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STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**TO:** Bluff Pointe Golf Course  
5469 E. Olive  
Fresno, CA 93727  
  
Water System No. 1000443

**Attn:** Melinda Marks

**cc:** Jim Perez  
8225 N. Milburn Avenue  
Fresno, CA 93722

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22,  
SECTION 64426.1 (b) (2) - TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL**

**January and February 2016**

**CITATION NO. 03-23-16C-008**

**Issued on April 13, 2016**

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

31 Director"), hereby issues a citation to the Bluff Pointe Golf Course Water System  
32 (hereinafter, Water System) (mailing address: 5469 E. Olive Avenue, Fresno, CA 93727)  
33 for violation of California Code of Regulations (CCR), Title 22, Section 64426.1  
34 subsections (b)(2).

35  
36 **APPLICABLE AUTHORITIES**

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

38 (a) If the division determines that a public water system is in violation of this chapter or  
39 any regulation, permit, standard, citation, or order issued or adopted thereunder, the  
40 division may issue a citation to the public water system. The citation shall be served upon  
41 the public water system personally or by certified mail. Service shall be deemed effective  
42 as of the date of personal service or the date of receipt of the certified mail. If a person to  
43 whom a citation is directed refuses to accept delivery of the certified mail, the date of  
44 service shall be deemed to be the date of mailing.

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

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

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

51 (e) The division may assess a penalty in an amount not to exceed one thousand dollars  
52 (\$1,000) per day for each day that a violation occurred, and for each day that a violation  
53 continues to occur. A separate penalty may be assessed for each violation.

54 **California Code of Regulations, Title 22, Section 64426.1, subsections (a) and (b)**  
55 **provide, in relevant part:**

56 **§64426.1. Total Coliform Maximum Contaminant Level (MCL).**

57 (a) Results of all samples collected in a calendar month pursuant to Sections 64423,  
58 64424, and 64425 that are not invalidated by the Division or the laboratory shall be  
59 included in determining compliance with the total coliform MCL. Special purpose  
60 samples such as those listed in §64421(b) and samples collected by the water  
61 supplier during special investigations shall not be used to determine compliance with  
62 the total coliform MCL.

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

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

68 (2) For a public water system which collects fewer than 40 samples per month,  
69 more than one sample collected during any month is total coliform-positive

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71 **§64424 (d) Repeat Sampling**  
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73 if a public water system for which fewer than five routine samples per month are  
74 collected has one or more total coliform-positive samples, the water supplier shall  
75 collect at least five routine samples the following month.  
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77 **STATEMENT OF FACTS**

78 The Water System operates under a Water Supply Permit issued by the Division in July of  
79 2008. The Water System serves a reported year round transient population of  
80 approximately two hundred (200) persons through three (3) service connections that  
81 supply water to restrooms and a clubhouse. The Water System utilizes untreated  
82 groundwater produced by one active well.  
83

84 The Water System reported the presence of total coliform bacteria in five (5) of nine (9)  
85 samples, including Well 1, collected by the Water System in January 2016. None of the  
86 positive samples showed the presence of fecal coliform or *E. coli* bacteria. Additionally,  
87 the Water System reported the presence of total coliform bacteria in five (5) of five (5)  
88 samples collected in February 2016. None of February's positive samples showed the  
89 presence of fecal coliform or *E. coli* bacteria.  
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The following table summarizes the bacteriological monitoring conducted during the months of January and February of 2016.

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Collection Date	Number of Samples	Sample Labeled	Number TC positive	Number E. Coli positive
1/14/2016	1	Routine	1	0
1/18/2016	4	Repeat (including Well 1)	4 (including Well 1)	0
1/25/2016	4	Repeat (including Well 1, with chlorine residuals 0.72-0.73)	0	0
2/8/2016	5	Routine (distribution only)	5	0

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Due to the above-mentioned total coliform positive samples, the Water System failed the total coliform MCL for the months of January and February of 2016. Results for water samples tested for coliform bacteria during 2015 and thus far in 2016 are summarized in Attachment A. The source of contamination is unknown, although the sampling of Well 1 on 1/18/16 indicated the presence of total coliform bacteria in that well. A "Positive Total Coliform Investigation Form" has not been completed, however a certified water system operator was employed to evaluate the situation and disinfect the well. Well cycle testing conducted during February and March of 2016. All well cycle results were negative for total coliform bacteria.

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The five routine distribution samples required the month following February 2016, which had five total coliform-positive samples, were not collected in March 2016.

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114 The Groundwater Rule adopted by the Division, effective August 18, 2011, requires the  
115 collection of a sample for bacteriological evaluation from wells serving the system in  
116 response to a coliform positive distribution sample. This requirement was met with all  
117 repeat sampling collected during January 2016.

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#### ASSOCIATED VIOLATIONS

120 Additionally, the Water System has failed to comply with the following Section 64424 of  
121 Title 22, CCR:

122 Section 64424(d) specifies that if a public water system for which fewer than five routine  
123 samples per month are collected has one or more total coliform-positive samples, the  
124 water supplier shall collect at least five routine samples the following month. No  
125 distribution samples were collected during March 2016.

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#### DETERMINATION

128 The Drinking Water Field Operations Branch of the State Water Resources Control Board  
129 – Division of Drinking Water (hereinafter 'Division') has determined that Bluff Pointe Golf  
130 Course Water System (hereinafter 'Water System'), has failed to comply with Section  
131 116555(a)(1) of the CHSC and Sections 64426.1(b)(2) and 64424(d) of Title 22, California  
132 Code of Regulations (CCR). Specifically, the Water System failed to comply with the total  
133 coliform Maximum Contaminant Level (MCL) for the months of January and February of  
134 2016. Additionally, the Water System failed to conduct the required routine distribution  
135 monitoring in March 2016.

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#### NOTIFICATION REQUIREMENTS

138 Section 64426.1(c) requires a public water system to notify the Division and the  
139 consumers of the water system, when a violation of Section 64426.1(b)(1) through (4)  
140 occurs. Notification to the Division shall be by the end of the business day on which the



141 violation has been determined. If the Division is closed, notification shall be within 24  
142 hours of the determination. The Division was notified on January 19, 2016 and on  
143 February 10, 2016, in accordance with the above-referenced section.

144

145 A Tier 2 Public Notice for violation of paragraph 64426.1(b) (2) shall be given pursuant to  
146 Section 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory health  
147 effects language from Appendix 64465-A for a total coliform MCL failure. Section 64463.4  
148 allows non-community water systems to give public notice by posting the notice in  
149 conspicuous locations throughout the area served by the water system and by the use of  
150 one or more of the following methods in order to reach persons not likely to be reached by  
151 a public posting: publication in a local newspaper or newsletter distributed to customers,  
152 e-mailing the public notice to water system customers, posting the public notice on the  
153 internet, or by delivery to each customer. The appropriate public notification template and  
154 instructions are provided here as Attachment B.

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156 Section 116450(g) requires that upon receipt of notification from a public water system,  
157 schools must notify school employees, students, and parents (if the students are minors),  
158 residential rental property owners or managers (including nursing homes and care  
159 facilities) must notify their tenants and business property owners, managers or operators  
160 must notify employees of businesses located on the property.

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162 Proof of notification is required. The Water System shall complete Attachment C and  
163 return it to the Division by **May 15, 2016**.

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DIRECTIVES

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

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

1. By **April 30, 2016** the Bluff Pointe Golf Course water system shall provide public notification using Attachment B of the total coliform Maximum Contaminant Level failure by posting the notice in conspicuous locations throughout the area served by the water system.

By **May 15, 2016** the Water System shall provide proof of public notification of the total coliform MCL violation by completing Attachment C and returning it to:

Betsy S. Lichti, Senior Sanitary Engineer  
Division of Public Health  
Drinking Water Field Operations Branch  
265 W. Bullard Avenue, Suite 101  
Fresno, CA 93704

2. By **May 15, 2016**, the Water System shall complete and submit the enclosed "Positive Total Coliform Investigation" form to the Division that describes the incident and all corrective actions taken, and the results of the investigation. The appropriate investigation report is provided as Attachment D.

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**PARTIES BOUND**

This Citation shall apply to and be binding upon Bluff Pointe Golf Course Water System, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The Directives of this Citation are severable, and Bluff Pointe Golf Course Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Division 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 Division 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 Division; 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 Division. The Division does not waive any further enforcement action by issuance of this citation.

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Date

*Betsy Licht*

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



Attachments:

- A. Bacteriological Distribution and Source Monitoring Reports
- B. Public Notice Template
- C. Proof of Public Notice Template
- D. Positive Total Coliform Investigation Form

Certified Mail Receipt Tracking Number: 7014 3490 0001 7868 8439

# Bacteriological Distribution Monitoring Report

**1000443 Bluff Pointe Golf Course**

*Distribution System Freq: 1/Q*

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	CI2	Violation	Comment
1/12/2015	10:40	Men's Restroom	A	A		Routine			
4/13/2015	11:55	Men's Restroom	A	A		Routine			
7/15/2015	14:20	Men's restroom	A	A		Routine			
10/8/2015	14:15	men's rr	A	A		Routine			
1/14/2016	13:45	Men's restroom routine	P	A		Routine			
1/18/2016	13:50	site 1 men's restroom	20.1	<1		Repeat		MCL	
1/18/2016	13:55	upstream ohb @ north side	28.5	<1		Repeat			
1/18/2016	14:00	downstream-OHB @ west side	16.9	<1		Repeat			
1/18/2016	14:05	Well 1	9.7	<1		Source Repeat			
1/25/2016	13:45	Well 1	<1	<1		Source Repeat	0.73		
1/25/2016	13:50	Upstream ohb @ north side	<1	<1		Repeat	0.72		
1/25/2016	13:55	Site 1 Men's restroom	<1	<1		Routine	0.72		
1/25/2016	14:00	Downstream ohb @ west side	<1	<1		Repeat	0.72		
2/8/2016	14:00	OHB@West Side	P	A		Routine			
2/8/2016	14:05	Men's Restroom	P	A		Routine		MCL	
2/8/2016	14:11	Women's Restroom	P	A		Routine			
2/8/2016	14:17	OHB @ North Side	P	A		Routine			
2/8/2016	14:20	Men's Restroom @ 15 min	P	A		Routine			
3/31/2016		No Distribution Samples						MR4	Well Cycle Test only

**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

# Source Bacteriological Monitoring Report

1000443 Bluff Pointe Golf Course

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>Sample Type</i>	<i>Test Method</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Violation</i>	<i>Comments</i>
1/18/2016	14:05	Well 001	Source	MPN	9.7	<1				
1/25/2016	13:45	Well 001	Well	MPN	<1	<1				
2/24/2016	13:45	Well Start up	Well Cycle	MPN	<1	<1				Following Disinfection
2/24/2016	13:46	Well - 1 min	Well Cycle	MPN	<1	<1				
2/24/2016	13:50	Well - 5 min	Well Cycle	MPN	<1	<1				
2/24/2016	14:00	Well - 15 min	Well Cycle	MPN	<1	<1				
2/24/2016	14:15	Well - 30 min	Well Cycle	MPN	<1	<1				
3/4/2016	12:00	Well - Start up	Well Cycle	MPN	<1	<1				
3/4/2016	12:01	Well - 1 min	Well Cycle	MPN	<1	<1				
3/4/2016	12:05	Well - 5 min	Well Cycle	MPN	<1	<1				
3/4/2016	12:15	Well - 15 min	Well Cycle	MPN	<1	<1				
3/4/2016	12:30	Well - 30 min	Well Cycle	MPN	<1	<1				

## 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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### Bluff Pointe Golf Course's Water System Had 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 nine (9) samples to test for the presence of coliform bacteria in January 2016. Five (5) of those samples showed the presence of total coliform bacteria. Additionally, we took five (5) samples to test for the presence of coliform bacteria in February 2016. Five 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 Bluff Point Golf Course Water System    Date distributed: \_\_\_\_\_



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

**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 **Bluff Pointe Golf Course Water System** of the failure to meet the **total coliform bacteria MCL** for the months of **January and February 2016** as directed by the Division.

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: May 15, 2016  
Total Coliform MCL Failure: January and February 2016  
System Number: 1000443