Community and Economic Development
Environmental Health Division
Jill S. Yaeger
Deputy Director

- 200 W. 4th Street, Suite 3100
- Madera, CA 93637
- (559) 675-7823
- FAX (559) 675-7919
- TDD (559) 675-8970
- envhealth@madera-county.com

YOSEMITE FORKS EST MUTUAL
WAYNE LAURENCE
PO BOX 461
OAKHURST, CA 93644

REVISED COMPLIANCE ORDER # CC0002564
FOR
VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a) (1) AND THE PRIMARY DRINKING WATER STANDARD FOR ARSENIC

Dated 6/23/2015

RE : **Water System Name:** **YOSEMITE FORKS EST MUTUAL**
LEA Water System #: **2000527**

The California Health and Safety Code (CHSC), Division 104, Chapter 4, Article 9, Section 116555, authorizes the issuance of a compliance order for failure to comply with requirements of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued hereunder.

FINDINGS

YOSEMITE FORKS EST MUTUAL Water System (hereinafter System) is a public water system located in Madera County, California. The system is classified as a Community from 15-199 Connections Water System serving approximately 99 service connection(s) and a population of 110. The System operates under a domestic water supply permit issued by the Madera County Environmental Health Division (hereinafter Division). The water system sources are listed below:

SUMMARIZED BELOW IS A LIST OF SOURCES:	
PRIMARY STATION CODE	SITE DESCRIPTION
2000527-001	Source Spring
2000527-002	Source Well 1
2000527-003	Source Well 2 Near Bridge
2000527-005	Source Well 3

The State of California maximum contaminant level (MCL) for ARSENIC is 0.010 mg/L. A review of water quality data shows that samples collected from source(s) listed below exceed the MCL. Due to this exceedance, the System must continue to monitor as required. Compliance with the ARSENIC MCL is based on the average of the sample results for four consecutive quarters.

SOURCE VIOLATION LIST

SOURCE # AND NAME	VIOLATION TYPE	RUNNING ANNUAL AVERAGE RESULTS	COMPLIANCE PERIOD	
			From:	To:
1 Source Spring	MCL, Average	0.018	01/01/2014	03/31/2014
1 Source Spring	MCL, Average	0.017	04/01/2014	06/30/2014
1 Source Spring	MCL, Average	0.017	07/01/2014	09/30/2014
1 Source Spring	MCL, Average	0.017	10/01/2014	12/31/2014
1 Source Spring	MCL, Average	0.017	01/01/2015	03/31/2015

CONCLUSION OF LAW

Based on the above Findings, the Division has determined that the System has violated provisions contained in the California Health and Safety Code (CHSC), Section 116555 (a), and Title 22, California Code of Regulations (CCR), Section 64432(g), (h), and (i). These violations include, but are not limited to the following:

1. CHSC, Section 116555 (a)(1); Specifically, the System is operating sources that produce water that does comply with the primary and secondary drinking water standards.
2. CHSC, Section 116555 (a) (3); Specifically, the System failed to ensure that customers are provided with a reliable and adequate source of pure, wholesome, healthful and potable water.
3. CCR, Section 64432; Specifically, the System does not at all times deliver water to all customers which complies with the ARSENIC maximum contaminant level of 0.010 mg/L.

DIRECTIVES

In order to ensure that the water supplied by the YOSEMITE FORKS EST MUTUAL Water System is at all times safe, wholesome, healthful, and potable, and pursuant to Section 116655 of the CHSC, the System is ordered to take the following actions.

1. Cease and Desist from failing to comply with CHSC, Sections 116655(a) (1) and (3) and, Section 64432(g), (h), and (i) by ensuring that the System is provided with a reliable and adequate source of pure, wholesome, healthful and potable water which is in compliance with all primary water standards.

2. On or before **7/30/2015**, submit a written response to the Division indicating the System's agreement to comply with directives of this order and with the Corrective Action Plan addressed herein. If is is the System's intent to pursue Drinking Water State Revolving Funding (DWSRF) through the State, include proof of the completed State Funding application.

3. Prepare for State or Division approval a Corrective Action Plan (CAP) identifying improvements to the water system designed to correct the water quality problems and ensure that the System delivers water to consumers that meets the primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which the System will be in compliance with the ARSENIC MCL, which date shall be no later than **6/18/2018**.

4. If the System does not pursue State DWSRF funding, submit the CAP required under Directive No. 3, above, on or before **10/30/2015**, to the Division office at 200 W 4th Street, Suite 3100, Madera, CA 93637.

5. On or before **03/31/2016** and every three months thereafter, submit a report to the Division in the form provided as Attachment A, hereto, showing actions taken during the previous calendar three months to comply with the Corrective Action Plan.

6. The system shall provide public notification to all users prior to operating the water sources that result in the concentration of ARSENIC exceeding the MCL and continue public notification quarterly during the months the sources are in operation. The notification procedures and templates are available at the link below. Proof of public notification shall be submitted to the Division following each notification.

   http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Notices.shtml

7. Continue monitoring for ARSENIC from each well and ensure that the analytical results are reported to the Division by the analyzing laboratory by no later than the 10th day of the following month in which the analysis was completed.

8. The Division reserves the right to make modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

9. All submittals required by this Order shall be addressed to:

Janice L. Delaney, Senior Environmental Health Specialist

Madera County Environmental Health Division

200 W. 4th Street, Suite 3100

Madera, CA 93637

10. If the System is unable to perform the tasks specified in this Order for any reason, whether within advance of the due date, the Division may extend the time for performance if the System demonstrates that it has used its best efforts to comply with the schedule and other requirements of this Order.

11. If the System fails to perform any of the tasks specified in this Order by the times described herein, the System shall be deemed to have not complied with the obligations of this Order and may be subject to additional judicial action including civil penalties specified in CHSC, Sections 116725 and 116730.

12. The Division shall not be liable for any injuries or damages to persons or property resulting from acts of omissions by the System, its employees, agents or contractors in carrying out activities pursuant to this Order, nor shall the Division be held as a party to any contract entered into by the System or its agents in carrying out activities pursuant to this Order.

PARTIES BOUND

This Order shall apply to and be binding upon the System, its owners, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The requirements of this Order are severable, and the System shall comply with each and every provision hereof, notwithstanding the effectiveness of any provisions.

6/22/15

Date

Jill Yaeger, Deputy Director

Madera County Environmental Health Division

cc: Kassy Chauhan, Merced District Engineer, State Water Resources Control Board, Drinking Water Program

Attachment A

Quarterly Progress Report

Water System:	Water System No.:
Compliance Order Number:	Violation:
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to Madera County Environmental Health:

Janice L. Delaney, Senior Environmental Health Specialist
Madera County Environmental Health Division
200 W. 4th Street, Suite 3100
Madera, CA 93637
Fax: (559) 675-7919
Email: envhealth@madera-county.com

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

Tasks remaining to complete:

Anticipated compliance date:

Name

Signature

Title

Date