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STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**TO:** Juvenile Justice Campus  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93721  
  
Water System No. 1000570

**Attn:** Amina Flores

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

**January 2016**

**CITATION NO. 03-23-16C-009**

**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 Director"), hereby issues a citation to the Juvenile Justice Campus Water System (hereinafter, Water System) (mailing address: 2220 Tulare Street, 6<sup>th</sup> Floor, Fresno, CA

29 93721) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1  
30 subsections (b)(2).

31 **APPLICABLE AUTHORITIES**

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

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

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

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

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

46 (e) The division may assess a penalty in an amount not to exceed one thousand dollars  
47 (\$1,000) per day for each day that a violation occurred, and for each day that a violation  
48 continues to occur. A separate penalty may be assessed for each violation.

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

51 **§64426.1. Total Coliform Maximum Contaminant Level (MCL).**

52 (a) Results of all samples collected in a calendar month pursuant to Sections 64423,  
53 64424, and 64425 that are not invalidated by the Division or the laboratory shall be  
54 included in determining compliance with the total coliform MCL. Special purpose  
55 samples such as those listed in §64421(b) and samples collected by the water  
56 supplier during special investigations shall not be used to determine compliance with  
57 the total coliform MCL.

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

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

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

65 **§64424 (d) Repeat Sampling**

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if a public water system for which fewer than five routine samples per month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month.

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**STATEMENT OF FACTS**

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The Water System is operated under Water Supply Permit No. 03-12-08P-012, issued on June 13, 2008. Juvenile Justice Campus Water System is a community water system that uses groundwater obtained from two active wells. The Water System serves a residential population of four hundred (400) persons through fifteen (15) connections.

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The Water System is required to collect a minimum of one (1) distribution system bacteriological sample per month. The bacteriological water analysis results submitted by the Water System reported the presence of total coliform bacteria in two (2) of twelve (12) distribution samples collected by the Water System during January 2016. None of the positive samples showed the 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 2016.

Collection Date	Number of Samples	Sample Labeled	Number TC positive	Number E. Coli positive
1/14/2016	1	Routine	1	0
1/15/2016	5	Repeat (including wells)	1 (distribution only)	0
1/17/2016	5	Repeat (including wells) + chlorine residuals 0.55-0.75 ppm	0	0
2/5/2016	6	Routine and Source Repeats + chlorine residual 0.20-0.35 ppm	0	0

2/19/2016	1	Routine (distribution only)	0	0
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87 Due to the above-mentioned total coliform positive samples, the Water System failed the  
 88 total coliform MCL for the month of January 2016. Results for water samples tested for  
 89 coliform bacteria thus far during 2016 are summarized in Attachment A. A "Positive Total  
 90 Coliform Investigation" form has not been completed by the Water System operator.  
 91 Disinfection of the distribution system was conducted on January 16, 2016 and continuous  
 92 chlorination treatment is believed to have remained in place throughout the first week of  
 93 February 2016. Water System staff has reported that continuous chlorination is no longer  
 94 in place.

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96 The five routine distribution samples required the month following January 2016, which  
 97 had two total coliform-positive samples, were collected on February 5, 2016; none of  
 98 those distribution samples were positive for total coliform bacteria. Continuous chlorination  
 99 was in place at the time of the routine follow up testing in February 2016.

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101 The Groundwater Rule adopted by the Division, effective August 18, 2011, requires the  
 102 collection of a sample for bacteriological evaluation from wells serving the system in  
 103 response to a coliform positive distribution sample. This requirement was met with the  
 104 repeat sampling collected during January 2016 and in the source repeat sampling in  
 105 February 2016.

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**VIOLATIONS**

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The Drinking Water Field Operations Branch of the State Water Resources Control Board  
 – Division of Drinking Water (hereinafter 'Division') has determined that Juvenile Justice  
 Campus Water System (hereinafter 'Water System'), has failed to comply with Section

111 116555(a)(1) of the CHSC and Sections 64426.1(b)(2) and 64424(d) of Title 22, California  
112 Code of Regulations (CCR). Specifically, the Water System failed to comply with the total  
113 coliform Maximum Contaminant Level (MCL) for the month of January 2016.

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**NOTIFICATION REQUIREMENTS**

116 Section 64426.1(c) requires a public water system to notify the Division and the  
117 consumers of the water system, when a violation of Section 64426.1(b)(1) through (4)  
118 occurs. Notification to the Division shall be by the end of the business day on which the  
119 violation has been determined. If the Division is closed, notification shall be within 24  
120 hours of the determination. The Division was notified on January 19, 2016, in accordance  
121 with the above-referenced section.

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

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127 Section 64463.4 allows community water systems to use mail or direct delivery to each  
128 customer and the use of one or more of the following methods: publication in a daily or  
129 weekly newspaper, posting the public notice in a conspicuous public place within the  
130 water system or on the internet, or by delivery to community organizations.

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132 The Water System shall either mail or conduct direct delivery of the public notice to all  
133 customers served within the general service area. Section 116450(g) requires that upon  
134 receipt of notification from a public water system, schools must notify school employees,  
135 students, and parents (if the students are minors), residential rental property owners or  
136 managers (including nursing homes and care facilities) must notify their tenants and  
137 business property owners, managers or operators must notify employees of businesses



138 located on the property. These secondary notification requirements are included in the  
139 public notice.

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141 Notification of the public was conducted on April 8, 2016 using the notice included here as  
142 Attachment B. Proof of notification was submitted to the Division on April 11, 2016 and is  
143 included here as Attachment C.

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#### DIRECTIVES

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

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- 147 1. By May 15, 2005, the Water System shall complete and submit the enclosed  
148 "Positive Total Coliform Investigation" form to the Division that describes the  
149 incident and all corrective actions taken, and the results of the investigation. The  
150 appropriate investigation report is provided as Attachment D.

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#### PARTIES BOUND

153 This Citation shall apply to and be binding upon Juvenile Justice Campus Water System,  
154 its officers, directors, shareholders, agents, employees, contractors, successors, and  
155 assignees.

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#### SEVERABILITY

157 The Directives of this Citation are severable, and Juvenile Justice Campus Water System  
158 shall comply with each and every provision thereof, notwithstanding the effectiveness of  
159 any other provision.

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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.

4/13/16

*Betsy S. Lichti*

Date

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



Attachments:

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

Certified Mail Receipt Tracking Number: 7014 3490 0001 7868 8446

# Bacteriological Distribution Monitoring Report

**1000570 Juvenile Justice Campus**
*Distribution System Freq: 1/M*

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	Cl2	Violation	Comment
1/13/2015	9:30	2 Rou	A	A		Routine			
2/11/2015	10:00	4 Rou	A	A		Routine			
3/9/2015	11:40	4 Rou	A	A		Routine			
4/8/2015	10:30	5 ROU	A	A		Routine			
5/14/2015	7:00	1 Rou	A	A		Routine			
6/16/2015	11:30	2 Rou	A	A		Routine			
7/14/2015	12:10	2 Rou	A	A		Routine			
8/10/2015	11:20	3 Rou	A	A		Routine			
9/1/2015	11:20	4 Rou	A	A		Routine			
10/13/2015	12:10	5 Rou	A	A		Routine			
12/8/2015	10:10	Rout 2	A	A		Routine			
1/14/2016	11:30	Rou 3	P	A		Routine			
1/15/2016	14:40	Rou 3	A	A		Repeat			
1/15/2016	14:50	Rep 1 Site 4	P	A		Repeat		MCL	
1/15/2016	15:00	Rep 2 Site 2	A	A		Repeat			
1/15/2016	15:10	Rep 3 Well 1	A	A		Source Repeat			
1/15/2016	15:15	Rep 3 Well 2	A	A		Source Repeat			
1/17/2016	12:30	Rou 3	A	A		Repeat	0.75		
1/17/2016	12:35	Rep 1 Site 4	A	A		Repeat	0.62		
1/17/2016	12:45	Rep 2 Site 2	A	A		Repeat	0.55		
1/17/2016	12:55	Rep 3 Well 1	A	A		Source Repeat			
1/17/2016	13:05	Rep 3 Well 2	A	A		Source Repeat			
2/5/2016	12:10	Rep 3 Well 2	A	A		Source Repeat			
2/5/2016	12:15	Rep 3 Well 1	A	A		Source Repeat			
2/5/2016	12:25	Rep 2 Site 2	A	A		Routine	0.35		
2/5/2016	12:30	Rou 4	A	A		Routine	0.25		
2/5/2016	12:35	Rou 3	A	A		Routine	0.20		
2/5/2016	12:45	Rep 1 Site 4	A	A		Routine	0.31		
2/19/2016	12:35	Sample Site 4	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	Cl2 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.

### Juvenile Justice Campus Has Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is 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 4 samples to test for the presence of coliform bacteria during January/February, 2016. 2 of those samples showed the presence of coliform bacteria. The standard is that no more than 1 sample may do so.

#### 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 system's 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, and further testing shows that this problem has been resolved.**
- 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 U.S. 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 was done?

While testing for microbiological contaminants in the water system at the Juvenile Justice Campus two samples tested positive for coliforms. Immediately following the notification of coliform presence the water system was chlorinated and re-tested for microbiological contaminants. Test concluded that the system was free from coliforms.

For more information, please contact Jerod Weeks at (559) 600-4321 or [jweeks@co.fresno.ca.us](mailto:jweeks@co.fresno.ca.us).

*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 the County of Fresno Department of Public Works & Planning .

State Water System ID#: CA1000570 . Date distributed: 4/8/2016 .

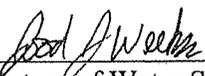
**PROOF OF NOTIFICATION**

(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 Juvenile Justice Camp of the failure to meet the **total coliform bacteria MCL** for the month of **January 2016** as directed by the Division.

Notification was made on 4-8-16 by \_\_\_\_\_  
(date)

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

  
Signature of Water System Representative

4-11-16  
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: April 30, 2016  
Total Coliform MCL Failure: January 2016  
System Number: 1000570  
Citation No.: \_\_\_\_\_