CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

November 30, 2018
System No. 2400134

Mr. Juan Gama, Owner
Buhach Preschool
2606 N. Buhach Road
Atwater, CA 95301

CITATION NO. 03-11-18C-045
CITATION FOR NON-COMPLIANCE – 2017 CONSUMER CONFIDENCE REPORT AND CERTIFICATION FORM

Enclosed is Citation No. 03-11-18C-045 (hereinafter "Citation"), issued to the Buhach Preschool (hereinafter "Preschool"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Preschool will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately 2.0 hour(s) on enforcement activities associated with this violation.

The Preschool will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Preschool for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued <u>under authority delegated to an officer or employee of the State Water Board</u> under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Lourdes Mertens of my staff at (559) 447-3139 or me at (559) 447-3316.

Sincerely,

Kassy D. Chauhan

Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7018 0040 0000 3159 7971

cc: Merced County Environmental Health Department (email)
Mr. Tomas Galindo, Westside Water Conditioning, 45 West G Street, Los Banos, CA 93635

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Buhach Preschool

Water System No: 2400134

Attention: Mr. Juan Gama, Owner
2606 N. Buhach Road
Atwater, CA 95301

Issued: November 30, 2018

CITATION FOR NONCOMPLIANCE

CALIFORNIA CODE OF REGULATIONS, TITLE 22

SECTIONS 64480(a) AND 64483(c)

2017 CONSUMER CONFIDENCE REPORT

AND CERTIFICATION FORM

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 03-11-18C-045 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Buhach Preschool (hereinafter "Preschool"), for violation of California Code of Regulations, Title 22, Sections 64480(a) and 64483(c).

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

STATEMENT OF FACTS

The Buhach Preschool is classified as a nontransient-noncommunity public water system with a population of 110, serving three connections. The Preschool operates under Domestic Water Supply Permit No. 03-11-18P-007 issued by the State Water Board on February 16, 2018. The Preschool is using a groundwater source (Well No. 1) to supply potable water to the distribution system along with an ion exchange nitrate removal treatment system.

CHSC, Section 116470(a) states in relevant part that as a condition of its operating permit, every public water system shall annually prepare a Consumer Confidence Report and mail or deliver a copy of that report to each customer.

California Code of Regulations, Title 22, Section 64480(a) requires that, except as provided in subsection (b), each community and nontransient-noncommunity (NTNC) water system shall prepare and deliver the first Consumer Confidence Report by July 1, 2001, and subsequent reports by July 1 annually thereafter.

Section 64483(c) states that no later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each water system shall mail a copy of the report to the State Board, followed within 3 months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the State Board.

The Consumer Confidence Report (hereinafter "CCR") is to provide, at minimum, specific information on concentrations of microbiological contaminants, minerals, physical agents, inorganic chemicals, organic chemicals, and radioactivity which are present in the water supply.

By electronic mail dated October 22, 2018, the State Water Board issued a reminder to the Preschool that a certification of CCR delivery had not been received by October 1, 2018, and requested submittal of the certification of delivery CCR no later than October 26, 2018.

In May 23, 2018, the contract operator for the Preschool, Westside Water Conditioning, Submitted a copy of the Preschool's 2017 CCR to the State Board via the electronic Annual Reporting system.

DETERMINATION

As of the date of this Citation, the 2017 Certification Form for the Preschool have not been received by the State Water Board. Therefore, the State Water Board has determined that the Preschool failed to comply with CHSC, California Code of Regulations, Title 22, Sections 64480(a) and 64483(c).

DIRECTIVES

The Preschool is hereby directed to take the following actions:

1. By **December 31, 2018,** submit a Certification Form (Appendix 2), indicating the date the report was distributed to customers at http://drinc.ca.gov/ear/

2. By **December 31, 2018**, complete and return to the State Water Board the "Notification of Receipt" form attached to this Citation as Appendix (Appendix 3). Completion of this form confirms that the Preschool has received this Citation and understands that it contains legally enforceable directives(s) with due dates.

All submittals required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation must include the following information: Water System name and number, citation number and title of the document being submitted.

Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Dwpdist11@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the Preschool 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 Preschool, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the Preschool shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Kassy D. Chauhan

Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

11-30-18
Date

Appendices [3]:

1. Applicable Statutes and Regulations
2. Certification Form
3. Notification of Receipt Form

Certified Mail No. 7018 0040 0000 3159 7971

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO 03-11-18C-045
Failure to Submit a 2017 Consumer Confidence Report

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 116275. Definitions states in relevant part:

(c) "Primary drinking water standards" means:

(1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.

(2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.

(3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.

Section 116470. Consumer confidence report and PHG report states in relevant part:

(a) As a condition of its operating permit, every public water system shall annually prepare a consumer confidence report and mail or deliver a copy of that report to each customer, other than an occupant, as defined in Section 799.28 of the Civil Code, of a recreational vehicle park. A public water system in a recreational vehicle park with occupants as defined in Section 799.28 of the Civil Code shall prominently display on a bulletin board at the entrance to or in the office of the park, and make available upon request, a copy of the report. The report shall include all of the following information:

(1) The source of the water purveyed by the public water system.

(2) A brief and plainly worded definition of the terms "maximum contaminant level," "primary drinking water standard," and "public health goal."

(3) If any regulated contaminant is detected in public drinking water supplied by the system during the past year, the report shall include all of the following information:

(A) The level of the contaminant found in the drinking water, and the corresponding public health goal and primary drinking water standard for that contaminant.

(B) Any violations of the primary drinking water standard that have occurred as a result of the presence of the contaminant in the drinking water and a brief and plainly worded statement of health concerns that resulted in the regulation of that contaminant.

(C) The public water system's address and phone number to enable customers to obtain further information concerning contaminants and potential health effects.

(4) Information on the levels of unregulated contaminants, if any, for which monitoring is required pursuant to state or federal law or regulation.

Section 116555. Operational requirements 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 116577. Enforcement fee states:

(a) Each public water system shall reimburse the state board for 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 a citation.

(2) Preparing and issuing public notification.

(3) Conducting a hearing pursuant to Section 116625.

(b) The state board shall submit an invoice for these enforcement costs to the public water system that requires payment before 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 enforcement activities specified in this section.

(c) Notwithstanding the reimbursement of enforcement costs of the local primacy agency pursuant to subdivision (a) of Section 116595 by a public water system under the jurisdiction of the local primacy agency, a public water system shall also reimburse enforcement costs, if any, incurred by the state board pursuant to this section.

(d) "Enforcement costs," as used in this section, does not include "litigation costs" pursuant to Section 116585.

(e) The state board shall not be entitled to enforcement costs pursuant to this section if a court determines that enforcement activities were in error.

(f) Payment of the invoice shall be made within 90 days of the date of the invoice. Failure to pay the invoice within 90 days shall result in a 10-percent late penalty that shall be paid in addition to the invoiced amount.

(g) The state board may, at its sole discretion, waive payment by a public water system of all or any part of the invoice or penalty.

Section 116625. Revocation and suspension of permits states:

(a) The state board, after providing notice to the permittee and opportunity for a hearing, may suspend or revoke any permit issued pursuant to this chapter if the state board determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permittee does not request a hearing within the period specified in the notice, the state board may suspend or revoke the permit without a hearing. If the permittee submits a timely request for a hearing, the hearing shall be before the state board or a member of the state board, in accordance with Section 183 of the Water Code and the rules for adjudicative proceedings adopted under Section 185 of the Water Code. If the permit at issue has been temporarily suspended pursuant to subdivision (b), the notice shall be provided within 15 days of the effective date of the temporary suspension order. The commencement of the hearing under this subdivision shall be as soon as practicable, but no later than 60 days after the effective date of the temporary suspension order, unless the state board grants an extension of the 60 day period upon request of the permittee.

(b) The state board may temporarily suspend any permit issued pursuant to this chapter before any hearing when the action is necessary to prevent an imminent or substantial danger to health. The state board shall notify the permittee of the temporary suspension and the effective date of the temporary suspension and, at the same time, notify the permittee that a hearing has been scheduled. The hearing shall be held as soon as possible, but not later than 15 days after the effective date of the temporary suspension unless the state board grants an extension of the 15 day period upon request of the permittee, and shall deal only with the issue of whether the temporary suspension shall remain in place pending a hearing under subdivision (a). The hearing shall be conducted under the rules for adjudicative proceedings adopted by the state board under Section 185 of the Water Code. The temporary suspension shall remain in effect until the hearing under this subdivision is completed and the state board has made a final determination on the temporary suspension, which shall be made within 15 days after the completion of the hearing unless the state board grants an extension of the 15 day period upon request of the permittee. If the determination is not transmitted within 15 days after the hearing is completed, or any extension of this period requested by the permittee, the temporary suspension shall be of no further effect. Dissolution of the temporary suspension does not deprive the state board of jurisdiction to proceed with a hearing on the merits under subdivision (a).

Section 116650. Citations states:

(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)

(1) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration.

(2) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Section 116540, the applicant may petition the state board for reconsideration.

(3) Within 30 days of final action by an officer or employee of the state board acting under delegated authority, the owner of a laboratory that was the subject of the final action may petition the state board for reconsideration of any of the following actions:

(A) Denial of an application for certification or accreditation under Section 100855.

(B) Issuance of an order directing compliance under Section 100875.

(C) Issuance of a citation under Section 100880.

(D) Assessment of a penalty under subdivision (e) of Section 100880.

(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 officer or employee who issued the order or decision 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 subject to the petition for reconsideration.

(f) If an order or decision 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 100920.5 or 116700.

California Code of Regulations (CCR),Title 22:

Article 20. Consumer Confidence Report

Section 64480. Applicability and Distribution states:

(a) Except as provided in subsection (b), each community and nontransient-noncommunity (NTNC) water system shall prepare and deliver the first Consumer Confidence Report by July 1, 2001, and subsequent reports by July 1 annually thereafter. The first Consumer Confidence Report shall contain data collected during, or prior to, calendar year 2000, as prescribed by section 64481(d)(1). Each Consumer Confidence Report thereafter shall contain data collected during, or prior to, the previous calendar year.

(b) A new community or NTNC water system shall deliver its first Consumer Confidence Report by July 1 of the year after its first full calendar year in operation and subsequent reports by July 1 annually thereafter.

(c) A community or NTNC water system that sells water to another community or NTNC water system shall deliver the applicable information required in section 64481 to the purchasing system by no later than April 1 of each year or on a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

Section 64481. Content of the Consumer Confidence Report states:

(a) A Consumer Confidence Report shall contain information on the source of the water delivered, including:

(1) The type of water delivered by the water system (e.g., surface water, ground water) and the commonly used name (if any) and location of the body (or bodies) of water; and

(2) If a source water assessment has been completed, notification that the assessment is available, how to obtain it, the date it was completed or last updated, and a brief summary of the system's vulnerability to potential sources of contamination, using language provided by the State Board if the State Board conducted the assessment.

(b) For any of the following terms used in the Consumer Confidence Report, the water system shall provide the specified language below:

(1) Regulatory Action Level: "The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow."

(2) Maximum Contaminant Level or MCL: "The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste, and appearance of drinking water."

(3) Maximum Contaminant Level Goal or MCLG: "The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency."

(4) Public Health Goal or PHG: "The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency."

(5) Primary Drinking Water Standard or PDWS: "MCLs, MRDLs, and treatment techniques for contaminants that affect health, along with their monitoring and reporting requirements."

(6) Treatment technique: "A required process intended to reduce the level of a contaminant in drinking water."

(7) Variances and exemptions: "State Board permission to exceed an MCL or not comply with a treatment technique under certain conditions."

(8) Maximum residual disinfectant level or MRDL: "The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants."

(9) Maximum residual disinfectant level goal or MRDLG: "The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants."

(c) If any of the following are detected, information for each pursuant to subsection (d) shall be included in the Consumer Confidence Report:

(1) Contaminants subject to an MCL, regulatory action level, MRDL, or treatment technique (regulated contaminants), as specified in sections 64426.1, 64431, 64442, 64443, 64444, 64448, 64449, 64533, 64533.5, 64536, 64536.2, 64653 and 64678;

(2) Contaminants specified in 40 Code of Federal Regulations part 141.40 (7-1-2007 edition) for which monitoring is required (unregulated contaminants);

(3) Microbial contaminants detected as provided under subsection (e); and

(4) Sodium and hardness.

(d) For contaminants identified in subsection (c), the water system shall include in the Consumer Confidence Report one table or several adjacent tables that have been developed pursuant to this subsection. Any additional monitoring results that a water system chooses to include in its Consumer Confidence Report shall be displayed separately.

(1) The data in the table(s) shall be derived from data collected to comply with U.S. Environmental Protection Agency (USEPA) and State Board monitoring and analytical requirements during calendar year 2000 for the first Consumer Confidence Report and subsequent calendar years thereafter. Where a system is allowed to monitor for regulated contaminants less often than once a year, the table(s) shall include the date and results of the most recent sampling and the Consumer Confidence Report shall include a brief statement indicating that the data presented in the table(s) are from the most recent testing done in accordance with the regulations. No data older than 9 years need be included.

(2) For detected regulated contaminants referenced in subsection (c)(1), the table(s) shall include:

(A) The MCL expressed as a number equal to or greater than 1.0;

(B) For a primary MCL, the public health goal (PHG) in the same units as the MCL; or if no PHG has been set for the contaminant, the table shall include the USEPA maximum contaminant level goal in the same units as the MCL;

(C) For a detected contaminant that does not have an MCL, the table(s) shall indicate whether there is a treatment technique or specify the regulatory action level or MRDL (and MRDLG) applicable to that contaminant, and the Consumer Confidence Report shall include the appropriate language specified in subsection (b);

(D) For detected contaminants subject to an MCL, except turbidity and total coliforms, the sample result(s) collected at compliance monitoring sampling points shall be reported in the same units as the MCL as follows:

1. When compliance is determined by the results of a single sample, an initial sample averaged with one or two confirmation sample(s), or an average of four quarterly or six monthly samples, results shall be reported as follows:

A. For a single sampling point, or multiple sampling points for which data is being individually listed on the Consumer Confidence Report: the sample result and, if more than one sample was collected, the average and range of the sample results;

B. For multiple sampling points, each of which has been sampled only once and for which data is being summarized together on the Consumer Confidence Report: the average and range of the sample results. If the waters from the sampling points are entering the distribution system at the same point, a flow-weighted average may be reported; and

C. For multiple sampling points, one or more of which has been sampled more than once and for which data is being summarized together on the Consumer Confidence Report: the average of the individual sampling point averages and range of all the sample results. If the waters from the sampling points are entering the distribution system at the same point, a flow-weighted average may be reported.

2. When compliance with the MCL is determined by calculating a running annual average of all samples taken at a monitoring location:

A. The highest running annual average of the monitoring location and the range of sample results or, if monitoring locations are summarized together for the Consumer Confidence Report, the highest running annual average of any of the monitoring locations and the range of sample results from all the monitoring locations; and

B. For TTHM and HAA5 monitored pursuant to section 64534.2(d): the highest locational running annual average (LRAA) for TTHM and HAA5 and the range of individual sample results for all monitoring locations. If more than one location exceeds the TTHM or HAA5 MCL, include the LRAA for all locations that exceed the MCL.

3. When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all monitoring location averages: the highest running annual average and the range of sample results from all the sampling points.

4. When compliance with the MCL is determined on the basis of monitoring after treatment installed to remove a contaminant: the average level detected in the water entering the distribution system and the range of sample results; and

5. If an MCL compliance determination was made in the year for which sample results are being reported and that determination was based on an average of results from both the previous and reporting years, then the compliance determination average shall be reported, but the range shall be based only on results from the year for which data is being reported.

(E) For turbidity:

1. When it is reported pursuant to the requirements of section 64652.5 (filtration avoidance): the highest value; and

2. When it is reported pursuant to section 64653 (filtration): the highest single measurement based on compliance reporting and the lowest monthly percentage of samples meeting the turbidity limits specified in section 64653 for the filtration technology being used;

(F) For lead and copper: the 90th percentile value of the most recent round of sampling, the number of sites sampled, and the number of sampling sites exceeding the action level;

(G) For total coliform:

1. The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or

2. The highest monthly percentage of positive samples for systems collecting at least 40 samples per month.

(H) For fecal coliform or *E. coli*: the total number of positive samples during the year; and

(I) The likely source(s) of any detected contaminants having an MCL, MRDL, regulatory action level, or treatment technique. If the water system lacks specific information on the likely source, the table(s) shall include one or more of the typical sources for that contaminant listed in appendix 64481-A or 64481-B that are most applicable to the system.

(3) The table(s) shall clearly identify any data indicating violations of MCLs, regulatory action levels, MRDLs, or treatment techniques and the Consumer Confidence Report shall give information on each violation including the length of the violation, potential adverse health effects (PDWS only), and actions taken by the system to address the violation. To describe the potential health effects, the system shall use the relevant language pursuant to appendices 64465-A through H; and

(4) For detected unregulated contaminants for which monitoring is required (except *Cryptosporidium*), the table(s) shall contain the average and range at which the contaminant was detected.

(e) If the system has performed any monitoring for *Cryptosporidium* that indicates that *Cryptosporidium* may be present in the source water or the finished water, the Consumer Confidence Report shall include a summary of the monitoring results and an explanation of their significance.

(f) If the system has performed any monitoring for radon that indicates that radon is present in the finished water, the Consumer Confidence Report shall include the monitoring results and an explanation of their significance.

(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.

(2) Filtration, disinfection, and recycled provisions prescribed by sections 64652, 64652.5, 64653, 64653.5(b), or 64654. For systems that have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of such equipment or processes that constitutes a violation, the Consumer Confidence Report shall include the health effects language pursuant to appendix 64465-B as part of the explanation of potential adverse health effects.

(3) One or more actions prescribed by the lead and copper requirements in sections 64673, 64674, 64683 through 64686, and 64688. To address potential adverse health effects, the Consumer Confidence Report shall include the applicable language pursuant to appendix 64465-D for lead, copper, or both.

(4) Treatment technique requirements for Acrylamide and Epichlorohydrin in section 64448; to address potential adverse health effects, the Consumer Confidence Report shall include the relevant language from appendix 64465-H.

(5) Recordkeeping of compliance data.

(6) Special monitoring requirements prescribed by section 64449(b)(2) and (g).

(7) Terms of a variance, an exemption, or an administrative or judicial order.

(h) If a system is operating under the terms of a variance or an exemption issued under section 116430 or 116425 of the Health and Safety Code, the Consumer Confidence Report shall contain:

(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 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, or renewal, of the variance or exemption.

(i) A Consumer Confidence Report shall contain the language in paragraphs (1) through (4).

(1) "The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity."

(2) "Contaminants that may be present in source water include:

Microbial contaminants, such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

Inorganic contaminants, such as salts and metals, that can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

Pesticides and herbicides, that may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

Organic chemical contaminants, including synthetic and volatile organic chemicals, that are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, agricultural application, and septic systems.

Radioactive contaminants, that can be naturally-occurring or be the result of oil and gas production and mining activities."

(3) "In order to ensure that tap water is safe to drink, the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board (State Board) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. State Board regulations also establish limits for contaminants in bottled water that provide the same protection for public health."

(4) "Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA's Safe Drinking Water Hotline (1-800-426-4791)."

(j) A Consumer Confidence Report shall prominently display the following language: "Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. USEPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791)."

(k) A Consumer Confidence Report shall include the telephone number of the owner, operator, or designee of the water system as a source of additional information concerning the report.

(l) A Consumer Confidence Report shall contain information in Spanish regarding the importance of the report or contain a telephone number or address where Spanish-speaking residents may contact the system to obtain a translated copy of the report or assistance in Spanish. For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in a community, the Consumer Confidence Report shall contain information in the appropriate language(s) regarding the importance of the report or contain a telephone number or address where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

(m) A Consumer Confidence Report shall include information (e.g., time and place of regularly scheduled board meetings) about opportunities for public participation in decisions that may affect the quality of the water.

Appendix 64481-A.
Typical Origins of Contaminants with Primary MCLs, MRDLs
Regulatory Action Levels, and Treatment Techniques

Contaminant	*Major origins in drinking water*
Microbiological	
Total coliform bacteria	Naturally present in the environment
Fecal coliform and *E. coli*	Human and animal fecal waste
Turbidity	Soil runoff
Surface water treatment	
Giardia lamblia	Naturally present in the environment
Viruses	
Heterotrophic plate count bacteria	
Legionella	
Cryptosporidium	
Radioactive	
Gross Beta particle activity	Decay of natural and man-made deposits
Strontium-90	Decay of natural and man-made deposits
Tritium	Decay of natural and man-made deposits
Gross Alpha particle activity	Erosion of natural deposits
Combined radium 226/228	Erosion of natural deposits
Total Radium (for nontransient noncommunity water systems)	Erosion of natural deposits
Uranium	Erosion of natural deposits
Inorganic	
Aluminum	Erosion of natural deposits; residue from some surface water treatment processes
Antimony	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder

Arsenic	Erosion of natural deposits; runoff from orchards; glass and electronics production wastes
Asbestos	Internal corrosion of asbestos cement water mains; erosion of natural deposits
Barium	Discharges of oil drilling wastes and from metal refineries; erosion of natural deposits
Beryllium	Discharge from metal refineries, coal-burning factories, and electrical, aerospace, and defense industries
Cadmium	Internal corrosion of galvanized pipes; erosion of natural deposits; discharge from electroplating and industrial chemical factories, and metal refineries; runoff from waste batteries and paints
Chromium	Discharge from steel and pulp mills and chrome plating; erosion of natural deposits
Copper	Internal corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
Cyanide	Discharge from steel/metal, plastic and fertilizer factories
Fluoride	Erosion of natural deposits; water additive that promotes strong teeth; discharge from fertilizer and aluminum factories
Lead	Internal corrosion of household water plumbing systems; discharges from industrial manufacturers; erosion of natural deposits
Mercury	Erosion of natural deposits; discharge from refineries and factories; runoff from landfills and cropland
Nickel	Erosion of natural deposits; discharge from metal factories
Nitrate	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits
Nitrite	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits
Perchlorate	Perchlorate is an inorganic chemical used in solid rocket propellant, fireworks, explosives, flares, matches, and a variety of industries. It usually gets into drinking water as a result of environmental contamination from historic aerospace or other industrial operations that used or use, store, or dispose of perchlorate and its salts.
Selenium	Discharge from petroleum, glass, and metal refineries; erosion of natural deposits; discharge from mines and chemical manufacturers; runoff from livestock lots (feed additive)
Thallium	Leaching from ore-processing sites; discharge from electronics, glass, and drug factories

Synthetic organic

2,4-D	Runoff from herbicide used on row crops, range land, lawns, and aquatic weeds
2,4,5-TP (Silvex)	Residue of banned herbicide
Acrylamide	Added to water during sewage/wastewater treatment
Alachlor	Runoff from herbicide used on row crops
Atrazine	Runoff from herbicide used on row crops and along railroad and highway right-of-ways
Bentazon	Runoff/leaching from herbicide used on beans, peppers, corn, peanuts, rice, and ornamental grasses
Benzo(a)pyrene [PAH]	Leaching from linings of water storage tanks and distribution mains
Carbofuran	Leaching of soil fumigant used on rice and alfalfa, and grape vineyards
Chlordane	Residue of banned insecticide
Dalapon	Runoff from herbicide used on right-of-ways, and crops and landscape maintenance
Dibromochloropropane (DBCP)	Banned nematocide that may still be present in soils due to runoff/leaching from former use on soybeans, cotton, vineyards, tomatoes, and tree fruit
Di(2-ethylhexyl) adipate	Discharge from chemical factories
Di(2-ethylhexyl) phthalate	Discharge from rubber and chemical factories; inert ingredient in pesticides
Dinoseb	Runoff from herbicide used on soybeans, vegetables, and fruits
Dioxin [2,3,7,8-TCDD]	Emissions from waste incineration and other combustion; discharge from chemical factories
Diquat	Runoff from herbicide use for terrestrial and aquatic weeds

Endothall	Runoff from herbicide use for terrestrial and aquatic weeds; defoliant
Endrin	Residue of banned insecticide and rodenticide
Epichlorohydrin	Discharge from industrial chemical factories; impurity of some water treatment chemicals
Ethylene dibromide (EDB)	Discharge from petroleum refineries; underground gas tank leaks; banned nematocide that may still be present in soils due to runoff and leaching from grain and fruit crops
Glyphosate	Runoff from herbicide use
Heptachlor	Residue of banned insecticide
Heptachlor epoxide	Breakdown of heptachlor
Hexachlorobenzene	Discharge from metal refineries and agricultural chemical factories; byproduct of chlorination reactions in wastewater
Hexachlorocyclo-pentadiene	Discharge from chemical factories
Lindane	Runoff/leaching from insecticide used on cattle, lumber, and gardens
Methoxychlor	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, and livestock
Molinate [Ordram]	Runoff/leaching from herbicide used on rice
Oxamyl [Vydate]	Runoff/leaching from insecticide used on field crops, fruits and ornamentals, especially apples, potatoes, and tomatoes
Pentachlorophenol	Discharge from wood preserving factories, cotton and other insecticidal/herbicidal uses
Picloram	Herbicide runoff
Polychlorinated biphenyls [PCBs]	Runoff from landfills; discharge of waste chemicals
Simazine	Herbicide runoff
Thiobencarb	Runoff/leaching from herbicide used on rice
Toxaphene	Runoff/leaching from insecticide used on cotton and cattle
1,2,3-Trichloropropane	Discharge from industrial and agricultural chemical factories; leaching from hazardous waste sites; used as cleaning and maintenance solvent, paint and varnish remover, and cleaning and degreasing agent; byproduct during the production of other compounds and pesticides

Volatile organic

Benzene	Discharge from plastics, dyes and nylon factories; leaching from gas storage tanks and landfills
Carbon tetrachloride	Discharge from chemical plants and other industrial activities
1,2-Dichlorobenzene	Discharge from industrial chemical factories
1,4-Dichlorobenzene	Discharge from industrial chemical factories
1,1-Dichloroethane	Extraction and degreasing solvent; used in manufacture of pharmaceuticals, stone, clay and glass products; fumigant
1,2-Dichloroethane	Discharge from industrial chemical factories
1,1-Dichloroethylene	Discharge from industrial chemical factories
cis-1,2-Dichloroethylene	Discharge from industrial chemical factories; major biodegradation byproduct of TCE and PCE groundwater contamination
trans-1,2-Dichloroethylene	Discharge from industrial chemical factories; minor biodegradation byproduct of TCE and PCE groundwater contamination
Dichloromethane	Discharge from pharmaceutical and chemical factories; insecticide
1,2-Dichloropropane	Discharge from industrial chemical factories; primary component of some fumigants
1,3-Dichloropropene	Runoff/leaching from nematocide used on croplands
Ethylbenzene	Discharge from petroleum refineries; industrial chemical factories
Methyl-tert-butyl ether (MTBE)	Leaking underground storage tanks; discharge from petroleum and chemical factories
Monochlorobenzene	Discharge from industrial and agricultural chemical factories and drycleaning facilities
Styrene	Discharge from rubber and plastic factories; leaching from landfills
1,1,2,2-Tetrachloroethane	Discharge from industrial and agricultural chemical factories; solvent used in production of TCE, pesticides, varnish and lacquers
Tetrachloroethylene (PCE)	Discharge from factories, dry cleaners, and auto shops (metal degreaser)
1,2,4-Trichlorobenzene	Discharge from textile-finishing factories
1,1,1-Trichloroethane	Discharge from metal degreasing sites and other factories; manufacture of food wrappings
1,1,2-Trichloroethane	Discharge from industrial chemical factories
Trichloroethylene (TCE)	Discharge from metal degreasing sites and other factories

Toluene	Discharge from petroleum and chemical factories; underground gas tank leaks
Trichlorofluoromethane	Discharge from industrial factories; degreasing solvent; propellant and refrigerant
1,1,2-Trichloro-1,2,2-Trifluoroethane	Discharge from metal degreasing sites and other factories; drycleaning solvent; refrigerant
Vinyl chloride	Leaching from PVC piping; discharge from plastics factories; biodegradation byproduct of TCE and PCE groundwater contamination
Xylenes	Discharge from petroleum and chemical factories; fuel solvent

Disinfection Byproducts, Disinfection Byproduct Precursors, and Disinfectant Residuals

Total trihalomethanes (TTHM)	Byproduct of drinking water disinfection
Haloacetic acids (five) (HAA5)	Byproduct of drinking water disinfection
Bromate	Byproduct of drinking water disinfection
Chloramines	Drinking water disinfectant added for treatment
Chlorine	Drinking water disinfectant added for treatment
Chlorite	Byproduct of drinking water disinfection
Chlorine dioxide	Drinking water disinfectant added for treatment
Control of disinfection byproduct precursors (Total Organic Carbon)	Various natural and manmade sources

Appendix 64481-B.
Typical Origins of Contaminants with Secondary MCLs

Contaminant	*Major origins in drinking water*
Aluminum	Erosion of natural deposits; residual from some surface water treatment processes
Color	Naturally-occurring organic materials
Copper	Internal corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
Foaming Agents (MBAS)	Municipal and industrial waste discharges
Iron	Leaching from natural deposits; industrial wastes
Manganese	Leaching from natural deposits
Methyl-tert-butyl ether (MTBE)	Leaking underground storage tanks; discharge from petroleum and chemical factories;
Odor---Threshold	Naturally-occurring organic materials
Silver	Industrial discharges
Thiobencarb	Runoff/leaching from rice herbicide
Turbidity	Soil runoff
Zinc	Runoff/leaching from natural deposits; industrial wastes
Total dissolved solids	Runoff/leaching from natural deposits
Specific Conductance	Substances that form ions when in water; seawater influence
Chloride	Runoff/leaching from natural deposits; seawater influence
Sulfate	Runoff/leaching from natural deposits; industrial wastes

Section 64482. Required Additional Health Information states:

(a) A system that detects arsenic at levels above 0.005 mg/L, but below or equal to the MCL, shall include the following in its Consumer Confidence Report: "While your drinking water meets the federal and state standard for arsenic, it does contain low levels of arsenic. The arsenic standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. The U.S. Environmental Protection Agency continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems."

(b) A system that detects nitrate at levels above 5 mg/L (as nitrogen), but below the MCL, shall include the following in its Consumer Confidence Report: "Nitrate in drinking water at levels above 10 mg/L is a health risk for infants of less than six months of age. Such nitrate levels in drinking water can interfere with the capacity of the infant's blood to carry oxygen, resulting in a serious illness; symptoms include shortness of breath and blueness of the skin. Nitrate levels above 10 mg/L may also affect the ability of the blood to carry oxygen in other individuals, such as pregnant women and those with certain specific enzyme deficiencies. If you are caring for an infant, or you are pregnant, you should ask advice from your health care provider. If a system cannot demonstrate to the State Board with at least five years of the most current monitoring data that its nitrate levels are stable, it shall also add the following language to the preceding statement on nitrate: "Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity."

(c) A system that detects lead above the action level in more than 5%, and up to and including 10%, of sites sampled, shall include the following in its Consumer Confidence Report: "Infants and young children are typically more vulnerable to lead in drinking water than the general population. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. If you are concerned about elevated lead levels in your home's water, you may wish to have your water tested and/or flush your tap for 30 seconds to 2 minutes before using tap water. Additional information is available from the USEPA Safe Drinking Water Hotline (1-800-426-4791)."

Section 64483. Consumer Confidence Report Delivery and Recordkeeping states:

(a) Each water system shall mail or directly deliver one copy of the Consumer Confidence Report to each customer.

(b) The system shall make a good faith effort to reach consumers who are served by the water system but are not bill-paying customers, such as renters or workers, using a mix of methods appropriate to the particular system such as: Posting the Consumer Confidence Reports on the Internet; mailing to postal patrons in metropolitan areas; advertising the availability of the Consumer Confidence Report in the news media; publication in a local newspaper; posting in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings or large private employers; and delivery to community organizations.

(c) No later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each water system shall mail a copy of the report to the State Board, followed within 3 months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the State Board.

(d) No later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each privately-owned water system shall mail a copy of the report to the California Public Utilities Commission.

(e) Each water system shall make its Consumer Confidence Report available to the public upon request.

(f) Each water system serving 100,000 or more persons shall post its current year's Consumer Confidence Report on a publicly-accessible site on the Internet.

(g) Each water system shall retain copies of its Consumer Confidence Reports for no less than 3 years.

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.

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 03-11-18C-045

Name of Water System: Buhach Preschool

System Number: 2400134

Certification

I certify that the users of the water supplied by this water system were notified of our failure to prepare and distribute a 2017 Consumer Confidence Report by July 1, 2018, resulting in violation of California Code of Regulations, Title 22, Sections 64480(a) and 64483(c), for the compliance period of 2017 and the required action listed below was completed.

Required Action	Date Completed
(Citation Directive 1) Submit a 2017 CCR certification	

_____ _____

Signature of Water System Representative Date

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN DECEMBER 31, 2018

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 3 – Notification of Receipt

Citation Number: 03-11-18C-045

Name of Water System: Buhach Preschool

System Number: 2400134

Certification

I certify that I am an authorized representative of the Buhach Preschool and that Citation No. 03-11-18C-045 was received on _____. Further I certify that the Citation has been reviewed by the appropriate management staff of the Buhach Preschool and it is clearly understood that Citation No. 03-11-18C-045 contains legally enforceable directives with specific due dates.

_____ _____

Signature of Water System Representative Date

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN DECEMBER 31, 2018

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.