



RON CHAPMAN, MD, MPH
Director & State Health Officer

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



EDMUND G. BROWN JR.
Governor

April 8, 2013
System No. 1000459

Mr. Jit Singh, Owner
Johnny Quik Food Store # 127
6012 South Elm
Easton, CA 93706

RE: Citation No. 03-23-13C-019 for noncompliance with permit requirements and treated nitrate monitoring and reporting violation

Dear Mr. Singh:

The California Department of Public Health (Department) issued Citation No. 03-23-13C-019 to the Johnny Quik Food Store # 127 water system (Water System) on April 8, 2013 (attached) for noncompliance with the permit requirements and treated nitrate monitoring and reporting. The Citation requires the Water System to monitor and report the weekly treated nitrates as specified in the Citation and submit the Operations Plan for permitting of the treatment system.

Please submit a written response to our office by April 26, 2013, regarding your intent to comply with the directives of this Citation.

If you have any questions regarding this matter, please contact Sudarshan Poudyal or me at (559) 447-3300.

Sincerely,

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

BSL/sp



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<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/>

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

IN RE: **JOHNNY QUIK FOOD STORE # 127**
Water System No. 1000459

TO: Mr. Jit Singh
Johnny Quik Food Store #127
6012 South Elm
Easton, CA 93706

CC: Fresno County Enviromental Health Department

CITATION FOR NONCOMPLIANCE
PERMIT REQUIREMENTS VIOLATION
WEEKLY NITRATE MONITORING AND REPORTING VIOLATION

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

VIOLATION

The Drinking Water Field Operations Branch of the Department of Public Health (hereinafter 'Department') hereby issues a Citation to Johnny Quik Food Store # 127 (hereinafter 'Water System'), for failure to comply with Sections 116555 and 116550 of the CHSC. Specifically the Water System failed to comply with the following:

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

3 Section 116555(a)(1) and (3) of the CHSC specifies “Any person who owns a public water
4 system shall ensure that the system does all of the following:

- 5 (1) Complies with the primary and secondary drinking water standards.
6 (2) Provides a reliable and adequate supply of pure, wholesome, healthful, and
7 potable water.”

8 The Water System is currently required to conduct weekly post-treatment nitrate
9 monitoring and report the results by the tenth day of the following month. As of March 10,
10 2013, no nitrate data was reported for the period from February 20, 2013 to February 28,
11 2013, and the Department was unable to determine whether or not treated water produced
12 by the Water System met the nitrate MCL of 45 mg/L (as nitrate).

13
14 **Section 116550 (a) of the CHSC,**

15 Section 116550 (a) of the CSHC specifies “No person operating a public water system
16 shall modify, add or change his or her source of supply or method of treatment of, or
17 change his or her distribution system as authorized by a valid existing permit issued to him
18 or her by the department unless the person first submits an application to the department
19 and receives an amended permit as provided in this chapter authorizing the modification,
20 addition, or change in his or her source of supply or method of treatment.”

21
22 The Department received the permit application for the addition of nitrate treatment on
23 January 30, 2012. The Water System has not submitted an Operation Plan which is
24 required for permitting of the nitrate treatment unit installed by the Water System. The
25 Operations Plan was required to be submitted by April 22, 2011 in the inspection report
26 issued by the Department on January 21, 2011. The Water System failed to submit the
27 Operations Plan. A permit requirement letter specifying the need to submit the Operations

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2 Plan was also sent to the Water System on May 10, 2012. The Water System has not yet
3 submitted the Operations Plan.

4
5 The Water System is classified as a transient noncommunity water system with a single
6 groundwater source. The Water System has installed an ion-exchange nitrate treatment unit
7 supplied by Culligan without notifying the Department. In the inspection report dated
8 January 21, 2011, the Water System was granted conditional approval to operate the nitrate
9 treatment system. Conditions for the operation included:

- 10
11 1. A permit application with a permit fee of \$258 is due to the Department for nitrate
12 treatment addition in the Water System. The Water System must apply for the
13 permit by February 28, 2011.
- 14
15 2. The Water System shall conduct weekly effluent nitrate monitoring effective
16 immediately. The effluent nitrate monitoring must be submitted by the analyzing
17 laboratory via EDT to PSCode **1000459-002**. A copy of each weekly analysis
18 result shall be provided to the Department by the 10th day of the following month.
- 19
20 3. The Water System shall provide documentation of NSF 61 certifications for ion-
21 exchange resin and softener equipment for drinking water applications by
22 **February 28, 2011**.
- 23
24 4. A continuous effluent nitrate monitoring equipment should be added in the
25 treatment process with Department approval. The Water System shall submit
26 information on the selected nitrate monitoring equipment and installation schematic
27 for Department review by **March 31, 2011**.

1
2 5. The Water System must engage T2 Certified Treatment Operator upon approval of
3 the currently installed nitrate treatment system.

4
5 6. The Water System should prepare an Operations Plan using guidance provided in
6 Appendix J and submit it to the Department for review by **April 22, 2011**.

7 Conditions 1, 3 and 5 have been met. Condition 4 has not been enforced with the
8 understanding that weekly samples of the treated water are analyzed and reported under
9 Condition 2 and weekly testing is identified in the Operations Plan. The Water System has
10 failed to report weekly post-treatment nitrate monitoring results to the Department from
11 February 20, 2013 to February 28, 2013 from the following location.

12
13 **TABLE 1**

14

Source Name	Primary Station Code	Source Class Code
Well 01-Cl ₂ -Nitrate Removal	1000459-002	TNC1

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18 On January 27, 2012, the Department issued Citation No. 03-23-12C-014 to the Water
19 System due to exceedance of post-treatment nitrate MCL in three (3) consecutive weekly
20 samples in December 2011. The failure to report the weekly post-treatment nitrate samples
21 from February 20, 2013 to February 18, 2013 constitutes a violation since the Department
22 is unable to confirm that the water delivered to customers complies with the nitrate MCL.

23
24 On April 1, 2013, during the preparation of this Citation, effluent nitrate results collected
25 on February 20, 2013, February 26, 2013, March 4, 2013, March 13, 2013 and March 20,
26 2013 were released by the analyzing laboratory to the Department in hard copies. These
27 results were also transmitted via electronic data transfer (EDT).

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NOTIFICATION REQUIREMENTS

The Water System is not required to conduct public notification at this time.

DIRECTIVES

The Johnny Quik Food Store # 127 is hereby directed to take the following actions:

1. The Water System shall ensure that post-treatment nitrate monitoring is conducted weekly and the results transmitted by the laboratory electronically to the State’s database using the assigned PSCode of 1000459-002 by the 10th day of the month following completion of the analyses. **Hard copy nitrate results shall be submitted to the Department within two weeks of sample collection.**

2. An Operations Plan should be submitted to specify the operational and maintenance procedures of the Culligan nitrate removal system. At the minimum, it should include process schematics, specification of softener equipment and resin, operational parameters, bypass percentage, removal efficiencies, QA/QC provisions, waste disposal requirements, frequency and process of regeneration and backwashing, and monitoring for resin fouling and softener equipment malfunction. The Plan should identify the person trained and responsible to maintain the ion exchange nitrate removal system and the protocol to follow during exceedance of nitrate MCL, i.e. notification to the Department posting of public notification and troubleshooting procedures. The Operations Plan is due by **June 14, 2013**.

3. By **April 26, 2013**, the Water System shall submit a written response to the Department acknowledging that it has received this citation and will comply with all the directives listed herein.

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CIVIL PENALTIES

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

4/8/13

Date

Betsy S. Lichti

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

