



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 27, 2016
Certified Mail/Return
7012 3460 0003 1113 0437

Butte City Community Services District
P.O. Box 124
Butte City, CA 95928

Attention: Jesus Campos, President

Subject: Public Water System No. 1100711 – Citation No. 21-16C-001 for Consumer Confidence Report monitoring violation.

It has come to our attention that the Butte City Community Services District (BCCSD) water system failed to follow directive No. 2 in Citation 21-15C-034, issued on October 23, 2015, to prepare and distribute the 2014 consumer confidence report by December 31, 2015. Consequently, the Division of Drinking Water hereby issues the enclosed Citation to BCCSD. The enclosed Citation includes directives for corrective action and public notification.

Please be advised that it is the Division's intention to impose civil penalties if the enclosed citation directives are not addressed by the deadlines specified therein.

Section 116577 of the California Safe Drinking Water Act provides for the division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. Currently the hourly rate is approximately \$153.00 per hour.

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

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Citation No. 21-16C-001

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Public Water System: Butte City Community Services District
Water System No.: 1100711

To: Butte City Community Services District
Attn: Jesus Campos, President
P.O. Box 124
Butte City, CA 95928

Issued: January 27, 2016
VIA CERTIFIED MAIL

CITATION FOR NONCOMPLIANCE
With the California Health and Safety Code
Section 116650

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.

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Butte City Community Services District for
4 failure to comply with Section 116650(a) of the CHSC and Sections 64675.5 and
5 64483 of the California Code of Regulations (CCR).

6
7 **APPLICABLE AUTHORITIES**

8 Section 116650 of the CHSC states:

9 *(a) If the division determines that a public water system is in violation of*
10 *this chapter or any regulation, permit, standard, citation, or order*
11 *issued or adopted thereunder, the division may issue a citation to the*
12 *public water system. The citation shall be served upon the public*
13 *water system personally or by certified mail. Service shall be deemed*
14 *effective as of the date of personal service or the date of receipt of*
15 *the certified mail. If a person to whom a citation is directed refuses to*
16 *accept delivery of the certified mail, the date of service shall be*
17 *deemed to be the date of mailing.*

18
19 *(b) Each citation shall be in writing and shall describe the nature of the*
20 *violation or violations, including a reference to the statutory provision,*
21 *standard, order, citation, permit, or regulation alleged to have been*
22 *violated.*

23
24 *(c) A citation may specify a date for elimination or correction of the*
25 *condition constituting the violation.*
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(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The division 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.

Lead and Copper Monitoring Regulation

Section 64675.5, 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.

1 Consumer Confidence Reporting Regulation

2 Section 64483, Title 22, of the CCR states in relevant part:

3 (a) *No later than the date the water system is required to distribute*
4 *the Consumer Confidence Report to its customers (July 1st),*
5 *each water system shall mail a copy of the report to the State*
6 *Board, followed within 3 months (October 1st) by a certification*
7 *that the report has been distributed to customers, and that the*
8 *information is correct and consistent with the compliance*
9 *monitoring data previously submitted to the State Board.*

10
11 **STATEMENT OF FACTS**

12 The Butte City Community Services District (hereinafter "Water System") is classified
13 as a community water system serving approximately 100 people. On October 23,
14 2015, the Water System received Citation No. 21-15C-034 for failing to collect lead
15 and copper samples between June and September of 2015, and for failing to
16 distribute the 2014 Consumer Confidence Report by July 1, 2015. As part of the
17 corrective action for the aforementioned citation, the Water System was directed to
18 deliver the 2014 Consumer Confidence Report by December 31, 2015. As of the date
19 on this current citation, the Division has not received certification that the Consumer
20 Confidence Report was distributed.

21
22 **DETERMINATIONS**

23 The Division has determined that the Water System violated Section 116650 (a) of the
24 CHSC in that it failed to correct violations identified in Citation 21-15C-034, namely, to
25 collect lead and copper samples between June and September of 2015 and to
26 prepare and distribute the 2014 Consumer Confidence Report by December 31, 2015.

1 **DIRECTIVES**

2 The Water System is hereby directed to take the following action:

3
4 1. **By February 25, 2016**, the Water System shall prepare and distribute the 2014
5 Consumer Confidence Report to its customers. The Consumer Confidence
6 Report must be prepared and delivered in accordance with Title 22, Sections
7 64480 through 64483 and be pre-approved by the Division before distribution.
8 The Consumer Confidence Report (CCR) must indicate the violations for the
9 late 2014 CCR and the missed lead and copper samples.

10
11 2. **By March 3, 2016**, the Water System shall return Attachment 'A', "Certification
12 Form", to certify that the Consumer Confidence Report has been distributed to
13 customers.

14
15 3. **By April 25, 2016**, the Water System shall mail to each consumer Attachment
16 'B', notifying all persons served of the failure to sample lead and copper in
17 2013 and 2015. Notification shall be completed in accordance with the
18 following:

19
20 a. Provide the notice contained in Attachment 'B' by posting in
21 conspicuous locations throughout the area served by the Water System.
22 Changes and/or modifications to Attachment 'B' shall not be made
23 unless approved by the Division.

24
25 4. Complete and return Attachment 'C' "Certification of Completion of Public
26 Notification" form **within 10 days** of posting Attachment 'B'. A copy of the
27 notice used to provide public notification shall be attached to the form.



1 All documents required by this Citation to be submitted to the Division shall be
2 submitted to the following address:

3
4 Reese B. Crenshaw, P. E.
5 Valley District Engineer
6 Drinking Water Field Operations
7 Division of Drinking Water
8 State Water Resources Control Board
9 364 Knollcrest Drive, Suite 101
10 Redding, CA 96002
11 (530) 224-4800
12

13 Nothing in this Citation relieves the Water System of its obligation to meet the
14 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
15 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
16 adopted thereunder.

17
18 The Division reserves the right to make such modifications to this Citation, as it may
19 deem necessary to protect public health and safety. Such modifications may be
20 issued as amendments to this Citation and shall be effective upon issuance.

21
22 **FURTHER ENFORCEMENT ACTION**

23 The California SDWA authorizes the Board to: issue citation with assessment of
24 administrative penalties to a public water system for violation or continued violation of
25 the requirements of the California SDWA or any permit, regulation, permit or order
26 issued or adopted thereunder including, but not limited to, failure to correct a violation
27 identified in a citation or compliance order. The California SDWA also authorizes the



1 Board to take action to suspend or revoke a permit that has been issued to a public
2 water system if the system has violated applicable law or regulations or has failed to
3 comply with an order of the Board; and to petition the superior court to take various
4 enforcement measures against a public water system that has failed to comply with
5 orders of the Board. The Board does not waive any further enforcement action by
6 issuance of this citation.

7

8 **PARTIES BOUND**

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

11

12 **SEVERABILITY**

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

16

17

18

19 R. Crenshaw

1/27/16

20 Reese B. Crenshaw, P.E., District Engineer
21 Valley District
22 Drinking Water Field Operations Branch

Date

23



Consumer Confidence Report Certification Form

(to be submitted with a copy of the CCR to:

Reese Crenshaw / SWRCB - DDW / 364 Knollcrest Dr, Suite 101, Redding, CA. 96002)

Water System Name: _____

Water System #: _____

The water system named above hereby certifies that its Consumer Confidence Report was distributed on _____ (date) to customers (and appropriate notices of availability have been given). Further, the system certifies that the information contained in the report is correct and consistent with the compliance monitoring data previously submitted to the California Department of Public Health.

Certified by: Name: _____
Signature: _____
Title: _____
Phone Number: () _____ Date: _____

To summarize report delivery used and good-faith efforts taken, please complete the below by checking all items that apply and fill-in where appropriate:

- CCR was distributed by mail or other direct delivery methods. Specify other direct delivery methods used: _____

- "Good faith" efforts were used to reach non-bill paying consumers. Those efforts included the following methods:
 - Posting the CCR on the Internet at www. _____
 - Mailing the CCR to postal patrons within the service area (attach zip codes used)
 - Advertising the availability of the CCR in news media (attach copy of press release)
 - Publication of the CCR in a local newspaper of general circulation (attach a copy of the published notice, including name of newspaper and date published)
 - Posted the CCR in public places (attach a list of locations)
 - Delivery of multiple copies of CCR to single-billed addresses serving several persons, such as apartments, businesses, and schools
 - Delivery to community organizations (attach a list of organizations)
 - Other (attach a list of other methods used)

- For privately-owned utilities: Delivered the CCR to the California Public Utilities Commission

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.

**BUTTE CITY COMMUNITY SERVICES DISTRICT FAILED TO
MONITOR AND REPORT LEAD AND COPPER
SAMPLES IN 2013 AND 2015**

Our water system has been in violation of 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 take any corrective actions. This is not an emergency.

What happened? What was done?

Our water system is required to collect and report lead and copper samples from the drinking water distribution system every three years (triennial). The last round of lead and copper sampling took place in 2010, and our water system failed to collect samples again in 2013. Per a citation directive, we were directed to sample for lead and copper in 2015, however, these samples were not taken either.

We will be addressing this failure by taking lead and copper samples in the summer of 2016 and 2017. If these samples are within a safe level, we will continue triennial sampling thereafter.

For more information, please contact Jesus Campos @ 909-720-7661

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.

This notice is being posted by the Artois Community Services District.

State Water System ID#: 1100711. Date distributed: _____.

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 Butte City Community S.D.

Public Water System No. 1100711

Public notification for failure to perform lead and copper sampling in 2013 and 2015 was performed by the following method:

Check and Complete

- a) By direct mail to each consumer served by the water system.

For this method, provide the date (or dates) that the notice was mailed _____.

I hereby certify that the above information is factual.

Printed Name

Signature

Date