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3 **STATE OF CALIFORNIA**  
4 **WATER RESOURCES CONTROL BOARD**  
5 **DIVISION OF DRINKING WATER**

6 **TO:** California Land Management – Paradise Cove Campgrounds  
7 P.O. Box 1640  
8 Kernville, CA 93238  
9

10 **Attn:** Debbie Campbell, Operations Manager  
11 California Land Management  
12

13 **CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,**  
14 **TITLE 22, SECTION 64426.1(b)(2) - WATER SYSTEM NO. 1502682**

15 **Total Coliform MCL Failure- June 2014**

16 **CITATION NO. 03-19-14C-015**

17 **Issued on October 17, 2014**  
18

19 Section 116650 of the California Health and Safety Code authorizes the issuance of a  
20 citation to a public water system for violation the California Safe Drinking Water Act  
21 (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section  
22 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order  
23 issued or adopted thereunder.  
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25 The State Water Resources Control Board, acting by and through its Division of  
26 Drinking Water (hereinafter “Division”) and the Deputy Director for the Division  
27 (hereinafter “Deputy Director”), hereby issues a citation to the California Land

1 Management – Paradise Cove Campgrounds Water System (hereinafter, Water  
2 System) (mailing address: P.O. Box 1640, Kernville, CA 93238) for violation of  
3 California Code of Regulations (CCR), Title 22, Section 64421, subsection (b)(2).  
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#### 5 STATEMENT OF FACTS

6 CLM Paradise Cove Campgrounds Water System (hereinafter Water System) is  
7 classified as a transient noncommunity water system and mainly serves a transient  
8 population of approximately 520 persons through 17 service connections. The Water  
9 System has one active source of supply, Well 02 (PS Code: 1502682-001), a 20,000-  
10 gallon storage tank, and two pressure tanks. No treatment is provided to the water  
11 produced by Well 02. The Water System operates under the authority of a domestic  
12 water supply permit [No. 03-12-95P-022] issued on August 10, 1995, by the State  
13 Department of Public Health, now State Water Resources Control Board.  
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- 15 • The Water System collects one (1) bacteriological sample monthly when it is  
16 open to the public.
- 17 • One (1) routine bacteriological quality samples collected on June 2, 2014, from  
18 the distribution system, tested positive for total coliform bacteria.
- 19 • All four (4) repeat samples collected on June 4, 2014, from the distribution  
20 system, also tested positive for total coliform bacteria.
- 21 • One (1) repeat sample collected on June 4, 2014, from Well 02, as well as for  
22 compliance with the Ground Water Rule, tested negative for total coliform  
23 bacteria.
- 24 • **CLM – Paradise Cove Campground Water System failed the total**  
25 **coliform maximum contaminant level (MCL) for June 2014 [Section**  
26 **64426.1(b)(2), *Authorities*].**  
27

- 1 • Five (5) special bacteriological quality samples collected on June 16, 2014,  
2 from the distribution system, tested negative for total coliform bacteria.
- 3 • None of the bacteriological quality samples collected in June 2014, from the  
4 distribution system or the system well, tested positive for *E.coli* bacteria.
- 5 • On June 5, 2014, Debbie Campbell, Operations Manager, of the Water System  
6 notified the Division that the Water System failed the total coliform MCL for  
7 June 2014.
- 8 • The Water System submitted a draft public notification to the Division on June  
9 6, 2014. The public notification was reviewed by Division staff and a revised  
10 public notice was emailed on June 9, 2014, to the Water System, for the June  
11 2014 total coliform failure.
- 12 • On June 8, 2014, the Division received signed and dated copies of the public  
13 notice and Proof of Notification from the Water System.
- 14 • On June 17, 2014 an investigation report template was emailed to the Water  
15 System for the total coliform MCL failure.
- 16 • On June 26, 2014 the Department received a completed copy of the  
17 investigation report, in response to the June 2014 total coliform failure.
- 18 • The investigation report (prepared by Debbie Campbell, Operations Manager  
19 for CLM) indicated the possible cause of contamination as low water usage and  
20 inadequate flushing of the distribution system.
- 21 • The Water System provided emergency disinfection and flushing of the  
22 distribution system to help clear the contamination.
- 23 • Five (5) routine samples collected in July 2014, following the June 2014 total  
24 coliform MCL violation, tested negative for total coliform bacteria.
- 25 • One (1) routine distribution system sample collected on August 4, 2014, tested  
26 positive for total coliform bacteria.
- 27

- 1 • All four (4) repeat samples collected on August 6, 2014, from the distribution  
2 system, and a Ground Water Rule sample collected on the same day from Well  
3 02, tested negative for total coliform bacteria. The Water System did not fail  
4 the total coliform MCL for August 2014.
- 5 • Results of all bacteriological samples collected from January 2014 to August  
6 2014 are summarized in **Attachment A**.

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8 **AUTHORITIES**

9 **Section 116577 of the CHSC**, states in relevant part:

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

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

14 ...

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

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

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

27 (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 subdivision (e).

(d) For a noncontinuing violation of primary drinking standards, the department may  
assess in the citation a civil penalty as specified in subdivision (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
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 64426.1** establishes the total coliform maximum contaminant

level and states in relevant part:

1 “(a) Results of all samples collected in a calendar month pursuant to Sections 64423,  
2 64424, and 64425 that are not invalidated by the Department or the laboratory shall be  
3 included in determining compliance with the total coliform MCL. Special purpose samples  
4 such as those listed in 64421(b) and samples collected by the water supplier during special  
5 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  
6 following occurs:

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

(2) For a public water system with collects fewer than 40 samples per month, more  
9 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  
10 sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4),  
11 during any month in which it supplies water to the public, the water supplier shall notify the  
12 Department by the end of the business day on which this is determined, unless the  
13 determination occurs after the Department office is closed, in which case the supplier shall  
14 notify the Department within 24 hours of the determination. The water supplier shall also  
15 notify the consumers served by the water system. A Tier 2 Public Notice shall be given for  
16 violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice  
17 shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1.”

### DETERMINATIONS

18 Based upon the above Statement of Facts and Authorities, the Division determines that  
19 the CLM – Paradise Cove Campgrounds Water System has violated the following:

- 20 1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated  
21 the total coliform MCL for June 2014 when more than one sample collected in  
22 June 2014, tested positive for total coliform bacteria.

23 The above violation is classified as a non-continuing violation.

### DIRECTIVES

24 CLM – Paradise Cove Campgrounds Water System is hereby directed to take the  
25 following actions:  
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1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Section 64426.1(b)(2) of Title 22, California Code of Regulations.
  
2. The Water System shall reimburse the Division, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 of the fiscal year following the fiscal year in which such costs are incurred as described in CHSC Section 116577(a)(1-2) and 116577(b).

**FURTHER ENFORCEMENT ACTIONS**

Section 116270, Division 104, Part 12, Chapter 4 of the CHSC authorizes the Division to: issue additional citations with assessment of penalties if the public water system continues to fail to correct a violation identified in a citation; 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 orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

**PARTIES BOUND**

This citation shall apply to and be binding upon CLM - Paradise Cove Campgrounds, its officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

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The directives of this citation are severable, and CLM - Paradise Cove Campgrounds Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

**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 Division 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 Division 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.

Oct. 17, 2014  
Date

  
Jasvinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
Tehachapi District  
SOUTHERN CALIFORNIA BRANCH

**Attachment**  
Attachment A: Bacteriological Summary January 2014 through August 2014

cc: Kern County Environmental Health Services Department (w/o attachment)

## **Attachment A**

# CLM - Paradise Cove Campground

1502682

Distribution System Freq: SPEC

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	CI2	Violation	Comment
1/6/2014	9:45	Paradise Cove #5	A	A		Routine			
2/3/2014	9:50	Paradise Cove #1	A	A		Routine			
3/3/2014	9:10	Paradise Cove #8	A	A		Routine			
4/7/2014	9:25	Paradise Cove #8	A	A		Routine			
5/5/2014	8:55	Paradise Cove #3	A	A		Routine			
6/2/2014	8:35	Paradise Cove #5	P	A		Routine			
6/4/2014	9:20	Paradise Cove, R	P	A		Repeat		MCL	Citation 03-19-14C-015 issued
6/4/2014	9:35	Paradise Cove #1	P	A		Repeat			
6/4/2014	9:45	Paradise Cove #8	P	A		Repeat			
6/4/2014	9:55	Paradise Cove #5	P	A		Repeat			
7/7/2014	7:45	Paradise Cove #1	A	A		Routine			
7/7/2014	7:50	Paradise Cove #1	A	A		Routine			
7/7/2014	7:58	Pradise Cove RR	A	A		Routine			
7/7/2014	8:05	Paradise Cove #5	A	A		Routine			
7/7/2014	8:15	Paradise Cove #4	A	A		Routine			
8/4/2014	11:45	Paradise Cove #2	P	A		Routine			
8/6/2014	6:51	Paradise Cove #7	A	A		Repeat			
8/6/2014	6:57	Paradise Cove #2	A	A		Repeat			
8/6/2014	7:05	Paradise Cove #3	A	A		Repeat			
8/6/2014	7:10	Paradise Cove #5	A	A		Repeat			

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# *CLM - Paradise Cove Campground*

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**1502682**

*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>
6/4/2014	9:12	Paradise Cove Well	A	A			Repeat and GWR
8/6/2014	6:45	Paradise Cove Well	A	A			Repeat and GWR

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