Env. Health Services Division (w/o attachments)
Phillip Seamount, Aerial Acres Water Company, Inc., WQ Contact (via email)

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Attachment A

Lead and Copper Guidance Document and Form 141-AR

Lead and Copper Rule Sampling Guidance

For Small Water Systems (serving 3,300 persons or fewer)

Prepared by: State Water Resources Control Board – Division of Drinking Water
Southern California Field Operations Branch
Tehachapi District
4925 Commerce Drive, Suite 120
Bakersfield, CA 93309
Phone: (661) 335-7315 / Fax: (661) 335-7316
Email: dwpdist19@waterboards.ca.gov

This guidance document was developed to help small water systems comply with the California Lead and Copper Rule. The Lead and Copper Rule requires community and nontransient-noncommunity water systems to monitor lead and copper levels at the consumers' taps. If action levels are exceeded, installation of corrosion control treatment is required. If the action level for lead is exceeded, public notification is required.

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

Compliance with the lead and copper action levels is based on the 90th percentile lead and copper levels. This means that the concentration of lead and copper must be less than or equal to the action level in at least 90% of the samples collected.

To help explain how to comply with the California Lead and Copper Rule, information on the following topics is included in this document:

Section 1 - Number of Tap Sample Sites Required

Section 2 - When to Sample

Section 3 - Where to Sample

Section 4 - How to Sample

Section 5 - How to Calculate the 90th Percentile Lead and Copper Levels

Section 6 - What to Do if You Exceed the Lead or Copper Action Level

Section 7 - How to Report Your Sample Results

Section 8 - Monitoring Waivers

Attachments to this document include:

1. "Homeowner Tap Sample Collection Procedures"
2. "Lead and Copper Results Worksheet"
3. Form 141-AR "Lead and Copper Rule Sampling Report"

Section 1. Number of Tap Sample Sites Required

The number of tap sample sites required is shown in Table 1, and is based on the population served by your water system and if you are performing Standard or Reduced Monitoring.

Table 1. Minimum Number of Tap Sample Sites Required

	Minimum Number of Tap Sample Sites	
System Population	Standard Monitoring	Reduced Monitoring
501 to 3,300	20	10
101 to 500	10	5
Less than 101	5	5

Section 2. When to Sample

- Standard Monitoring:

  Each water system must complete at least two consecutive 6-month Standard Monitoring periods with no exceedance of the lead or copper action level before the frequency of sampling can be reduced. During each 6-month Standard Monitoring period, you must collect at least one tap sample from the number of sites shown in Table 1 under Standard Monitoring.

  Therefore, during your first year of sampling, collect a set of samples in the first six months and a set of samples in the second six months. Samples must be analyzed for both lead and copper.

  If at any time your 90th percentile lead or copper level exceeds the action level, you must contact this office for further guidance.

- Reduced Monitoring:

  If you have completed two consecutive 6-month Standard Monitoring periods and the 90th percentile levels do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper, you may reduce the number of tap sample sites as shown in Table 1, under Reduced Monitoring, and reduce the frequency at which you sample to once every three years.

  If you have completed two consecutive 6-month Standard Monitoring periods and the 90th percentile levels are greater than 0.005 mg/L for lead and 0.65 mg/L for copper, but do not exceed the lead or copper action levels, you may reduce the number of tap sample sites as shown in Table 1, under Reduced Monitoring. You may also reduce the frequency at which you collect the samples to annual monitoring for two more years.

  In the second and third years of sampling, collect one set of samples during the month of June, July, August or September. Samples must be analyzed for both lead and copper. After completing the third year of sampling, if there has been no exceedance of the lead or copper action level, collect one set of samples every three years during the month of June, July, August or September. Again, samples must be analyzed for both lead and copper.

  If at any time your 90th percentile lead or copper level exceeds the action level, you must contact this office for further guidance.

Section 3. Where to Sample

Notes:
1. If lead service lines are present in the distribution system, at least half of the samples must come from the sites served by lead service lines.
2. Do not sample from homes or buildings that have point-of-use treatment (e.g., water softener, carbon filter system, etc.).
3. Each round of sampling should be conducted at the same sampling sites. If an original sampling site is not available, you should collect a tap sample from another site meeting the same Tier criteria as the original site.

- Community Water Systems:

  Lead and copper tap samples must be collected from sampling locations that meet the following criteria:

  Tier 1 - Single-family structures that contain:
  a) Lead pipes or
  b) Copper pipes with lead solder installed after 1982 or
  c) Pipes served by lead service lines.

  If there are not enough Tier 1 sites available, samples must meet the following criteria:

  Tier 2 - Buildings and multiple-family residences that contain:
  a) Lead pipes or
  b) Copper pipes with lead solder installed after 1982 or
  c) Pipes served by lead service lines.

  If there are not enough Tier 1 and Tier 2 sites available, samples must meet the following criteria:

  Tier 3 - Single-family structures that contain copper pipes with lead solder installed before 1983.

  If there are not enough Tier 1, Tier 2, and Tier 3 sites available, samples must be collected from representative sites (i.e., plumbing materials commonly found at other sites) throughout the distribution system.

- Nontransient-Noncommunity Water Systems:

  Lead and copper tap samples must be collected from sampling locations that meet the following criteria:

  Tier 1 - Buildings that contain:
  a) Lead pipes or
  b) Copper pipes with lead solder installed after 1982 or
  c) Pipes served by lead service lines.

  If there are not enough Tier 1 sites available, samples must meet the following criteria:

  Tier 2 - Buildings that contain copper pipes with lead solder installed before 1983.

  If additional sites are needed to complete the sampling pool, samples must be collected from representative sites.

Section 4. How to Sample

Depending on the type of water system you operate, the following options are available for sample collection:

a) You can collect the samples yourself using the procedures outlined below, or

b) Residents of the water system can collect the samples for you. Letters are usually sent to find volunteers to participate in the sampling program. The attached sample collection instruction sheet must be sent to each participant. Residents collect the samples and complete the bottom portion of the instruction sheet. You collect the filled sample bottles and the completed instruction sheets from the residents. Sample bottles are then transported to the laboratory for analysis.

Sample Procedures:

1) Samples from residential housing are to be taken from a kitchen or bathroom cold-water faucet. Do not sample from faucets that have point-of-use treatment (e.g., water softener, carbon filter system, etc.). Samples from a non-residential building are to be collected from an interior tap from which water is typically drawn for consumption.

2) Each sample must be collected after the water has stood undisturbed in the pipes for at least 6 hours. It is best to collect the sample first thing in the morning.

3) Each sample must be one liter in volume and must contain the first water drawn from the faucet.

4) Remove the cap from the one-liter sample bottle, place the container directly below the faucet and gently open the cold-water tap. Fill the sample bottle to the line marked "1-liter or 1,000-ml" and turn off the water.

   Tightly cap the sample bottle and complete the required information on the sample bottle label.

5) All samples must be analyzed by a laboratory certified by the State to perform drinking water lead and copper analyses.

Section 5. How to Calculate the 90th Percentile Lead and Copper Levels

Complete the attached "Lead and Copper Results Worksheet". If your 90th percentile lead level is greater than 0.015 mg/l, you have exceeded the action level. If your 90th percentile copper level is greater than 1.3 mg/l, you have exceeded the action level.

Section 6. What to Do if You Exceed the Lead or Copper Action Level

If your 90th percentile lead or copper level exceeds the action level, you must contact this office for further guidance.

Section 7. How to Report Your Sample Results

Upon completion of each sampling period, the following items must be submitted to the State Water Resources Control Board, Division of Drinking Water, Tehachapi District Office:

1) A fully completed Form 141-AR (copy attached).
2) Laboratory copies of all sample results.
3) Completed "Lead and Copper Results Worksheet".

Section 8. Monitoring Waivers

You may apply to the Division for a waiver to reduce the tap sampling frequency for lead and copper to once every **nine** years. If you meet the following materials and monitoring criteria for both lead and copper, a full waiver will be granted. If you meet the materials and monitoring criteria for only one of the chemicals, a partial waiver that covers only that chemical will be granted.

- Materials Criteria:

  You must provide certification and documentation that the distribution system and service lines and all drinking water supply plumbing, including plumbing conveying drinking water within all residences and buildings connected to the system, satisfy the following:

  For lead, the system must be free of plastic pipes that contain lead plasticizers or plastic service lines that contain lead plasticizers, lead service lines, lead pipes, lead-soldered pipe joints, and leaded brass or bronze alloy fittings and fixtures, unless you can demonstrate that such fittings and fixtures will not leach lead into the drinking water.

  For copper, the system must be free of copper pipes and copper service lines.

- Monitoring Criteria:

  You must have conducted standard tap sampling for at least one six-month period and demonstrate that the 90th percentile levels for all periods of tap sampling conducted since the water system became free of all lead-containing and/or copper-containing materials do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper. You must continue monitoring at the required frequency (Standard Monitoring or Reduced Monitoring) until a waiver is granted.

Homeowner Tap Sample Collection Procedures

Revised Version: February 2016

These samples are being collected to determine the lead and copper levels in your tap water. This sampling effort is required by the U.S. Environmental Protection Agency and your state, and is being accomplished through the cooperation of homeowners and residents.

Tap Sample Collection Procedures:

1) Prior arrangements will be made to coordinate the sample collection event. Dates will be set for sample bottle delivery and pick-up by water system staff.
2) There must be a minimum of 6 hours during which there is no water used from the tap where the sample will be collected and any taps adjacent or close to that tap. Either early mornings or evenings upon returning home are the best sampling times to ensure that the necessary stagnant water conditions exist. Do not intentionally flush the water line before the start of the 6 hour period.
3) Use a kitchen or bathroom cold-water faucet for sampling. If you have water softeners on your kitchen taps, collect your sample from the bathroom tap that is not attached to a water softener, or a point of use filter, if possible. Do not remove the aerator prior to sampling. Place the opened sample bottle below the faucet and open the cold water tap as you would do to fill a glass of water. Fill the sample bottle to the line marked "1000-mL" and turn off the water.
4) Tightly cap the sample bottle and place in the sample kit provided. Please review the sample kit label at this time to ensure that all information contained on the label is correct.
5) If any plumbing repairs or replacement has been done in the home since the previous sampling event, note this information on the label as provided. Also if your sample was collected from a tap with a water softener, note this as well.
6) Place the sample kit in the same location the kit was delivered to so that water system staff may pick up the sample kit.
7) Results from this monitoring effort and information about lead will be provided to you as soon as practical but no later than 30 days after the system learns of the tap monitoring results. However, if excessive lead and/or copper levels are found, immediate notification will be provided (usually 1-2 working days after the system learns of the tap monitoring results).

If you have any questions regarding these directions, call:

_____
Contact Name

_____
Water System Name

_____
Phone Number

To Be Completed By Resident

Water was last used: Time_____ Date_____

Sample was collected: Time_____ Date_____

Sample Location & Faucet (e.g. Bathroom sink) _____

I have read the above directions and have taken a sample in accordance with these directions.

_____ _____
Signature *Date*

Lead and Copper Results Worksheet

System Name: _____ Sample Date(s): _____

Determine the 90th percentile lead and copper levels:

1. List all of the samples in Table 1 below.
2. Determine the 90th percentile lead level by following the instructions given in Table 2.

   Write down the 90th percentile level for lead = _____ mg/L

   If the 90th percentile lead level is greater than 0.015 mg/L, you have exceeded the action level.
3. Determine the 90th percentile copper level by following the instructions given in Table 2.

   Write down the 90th percentile level for copper = _____ mg/L

   If the 90th percentile copper level is greater than 1.3 mg/L, you have exceeded the action level.

Table 1 - Sample Results

	Sample Address	Lead Level (mg/L)	Copper Level (mg/L)
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

Table 2 - Determining the 90th Percentile Lead or Copper Level

Number of Tap Samples Collected	How to Determine the 90th Percentile Lead or Copper Level
5	Average the 4th and 5th highest sample results to get the 90th percentile level.
5 or more	Place results in ascending order and assign each sample a number, 1 for the lowest value. Multiply the total number of samples by 0.9. Round down to the nearest whole number if the decimal is 0.4 or lower and round up if the decimal is 0.5 or higher. The sample result that corresponds with the nearest whole number is the 90th percentile.

LEAD AND COPPER RULE SAMPLING REPORT

System's Name:_____

Address:_____
_____
_____

Telephone Number:_____

System ID Number:_____

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

Contact Person:_____ SampleDate(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

Attachment B

Lead and Copper Public Notice Template

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Lead and Copper Tap Sampling Monitoring Requirements Not Met for Aerial Acres Water Company

Aerial Acres Water Company, Inc. has failed to monitor as required for a drinking water monitoring standard during the calendar year 2016, and, therefore, was in violation of the monitoring and reporting regulations. As our customers, you have a right to know what you should do, what happened and what are doing to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the calendar year 2016, we did not conduct monitoring for lead and copper tap sampling and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant we did not properly test for during 2016; and how many samples we are required to take and how often, how many samples we took when samples should have been taken, and the date on which the most recent lead and copper samples were taken.

Required Number of Distribution Sites	Contaminants	Required sampling frequency	Number of samples taken	Last sample date
5	Lead and Copper	Triennial	0 (None)	7/22/2013

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

What happened? What is being done?

We have been directed by the State Water Resources Control Board to collect the required triennial lead and copper tap samples between June 1, 2017 and June 30, 2017, and continued sampling afterwards, as required by Title 22, California Code of Regulations. We plan to collect the samples, as directed. For more information, please contact Phillip Seamount, Director at (760) 769-4292.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Date Distributed & Posted: _____ _____

Phillip Seamount, Director
Aerial Acres Water Company, Inc. (1500405)

Attachment C

Certification of Completion of Public Notification Form

Certification of Completion of Public Notification
(Include a Copy of Public Notice with the Certification of Public Notification)

This form, when completed and returned to the Division of Drinking Water – Tehachapi District (4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 or fax to 661-335-7316 or via email: dwpdist19@waterboards.ca.gov), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: Aerial Acres Water Company, Inc.

Public Water System No.: 1500405

Public notification for **failure to comply with the Lead and Copper Triennial Tap Sampling in 2016**

was performed by the following method(s) (check and complete those that apply):

☐ The notice was mailed to users on: _____
A copy of the notice is attached.

☐ The notice was hand delivered to water customers on: _____
A copy of the notice is attached.

☐ The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.

☐ The notice was posted at conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.

☐ The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

_____
Printed Name

_____
Title

_____
Signature

_____
Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars ($5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than $25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers and no later than April 10, 2017

Enforcement Action No. 03_19_17C_003