CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
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SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 29, 2018
Certified Mail/Return
7017 0190 0000 6412 8031

Meridian Elementary School
15898 Central Street
Meridian, CA 95957

Attention: Anne Sykes, CBO

Subject: Public Water System No. 5100141 – Citation No. 21-18C-025 for Incomplete and Late Repeat Bacteriological Samples.

It has come to our attention that the Meridian Elementary School water system failed to collect the required four repeat bacteriological samples in a timely manner following a positive routine sample in the distribution system. Consequently, the Division of Drinking Water hereby issues the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Section 64424.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

Citation No. 21-18C-025

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Public Water System: Meridian Elementary School

Water System No.: 5100141

To: Meridian Elementary School
Attn: Anne Sykes
15898 Central Street
Meridian, CA 95957

Issued: August 29, 2018
VIA CERTIFIED MAIL

CITATION FOR NONCOMPLIANCE

With Title 22, California Code of Regulations

Section 64424

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued thereunder.

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OSP 98 10924

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues a citation to Meridian Elementary School for failure to comply with Section 64423(a), Title 22, of the California Code of Regulations (CCR).

APPLICABLE AUTHORITIES

See Attachment A for Applicable Authorities

STATEMENT OF FACTS

The Meridian Elementary School (hereinafter "System") is classified as a non-transient non-community water system and is required to collect one routine bacteriological water sample each month. In the event that a routine bacteriological sample is positive for total coliform, the System is required to collect four repeat samples within 24 hours of notification of a total coliform positive routine sample. On July 19, 2018, the System collected a routine bacteriological sample that indicated the presence of total coliform bacteria. Repeat samples were not collected until August 1, 2018, and only three of four required samples were collected.

DETERMINATION

The Division has determined that the System violated Section 64424(a), Title 22, of the CCR, in that the System did not collect four repeat samples within 24 hours of notification in July 2018, following a positive total coliform routine sample.

DIRECTIVES

The System is directed to take the following actions:

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1. **Within 30 days** of the issuance of this Citation, provide public notification in accordance with **Attachment B**, to all persons served by the System of the violations noted above; as required by Section 64463.4(c) and Section 64465, Title 22, of the CCR. Notification shall be completed in accordance with each of the following:

    a. Posting in conspicuous locations throughout the area served.
    b. Notification by one or more methods specified in **Attachment B** for persons not reached by posting in conspicuous locations.

2. Changes and/or modifications to **Attachment B** shall be not be made unless approved by the Division.

3. Complete and return **Attachment C**, "Certification of Completion of Public Notification" form **within 10 days** of giving public notice. A copy of the notice used to provide public notification shall be attached to the form.

4. Collect and report five (5) routine bacteriological samples in the distribution system in the month of **August 2018.**

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

Nothing in this Citation relieves the System of its obligation to meet the requirements of the California Safe Drinking Water Act, or of any regulation, permit, standard, or order issued or adopted thereunder.

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All submittals required by this Citation shall be submitted to the Division at the following address:

Reese B. Crenshaw, P. E.
Valley District Engineer
State Water Resources Control Board
Division of Drinking Water
364 Knollcrest Dr. Suite 101
Redding, CA 96002

PARTIES BOUND

This Citation shall apply to and be binding upon the Water System, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and the Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division to: issue 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 permit, regulation, permit 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 Division to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to

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comply with an order of the Division; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

8/29/18

Date

Reese B. Crenshaw, P.E.,
Valley District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachments:

Attachment A - Applicable Authorities

Attachment B - Public Notification Form

Attachment C - Proof of Notification Form

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ATTACHMENT A

APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

(a) If the Department 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 department 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 department 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.

Section 116701 of the CHSC states in relevant part:

<u>Petitions to Orders and Decisions</u>

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the

state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.

Section 64424(a), Title 22, of the CCR states in relevant part:

(a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24-hour time period. A single service connection system may request that the State Board allow the collection of the repeat sample set over a four-day period.

(1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.

Section 64463.4, Title 22, of the CCR - Tier 2 Public Notice.

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

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:

(A) Where a Tier 1 public notice is required under section 64463.1; or

(B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and

(3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

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

ATTACHMENT A

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

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

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

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

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

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

ATTACHMENT B

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.

MERIDIAN ELEMENTARY SCHOOL DID NOT TO COLLECT ALL OF THE CONFIRMATION BACTERIOLOGICAL SAMPLES FOR THE MONTH OF JULY 2018 IN A TIMELY MANNER

Our water system recently violated a monitoring requirement. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

What should you do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened? What was done?

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of July 2018, we did not complete all bacteriological monitoring or testing and therefore, could not be sure of the quality of your drinking water during that time.

More specifically, as required by state and federal regulations, we failed to collect four repeat (confirmation) samples in July of 2018 as a result of testing positive for total coliform bacteria from a routine sample taken in the distribution system. We only collected three repeat samples, which were late by approximately two weeks. Both regulations require that public water systems notify their customers for monitoring violations.

We will be taking 5 samples in August 2018.

For more information, please contact Anne Sykes at (530) 696-2604.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.

State Water System ID#: _5100141___. Date distributed: _____.

ATTACHMENT C

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Meridian Elementary School

Public Water System No. 5100141

Public notification for the July 2018 failure to collect all repeat samples in a timely manner, was performed by the following required methods:

- Posting in conspicuous locations throughout the area served by the water system: List locations:_____

AND

- Use of one or more of the following methods to reach persons not likely to be reached by posting in conspicuous places during the summer (Check all that apply):

_____ Posting on the school's Internet site.

_____ Email or hand delivery to faculty and students or parents.

I hereby certify that the above information is factual.

_____
Printed Name

_____
Signature

_____
Date