



RON CHAPMAN, MD, MPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

February 26, 2013
PWS No. 1000606

Ms. Diane Marr
Clingan's Coffee and Deli
43712 Brookside Drive
Miramonte, CA 93641-9716

**RE: CITATION NO. 03-23-13C-009 – FAILURE TO OBTAIN A DOMESTIC WATER SUPPLY PERMIT
AND MONITORING AND REPORTING VIOLATION FOR THE 3RD & 4TH QTRS 2012**

Dear Ms. Marr:

Enclosed is a Citation issued to the Clingan's Coffee and Deli (System) water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation.

You will receive a bill sent from our Fee Billing Unit in Sacramento. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact me at 559-447-3300 or Ellen Lennon at 559-447-3039.

Sincerely,

Betsy S. Lichti, P.E.
Senior Sanitary Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

BSL/EL

1
2
3 **STATE OF CALIFORNIA**
4 **DEPARTMENT OF PUBLIC HEALTH**

5
6 IN RE: **CLINGAN'S COFFEE AND DELI**
Water System No. 1000606

7 TO: Ms. Diane Marr
8 43712 Brookside Drive
9 Miramonte, CA 93641-9716

10 **CITATION FOR NONCOMPLIANCE of**
11 **TOTAL COLIFORM MONITORING AND REPORTING**

12 **Third and Fourth Quarters 2012**

13 **Issued on February 26, 2013**

14
15 Section 116650, Chapter 4, Part 12, Division 104 of the California Health and Safety Code
16 (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the
17 California Safe Drinking Water Act, or any regulation, standard, permit, or order issued
18 hereunder.

19 **VIOLATIONS**

20 The Drinking Water Field Operations Branch of the California Department of Public Health
21 (hereinafter 'Department') hereby issues a Citation to Clingan's Coffee and Deli
22 (hereinafter 'Water System'), for failure to comply with Section 116555(a) of the CHSC
23 and DIVISION 4, Chapter 15, Article 3 of Title 22, California Code of Regulation (CCR).
24 Specifically, the Water System (mailing address: 43712 Brookside Drive, Miramonte, CA
25 93641-9716) failed to comply with the primary standard for bacteriological water quality
26 for the third and fourth quarters of 2012.
27

1 The Water System is operating without a domestic water supply permit. Clingan's Coffee
2 and Deli is a transient non-community water system serving a transient population of
3 approximately thirty five (35) persons. The Department has taken on the task of tracking
4 compliance as of April 25, 2012, when Fresno County notified the Department that the
5 facility met the definition of a public water system. Department records show that the water
6 system is owned by Diane Marr.

7
8 **Section 116555(a)(1) and (3) of the CHSC,**

9 Section 11655(a)(1) and (3) of the CHSC specifies "Any person who owns a public water
10 system shall ensure that the system does all of the following:

- 11 (1) Complies with the primary and secondary drinking water standards.
12 (2) Provides a reliable and adequate supply of pure, wholesome, healthful, and
13 potable water."

14 Compliance with primary and secondary drinking water standards is determined from water
15 quality monitoring conducted in accordance with regulatory requirements.

16
17 **Section 116525(a) of the CHSC,**

18 Section 116525(a) of the CHSC specifies that "No person shall operate a public water
19 system unless he or she first submits an application to the department and receives a permit
20 as provided in this chapter."

21
22 In a letter to the Water System, dated June 19, 2012 (Attachment E), the Department
23 outlined the necessary requirements for processing an application for a domestic water
24 supply permit for a transient noncommunity water system. The letter established a deadline
25 for submittal of the permit application documents of July 13, 2012. Our office has not
26 received any permit application documents or an acknowledgement of your willingness to
27

1 comply with the requirements. Please review the letter dated June 19, 2012 and submit the
2 required documents by **March 15, 2013**.

3
4 **A. DOMESTIC WATER SUPPLY PERMIT REQUIREMENTS**

5 On receiving notification from the County that Clingan's Coffee and Deli water system met
6 the definition of a public water system, the Department sent a letter, dated June 19, 2012
7 (Attachment E), to the Water System outlining the necessary requirements for processing an
8 application for a domestic water supply permit for a transient noncommunity water system.
9 The letter established a deadline for submittal of the permit application documents of July
10 13, 2012. Our office has not received any permit application documents or an
11 acknowledgement of the willingness of the Water System owner to comply with the
12 requirements.

13
14 **B. BACTERIOLOGICAL MONITORING AND REPORTING**

15 Section 64423.(a)(3) specifies that the minimum number of routine bacteriological samples
16 for transient non-community water systems that use groundwater and serve 1,000 or fewer
17 persons a month, shall be one bacteriological sample in each calendar quarter during those
18 periods that the system is in operation or provides water to the public.

19
20 Based on a reported population of approximately thirty five (35) persons, the Water System
21 is required to collect and report a minimum of one (1) bacteriological water quality sample
22 each quarter. The Department has not received any results for bacteriological monitoring
23 conducted by the Water System.

24
25 Section 64423.1(c) specifies that the analytical results of all required samples collected for a
26 system in a calendar month shall be reported to the Department not later than the tenth day
27 of the following month. Furthermore, Section 64423.1(c)(2) requires systems serving fewer

1 than 10,000 service connections or 33,000 persons to instruct the laboratory to submit
2 copies of all required bacteriological monitoring results directly to the Department.

3

4 The Department issued Enforcement Letter No. 03-23-12E-108 on November 9, 2012, to
5 the Water System for failure to submit any bacteriological monitoring results for the third
6 quarter of 2012.

7

8 As of the date of this citation, the Department has not received copies of any bacteriological
9 monitoring results from either the Water System or the laboratory for the third or fourth
10 quarter of 2012. As such, the Department is unable to confirm that the water provided to
11 consumers was bacteriologically safe during the third or fourth quarter of 2012.

12

13

14 **C. NOTIFICATION REQUIREMENTS**

15 Section 116450 of the California Health and Safety Code (CHSC), specifies that whenever
16 a monitoring requirement specified in the Department's regulations is not performed, the
17 person operating the public water system shall notify the Department and shall give notice
18 to the users of that fact in the manner prescribed by the Department.

19

20 Public notification for violation of any requirement of Section 64423 shall be in accordance
21 with Sections 64463 which outlines the prescribed methods and information to be included
22 in the public notice to the customers.

23

24 Public notification for failure to conduct the required bacteriological monitoring for the
25 third and fourth quarters of 2012 is required. The Water System shall utilize the Tier 3
26 Public Notice to inform their customers of the failure to conduct the required
27 bacteriological monitoring. This notice is provided here as Attachment B and shall be

1 given pursuant to Section 64463.4. The Tier 3 Public Notice shall include the mandatory
2 standard monitoring language for monitoring and reporting violations.

3
4 Section 64463.4 allows non-community water systems to give public notice by posting the
5 notice in conspicuous locations throughout the area served by the water system and by the
6 use of one or more of the following methods in order to reach persons not likely to be
7 reached by a public posting: publication in a local newspaper or newsletter distributed to
8 customers, e-mailing the public notice to water system customers, post the public notice on
9 the internet, or by delivery to each customer.

10
11 Section 116450(g) requires that upon receipt of notification from a public water system,
12 schools must notify school employees, students, and parents (if the students are minors),
13 residential rental property owners or managers (including nursing homes and care facilities)
14 must notify their tenants and business property owners, managers or operators must notify
15 employees of businesses located on the property. These secondary notification requirements
16 are included in the public notice.

17
18 Proof of notification is required. The Water System shall complete Attachment C and
19 return it to the Department by **March 31, 2013**.

20
21 **DIRECTIVES**

22 The Clingan's Coffee and Deli water system is hereby directed to take the following
23 actions:

- 24
25 1. The Water System shall collect a **routine bacteriological sample by March 15,**
26 **2013**, and the results shall be reported to the Department at the above address no

27

1 later than April 10, 2013. If the analytical results are negative or absent for total
2 coliform bacteria, the system may then resume its normal bacteriological frequency.

- 3
- 4 2. By **March 15, 2013**, the Water System shall provide public notification of the
5 failure to maintain the required bacteriological monitoring and reporting program by
6 mail or direct delivery to each customer and by an additional secondary method in
7 order to reach persons not likely to be reached by mail or direct delivery.

8

9 By **March 31, 2013**, the Water System shall provide proof of notification by
10 completing Attachment C and returning it to:

11 Betsy S. Lichti, Senior Sanitary Engineer
12 Department of Public Health
13 Drinking Water Field Operations Branch
14 265 W. Bullard Avenue, Suite 101
15 Fresno, CA 93704

- 16 3. Pursuant to Section 64423 and as discussed in this Citation, the Water System shall
17 initiate and maintain the required bacteriological monitoring program by collecting
18 one (1) sample each quarter and reporting the results to the Department at the above
19 address no later than the tenth day of the following month.

- 20 4. The Water System is required to follow the guidelines for bacteriological
21 monitoring requirements (Attachment D) which outlines the monitoring to be
22 conducted for routine and repeat bacteriological sampling.

- 23
- 24 5. By **March 31, 2013**, the Water System shall submit a permit application with a
25 permit application fee of \$310 to become permitted as a public water system. The
26 permit application packet may be obtained by contacting the Department's Fresno
27 District Office.

1 **CIVIL PENALTIES**

2 Sections 116650(d) and 116650(e) of the CHSC allow for the assessment of a civil penalty
3 for failure to comply with requirements of the California Safe Drinking Water Act. Failure
4 to comply with any provision of this Citation may result in the Department imposing an
5 administrative penalty of not less than \$100 (one hundred dollars) per day as of the date of
6 violation of any provision of this Citation.

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2/26/13
Date

Betsy Lienti
Betsy S. Lienti, P.E.
Senior Sanitary Engineer, Fresno District
DRINKING WATER FIELD OPERATIONS BRANCH



BSL/EL

- Attachments:**
- Attachment A: Bacteriological Distribution Monitoring Report for 2012
 - Attachment B: Public Notice
 - Attachment C: Proof of Notification
 - Attachment D: Bacteriological Monitoring Requirements for Small Water Systems
 - Attachment E: Permit Application Package – June 19, 2012 w/o attachments

Bacteriological Distribution Monitoring Report

1000606 ***Clingan's Coffee and Deli*** ***Distribution System Freq: 1/Q***

<i>Sample Date</i>	<i>Time</i>	<i>Location</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Type</i>	<i>CI2</i>	<i>Violation</i>	<i>Comment</i>
9/30/2012		No Sample						MR2	11/9/12 Issued EL 03-23-12E-108
12/31/2012		No Quarterly Sample						MR2	

Violation Key

MCL	Exceeds the maximum contaminant level	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR1	No monthly sample for the report month	MR6	No source sample
MR2	No quarterly sample for the report month	MR7	No summary report submitted
MR3	Incorrect number of routine samples for the report month	MR8	Other comments and/or info
MR4	Did not collect 5 routine samples for previous month's positive sample	MR9	CI2 not reported

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.**

Bacteriological Monitoring Requirements Not Met for Clingan's Coffee and Deli

Our water system failed to monitor as required for a drinking water monitoring standard during the third and fourth quarters of 2012 and, therefore, was in violation of the regulations. Even though this failure was 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 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 our drinking water meets health standards. During the third and fourth quarters of 2012, we did not monitor or test for total coliform bacteria and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples were or will be taken
Total coliform bacteria	1 per quarter	_____	_____	_____

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Corrective action:

For more information, please 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 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.



RON CHAPMAN, MD, MPH
Director & State Health Officer

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ATTACHMENT C

PROOF OF NOTIFICATION

(Return with copy of notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Clingan's Coffee and Deli water system** of the failure to meet the **Monitoring and Reporting Requirement for Coliform bacteria sampling for the third and fourth quarters of 2012.**

Notification was made on _____ by
(date)

hand delivered and/or mailed and/or posted written notice.
(circle all that apply)

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 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 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 to the Department: March 31, 2013
Total Coliform M&R Violation: 3rd and 4th quarters 2012
System Number: 1000606
Enforcement Action No.: 03-23-13C-009



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
<http://www.fypower.org>

Southern California Drinking Water Field Operations Branch
265 W. Bullard Avenue, Suite 101, Fresno, CA 93704
(559) 447-3300; Fax (559) 447-3304
Internet Address: <http://www.dhs.ca.gov/ps/ddwem/>



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Director & State Health Officer

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California Department of Public Health



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BACTERIOLOGICAL MONITORING REQUIREMENTS
For Small Water Systems

1. Minimum Monitoring Frequency

Community Water System	1 per month
Nontransient Noncommunity	1 per month
Transient Noncommunity (groundwater)	1 per quarter
Transient Noncommunity (surface water)	1 per month

An increased monitoring frequency may be required if there is more than one pressure zone in the distribution system, if there are multiple sources or storage reservoirs, or if the daily population served is greater than 1,000. If your system is providing continuous chlorination treatment, closely review Item 6 below.

2. Routine and Repeat Sampling

All **routine samples** should be collected from the distribution system (not from the well) at locations specified in an approved Bacteriological Sample Siting Plan. If such a plan has not been prepared for your water system, contact the Department for assistance.

3. Repeat Monitoring After a Coliform-Positive Sample

Notification of a Coliform-Positive Sample - The water system shall require the laboratory to notify the system within 24 hours if any sample is coliform-positive. The water system must collect a repeat sample set within 24 hours of notification of the coliform-positive sample. **If the sample is fecal coliform- or *E. coli*-positive, the water system should contact the Department immediately.**

Repeat Sampling - *For systems collecting only one sample per month or quarter*, a repeat sample set shall consist of at least four (4) samples as follows: one (1) from the routine sample site at which the positive occurred, one (1) from the upstream repeat sample site, one (1) from the downstream repeat sample site and one (1) from each active source.

For systems collecting more than one sample per month, a repeat sample set shall consist of three (3) samples as follows: one (1) from the routine sample site at which the positive

Southern California Drinking Water Field Operations Branch

265 W. Bullard Avenue, Suite 101, Fresno, CA 93704

(559) 447-3300; Fax (559) 447-3304

Internet Address: <http://www.cdph.ca.gov/programservices/programs/Pages/DWP.aspx>

occurred, one (1) from the upstream repeat sample site, and one (1) from the downstream repeat sample site.

The repeat sample sites shall be located within five service connections upstream and downstream of the routine site as identified in the Bacteriological Sample Siting Plan. At least one repeat sample shall be collected from upstream and one from downstream unless there is no upstream or downstream service connection. Contact the Department as soon as the results of the repeat samples are obtained.

The following criteria should be considered when determining where to collect the fourth repeat sample:

- For systems with only one active well and do not provide continuous chlorination, the sample may be collected at the wellhead.
- For systems with more than one active well, it may not be possible to determine which well was serving the area where the positive routine sample was collected. For these systems, repeat samples should be taken at each wellhead.
- For systems providing continuous chlorination, the system should already be conducting raw-water bacteriological monitoring at a point ahead of chlorination on at least a quarterly basis. These samples should be used to determine if the source of bacteriological contamination is from the well itself. For these systems, the fourth repeat sample should be collected at a storage tank or another point in the distribution system.
- Contact the Department for assistance.

If any of the above criteria would result in a change or revision to your existing bacteriological sample-siting plan, you must first submit a revised plan to our office for review and approval before implementing any such change or revision.

Any additional samples collected from the well(s) for investigative purposes (*not part of the repeat sample set*) should be labeled as “special” samples (or “other” samples), and will not be counted towards compliance with the monthly total coliform water quality standards.

Sampling the Month Following a Coliform-Positive Sample - If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. These samples can be collected on the same day from five different routine sites or from the same routine sites at 15 minute intervals (if fewer than five sites are available). If all five samples are negative for total coliform, the water system may return to the normal sampling frequency during the next sampling period.

4. Determining Compliance with the Coliform Standard

A public water system will fail the coliform maximum contaminant level (MCL) if: For a public water which collects fewer than 40 samples per month, at least two samples collected

in the same month are coliform-positive. When this occurs, the water system representative shall contact the Department immediately (within 24-hours or the next business day if the office is closed). The water system will be required to conduct public notification and will be provided with an approved notification to be used. Public notification shall be conducted by direct mail, hand delivery or posting (where approved).

5. Monthly Reporting of Coliform Monitoring Results

The analytical results of all coliform monitoring shall be reported to the Department by the 10th day of the month following sample collection. The water system can request the laboratory to provide the results to the Department; however, the water system is ultimately responsible to ensure that the sample results were received. If the water delivered to your water system is provided with a disinfection treatment, the chlorine residual should be measured and reported at the same time and location(s) that the bacteriological sample(s) are collected. This residual must be provided to the Department on the laboratory analysis report at this time.

6. Bacteriological Monitoring of Wells (for systems chlorinating)

Water systems that are routinely chlorinating the water supply are required to sample the raw well water for coliform bacteria. Initially, a minimum of six consecutive monthly samples must be collected from the well discharge. The samples must be collected at a location ahead of chlorination. After six consecutive monthly samples do not show the presence of coliform bacteria, the water system may request a reduction in sampling to one sample per quarter. The laboratory should be instructed to determine the most probable number of coliform (MPN) for well samples. The results of all samples shall be submitted to the Department.



RON CHAPMAN, MD, MPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

June 19, 2012
PWS No. 1000606

Robert and Diane Marr
Clingan's Coffee and Deli
34491 E. Kings Canyon Road
Squaw Valley, CA 93675

RE: Permit Application Required for a New Public Water System in Fresno County

To whom it may concern:

Our Department was notified by the County of Fresno, Environmental Health Department advising us that the Clingan's Coffee and Deli meets the definition of a public water system. This letter will provide you with all of the permitting requirements for the domestic water system proposed to serve the Clingan's Coffee and Deli located at 34491 E. Kings Canyon Road, Squaw Valley, CA 93675 in Fresno County.

Based on the information provided by Fresno County Environmental Health Department, the proposed project will be serving at least 25 persons for at least 60 days out of the year and provides water for handwashing and drinking. Therefore, your water system would meet the definition of a *transient non-community* public water system and a domestic water supply permit will need to be issued by our department. Outlined below are the Department's requirements for processing an application for a drinking water supply permit for a new *transient non-community* water system using groundwater as its source of supply.

Outlined below are the Department's requirements for processing an application for a domestic water supply permit for a new *transient noncommunity* water system using groundwater as its source of supply.

1. **Permit Application**

For all new water supply systems, an application must be submitted to the Department for a drinking water supply permit. The permit application that must be completed on the part of the applicant is provided in *Attachment A* (Form EH 100), which also includes the following data sheets that must be completed to provide technical information regarding your water system:

- A1 - System Information Sheet
- A2 - Administrative Programs Data Sheet
- A3 - Well Data Sheet

- A4 - Distribution Data Sheet
- A5 - Reservoir Data Sheet (for storage facilities)
- A6 - Chlorination Data Sheet
- A7 - Filter Plant Data Sheet.

Water systems serving fewer than 1,000 service connections are required to pay a permit application processing fee to the Department at the time application is made. **For new noncommunity water systems, the appropriate fee is currently \$310.00.** A check for this amount should be made payable to the California Department of Public Health.

A document titled *Introduction to Regulatory Requirements for Public Water Systems* is provided as *Attachment B* to assist you in understanding the requirements for public water systems.

2. **Technical, Managerial and Financial (TMF) Requirements for New Public Water Systems**

Enclosed is a document entitled "TMF Assessment Form" (*Attachment D*) that outlines the steps that must be taken to ensure the ongoing viability of public water supply systems. Please review this information closely and submit the *Mandatory* documentation pertaining to non-community water systems with the permit application. A time schedule will be included in the permit for implementation of the *Necessary* elements that have not yet been developed. ***Special conditions may be specified in the permit if the water system owner cannot show adequate compliance with the technical, managerial and financial aspects of the on-going operation of the public water system.***

3. **Requirements for Existing Wells**

Source Site Plan

A plot plan must be prepared and submitted to the Department showing the location of the existing or proposed domestic well and the locations of the following activities within 1500' of the well: any existing or proposed septic tanks, leach field systems, sewer lines and storm drains; land use around the well, including structures, roads, crops (including type of crop); and any chemical or gasoline storage facilities. *Requirements for Source Site Plans* are provided as *Attachment E*

Well Drilling Specifications

Any information that you have, related to the drilling and construction of the well, such as the Well Completion Report or Well Drillers Report, should also be forwarded to this office with the permit application.

All new wells are to be drilled and constructed as per the Department of Water Resources (DWR) California Water Well Standards, Bulletin 74-81 and its supplement, Bulletin 74-90. *Attachment F* presents typical construction features of a completed domestic water well. The California Water Well Standards Bulletin 74-90 requires a separation of domestic water supply wells from potential sources of contamination as follows:

Potential Pollution or Contamination Source	Minimum Horizontal Separation Distance Between Well and Known or Potential Source
Any sewer line (sanitary, industrial, or storm; main or lateral)	50 feet
Watertight septic tank or subsurface sewage leaching field	100 feet
Cesspool or seepage pit	150 feet
Animal or fowl enclosure	100 feet

Information obtained from the DWR California Water Well Standards
 Bulletin 74-90.

The California Waterworks Standards were revised on March 9, 2008, which included the following revisions to new public water supply wells that should be adhered to as follows:

- New wells shall be constructed to conform with AWWA Standard A100-06 (Water Wells) and be plumbed and equipped with proper electrical hookups at the well site to allow for the installation of emergency disinfection equipment.
- New wells must be equipped with a non-threaded down-turned sampling tap located on the discharge line between the wellhead and check-valve (it should have no screens or aerators if used for bacteriological sampling).
- New wells must be equipped with a flow meter and flush-to-waste facilities, with the waste discharge line protected against backflow.
- The wellhead should terminate at least 18 inches above the finished grade and be protected against flooding.
- Wellhead and electrical controls should not be installed in vaults, and all equipment should be accessible for operation, maintenance and removal.

On March 9, 2008, revisions to the California Waterworks Standards became effective that require water systems to provide documentation demonstrating that a well site control zone with a 50-foot radius around the site can be established for protecting the source from vandalism, tampering, or other threats at the site by water system ownership, easement, zoning, lease, or an alternative approach approved by the Department based on its potential effectiveness in providing protection of the source from contamination.

DWR Well Completion Report

Section 13751 of Chapter 10 of Division 7 of the Water Code requires that any person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well, or abandons or destroys any such well, or who deepens or re-perforates any such well shall file with the DWR a report of completion (Well Completion Report) of such well within 30 days after its construction or alteration has been completed. The report shall be made on forms furnished by DWR. A Well Completion Report is a document completed by the well driller at the time of construction. The Report includes the following information: owner, location, proposed use, equipment employed in the construction of the well, gravel pack, casing material and diameter, perforations, well seal, water levels, well tests, well log, date drilled and the name of the well driller.

A copy of the Well Completion Report must also be submitted to our office after the well has been drilled.

Drinking Water Source Assessment Requirements

As of April 1, 1999, all new sources must have an assessment completed and submitted with the permit application. This assessment must be conducted in accordance with the Department's Drinking Water Source Assessment and Protection Program (DWSAP). The assessment must include the following:

- A ***Delineation*** of protection areas/zones around the well (2 year, 5 year and 10 year time of travel).
- An ***Inventory*** of Possible Contaminating Activities (PCAs) that might lead to the release of microbiological or chemical contaminants within the identified delineated zones.
- A ***Vulnerability Assessment*** to identify the PCAs to which the source is most vulnerable.

A brief summary of the Department's DWSAP is provided in *Attachment G*. In order to begin a source water assessment for a new well, the Well Data Sheet (*Attachment A3*) and the PCA Checklist (in *Attachment G*) needs to be completed and submitted to our office. To obtain detailed information on the procedures to complete a source water assessment you may access the Department's web site at:

<http://www.cdph.ca.gov/certlic/drinkingwater/Pages/DWSAP.aspx>

4. Emergency Chlorination

All domestic water supply wells are required to have the capability to quickly install emergency disinfection. This includes the provision of the necessary plumbing (tapped port into the well discharge line down stream of the check valve) and electrical capacity at the well site to operate disinfection equipment in case of a bacteriological water quality failure as follows:

- An all-weather, 110 volt electrical receptacle, energized by the well pump operation.
- A three-quarter (3/4) inch threaded tap on the piping downstream of the well check valves for use as a chlorine injection point.
- A sample tap (non-threaded) at least three to six feet downstream of the chlorine injection point.

5. Water Quality Monitoring

Community and noncommunity water supply systems are required to conduct monitoring of the water from each source, including surface water, and from the distribution system on an ongoing basis, as outlined below. In order to maintain the required monitoring schedule, all water quality records should be obtained from the previous owners, if the permit is for a change in ownership.

All of the source monitoring and distribution system bacteriological monitoring indicated below shall be initiated during the month immediately following receipt of this letter.

The minimum monitoring required to allow our Department to approve the operation of the water supply system for domestic use would be source monitoring from the domestic water supply well as outlined in Attachment H Source Water Quality Monitoring Schedule. In addition, we will require bacteriological monitoring from the distribution system and the well that shows absence of total coliform bacteria.

Chemical Monitoring of the Source: Water quality monitoring is required from each source used by the system. The monitoring requirements depend on the size and type of water system (community vs. noncommunity) and possible contaminating activities near the source. For a typical groundwater source the monitoring schedule provided in *Attachment H, Source Water Quality Monitoring Schedule* (TNC1) would apply. Please note that this monitoring schedule does not apply to purchased or surface water sources.

Distribution System Bacteriological Monitoring: The bacteriological monitoring frequency is based on the population served by the system, and is one sample per quarter. **This sampling must begin immediately, since the facility is currently in operation.** Bacteriological samples must be collected from within the distribution system in accordance with an approved Bacteriological Sample Siting Plan (discussed further in Item 10). All bacteriological sample results shall be submitted to our office by the 10th day of the month following sample collection. Guidance on proper bacteriological sample collection, reporting and follow-up (*Attachment I*) is enclosed.

6. **Bacteriological Sample Siting Plan**

A Bacteriological Sample Siting Plan must be developed and submitted prior to the final permit approval. This plan is to identify locations to be used for routine and repeat sample collection in conformance with the requirements specified in Title 22, California Code of Regulations (CCR), Sections 64421 to 64430. *Attachment J, Guidelines for Completing a Bacteriological Sample Siting Plan* is provided to assist in developing a plan.

7. **Operator Certification Requirements**

Chapter 13, Title 22 of the CCR requires water systems to maintain certified water treatment operators (where treatment is provided other than chlorination) and water distribution operators of an appropriate grade. If disinfection treatment is provided, the water system will be required, at a minimum; to have on staff or under contract a **D1 certified distribution operator**. Responsibilities of the certified distribution operator are outlined in *Attachment K - Summary of Operator Certification Requirements for Public Water Systems*. **If treatment is provided, the level of treatment plant operator will be evaluated upon submittal of your permit application.** Please indicate how the water system will comply with the operator certification requirements in the *Administrative Programs Data Sheet* (Attachment A2).

A list of local certified contract operators can be obtained from our office on request. If no treatment is provided, there is no requirement to retain a certified operator.

8. **Cross-Connection Control Program**

The water system must be reviewed to assure that there are no cross-connections that may result in backflow into the drinking water system. An on-going approved Cross-Connection Control program must be implemented. An approved program must consist of the following elements:

- (a) The conducting of surveys to identify locations where cross-connections are likely to occur.
- (b) The provisions of backflow protection devices.
- (c) The provision of at least one person trained in cross connection control to carry out the program.
- (d) The establishment of an annual testing program of backflow prevention devices.
- (e) The maintenance of records of locations, tests, and repairs of backflow protection devices.

Requirement (c) may be complied with by contracting with a specialist certified through the California-Nevada Section of the American Water Works Association Or the Central Valley Chapter of the American Backflow Prevention Association. A list of certified specialists in your area may be obtained from the Department.

Attachment L is a Cross-Connection Control Survey form. Please submit a completed Cross-Connection Survey form along with the permit application.

9. **Emergency Notification Plan**

An Emergency Notification Plan must be provided to the Department prior to permit approval, specifying the responsible parties to be contacted in an emergency. The plan must also identify the method to be used to notify customers of water quality emergencies. Please use the *Attachment M* for providing us this information.

The Department will charge at the current hourly billing rate (\$126.00 per hour) for any enforcement actions that are necessary to be taken against the water system for violations of the Safe Drinking Water Act or any drinking water regulation, permit or order.

The permit application documents are due to our office within 30 days and no later than July, 13, 2012. The Permit Application Fee of \$310 must be submitted with the permit application for the application submittal to be deemed complete. Once the application, along with all requested documentation, has been received, our office will begin the permitting process.

If there is an existing public water system in the area, we highly recommend that you consider consolidation with that system in lieu of being permitted as a public water system due to ongoing requirements that need to be fulfilled to operate a public water system.

Please note that under the California Health and Safety Code Section 116730, it is a misdemeanor to operate a public water system without a permit issued by the Department. We encourage you to submit the permit application to avoid any legal action.

If you require any further information or copies of any regulations applicable to public water supply systems, please contact our office at (559) 447-3300.

Sincerely,



Betsy S. Lichti, P.E.
Senior Sanitary Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

BSL/MH

cc: Fresno County Division of Environmental Health (w/o attachments)

Attachments

- Attachment A - Permit Application Form EH100
 - A1 - System Information Sheet
 - A2 - Administrative Programs Data Sheet
 - A3 - Well Data Sheet
 - A4 - Distribution Data Sheet
 - A5 - Reservoir Data Sheet (for storage facilities)
 - A6 - Chlorination Data Sheet
- Attachment B - Introduction to regulatory requirements for Public Water Systems
- Attachment C - California Water Works Memorandum
- Attachment D - TMF Capacity Assessment Form for New Non-community Public Water Systems
- Attachment E - Source Site Plan Requirements
- Attachment F - DWR Water Well Standards
- Attachment G - Drinking Water Source Assessment Program Guidance
- Attachment H - Water Quality Monitoring Schedule for New Wells (TNC1)
- Attachment I - Bacteriological Monitoring Requirements for Small Water Systems
- Attachment J - Guidelines for Completing a Bacteriological Sample Siting Plan
- Attachment K - Operator Certification Requirements for Public Water Systems
- Attachment L - Cross-Connection Control Survey Form
- Attachment M - Emergency Notification Plan