

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

IN RE: **LION RAISINS PACKING COMPANY**  
Water System No. 1000486

TO: Mr. Daniel Stephens  
Lion Raisins Packing Company  
P.O. Box 1350  
Selma, CA 93662

**CITATION FOR NONCOMPLIANCE**  
**TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION**

**OCTOBER 2013**

**Issued on February 6, 2014**

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 California Department of Public Health (hereinafter 'Department') hereby issues a Citation to Lion Raisins Packing Company (hereinafter 'Water System'), for failure to comply with Section 116555(a)(1) of the CHSC and Section 64426.1(b)(2) of Title 22, California Code of Regulations (CCR). Specifically, the Water System (mailing address: P.O. Box 1350, Selma, CA 93662) failed to comply



1 with the total coliform Maximum Contaminant Level (MCL) for the month of October  
2 2013.

3  
4 The Water System operates under a domestic water supply permit issued by the Department  
5 in May of 2011. Lion Raisins Packing Company is a non-transient non-community water  
6 system serving a population of approximately eighty (80) persons through three (3) service  
7 connections.

8  
9 Section 64426.1(b)(2) specifies that a public water system collecting fewer than 40 samples  
10 per month is in violation of the total coliform MCL when more than one sample collected  
11 during any month is total coliform-positive.

12  
13 The Water System is required to collect a minimum of one (1) distribution system  
14 bacteriological sample per month. The bacteriological water analysis results submitted by  
15 the Water System reported the presence of total coliform bacteria in six (6) of six (6)  
16 samples collected by the Water System in October 2013. None of the positive samples  
17 showed the presence of fecal coliform or *E. coli* bacteria.

18  
19 The following table summarizes the bacteriological monitoring conducted during the  
20 months of October, November and December of 2013.

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23  
24  
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Collection Date	Number of Samples	Sample Type	Number TC positive	Number E. Coli positive
10/30/2013	1	Routine	1	0
10/31/2013	5	Repeat including sources	5	0
11/30/2013	No samples			
12/18/2013	7	Routine including sources	0	0



1 Due to the above-mentioned total coliform positive samples, the Water System failed the  
2 total coliform MCL for the month of October 2013. All water samples for coliform bacteria  
3 collected during 2012 and 2013 are summarized in Attachment A.  
4

5 The cause of the contamination is unknown since no specific source of contamination has  
6 been identified. The Water System was sent the "Positive Total Coliform Investigation" via  
7 email on November 1, 2013. It has not been completed and returned to the Department.  
8

9 **The five routine samples required the month following a month with one or more total**  
10 **coliform-positive samples were not collected in November 2013.**  
11

12 The Groundwater Rule adopted by the Department, effective August 18, 2011, requires the  
13 collection of a sample for bacteriological evaluation from wells serving the system in  
14 response to a coliform positive distribution sample. This requirement was met with the  
15 round of repeat sampling conducted by the Water System in October 2013.  
16

### 17 ASSOCIATED VIOLATIONS

18 Additionally, the Water System has failed to comply with the following Section 64424 of  
19 Title 22, CCR:  
20

21 Section 64424(d) specifies that if a public water system for which fewer than five routine  
22 samples per month are collected has one or more total coliform-positive samples, the water  
23 supplier shall collect at least five routine samples the following month. **No samples were**  
24 **collected during November 2013.**  
25  
26  
27



1        **NOTIFICATION REQUIREMENTS**

2        Section 64426.1(c) requires a public water system to notify the Department and the  
3        consumers of the water system, when a violation of Section 64426.1(b)(1) through (4)  
4        occurs. Notification to the Department shall be by the end of the business day on which the  
5        violation has been determined. If the Department is closed, notification shall be within 24  
6        hours of the determination. **The Department was notified on November 1, 2013, in**  
7        **accordance with the above-referenced section.**

8  
9        A Tier 2 Public Notice for violation of paragraph 64426.1(b)(2) shall be given pursuant to  
10       Section 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory health  
11       effects language from Appendix 64465-A for a total coliform MCL failure.

12  
13       Section 64463.4 allows non-transient non-community water systems to give public notice  
14       by posting the notice in conspicuous locations throughout the area served by the water  
15       system and by the use of one or more of the following methods in order to reach persons not  
16       likely to be reached by a public posting: publication in a local newspaper or newsletter  
17       distributed to customers, e-mailing the public notice to water system customers, post the  
18       public notice on the internet, or by delivery to each customer. **The Tier 2 Public Notice**  
19       **was provided electronically to the Water System on November 1, 2013 and is provided**  
20       **again here as Attachment B.**

21  
22       Section 116450(g) requires that upon receipt of notification from a public water system,  
23       schools must notify school employees, students, and parents (if the students are minors),  
24       residential rental property owners or managers (including nursing homes and care facilities)  
25       must notify their tenants and business property owners, managers or operators must notify  
26       employees of businesses located on the property. These secondary notification requirements  
27       are also included in the public notice.



1  
2 Proof of notification is required. The Water System shall complete Attachment C and return  
3 it to the Department by March 15, 2014.  
4

5  
6 **DIRECTIVES**

7 The Water System is hereby directed to take the following actions:  
8

- 9 1. By **February 20, 2014**, the Lion Raisins Packing Company water system shall  
10 provide public notification of the total coliform Maximum Contaminant Level  
11 failure by posting the notice in conspicuous locations throughout the area served by  
12 the water system.  
13

14 By **February 28, 2014**, the Water System shall provide proof of public notification  
15 of the total coliform MCL violation by completing Attachment C and returning it to:  
16

17 Betsy S. Lichti, Senior Sanitary Engineer  
18 Department of Public Health  
19 Drinking Water Field Operations Branch  
20 265 W. Bullard Avenue, Suite 101  
21 Fresno, CA 93704

- 22 2. By **February 28, 2014**, the Water System shall conduct bacteriological cycle tests  
23 on the raw water produced from Well 1 and Well 3. The cycle tests shall be  
24 conducted using the guidelines provided as Attachment E. All of these raw water  
25 samples shall be analyzed for total and fecal coliform bacteria using the Multiple  
26 Tube Fermentation Method to determine the density of the coliform bacteria. The  
27 results of these samples shall be reported to the Department b the 10<sup>th</sup> day of the  
following month.



3. Whenever the Water System has one or more total coliform-positive samples in a given month, at least five (5) routine samples shall be collected the following month as required by Section 64424(d) and as discussed in this Citation.

4. By **February 28, 2014**, the Water System shall complete and submit the enclosed "Positive Total Coliform Investigation" form to the Department that describes the incident and all corrective actions taken, and the results of the investigation. The appropriate investigation report is provided as Attachment D.

**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 California 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.

2/6/14  
Date

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



BSL/EL

- Attachments:
- Attachment A: Summary of Bacteriological Samples collected since 2012
  - Attachment B: Public Notice Template
  - Attachment C: Proof of Notification Template
  - Attachment D: Positive Total Coliform Investigation Form



# Bacteriological Distribution Monitoring Report

**1000486**     *Lion Raisins Packing Company*
*Distribution System Freq: 1/M*

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	CI2	Violation	Comment
1/27/2012	8:20	USDA Trailer	A	A		Routine			
2/24/2012	8:30	Lion Raisins	A	A		Routine			
5/4/2012	15:00	Processing Plant	A	A		Routine			
6/6/2012	8:00	Processing Plant	A	A		Routine			
7/24/2012	14:15	Processing Plant	A	A		Routine			
8/27/2012	10:10	Processing Plant	A	A		Routine			
9/10/2012	15:45	Processing Plan	A	A		Routine			
10/29/2012	11:00	Processing Plan	A	A		Routine			
11/12/2012	13:00	Processing Plant	A	A		Routine			
12/4/2012	10:00	Processing Plant	A	A		Routine			
1/24/2013	13:45	Processing Plant	A	A		Routine			
2/19/2013	15:00	Processing Plant	A	A		Routine			
3/25/2013	13:00	Processing Plant	A	A		Routine			
4/29/2013	14:00	Processing Plant	A	A		Routine			
5/16/2013	13:45	Processing plan	A	A		Routine			
6/13/2013	13:45	Processing Plant	A	A		Routine			
7/11/2013	13:00	Processing Plant	A	A		Routine			
8/20/2013	13:30	Processing plant-routine	A	A		Routine			
9/25/2013	14:45	Processing Plant	A	A		Routine			
10/30/2013	11:41	Processing plant QC	P	A		Routine			
10/31/2013	13:22	QC Lab Sink	P	A		Repeat			
10/31/2013	13:30	Men's RR Sink	P	A		Repeat			
10/31/2013	13:35	Break Room Sink	P	A		Repeat		MCL	
10/31/2013	13:49	Well 1 (Dehydrator)	122.1	<1		Source Repeat			
10/31/2013	14:00	Well 3 (Plant)	372.4	<1		Source Repeat			
11/30/2013		No sample						MR4	
12/18/2013	14:33	Q.C. Lab Faucet	A	A		Routine			
12/18/2013	14:35	Well 1	A	A		Routine			
12/18/2013	14:38	Break Room Faucet	A	A		Routine			
12/18/2013	14:45	Lab Sink @ USDA Trailer	A	A		Routine			
12/18/2013	14:50	Well 3	A	A		Routine			
12/18/2013	14:52	Dehydrator Shop Faucet	A	A		Routine			
12/18/2013	15:00	Men's Restroom Faucet	A	A		Routine			
1/7/2014	14:55	Dehydrator Shop Faucet	A	A		Routine			

## 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.

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**Lion Raisins Packing Company Has Levels of Coliform Bacteria  
Above the Drinking Water Standard**

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Our water system recently failed a drinking water standard. Although this incident 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 routinely monitor for drinking water contaminants. We took six samples to test for the presence of coliform bacteria in October 2013. **All of these samples showed the presence of total coliform bacteria.** The standard is that no more than one sample per month may show the presence of coliform bacteria.

### 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 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.**
- 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 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 is being 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 Lion Raisins Packing Company                      Date distributed: \_\_\_\_\_.



RON CHAPMAN, MD, MPH  
Health Officer & Director

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



EDMUND G. BROWN JR.  
Governor

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 **Lion Raisins Packing Company** of the failure to meet the **total coliform bacteria MCL** for the month of **October 2013** as directed by the Department.

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

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
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: February 28, 2014  
Total Coliform MCL Failure: October 2013  
System Number: 1000486  
Citation No. : 03-23-14C-007



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**  
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