CALIFORNIA
Water Boards

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State Water Resources Control Board
Division of Drinking Water

June 30, 2016

Lori Wilcox, President
Lake View Mutual Water Company
3581 Ricetti Lane
Redwood Valley, CA 95470

CITATION NO. 02_03_16C_021 - ISSUED TO LAKE VIEW MUTUAL WATER COMPANY
PUBLIC WATER SYSTEM #2300606
LEAD AND COPPER MONITORING AND REPORTING VIOLATION

Enclosed is a citation issued to the Lake View Mutual Water Company (System) by the State Water Resources Control Board, Division of Drinking Water (Division) for failure to monitor its distribution system for lead and copper during 2012 and 2015.

Because this is an enforcement action for noncompliance with State regulations, your System will be billed at the Division's hourly rate (currently estimated at $160.00) for the time spent issuing this citation. You will receive a bill for these fees sent from our Fee Billing Unit in Sacramento later this year.

If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,

Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
State Water Resources Control Board

Enclosures

c: Mendocino County Environmental Health Department
Steven Gardner, 4170 Richey Road, Ukiah, CA 95482

2300606/Compliance File #4
Citation 02_03_16C_021-2300606-52/LSH

Citation No. 02_03_16C_021

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Public Water System: Lake View Mutual Water Company

Water System Number: 2300606

To: Lake View Mutual Water Compay
3581 Ricetti Lane
Redwood Valley, CA 95470

Attn: Lori Wilcox, President

Issue Date: June 30, 2016

CITATION FOR NON-COMPLIANCE

Section 64675, Title 22, California Code of Regulations

Lead and Copper

Monitoring and Reporting Violations – 2012 and 2015

The State of California Water Resources Control Board, Division of Drinking Water (hereinafter "Division") hereby issues a citation to Lake View Mutual Water Company (hereinafter "System") for failure to comply with Section 64675, Title 22, of the California Code of Regulations (CCR).

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)

Chapter 4, Article 9, Section 116550 of Part 12 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit or order issued thereunder. A copy of the *Applicable Statues and Regulations* is located in Appendix 3, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Lake View Mutual Water Company is required to monitor its distribution system for lead and copper every three years, in accordance with Section 64675 and 64675.5, Title 22, of the CCR. The Division received laboratory results from one set of five samples collected on August 27, 2009. The Division has not received any laboratory results for lead and copper samples collected at the Lake View Mutual Water Company during the time period of 2012 through 2015.

DETERMINATIONS

The Division has determined that the Lake View Mutual Water Company is in violation of Section 64675, Title 22, of the CCR, because the System failed to perform lead and copper monitoring in 2012 and 2015.

DIRECTIVES

The Lake View Mutual Water Company is hereby directed to take the following actions:

1. Comply with Section 64675, Title 22, of the California Code of Regulations in all future monitoring periods.

2. On or before **July 22, 2016**, notify all persons served by the System of the lead and copper monitoring violation in conformance with Section 64463.4 and Section 64465, Title 22, of the CCR. A copy of these regulatory sections is provided in Appendix 3. The Public Notification Template in Appendix 1 must be used to fulfill this directive**. The corrective actions section and contacts section of the template must be completed prior to notification.** The completed notice shall be sent to all water system customers by mail or direct delivery. In addition, a **second method** of notification must be chosen (see Appendix 2 - Compliance Certification). This second method must also be completed no later than **July 22, 2016**.

3. The System shall complete Appendix 2: **Compliance Certification**. Submit the completed Compliance Certification form together with copies of the **two types of public notification** to the Division on or before **July 29, 2016**.

4. The System shall begin sampling for lead and copper during consecutive six-month monitoring periods. The **first set of five samples** must be collected **by September 30, 2016**.

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STATE OF CALIFORNIA
STD. 113 (REV. 3-95)

The Division reserves the right to make such modifications to this Citation, as it deems 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 System of its obligation to meet the requirements 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.

All documents required by this Citation shall be submitted to the Department at the following address:

Sheri Miller, P.E., District Engineer
SWRCB Division of Drinking Water
50 D Street, Suite 200, Santa Rosa, CA 95404

PARTIES BOUND

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

SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes the Division of Drinking Water to: issue additional citations with assessment of penalties if the System continues to fail to correct a violation identified in a citation; 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 comply with orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
State Water Resources Control Board

6-30-2016
Date

Certified Mail No.: 70122210000216740571

Appendices (3):

1. Public Notification Template
2. Compliance Certification Form
3. Applicable Statutes and Regulations

2300606/Compliance File #4/02_03_16C_021-2300606-52/LSH

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

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

Lake View Mutual Water Company Failed to Sample for Lead and Copper in 2012 & 2015

Our water system failed to monitor our distribution system for lead and copper in 2012 and 2015, as required by the California Code of Regulations. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What should I do?

You do not need to take any corrective actions at this time. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on regulated contaminants in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened?

We are required by state regulations to monitor our drinking water for lead and copper every three years. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. We did not complete the monitoring in 2012 and 2015.

What does this mean?

Because we did not test for lead and copper during 2012 and 2015, we cannot be sure of the quality of the drinking water during that time. Infants and children who drink water containing lead in excess of the action level may experience delays in the physical or mental development. Children may show slight deficits in attention span and learning abilities. Adults who drink this water over many years may develop kidney problems or high blood pressure. Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time may experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years may suffer liver or kidney damage. People with Wilson's Disease should consult their doctor.

What <u>corrective actions</u> have been taken by the Lake View Mutual Water Company to prevent this violation from occurring in the future? And when does Lake View Mutual Water Company expect to return to compliance?

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22, of the California Code of Regulations, as a means of keeping the public informed.

Persons wishing more information should contact: _____
(name)

_____
(address)

_____
(phone number)

PUBLIC WATER SYSTEM NO. 2300606 Date:_____

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

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants and employees.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees and customers of businesses located on the property.

This notice is being sent to you by the Lake View Mutual Water Company in collaboration with the State Water Resources Control Board, Division of Drinking Water.

APPENDIX 2 - COMPLIANCE CERTIFICATION

Citation Number: 02_03_16C_021

Name of Water System: **Lake View Mutual Water Company**

System Number: **2300606**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations. In addition, I certify that the Lake View Mutual Water Company complied with the directives of this citation as indicated below:

Required Action	Date Completed
Complete Appendix 1, as required in Directive 2 of this citation	
Public Notification – Indicate methods below.	

☒ Mail or direct delivery to each customer (REQUIRED)*;

AND choose at least one of the following*:

☐ Publication in a local newspaper (attach copy of newspaper notice); OR

☐ Post in conspicuous places within the water system for a minimum of 7 days (attach copy of posting, state locations and dates of posting); OR

☐ Posting on the Internet or intranet (provide printout of website page).

Signature of Water System Representative

Date

***Attach copies of all public notices to this Compliance Certification form.**

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN JULY 29, 2016

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

APPENDIX 3 – APPLICABLE STATUTES AND REGULATIONS

FOR CITATION NO. 02_03_16C_021

Note: The Department referenced below, formerly the California Department of Public Health, now refers to the State Water Resources Control Board, Division of Drinking Water. The Drinking Water Program moved agencies on July 1, 2014.

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.

California Code of Regulations, Section 64673 states, in relevant part:

(a) The requirements in this section are applicable to all small and medium-size water systems.

(b) Each small and medium-size system shall conduct standard tap sampling for lead and copper pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper). Tap sampling frequency may be reduced pursuant to section 64675.5 (Tap Sampling Frequency).

California Code of Regulations, Section 64675 states, in relevant part:

(a) During each period, each system shall conduct standard tap sampling by collecting one sample from the number of sites based on the number of people served specified in table 64675-A under Standard Tap Sampling.

(b) During each period, each system conducting reduced tap sampling shall collect at least one sample from the number of sites based on the number of people served, specified in table 64675-A under Reduced Tap Sampling, as follows:

(1) The sites shall be representative of the sites required for standard tap sampling.

(2) The samples shall be collected during the months of June, July, August, or September, unless the Department approves an alternate set of four months based on a review of the system's operations and lead and copper data, in which case the system shall initiate sampling during the alternate set of four months when directed in writing to do so by the Department, as follows:

(A) No later than 21 months after the previous period, if sampling annually, or

(B) No later than 45 months after the previous period, if sampling triennially.

Table 64675-A Lead and Copper Tap Sampling Sites

System Size	Standard Tap Sampling	Reduced Tap Sampling
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
<101	5	5

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

California Code of Regulations Section 64675.5(a) states:

A system shall conduct standard tap sampling for two consecutive periods; thereafter, tap sampling frequency may be reduced, pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) as follows:

(1) If a system has 90th percentile levels that do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper for two consecutive periods, it may reduce the sampling to once every three years at the reduced number of sites;

(2) For systems that do not meet the criteria in paragraph (1), after two consecutive periods with no action level exceedance, the frequency may be reduced to annually at the reduced number of sites, if the system receives written approval from the Department based on its review of the system's data. After sampling for three years (including the initial sampling year) with no action level exceedance, the frequency may be reduced to once every three years at the reduced number of sites, if the system receives written approval from the Department.

California Code of Regulations Section 64463.4 states, in relevant part:

(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 Department 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 Department 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 Department 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 Department's written approval based on the violation or occurrence having been resolved and the Department'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 Department'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.

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

(1) Unless otherwise directed by the Department 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 Department 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.

California Code of Regulations (CCR), Section 64465 states in relevant part:

(a) Each public notice given pursuant to this article shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the water system is doing to correct the violation or occurrence;

(8) When the water system expects to return to compliance or resolve the occurrence;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;

(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this

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

(11) For a water system with a monitoring and testing procedure violation, this language shall be included: "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 [*compliance period dates*], we *[did not monitor or test* or *did not complete all monitoring or testing]* for *[contaminant(s)]*, and therefore, cannot be sure of the quality of your drinking water during that time."

(c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice 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 the community served, whichever is less, the public notice shall:

(1) Contain information in the appropriate language(s) regarding the importance of the notice, or

(2) Contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

(d) Each public notice given pursuant to this article shall:

(1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;

(2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and

(3) Not contain language that minimizes or contradicts the information being given in the public notice.

California Code of Regulations Section 64469 states in relevant part:

(a) Analytical results of all sample analyses completed in a calendar month shall be reported to the Department no later than the tenth day of the following month.

(c) Analytical results shall be reported to the Department electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.