



State Water Resources Control Board
Division of Drinking Water

January 5, 2015

System No. 3910018

Sam Hedge, Water and Wells Chairman
San Joaquin River Club
30000 Kasson Road
Tracy, CA 95376

TRANSMITTAL OF CITATION NO. 01-10-15C-001 FOR TCR MCL FAILURE (DECEMBER 2014)

Dear Mr. Hedge,

The San Joaquin River Club Water System (No. 3910018) violated the Maximum Contaminant Level (MCL) for total coliform bacteria during the month of December 2014, as specified in the Domestic Water Quality and Monitoring Regulations, Chapter 15, Title 22, California Code of Regulations (CCR). The State Water Resources Control Board, Division of Drinking Water (Division) has issued Citation No. 01-10-15C-001, in response to this violation. The citation is being transmitted to the San Joaquin River Club under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact me by email at Brian.Kidwell@waterboards.ca.gov or by phone at (209) 948-3963.

Sincerely,

Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-15C-001

Certified Mail No. 7004 2890 0002 0057 9522

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: San Joaquin River Club
30000 Kasson Road
Tracy, CA 95376

Attn: Mr. Sam Hedge, Water and Wells Chairman
San Joaquin River Club

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, SECTION 64426 (b)(1), SECTION 64426.1(b)(1), and SECTION 64426 (a)(3)
WATER SYSTEM NO. 3910018
CITATION NO. 01-10-15C-001
Issued on January 5, 2015

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

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 (hereinafter "Deputy Director"), hereby issues a citation to the San Joaquin River Club (hereinafter, River Club) (30000 Kasson Road, Tracy, CA 95376)

1 for violation of California Code of Regulations (CCR), Title 22, Section 64426 (b)(1),
2 Section 64426.1 subsection (b)(1), and Section 64426 (a)(3).

3
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6
7 (a) If the Division determines that a public water system is in violation of
8 this chapter or any regulation, permit, standard, citation, or order issued or adopted
9 thereunder, the Division may issue a citation to the public water system. The citation
10 shall be served upon the public water system personally or by certified mail. Service
11 shall be deemed effective as of the date of personal service or the date of receipt of
12 the certified mail. If a person to whom a citation is directed refuses to accept delivery
13 of the certified mail, the date of service shall be deemed to be the date of mailing.

14 (b) Each citation shall be in writing and shall describe the nature of the
15 violation or violations, including a reference to the statutory provision, standard, order,
16 citation, permit, or regulation alleged to have been violated.

17 (c) A citation may specify a date for elimination or correction of the
18 condition constituting the violation.

19 (d) A citation may include the assessment of a penalty as specified in
20 subdivision (e).

21 (e) The Division may assess a penalty in an amount not to exceed one
22 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each
23 day that a violation continues to occur. A separate penalty may be assessed for each
24 violation.

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1 **California Code of Regulations, Title 22, Section 64426, subsection (b)(1)**
2 **provides, in relevant part:**

3

4 (b) When the coliform levels specified in subsection (a) are reached or exceeded, the
5 water supplier shall:

6 (1) Contact the Division by the end of the day on which the system is notified of
7 the test result or the system determines that it has exceeded the MCL, unless
8 the notification or determination occurs after the Division office is closed, in
9 which case the supplier shall notify the Division within 24 hours; and

10

11 **California Code of Regulations, Title 22, Section 64426.1, subsection (b)(1)**
12 **provides, in relevant part:**

13

14 (b) A public water system is in violation of the total coliform MCL when any of the
15 following occurs:

16 (1) For a public water system which collects at least 40 samples per month,
17 more than 5.0 percent of the samples collected during any month are total
18 coliform-positive; or

19

20 **California Code of Regulations, Title 22, Section 64426, subsection (a)(3)**
21 **provides, in relevant part:**

22

23 (a) Any of the following criteria shall indicate a possible significant rise in bacterial
24 count:

25 (3) A system fails the total coliform Maximum Contaminant Level (MCL) as
26 defined in §64426.1.

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STATEMENT OF FACTS

The River Club is operated under Water Supply Permit No. 65-83. A Permit Amendment, No. 03-10-95PA-009, was issued on July 24, 1995.

The River Club operates a small water system located approximately eleven miles southeast of the City of Tracy. The system is a community water system that serves the residents of the River Club including a centralized clubhouse. According to the 2013 Annual Report to the Division, the River Club serves approximately 600 people through 385 service connections. The system obtains its water supply from two active wells, Well No. 01 and Well No. 04, located on the River Club property. The River Club does not chlorinate the groundwater. Also, the water system does not have any water storage; however there is one hydro pneumatic tank. The distribution system is maintained as one pressure zone.

It should be noted that the River Club water system does not comply with the Secondary Maximum Contaminant Levels for total dissolved solids, specific conductivity, and iron. The Division placed a ban on new service connections nearly 25 years ago and the ban remains in effect. The existing water service connection ban was established because the quality of the water served by the River Club water system does not comply with the Secondary Maximum Contaminant Levels for mineralization established in the Division's Domestic Water Quality and Monitoring Regulations, Chapter 15, Title 22, California Code of Regulations. Letters from the Division, dated July 25, 1989, October 5, 1989, August 27, 2008, and November 6, 2008, describe the continuing position of the Division with respect to the ban on new service connections.

1 On December 5, 2014, Far West Laboratories Inc. (hereinafter "Far West"), on behalf
2 of the River Club, collected and analyzed a routine sample for bacteriological quality
3 from a designated site in the distribution system. The bacteriological sample tested
4 positive for total coliform bacteria and negative for *E. Coli* bacteria. The laboratory
5 used the colitag (presence/absence) technique for the analysis of the sample. Far
6 West notified the River Club of the total coliform positive bacteriological sample on
7 December 7, 2014. The River Club authorized Far West to collect repeat samples for
8 the total coliform positive sample. The River Club failed to notify the Division of the
9 total coliform positive routine bacteriological sample.

10
11 Repeat samples, three distribution system sites (original, upstream, and downstream)
12 and both wells, were collected by Far West on December 8, 2014. On December 9,
13 2014, Far West informed the Division that all five repeat samples were positive for
14 total coliform bacteria and absent for *E. Coli* bacteria.

15
16 On December 9, 2014, the River Club was directed by the Division to issue a boil
17 water order. The boil water order was hand delivered to all residents and posted at
18 conspicuous locations at the centralized club house.

19
20 Repeat samples, three distribution system sites (original, upstream, and downstream)
21 and Well #4 (pump burnt up on Well #1), were collected by Far West on December
22 10, 2014. On December 11, 2014, Far West informed the Division that all four repeat
23 samples were absent for total coliform bacteria and absent for *E. Coli* bacteria.

24 Repeat samples, six distribution system sites (including the original, upstream, and
25 downstream) and both wells, were collected by Far West on December 12, 2014. On
26 December 13, 2014, Far West informed the Division that all repeat samples were
27 positive for total coliform bacteria and absent for *E. Coli* bacteria, with the exception of



1 Well #4, which was absent for both total coliform and *E. Coli* bacteria. Repeat
2 samples, six distribution system sites (including the original, upstream, and
3 downstream) and both wells, were collected by Far West on December 15, 2014. On
4 December 16, 2014, Far West informed the Division that all repeat samples were
5 positive for total coliform bacteria and absent for *E. Coli* bacteria.

6
7 On December 18, 2014, the River Club initiated temporary emergency chlorination.
8 The River Club contracted with Quality Services, a local operating company, to install
9 and maintain the chlorination equipment. Temporary emergency chlorination
10 equipment was installed on Well #4, and Well #1 was taken offline.

11
12 Repeat samples, eight distribution system sites (including the original, upstream, and
13 downstream) and Well #4, were collected by Far West on December 20, 2014. On
14 December 21, 2014, Far West informed the Division that all but one distribution
15 system sample site were absent for total coliform bacteria and absent for *E. Coli*
16 bacteria. One sample site, 1-Q-6 was positive for total coliform and absent for *E. Coli*
17 bacteria. Repeat samples, eight distribution system sites (including the original,
18 upstream, and downstream) and Well #4, were collected by Far West on December
19 22, 2014. On December 23, 2014, Far West informed the Division that all repeat
20 samples were absent for total coliform bacteria and absent for *E. Coli* bacteria. A
21 second consecutive set of repeat samples, eight distribution system sites (including
22 the original, upstream, and downstream) and Well #4, were collected by Far West on
23 December 23, 2014. On December 24, 2014, Far West informed the Division that all
24 repeat samples were absent for total coliform bacteria and absent for *E. Coli* bacteria.

25
26 On December 24, 2014, the River Club was directed by the Division to issue a boil
27 water order cancelation. The boil water order cancelation was hand delivered to all

1 residents and posted at the same conspicuous locations at the centralized club
2 house.

3
4 In Summary:

5 **Bacteriological Samples During December 2014**

Date	DST Samples	TC-	TC+	Well Samples	TC-	TC+
12/5/2014	1	0	1	0	N/A	N/A
12/8/2014	3	0	3	2	0	2
12/10/2014	3	3	0	1	1	0
12/12/2014	6	0	6	2	1	1
12/15/2014	6	0	6	2	0	2
12/20/2014	8	7	1	1	1	0
12/22/2014	8	8	0	1	0	1
12/23/2014	8	8	0	1	0	1
	43	26	17			

6 *39.5% of the distribution system samples collected during December 2014 were total coliform positive.

7
8 **DETERMINATION**

9 The Division has determined that the River Club failed to comply with the
10 requirements of Section 64426 (b)(1) due to the fact that the River Club failed to notify
11 the Division of a total coliform positive sample. The Division has also determined that
12 the River Club failed to comply with the requirements of Section 64426.1 (b)(1) due to
13 the fact that the River Club is in violation of the total coliform MCL because the water
14 system collected more than 40 samples during the month of December 2014, and
15 more than five percent were total coliform positive. Therefore the River Club is in
16 violation of Section 64426, subsection (b)(1), and Section 64426.1, subsection (b)(1),
17 of the California Code of Regulations.

18

19

DIRECTIVES

The River Club is hereby directed to take the following actions:

1. Notify the residents served by the River Club of the bacteriological quality (Total Coliform Rule) failure in conformance with Section 64463.4, Title 22, CCR. The notification shall be provided in accordance with the following:
 - a. Provide written notice of the bacteriological water quality MCL violation to all residents, via hand delivery or mail, and post a written notice on the drinking water fountains, in the rest rooms, and all other water service areas at the centralized clubhouse. The notification shall be delivered and posted no later than January 15, 2015. The posted notice shall remain posted for at least 7 days.
 - b. A sample notification form that can be used to satisfy the notification requirement is attached to this Citation. Within ten (10) days of supplying the written notification and posting of the written notification, the River Club shall submit to the Division a copy of the notification, including certification of its delivery and posting.
2. The River Club shall develop an Emergency Disinfection Response Plan that provides step-by-step guidance on responding to bacteriological contamination problems. The plan shall include, but not be limited to, the initiation of disinfection of the water being distributed. In addition, the River Club shall provide its water system operators with training, at least annually, on the implementation of the Emergency Disinfection Response Plan.

1 3. By February 15, 2015, perform an investigation to determine the cause of
2 possible significant rise in bacterial count in the distribution system during the
3 month of December 2014. A report of the investigation shall also be prepared
4 in accordance with Section 64426 (b) (2), Title 22, CCR, and submitted to the
5 Division by the above date. A form that should be used to meet this
6 requirement is attached to this Citation.

7
8 The Division reserves the right to make such modifications to this Citation as it may
9 deem necessary to protect public health and safety. Such modifications may be
10 issued as amendments to this Citation, and shall be deemed effective upon issuance.

11
12 Nothing in this Citation relieves the River Club of its obligation to meet the
13 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
14 standard, or order issued or adopted thereunder.

15
16 All submittals required by this Citation shall be submitted to the Division at the
17 following address:

18
19 Bhupinder S. Sahota, P.E.
20 District Engineer, Stockton District
21 State Water Resources Control Board
22 Division of Drinking Water
23 31 E. Channel Street, Room 270
24 Stockton, CA 9202

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26 **PARTIES BOUND**

27 This Citation shall apply to and be binding upon the River Club, its officers, directors,
28 shareholders, agents, employees, contractors, successors, and assignees.

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SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board 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 Board 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 comply with an order of the Board; 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 Board. The Board does not waive any further enforcement action by issuance of this citation.

<u>January 5, 2015</u>	
Date	<hr/> Bhupinder S. Sahota, P.E., District Engineer, Stockton District Division of Drinking Water State Water Resources Control Board

- Attachments:
1. Public Notification
 2. Proof of Notification Form
 3. Investigation Form

Certified Mail No. 7004 2890 0002 0057 9522

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Instructions for Tier 2 Resolved Total Coliform Notice Template

Template Attached

Since exceeding the total coliform bacteria maximum contaminant level is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed 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.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) 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.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (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.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Description of the Violation

Make sure that the notice is clear about the fact that the coliform problem has been resolved, and there is no current cause for concern. The description of the violation and the MCL vary depending on the number of samples you take. The following table should help you complete the second paragraph of the template.

<u>If You Take Fewer Than 40 Samples a Month</u>	<u>If You Take 40 or More Samples a Month</u>
State the number of samples testing positive for coliform. The standard is that no more than one sample per month may be positive.	State the percentage of samples testing positive for coliform. The standard is that no more than 5.0 percent of samples may test positive each month.

Corrective Action

In your notice, describe corrective actions you have taken. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We have increased sampling for coliform bacteria to catch the problem early if it recurs."
- "The well and/or distribution system has been disinfected and additional samples do not show presence of coliform bacteria."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)].

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

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.

[System] Has Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. 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.

We routinely monitor for drinking water contaminants. We took [number] samples to test for the presence of coliform bacteria during [month year]. [Number/percentage] of our samples showed the presence of total coliform bacteria. The standard is that no more than [1 sample per month/5.0 percent of samples] may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

[Describe corrective action].

For more information, please contact [name of contact] at [phone number] or [mailing address].

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.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

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

PROOF OF NOTIFICATION

As required by Section 116450 of the California Health and Safety Code, I notified all users that _____ failed the Total Coliform MCL during December 2014.

Notification was made on _____ by _____
(date)

_____ written notice.
hand delivery or posted (circle one)

Signature of Water System Representative

(date)

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document may be liable for a civil penalty not to exceed five thousand (5,000) for 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 the county jail not to exceed one year, or by both the fine and imprisonment.

Due By: **January 31, 2015**

Failed Total Coliform MCL: **December 2014**

System Number: **3910018**

Citation No.: **01-10-15C-001**

INVESTIGATION REPORT FOR BACTERIOLOGICAL MCL FAILURE

(Complete while conducting investigation. Submit to the Stockton District Office, SWRCB after the contamination has been abated.)

System Name: _____

System No.: _____

Date of Report: _____

Month(s) of Total Coliform MCL Failure: _____

Name of Person Completing the Report: _____

Phone No.: _____

Signature of Person Completing the Report: _____

As part of the investigation report for total coliform MCL failure, the following information is submitted as requested by State Water Resources Control Board, Division of Drinking Water. **Please provide explanations, dates and any corrective actions that were taken.**

1. Current operating procedures that are or could potentially be related to the increase in bacterial count, such as main repairs or well work conducted without disinfection.

2. System pressure loss to less than 5 psi.

3. Potential cross-connections.

4. Physical evidence indicating bacteriological contamination of facilities (such as openings in the well casing, storage tank or evidence of animal activity in the vicinity of the well).

5. If system is chlorinated was there any equipment failure? Did the distribution system maintain a chlorine residual? Was emergency chlorination initiated? If yes, for how long?

6. Residents' illness suspected of being waterborne.

7. Records of the investigation and any action taken.

8. Please attach a separate sheet for additional comments.

Note (Optional): A set of photographs of the well, pressure tanks, and storage tanks in the system may be submitted if they would show that the contamination is directly related.

Analytical results of any additional investigative samples collected (including well samples) should be attached if they have not been previously submitted to the State Water Resources Control Board, Division of Drinking Water.