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**STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD**

IN RE: **LINNS VALLEY SCHOOL WATER SYSTEM**  
Water System No. 1502163

TO: Kay Yarger, Superintendent  
Linns Valley School  
P.O. Box 399  
Glenville, CA 93226

**BY CERTIFIED MAIL**

**CITATION FOR NONCOMPLIANCE - WATER SYSTEM NO. 1502163  
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION  
May 2014**

**Citation No. 03-19-14C-011**

**Issued on July 8, 2014**

**STATEMENT OF FACTS**

Linns Valley School Water System (hereinafter Water System) is classified as a non-transient, non-community Water System and serves a population of approximately 106 persons through four service connections.

The Water System operates under the authority of a domestic water supply permit (No. E-97) issued on July 17, 1984, by the Kern County Environmental Health Services Department.



1 The Southern California Drinking Water Field Operations Branch, Division of  
2 Drinking Water (hereinafter Division), State Water Resources Control Board, is  
3 responsible for enforcing the Safe Drinking Water Act and regulations promulgated  
4 pursuant thereto. The Division of Drinking Water was transferred from the California  
5 Department of Public Health to the jurisdiction of the State Water Resources Control  
6 Board, effective July 1, 2014.

- 7
- 8 • The Water System is required to collect a minimum of one (1) distribution  
9 system bacteriological sample per month.
  - 10 • One (1) routine bacteriological quality sample collected on May 1, 2014, from  
11 the distribution system, tested positive for total coliform bacteria.
  - 12 • All three (3) repeat bacteriological samples collected on May 5, 2014, from the  
13 distribution system, tested positive for total coliform bacteria.
  - 14 • One (1) repeat bacteriological sample collected on May 5, 2014, from Well 01,  
15 (also counted towards the Ground Water Rule's trigger source sampling  
16 requirement), tested negative for total coliform bacteria.
  - 17 • **Linns Valley School Water System failed the total coliform maximum  
18 contaminant level (MCL) for May 2014 [Section 64426.1(b)(2),  
19 Authorities].**
  - 20 • On May 2, 2014, Scott Moore of Seaco Technologies, Inc., the Water System's  
21 contract sampler and certified distribution operator, notified the Division of the  
22 routine total coliform positive sample collected on May 1, 2014. Results of the  
23 repeat total coliform positive samples and total coliform MCL failure (for the  
24 month of May 2014) were reported to the Division on May 6, 2014, by Mr.  
25 Moore.
  - 26 • On May 6, 2014, the Water System provided emergency disinfection of the  
27 distribution system. The distribution system was also flushed at that time.

- 1 • Three (3) special bacteriological samples, collected on May 8, 2014, from the
- 2 distribution system, tested negative for total coliform bacteria.
- 3 • One (1) special bacteriological sample, collected on May 8, 2014, from Well
- 4 01, tested negative for total coliform bacteria.
- 5 • None of the total coliform positive samples collected in May 2014, from the
- 6 distribution system, tested positive for *E.coli* bacteria.
- 7 • On May 27, 2014, a public notice and Proof of Notification were emailed to
- 8 the Water System for the May 2014 total coliform MCL failure.
- 9 • On May 27, 2014, the Division received signed and dated copies of the Proof
- 10 of Notification and the public notice. According to these documents, public
- 11 notification was completed on May 27, 2014.
- 12 • On June 12, 2014, an investigation report template (copy provided under
- 13 **Attachment B**) was emailed to the Water System, for the April 2014 total
- 14 coliform MCL failure.
- 15 • **To date, the Division has not received a completed investigation report in**
- 16 **response to the May 2014 TCRMCL failure [Section 64426(b)(2),**
- 17 ***Authorities*].**
- 18 • Results of all (source and distribution) bacteriological samples collected in
- 19 January 2014 to May 2014 are summarized in **Attachment A**.
- 20

### AUTHORITIES

Section 116577 of the CHSC, states in relevant part:

“(a) Each public water system shall reimburse the Department for the actual costs incurred by the Department for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

...

(b) The Department shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the Department. The costs set forth in the invoice shall not exceed the total actual costs to the Department of the enforcement activities specified in this section.”...

**Section 116650 of the California Health and Safety Code (hereinafter CHSC), states in relevant part:**

“(a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, or order issued or adopted thereunder, the Department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by registered mail.

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

(c) For continuing violations, the citation shall fix the earliest feasible time for elimination or correction of the condition constituting the violation where appropriate. If the public water system fails to correct a violation within the time specified in the citation, the Department may assess a civil penalty as specified in subDepartment (e).

(d) For a noncontinuing violation of primary drinking standards, the Department may assess in the citation a civil penalty as specified in subDepartment (e).

(e) Citations issued pursuant to this section shall be classified according to the nature of the violation or the failure to comply. The Department shall specify the classification in the citation and may assess civil penalties for each classification as follows:

(1) For violation of a primary drinking standard, an amount not to exceed one thousand dollars (\$1,000) per day for each day that the violation occurred, including each day that the violation continues beyond the date specified for correction in the citation or order.

(2) For failure to comply with any citation or order issued for violation of a secondary drinking water standard that the director determines may have a direct or immediate relationship to the welfare of the users, an amount not to exceed one thousand dollars (\$1,000) for each day that the violation continues beyond the date specified for correction in the citation or order.

(3) For failure to comply with any citation or order issued for noncompliance with any Department regulation or order, other than a primary or secondary drinking water standard, an amount not to exceed two hundred dollars (\$200) per day for each day the violation continues beyond the date specified for correction in the citation.”

**Section 116655 of the CHSC, states in relevant part:**

“(a) Whenever the Department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the Department.

(3) Directing that appropriate preventative action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(2) That purification or treatment works be installed.”

**California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:**

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426 establishes the significant rise in bacteriological count and states in relevant part:

- “(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:
- (1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive samples in the repeat sample set;
  - (2) A system has a sample which is positive for fecal coliform or E. coli; or
  - (3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in 64426.1.
- (b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:
- (2) Submit to the Department information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:
    - (A) Current operating procedures that are or could potentially be related to the increase in bacterial count;
    - (B) Any interruptions in the treatment process;
    - (C) System pressure loss to less than 5 psi;
    - (D) Vandalism and/or unauthorized access to facilities;
    - (E) Physical evidence indicating bacteriological contamination of facilities;
    - (F) Analytical results of any additional samples collected, including source samples;
    - (G) Community illness suspected of being waterborne; and
    - (H) Records of the investigation and any action taken.”...

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

- “(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Department or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
  - (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
  - (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
  - (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Department by the end of the business day on which this is determined, unless the determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A

1 Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section  
2 64463.1.”

3 **DETERMINATIONS**

4 Based upon the above *Statement of Facts and Authorities*, the Division determines that  
5 the Linns Valley School Water System has violated the following:

- 6
- 7 1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated  
8 the total coliform MCL for May 2014, when more than one sample collected in  
9 May 2014, tested positive for total coliform bacteria.
  - 10 2. CCR, Title 22, Section 64426(b)(2); Specifically, the Water System failed to  
11 submit a completed investigation report, in response to the total coliform MCL  
12 failure for the month of May 2014.

13 The above violations are classified as non-continuing violations.

14

15 **DIRECTIVES**

16 Linns Valley School Water System is hereby directed to take the following actions:

- 17
- 18 1. Cease and desist from failing to comply with Section 116555(a) of the  
19 California Health and Safety Code (CHSC) and Sections 64424(a) and  
20 64426.1(b)(2) of Title 22, California Code of Regulations.
  - 21 2. The Water System shall submit the completed investigation report (blank  
22 template provided under **Attachment B**) in response to the May 2014 total  
23 coliform MCL failure to the Division by July 14, 2014.
  - 24 3. The Water System shall reimburse the Division, in accordance with an invoice  
25 that shall be provided to the Water System, the costs for enforcement activities,  
26 and such reimbursement shall be made prior to September 1 (or by a different  
27 date if specified by the Division) of the fiscal year following the fiscal year in

1 which such costs are incurred as described in CHSC Sections 116577(a)(1-2)  
2 and 116577(b).

3  
4 **FURTHER ENFORCEMENT ACTIONS**

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

13  
14 **PARTIES BOUND**

15 This citation shall apply to and be binding upon Linns Valley School, its officers,  
16 directors, agents, employees, contractors, successors, and assignees.

17  
18 **SEVERABILITY**

19 The directives of this citation are severable, and Linns Valley School shall comply  
20 with each and every provision thereof, notwithstanding the effectiveness of any other  
21 provision.

22  
23 **CIVIL PENALTIES**

24 Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a  
25 civil penalty for failure to comply with the requirements of the Safe Drinking Water  
26 Act. Failure to comply with any provision of this Citation may result in the Division  
27

imposing an administrative penalty of not less than \$200 (two hundred dollars) per day as of the date of violation of any provision of this Citation.

July 8, 2014  
Date

Jaswinder Dhaliwal  
Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
Drinking Water Field Operations Branch

JSD/dc

**ATTACHMENTS**

Attachment A: Summary of Bacteriological Samples Collected from January 2014 – May 2014

Attachment B: Blank Template for TCR Failure Investigation Report

CC: Kern County Environmental Health Services Department (w/o attachments)  
Scott Moore, Seaco Technologies, Inc.



## **Attachment A**

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# *Linns Valley School*

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**1502163**

*Distribution System Freq: 1/M*

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<i>Sample Date</i>	<i>Time</i>	<i>Location</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Type</i>	<i>Cl2</i>	<i>Violation</i>	<i>Comment</i>
1/6/2014	10:10	Breakroom Faucet	A	A		Routine			
2/3/2014	11:35	Breakroom Faucet	A	A		Routine			
3/3/2014	10:35	Breakroom Faucet	A	A		Routine			
4/1/2014	9:55	Kitchen Sink	A	A		Routine			
5/1/2014	11:40	Kitchen Faucet	P	A		Routine			
5/5/2014	11:50	Breakroom	P	A		Repeat			
5/5/2014	11:55	Office HB	P	A		Repeat			
5/5/2014	12:05	Women's Restroo	P	A		Repeat			Citation 03-19-14C-011 issued 7-8-14 for TCRMCL failure May 2014
5/8/2014	8:25	Breakroom	A	A		Repeat			
5/8/2014	8:40	Women's Restroo	A	A		Repeat			
5/8/2014	8:50	Office HB	A	A		Repeat			

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# *Linns Valley School*

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**1502163**

*Source Monitoring Freq:*

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<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
5/5/2014	12:00	Well 001 / Repeat	A	A			
5/8/2014	8:35	Well 001 / Repeat	A	A			

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## **Attachment B**

# POSITIVE TOTAL COLIFORM INVESTIGATION

## Simple Well with Pressure Tank Systems

This form is intended to assist public water systems in completing the investigation required by the California Department of Public Health (Section 64426(b) of Title 22, California Code of Regulations) and may be modified to take into account conditions unique to the system.

### ADMINISTRATIVE INFORMATION

<b>PWS Name:</b>		<b>PWSID NUMBER:</b>	
<b>Operator in Responsible Charge (ORC)</b>	<b>Name</b>	<b>Address</b>	<b>Telephone #</b>
Person that collected TC samples if different than ORC			
Owner			
Certified Laboratory for Microbiological Analyses			
Date Investigation Completed:			
Name of Month(s) and Year of Total Coliform MCL Failure:			

### INVESTIGATION DETAILS

SOURCE	WELL (name)	WELL (name)	WELL (name)	WELL (name)	COMMENTS
1. Inspect each well head for physical defects and report					
a. Is raw water sample tap upstream from point of disinfection?					
b. Is wellhead vent pipe screened?					
c. Is wellhead seal watertight?					
d. Is well head located in pit or is any piping from the wellhead submerged?					
e. Does the ground surface slope towards well head?					
f. Is there evidence of standing water near the wellhead?					
g. Are there any connections to the raw water piping that could be cross connections? (describe all connections in comments)					
h. Is the wellhead secured to prevent unauthorized access?					
i. To what treatment plant (name) does this well pump?					
j. How often do you take a raw water total coliform (TC) test?					
k. Provide the date and result of the last TC test at this location					

### DISTRIBUTION SYSTEM

### SYSTEM RESPONSES

1. What is the minimum pressure you are maintaining in the distribution system?
2. Did pressure in the distribution system drop to less than 5 psi prior to experiencing the TCR positive finding?

# POSITIVE TOTAL COLIFORM INVESTIGATION

DISTRIBUTION SYSTEM	SYSTEM RESPONSES
3. Has the distribution system been worked on within the last week? (service taps, hydrant flushing, main breaks, main extensions, etc.) If yes, provide details.	
4. Are there any signs of excavations near your distribution system not under the direct control of your maintenance staff?	
5. Did you inspect your distribution system to check for mainline leaks? Do you or did you have a mainline leak?	
6. If there was a mainline leak, when was it repaired?	
7. On what date was the distribution system last flushed?	
8. Is there a written flushing procedure you can provide for our review?	
9. Do you have an active cross connection control program?	
10. What is name and phone number of your Cross-Connection Control Program Coordinator?	
11. Is the review and testing of backflow prevention devices current?	
12. On what date was the last physical survey of the system done to identify cross-connections?	

SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)	Routine Site TC+ or EC+	Upstream Site	Downstream Site	Sample 4 (specify)
1. What is the height of the sample tap above grade? (Inches)				
2. Is the sample tap located in an exterior location or is it protected by an enclosure?				
3. Is the sample tap threaded, have a swing arm (kitchen sink) or aerator (sinks)?				
4. Is the sample tap in good condition, free of leaks around the stem or packing?				
5. Can the sample tap be adjusted to the point where a good laminar flow can be achieved without excessive splash?				
6. Is the sample tap and area around the sample tap clean and dry (free of animal droppings, other contaminants or spray irrigation systems)				
7. Is the area around the sample tap free of excessive vegetation or other impediments to sample collection?				
8. Describe how the tap was treated in preparation for sample collection (ran water, swabbed with disinfectant, flamed, etc.)				
9. Is this sample tap designated on the sampling plan submitted with this information request?				
10. What were the weather conditions at the time of the positive sample (rainy, windy, sunny).				

# POSITIVE TOTAL COLIFORM INVESTIGATION

Page 3 of 3

GENERAL OPERATIONS:	Response
1. Where there any power outages that affected water system facilities during the 30 days prior to the TC+ or EC + findings?	
2. Where there any main breaks, water outages, or low pressure reported in the service area where TC+ or EC+ samples were located.	
3. Does the system have backup power or elevated storage?	
4. During or soon after bacteriological quality problems, did you receive any complaints of any customers' illness suspected of being waterborne? How many?	
5. What were the symptoms of illness if you received complaints about customers being sick?	

## ADDITIONAL INFORMATION TO BE SUBMITTED WITH RESPONSES TO THE ABOVE QUESTIONS

1. Sketch of System showing all sources, treatment locations, storage tanks, microbiological sampling sites and general layout of the distribution system including the location of all hazardous connections such as the wastewater treatment facility.
2. A set of photographs of the well, pressure tanks, and storage tanks in the system may be submitted if they would show that the contamination is directly related and changes have been made since the last inspection by our Department
3. Name, certification level and certificate number of the Operator in Responsible Charge.
4. Copy of the last cross connection survey performed that identifies the location of all unprotected cross connections.

**SUMMARY: BASED ON THE RESULTS OF YOUR INVESTIGATION AND ANY OTHER INFORMATION AT YOUR DISPOSAL, WHAT DO YOU BELIEVE TO BE THE CAUSE OF THE POSITIVE TOTAL COLIFORM SAMPLES FROM YOUR PUBLIC WATER SYSTEM?**

**CERTIFICATION: I CERTIFY THAT THE INFORMATION SUBMITTED IN RESPONSE TO THE QUESTIONS ABOVE IS ACCURATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE**

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_