



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

November 15, 2013

Lawanda Stanley, Owner  
Pinon Hill Water Company  
P. O. Box 2645  
Tehachapi, CA 93568

**RE: Bacteriological Monitoring and Reporting Violations For September and October 2013 – Pinon Hill Water Company Water System (System No. 1500540)**

Dear Ms. Stanley:

The Pinon Hill Water Company (hereinafter Water Company) did not conduct or report bacteriological monitoring of its domestic water supply system for the months of September and October of 2013. As a result of the Water Company not collecting the required monthly bacteriological distribution system samples, the Department is issuing the enclosed Citation #03-19-13C-054.

**Please carefully review all directives of the citation and take necessary actions to comply.** To avoid further enforcement action by the Department and a civil penalty, the Water Company must resume monthly bacteriological sampling before November 30, 2013. As stated in the California Health and Safety Code, the Water Company could be fined up to \$200 per day for each day the violation continues.

If you have any questions concerning this letter, please call the Tehachapi District Office at (661) 335-7315.

Sincerely,

Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
TEHACHAPI DISTRICT  
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosure: Citation No. 03-19-13C-054

cc: Kern County Environmental Health Services Department (w/o enclosure)  
California Public Utilities Commission

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**STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH**

IN RE: **Pinon Hill Water Company Water System**  
Water System No. 1500540

TO: Lawanda Stanley, Owner  
Pinon Hill Water Company  
P. O. Box 2645  
Tehachapi, CA 93568

**BY CERTIFIED MAIL**

**CITATION FOR NONCOMPLIANCE  
TOTAL COLIFORM MONITORING & REPORTING VIOLATIONS  
FOR  
September 2013 and October 2013**

**Citation No. 03-19-13C-054**

**Issued on November 15, 2013**

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

**VIOLATION**

The Drinking Water Field Operations Branch of the Department of Public Health (hereinafter "Department") hereby issues a Citation to the Pinon Hill Water Company (hereinafter "Water Company") for failure to comply with Section 116555(a) of the CHSC and Sections 64423(a)(1) and 64423.1(c) of Title 22, California Code of

1 Regulations (CCR). **Specifically, the Water Company failed to comply with the**  
2 **bacteriological monitoring and reporting regulations for the months of**  
3 **September and October 2013.**

4  
5 Section 64423(a)(1) states that the minimum number of routine bacteriological water  
6 samples for community water systems using groundwater and serving 1,000 or fewer  
7 persons a month shall be one in each calendar month during which the system provides  
8 water to the public. Section 64423.1(c) states that the water supplier shall require the  
9 laboratory to report directly to the Department, all analytical results of all required  
10 bacteriological samples collected for a system in a calendar month not later than the  
11 tenth day of the following month. Furthermore, Section 64423.1(c)(2) requires  
12 systems serving fewer than 10,000 service connections or 33,000 persons to instruct  
13 the laboratory to submit copies of all required bacteriological monitoring results  
14 directly to the Department. The Water Company is required to collect a minimum of  
15 one (1) routine distribution system bacteriological sample per calendar month. A  
16 **review of the Department's records indicates that the Water company did not**  
17 **collect any routine bacteriological distribution system samples during the months**  
18 **of September 2013 and October 2013.** By not submitting the results of  
19 bacteriological sampling for September and October 2013, **the Water Company**  
20 **violated Sections 64423.1(c) and 64423.1(c)(2) of Title 22, CCR.**

21  
22 The above violations are classified as non-continuing violations.

23  
24 **BACKGROUND**

25 The Water Company owns and operates a community public water system and serves a  
26 population of approximately 80 persons through 37 active service connections. The  
27 Water Company operates under the authority of a domestic water supply permit #03-

1 19-06P-003 issued on September 20, 2006, by the State of California, Department of  
2 Health Services (now California Department of Public Health).

3  
4 **NOTIFICATION REQUIREMENTS**

5  
6 The above-mentioned violations of Sections 64423(a)(1) and 64423.1(c)(2) of Title  
7 22, CCR are considered monitoring and reporting (M&R) violations and requires  
8 issuing public notification to the persons served by the Water Company. The Water  
9 Company is required to notify the persons served, via Tier 2 public notification, in  
10 accordance with the Section 64463.4(a)(2) of Title 22, CCR. Public notification to the  
11 persons served by the Water Company may be provided by the following methods,  
12 using the template provided as **Attachment A**. **By November 30, 2013**, the public  
13 notification of the above mentioned M&R violations shall be provided directly to the  
14 consumers served by the Water Company, as explained below:

- 15  
16 1. Mail or direct delivery to each customer, and  
17 2. Use one or more of the following methods to reach persons not likely to be  
18 reached by a mailing or direct delivery:  
19 (a) Publication in a local newspaper or newsletter distributed to customers  
20 (b) Posting in conspicuous public places served by the Water System, or on the  
21 internet or intranet  
22 (c) Email message to employees  
23

24 Proof of notification is required. The Water Company shall complete **Attachment B**  
25 and return it to the Department within 10 days of providing public notification and no  
26 later than **December 10, 2013**.

27



1 Company shall collect a routine bacteriological quality sample from the  
2 distribution system before **November 30, 2013**, and report the results to the  
3 Department no later than **December 10, 2013**.

- 4
- 5 5. By **November 25, 2013**, the Water System shall submit a written response to  
6 the Department acknowledging that it has received this citation and steps taken  
7 to comply with all the directives listed herein.

8

9 **FURTHER ENFORCEMENT ACTIONS**

10 Section 116270, Division 104, Part 12, Chapter 4 of the CHSC authorizes the  
11 Department to: issue additional citations with assessment of penalties if the public  
12 water system continues to fail to correct a violation identified in a citation; take action  
13 to suspend or revoke a permit that has been issued to a public water system if the  
14 system has violated applicable law or regulations or has failed to comply with orders  
15 of the Department; and petition the superior court to take various enforcement  
16 measures against a public water system that has failed to comply with orders of the  
17 Department. The Department does not waive any further enforcement action by  
18 issuance of this citation.

19

20 **PARTIES BOUND**

21 This citation shall apply to and be binding upon the Pinon Hill Water Company, its  
22 officers, directors, agents, employees, contractors, successors, and assignees.

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24 **SEVERABILITY**

25 The directives of this citation are severable, and Pinon Hill Water Company shall  
26 comply with each and every provision thereof, notwithstanding the effectiveness of  
27 any other provision.

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**CIVIL PENALTY**

Section 116650, subsection (d) and (e) of the CHSC allow for the assessment of a civil penalty for the failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any Directive of this Citation may result in the Department imposing an administrative penalty of not less than \$200 (two hundred dollars) for each day that the violation continues beyond the date set for correction in this Citation.

The Department does not waive any further enforcement action by issuance of this citation, and expressly reserves the right to issue a citation with penalties for the violations on which the Directives of this citation are based.

The Pinon Hill Water Company has been billed at the current hourly rate of \$126.00 since this is an enforcement action for noncompliance of the regulations.

Nov. 15, 2013  
Date

  
\_\_\_\_\_  
Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
Central California Section  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

**Attachments:**

- Attachment A: Notice of Bacteriological Quality Monitoring Failure
- Attachment B: Proof of Notification
- Attachment C: Bacteriological Monitoring Requirements for Small Water Systems

cc: Kern County Environmental Health Services Department (w/o attachments)  
California Public Utilities Commission

JSD/dc

## **Attachment A**

## 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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### Pinon Hill Water Company

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Our water system recently violated monthly monitoring and reporting requirements for the primary drinking water standard for total coliform bacteria. Pinon Hill Water System failed to conduct the required bacteriological monitoring during the months of September and October 2013, and as a result may not have met the drinking water quality standards specified in the California Domestic Water Quality and Monitoring Regulations. Laboratory results of analysis of bacteriological water samples were not reported to the California Department of Public Health (Department) as required for the above-cited months.

#### What does this mean?

The Department establishes water quality monitoring and reporting requirements to determine that the drinking water served by public water systems is free of harmful bacteria. When a water system fails to conduct the required monitoring, there is no assurance that the water is free of harmful bacteria.

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.*

Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever coliform bacteria are detected in any sample, follow-up testing is done to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. These are the bacteria that would have been detected, if present, by the required monitoring. The Department has set an enforceable drinking water quality-monitoring requirement, based on population served, to reduce the risk of adverse health effects by detecting the presence of these organisms. Systems that collect fewer than the required number of samples each month/quarter are in violation of this requirement.

#### What is being done?

In order to comply with the bacteriological monitoring requirements, we are working on resolving the problem and are planning to collect a sample from the distribution system before November 30, 2013.

For more information, please contact Lawanda Stanley with Pinon Hill Water System at (661) 823-8135 or California Department of Public Health, Tehachapi District at (661) 335-7315.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly.*

This notice is being sent to you by the Pinon Hill Water Company in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Lawanda Stanley, Owner  
Pinon Hill Water Company

## **Attachment B**

**PROOF OF NOTIFICATION**  
**(Return with copy of the Notification)**

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Pinon Hill Water Company** of the failure to test for total coliform bacteria during the months of September and October 2013.

Notification was made on \_\_\_\_\_ by  
(date)

hand delivered or mailed/posted written notice.  
(circle all completed)

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
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: December 10, 2013 OR WITHIN 10 DAYS OF NOTIFICATION WHICHEVER OCCURS EARLIER**

Bacteriological Monitoring & Reporting Violations: September and October 2013

System Number 1500540

Citation No. 03-19-13C-054

## **Attachment C**



RON CHAPMAN, MD, MPH  
Director & State Health Officer

EDMUND G. BROWN JR.  
Governor

## BACTERIOLOGICAL MONITORING REQUIREMENTS For Small Water Systems (Population ≤1,000)

### 1. Minimum Monitoring Frequency

<u>Monthly Population Served</u> <u>Frequency</u>	<u>Service Connections</u>	<u>Minimum</u>
25 to 1,000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month

Increased monitoring frequency may be required if there is more than one pressure zone in the distribution system or multiple sources or storage reservoirs. If your system is providing continuous chlorination treatment, closely review Item 6 below.

### 2. Routine and Repeat Sampling

All **routine samples** should be collected from the distribution system (not from the well) at locations specified in an approved Bacteriological Sample Siting Plan. If such a plan has not been prepared for your water system, contact the Department for assistance.

### 3. Repeat Monitoring After a Coliform-Positive Sample

**Notification of a Coliform-Positive Sample** - The water system shall require the laboratory to notify the system within 24 hours if any sample is coliform-positive. The water system must collect a repeat sample set within 24 hours of notification of the coliform-positive sample. **If the sample is fecal coliform or E. Coli positive, the water system should contact the Department immediately.**

**Repeat Sampling** - For systems collecting only one sample per month or quarter, a repeat sample set shall consist of four (4) samples as follows: one (1) from the routine sample site at which the positive occurred, one (1) from the upstream repeat sample site, one (1) from the downstream repeat sample site and one (1) from the operating well or another location within the system that would best help to identify the source or area of contamination.

The repeat sample sites shall be located within five service connections upstream and downstream of the routine site as identified in the Bacteriological Sample Siting Plan. At least one repeat sample shall be collected from upstream and one from downstream unless there is no upstream or downstream service connection. Contact the Department as soon as the results of the repeat samples are obtained.

The following criteria should be considered when determining where to collect the fourth repeat sample:

- For systems with only one active well and do not provide continuous chlorination, the sample may be collected at the wellhead.
- For systems with more than one active well, it may not be possible to determine which well was serving the area where the positive routine sample was collected. For these systems, the fourth repeat sample should be collected at a storage tank or another point in the distribution system.
- For systems providing continuous chlorination, the system should already be conducting raw-water bacteriological monitoring at a point ahead of chlorination on at least a quarterly basis. These samples should be used to determine if the source of bacteriological contamination is from the well itself. For these systems, the fourth repeat sample should be collected at a storage tank or another point in the distribution system.
- Contact the Department for assistance.

If any of the above criteria would result in a change or revision to your existing bacteriological sample-siting plan, you must first submit a revised plan to our office for review and approval before implementing any such change or revision.

Any additional samples collected from the well(s) for investigative purposes (*not part of the repeat sample set*) should be labeled as "special" samples (or "other" samples), and will not be counted towards compliance with the monthly total coliform water quality standards.

**Sampling the Month Following a Coliform-Positive Sample** - If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. These samples can be collected on the same day from five different routine sites or from the same routine sites at 15 minute intervals (if fewer than five sites are available). If all five samples are negative for total coliform, the water system may return to the normal sampling frequency during the next sampling period.

#### **4. Determining Compliance with the Coliform Standard**

A public water system will fail the coliform maximum contaminant level (MCL) if:  
For a public water which collects fewer than 40 samples per month, at least two

samples collected in the same month are coliform-positive. When this occurs, the water system representative shall contact the Department immediately (within 24-hours or the next business day if the office is closed). The water system will be required to conduct public notification and will be provided with an approved notification to be used. Public notification shall be conducted by direct mail, hand delivery or posting (where approved).

## **5. Monthly Reporting of Coliform Monitoring Results**

The analytical results of all coliform monitoring shall be reported to the Department by the 10th day of the month following sample collection. The water system can request the laboratory to provide the results to the Department; however, the water system is ultimately responsible to ensure that the sample results were received. If the water delivered to your water system is provided with a disinfection treatment, the chlorine residual should be measured and reported at the same time and location(s) that the bacteriological sample(s) are collected. This residual must be provided to the Department on the laboratory analysis report at this time. Beginning January 1, 2004, EPA's Disinfectant/Disinfection By-Product (D/DBP) Rule will require this reporting to our Department.

## **6. Bacteriological Monitoring of Wells (for systems chlorinating)**

Water systems that are routinely chlorinating the water supply are required to sample the raw well water for coliform bacteria. Initially, a minimum of six consecutive monthly samples must be collected from the well discharge. The samples must be collected at a location ahead of chlorination. After six consecutive monthly samples do not show the presence of coliform bacteria, the water system may request a reduction in sampling to one sample per quarter. The laboratory should be instructed to determine the most probable number of coliform (MPN) for well samples. The results of all samples shall be submitted to the Department.