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STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**TO:** Panoche Water District  
52027 West Althea  
Firebaugh, CA 93622

**Attn:** Sandra Reyes

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,  
TITLE 22, SECTION 64652(a) and 64654(a)- WATER SYSTEM NO. 1000345  
Surface Water Treatment Disinfection  
C I T A T I O N NO. 03-23-15C-003  
Issued on January 21, 2015**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation 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, 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 Panoche Water District for violation of California Code of Regulations (CCR), Title 22, Section 64652 subsection (a).

1 APPLICABLE AUTHORITIES

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

- 3
- 4 (a) If the department determines that a public water system is in violation of this  
5 chapter or any regulation, permit, standard, citation, or order issued or  
6 adopted thereunder, the department may issue a citation to the public water  
7 system. The citation shall be served upon the public water system  
8 personally or by certified mail. Service shall be deemed effective as of the  
9 date of personal service or the date of receipt of the certified mail. If a  
10 person to whom a citation is directed refuses to accept delivery of the  
11 certified mail, the date of service shall be deemed to be the date of mailing.  
12
- 13 (b) Each citation shall be in writing and shall describe the nature of the violation  
14 or violations, including a reference to the statutory provision, standard,  
15 order, citation, permit, or regulation alleged to have been violated.  
16
- 17 (c) A citation may specify a date for elimination or correction of the condition  
18 constituting the violation.  
19
- 20 (d) A citation may include the assessment of a penalty as specified in  
21 subdivision (e).  
22
- 23 (e) The department may assess a penalty in an amount not to exceed one  
24 thousand dollars (\$1,000) per day for each day that a violation occurred,  
25 and for each day that a violation continues to occur. A separate penalty  
26 may be assessed for each violation.  
27

28 **California Code of Regulations, Title 22, Section 64652, subsection (a)**  
29 **provides, in relevant part:**

- 30
- 31 (a) Each supplier using an approved surface water shall provide multibarrier  
32 treatment that meets the requirements of this chapter and reliably ensures  
33 at least:  
34 (1) A total of 99.9 percent reduction of *Giardia lamblia* cysts through  
35 filtration and disinfection; and  
36 (2) A total of 99.99 percent reduction of viruses through filtration and  
37 disinfection.  
38
- 39
- 40

1 California Code of Regulations, Title 22, Section 64654, subsection (a)  
2 provides, in relevant part:

3  
4 (a) All approved surface water utilized by a supplier shall be provided with  
5 continuous disinfection treatment sufficient to insure that the total treatment  
6 process provides inactivation of *Giardia lamblia* cysts and viruses, in  
7 conjunction with the removals obtained through filtration, to meet the  
8 reduction requirements specified in section 64652(a).

9  
10 **STATEMENT OF FACTS**

11 The Panoche Water District water system is operated under Water Supply Permit  
12 No. 03-23-09P-043, issued on June 10, 2009 and its amendment no. 03-23-13PA-  
13 003, issued on April 12, 2013.

14  
15 The Panoche Water District water system (hereinafter "Water System") is a  
16 community water system located in Fresno County and supplies water for  
17 domestic purposes to a population of approximately 146 persons through 46  
18 service connections.

19  
20 The Water System receives raw surface water from the California Aqueduct. The  
21 treatment plant is classified as an inline filtration plant. Treated water flows from  
22 the filters into a series of storage tanks. Propac 9890 is injected in the raw water  
23 line. Sodium hypochlorite is injected into the filter effluent immediately prior to a  
24 series of clearwells. Recirculation treatment was added and permitted in April  
25 2013 to minimize disinfection byproduct formations.

1 CCR Section 64652(a) specifies that each supplier using an approved surface  
2 water source shall provide multibarrier treatment that meets the requirements of  
3 the Surface Water Filtration and Disinfection Treatment Regulations (hereinafter  
4 'SWTR') and reliably ensures that at least a total of 99.9 percent (3.0-log)  
5 reduction of *Giardia* cysts and 99.99 percent (4.0-log) reduction of viruses is  
6 achieved through filtration and disinfection. The SWTR provides a 2.0-log removal  
7 credit for *Giardia* cysts and a 1.0-log removal credit for viruses through inline  
8 filtration treatment as provided by the Water System. To comply with Section  
9 64654(a) of the SWTR, the Water System must provide an additional 1.0-log  
10 inactivation of *Giardia* cysts and a 3.0-log inactivation of viruses through  
11 disinfection. The Water System is required to calculate a daily disinfectant  
12 pathogen inactivation (CT) ratio in order to determine the effectiveness of the  
13 disinfection treatment. This effectiveness is dependent on various factors including  
14 temperature, pH, the chlorine residual, and the contact time.

15

16 The Water System utilizes free chlorine as a method of disinfection. The Water  
17 System is required to provide a daily CT ratio of at least 1.0 to determine  
18 compliance with disinfection inactivation requirements and monitor the  
19 performance of the disinfection process. This ratio is determined by the amount of  
20 CT achieved in relation to the amount of CT that is required. The Water System  
21 failed to maintain a daily CT ratio of 1.0 or greater for three (3) days in November  
22 2014. These failures are summarized below in Table 1:

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**Table 1: CT Failure Dates**

Date	CT Ratio
11/04/2014	0.75
11/05/2014	0.84
11/19/2014	0.80

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**DETERMINATION**

All approved surface water sources utilized by a supplier shall be provided with continuous disinfection treatment sufficient to insure that the total treatment process provides inactivation of *Giardia lamblia* cysts and viruses, in conjunction with the removals obtained through filtration, to meet the reduction requirements specified in Section 64652(a). The Division has determined that the Water System failed to meet this requirement.

**DIRECTIVES**

The Panoche Water District Water System is hereby directed to take the following actions:

1. Forthwith, the Panoche Water District shall cease and desist from failing to comply with the pathogen inactivation (CT) requirement.
  
2. By February 28, 2015, the Panoche Water District Water System shall provide public notification to all customers by mail or hand-delivery, informing them that the water did not meet disinfection treatment requirements of the SWTR during the month of November 2014. The public notification is included in Attachment A. The Water System shall provide proof of public notification to the Division by March 10, 2015. A copy of this form is included as Attachment B.
  
3. The Water System shall submit a written report to the Division by March 10, 2015, describing:
  - (a) The cause of the failure to provide adequate pathogen inactivation, as measured using the CT ratio, and any corrective actions taken, and

1 (b) any necessary operational changes that will be made to prevent future  
2 disinfection treatment failures.

3  
4 4. The Water System shall notify the Division no later than by the end of the next  
5 business day or within 24 hours when the calculated CT ratio on any given day  
6 is below 1.0.

7  
8 5. All submittal required by this Citation shall be addressed to:

9  
10 Betsy S. Lichti, P.E., Senior Sanitary Engineer  
11 State Water Resources Control Board  
12 Southern California Branch  
13 Drinking Water Field Operations  
14 265 W. Bullard Avenue, Suite 101  
15 Fresno, CA 93704  
16

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18 **CIVIL PENALTIES**

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

24  
25 The Division reserves the right to make such modifications to this Citation as it  
26 may deem necessary to protect public health and safety. Such modifications may  
27 be issued as amendments to this Citation, and shall be deemed effective upon  
28 issuance.

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1 Nothing in this Citation relieves the Panoche Water District Water System of its  
2 obligation to meet the requirements of the California Safe Drinking Water Act, or of  
3 any regulation, permit, standard, or order issued or adopted thereunder.  
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5 **PARTIES BOUND**

6 This Citation shall apply to and be binding upon the Panoche Water District, its  
7 officers, directors, shareholders, agents, employees, contractors, successors, and  
8 assignees.  
9

10 **SEVERABILITY**

11 The Directives of this Citation are severable, and the Panoche Water District  
12 Water System shall comply with each and every provision thereof, notwithstanding  
13 the effectiveness of any other provision.  
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15 **FURTHER ENFORCEMENT ACTION**

16 The California SDWA authorizes the Division to: issue citation with assessment of  
17 administrative penalties to a public water system for violation or continued violation  
18 of the requirements of the California SDWA or any permit, regulation, permit or  
19 order issued or adopted thereunder including, but not limited to, failure to correct a  
20 violation identified in a citation or compliance order. The California SDWA also  
21 authorizes the Division to take action to suspend or revoke a permit that has been  
22 issued to a public water system if the system has violated applicable law or  
23 regulations or has failed to comply with an order of the Division; and to petition the  
24 superior court to take various enforcement measures against a public water  
25 system that has failed to comply with violates an order of the Division. The Division  
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1 does not waive any further enforcement action by issuance of this citation.

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11/20/15 Betsy S. Lichti

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Date

Betsy S. Lichti, P.E.,  
District Engineer  
Division of Drinking Water  
State Water Resources Control Board

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Attachments:

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Attachment A: Public Notification Form

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Attachment B: Proof of Notification Form

