



State of California—Health and Human Services Agency  
**California Department of Public Health**

DRINKING WATER FIELD OPERATIONS BRANCH  
50 D STREET, SUITE 200, SANTA ROSA, CA 95404  
PHONE: (707) 576-2145 / FAX: (707) 576-2722  
INTERNET ADDRESS: [www.cdph.ca.gov](http://www.cdph.ca.gov)



**ARNOLD SCHWARZENEGGER**  
Governor

April 17, 2013

Lori Carter-Runyon  
Co-Owner and Operator, Hilltop Recovery Center  
P.O. Box 626  
3387 East Highway 20  
Middletown, CA 95461

**Re: Hilltop Recovery Center (System No. 1700719)**  
**Compliance Order #02-03-13R-002-1700719-42**

Dear Ms. Carter-Runyon,

Sections 64650 through 64665 of Title 17 of the California Code of Regulations require that multi-barrier treatment sufficient to obtain 3-log *Giardia* reduction and 4-log virus reduction be installed on surface water sources and groundwater sources under the direct influence of surface water. The enclosed Compliance Order #02-03-13R-002-1700719-42 has been issued to Hilltop Recovery Center for failure to provide appropriate treatment for a source which has been identified by the Department as groundwater under the direct influence of surface water.

Please review the compliance order carefully as it contains legally binding provisions to which Hilltop Recovery Center must adhere. Non-compliance with the order may result in the Department taking further enforcement actions.

If you have any questions regarding this compliance order, please contact Yan Nusinovich at 707-576-2729 or [yan.nusinovich@cdph.ca.gov](mailto:yan.nusinovich@cdph.ca.gov).

Sincerely,

Michelle F. Frederick, P.E.  
District Engineer, Mendocino District

Enclosures: Compliance Order 02-03-13R-002-1700719-42

Hilltop Recovery Center  
April 17, 2013  
Page 2

CC: Ray Ruminski, Environmental Health Director  
Lake County Environmental Health  
922 Bevins Court  
Lakeport, CA 95453

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**Compliance Order No. 02-03-13R-002-1700719-42**

**STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH**

**IN RE:** Hilltop Recovery Center  
Water System No. 1700719  
P.O. Box 626  
3387 East Highway 20  
Middletown, CA 95461

**TO:** Lori Carter-Runyon  
Co-Owner and Operator, Hilltop Recovery Center

**Date Issued: April 17, 2013**

**COMPLIANCE ORDER FOR VIOLATION OF HEALTH AND SAFETY CODE  
SECTION 116555(a)(3) AND TITLE 22, CALIFORNIA CODE OF  
REGULATIONS  
SECTIONS 64652 (a) AND 64653 (a).**

Section 116655 of the California Health and Safety Code (CHSC) authorizes the issuance of an order for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any permit, regulation, or standard issued thereunder.



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The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a compliance order (Order) to Hilltop Recovery Center (System) for failure to comply with Health and Safety Code Section 116555(a)(3) and Title 22, California Code of Regulations (CCR) sections 64652(a) and 64653(a).

**STATEMENT OF FACTS**

The System is located approximately 6 miles west of the city of Middletown in Lake County. The System serves approximately 65 residents in 11 service connections. Residents typically live at the System for 6 months. The System is classified as a nontransient noncommunity public water system.

The domestic water source used by the System is a spring. The spring has a spring box built on it to capture water. The exact construction details of the spring box are unknown. The spring has been monitored for bacteriological data monthly since November 2003. Table 1, on the next page, provides the range of total coliform and *Escherichia coli* (*E. coli*) bacteriological sample results from the spring source and distribution system by year from 2003 through 2012.



**Table 1. Bacteriological Results Summary for Total Coliform and/or E. coli**

Year	Total Coliform Range (MPN)	Number of Total Coliform Detections	E. coli Range (MPN)	Number of E. coli Detections
2003	<1 - 40	4	<1 - 31	1
2004	<1 - 504	20	<1 - 10	3
2005	<1 - 100	10	<1 - 1	1
2006	<1 - 800	8	<1 - 10	1
2007	<1 - 100	7	<1 - <1	0
2008	<1 - 1,600	10	<1 - 130	2
2009	<1 - 1,597	11	<1 - 41	1
2010	<1 - 299	10	<1 - 95	4
2011	<1 - 2,419	14	<1 - 2	4
2012	<1 - 961	12	<1 - <1	0

Department staff conducted a field inspection of the System on October 15, 2012. During the inspection, the source and associated treatment facilities were evaluated. The spring source was found to contain approximately 30 slugs, some living and some rotting, and various other insects. A raw water sample, a treated sample, and a distribution sample were collected during the inspection and analyzed. The raw water sample was collected just downstream of the spring box. It showed a most probable number (MPN) of greater than 2,419.2 colonies of total coliforms per 100 mL, no detectable E. coli, and a turbidity of 0.4 NTU. The treated sample was collected just after the storage tanks, and it showed no detectable total coliforms or E. coli. The distribution sample was collected at Building #7, and it also showed no detectable total coliforms or E. coli.



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The System caulked the spring box and added screens to the pipes to prevent animal entry, but this is insufficient to prevent surface water and pathogen intrusion into the source.

Based on the historical bacteriological data and poor construction of the spring box during the inspection of the source, it has been designated by the Department as groundwater under the direct influence of surface water, and it is therefore subject to the filtration and disinfection requirements of Sections 64650 through 64665 of the CCR, Chapter 17, Surface Water Treatment Regulations.

On February 13, 2013, the Department sent the System correspondence stating that the source water was determined to be groundwater under the direct influence of surface water and required the System to implement interim measures to obtain 3-log *Giardia* and 4-log virus inactivation through disinfection by March 15, 2013.

The existing transmission and treatment facilities are as follows. From the spring box, the raw water flows by gravity through approximately ¼ mile of above-ground pipe to a set of two 8,000 gallon tanks. The gravity-fed chlorine pump adds sodium hypochlorite in proportion to the flow entering the tanks. After the tanks, the water flows by gravity down to the distribution system, including the dorms, office, kitchen, fountain, and pool.



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**AUTHORITIES**

H&S Code section 116555(a)(3) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(3) provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

H&S Code section 116655 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 preventive 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:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

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(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

California Code of Regulations, Title 22, section 64652(a) states in relevant part:

(a) Each supplier using an approved surface water shall provide multibarrier treatment that meets the requirements of this chapter and reliably ensures at least:

- (1) A total of 99.9 percent reduction of *Giardia lamblia* cysts through filtration and disinfection; and
- (2) A total of 99.99 percent reduction of viruses through filtration and disinfection.

California Code of Regulations, Title 22, section 64653(a) states in relevant part:

(a) All approved surface water utilized by a supplier shall be treated using one of the following filtration technologies unless an alternative process has been approved by the Department pursuant to subsections (f), (g), and (h):

- (1) Conventional filtration treatment
- (2) Direct filtration treatment
- (3) Diatomaceous earth filtration
- (4) Slow sand filtration.



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**DETERMINATIONS**

Based on the above-described Statement of Facts, the Department determines that the System has violated the following:

1. H&S Code Section 116555(a)(3) in that the System does not have sufficient treatment to provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.

2. CCR Title 22, Section 64652(a) in that the System's treatment facilities only provide one barrier of treatment for the reduction of *Giardia* cysts and viruses via disinfection.

3. CCR Title 22, Section 64653(a) in that the System does not use any of the listed filtration technologies or an alternative process approved by the Department.

**ORDER**

Pursuant to Section 116655 of the California Health and Safety Code, the Department and its Director hereby orders the System to do the following:

**Directive 1.** By **July 30, 2013**, the System shall submit to the Department for its approval a proposal that is based on an engineering assessment,

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2 signed by a registered engineer with at least three years of water  
3 treatment experience and that either:

4  
5 (a) Identifies a reliable groundwater source that meets the  
6 requirements of Title 22 of the California Code of Regulations and  
7 the California Well Standards Bulletins 74-90 and 74-81 and  
8 specifies how the source will be connected to the water system; OR  
9

10 (b) Provides plans to reconstruct the existing spring source such that it  
11 is no longer susceptible to direct surface water intrusion; OR  
12

13 (c) Proposes a plan and time schedule to bring the water system into  
14 compliance with the Surface Water Treatment Regulations found in  
15 Chapter 17, Sections 64650 through 64666, of Title 22 of the CCR.  
16 If the System chooses to comply with this subdivision by proposing  
17 a plan, it must identify the source, and if the System proposes to  
18 use its existing source, then the plan shall include, at minimum, a  
19 preliminary design and specifications for the proposed surface  
20 water treatment plant.  
21

22 The System shall ensure that the Department-approved proposal required  
23 by Directive 1 is operational by **April 17, 2014**.  
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25 **Directive 2.** Notify residents and staff of the treatment violation in  
26 conformance with Section 64464.3, Title 22 of the CCR. The notification  
27 shall continue until the System is in compliance with the Surface Water



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2 Treatment Regulations for its current source, switches to a new source not  
3 under direct influence of surface water, or rebuilds the spring box such  
4 that the source is no longer under direct influence of surface water.  
5 Specifically, this notice must be given by:

6  
7 a) Continuous posting of the notice contained in Attachment A at all  
8 drinking water taps, the kitchen, and in the pool area. This posting  
9 must commence by **May 1, 2013**.

10  
11 b) Hand delivery of the notice contained in Attachment A to all  
12 residents and staff of the System. This delivery must be completed  
13 by **May 1, 2013**. New residents or staff must also be notified using  
14 attachment A until the System is brought into compliance with the  
15 Surface Water Treatment Regulations by **April 17, 2014**, as  
16 required by Directive 1.  
17

18 **Directive 3.** A representative of the System shall complete the attached  
19 Proof of Notification form and return it to the Department by **May 15, 2013**.  
20 A copy of the notice that was posted and the notice that was hand-  
21 delivered to staff and residents must be attached to this Proof of  
22 Notification.  
23

24 **Directive 4.** The System shall ensure that its disinfection facilities are  
25 functioning properly to obtain 3-log *Giardia* and 4-log virus inactivation at  
26 all times. Pending full compliance with the Surface Water Treatment  
27 Regulations, reports of the daily water usage, daily population, daily raw



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2 water turbidity, daily chlorine residual, daily presence of rain, daily water  
3 temperature, daily water pH, weekly raw water bacteriological quality, and  
4 weekly finished water bacteriological quality shall be submitted to the  
5 Department on a monthly basis. Daily entries of inactivation data shall be  
6 made in two Department supplied spreadsheets and the spreadsheets  
7 shall be submitted on a monthly basis by the tenth day of the following  
8 month. The first of such reports shall be submitted to the Department by  
9 **June 10, 2013** for the month of May 2013, starting on **March 1, 2013**.

10  
11 **Directive 5.** The System shall notify the Department within 24 hours of  
12 any free chlorine measurement that does not meet 3-log *Giardia* or 4-log  
13 virus inactivation, as calculated based on the procedures provided by the  
14 Department.

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16 **Directive 6.** The System shall notify the Department within 24 hours  
17 anytime a raw water turbidity measurement exceeds 5.0 Nephelometric  
18 Turbidity Units (NTU).

19  
20 **Directive 7.** Pursuant to Order 3, the System shall collect weekly samples  
21 for bacteriological analysis from the raw water source at the sample tap  
22 between the source and chlorination, and from the finished water in the  
23 distribution. All samples shall be tested for total coliform bacteria and *E.*  
24 *coli*. The source samples shall be analyzed using a method that allows  
25 enumeration of up to 2,400 total coliform organisms per 100 milliliters of  
26 sample. The results must be submitted to the Department by the 10<sup>th</sup> day  
27 of the following month.



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**Directive 8.** The System shall notify the Department within 24 hours of being notified that a distribution system sample result was found to be total coliform-positive or a raw water sample was found to be *E. coli* positive.

**Directive 9.** The System shall keep its storage tanks plumbed in series, rather than in parallel, at all times.

The Department reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

Nothing in this Order relieves the System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any permit, regulation, standard or order issued thereunder.

All submittals required by this Order shall be submitted to:

Ms. Michelle F. Frederick, District Engineer  
Mendocino District  
California Department of Public Health  
50 D Street, Suite 200  
Santa Rosa, CA 95404



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**PARTIES BOUND**

This Order shall apply to and be binding upon the System, its officers, directors, agents, employees, contractors, successors and assignees.

**SEVERABILITY**

The directives of this Order are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

**FURTHER ENFORCEMENT ACTION**

Division 104, Part 12, Chapter 4, (commencing with section 116270) of the H&S Code authorizes the Department to: issue a citation with assessment of penalties for failure to comply with any order, in an amount not to exceed one thousand dollars (\$1,000) per day for each day the violation continues; take action to suspend or revoke a permit that has been issued to a public water system if the system has failed to comply with an order of the Department; and petition the superior court to take various enforcement actions against a public water system that has failed to comply with an order of the Department. The Department does not waive any further enforcement action by issuance of this Order.

The State of California shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by the System, its employees, agents or contractors in carrying out activities pursuant to this Order, nor shall

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the State of California be held as a party to any contract entered into by the System or its agents in carrying out activities pursuant to the Order.



Stefan Cajina, P.E., Chief  
North Coastal Region  
Drinking Water Program

April 17, 2013  
Date



CERTIFIED MAIL # 7012 2210 0002 1674 0618

1700719/Compliance – 4  
130131 – Compliance Order No. 02-03-13R-002-1700719-42/YAN

**PROOF OF NOTIFICATION  
COMPLIANCE CERTIFICATION**

**Compliance Order No. 02-03-13R-002-1700719-42**

Name of Water System: Hilltop Recovery Center

System Number: 1700719

**Certification**

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Hilltop Recovery Center public water system of the violations of Title 22, California Code of Regulations (CCR). I complied with the directives of this compliance order as indicated below:

Required Action	Date Begun
Public Notification – Continuous Posting*	<input type="text"/>
Public Notification - Hand Delivery to Staff And Residents*	<input type="text"/>
<hr/>	<hr/>
Signature of Water System Representative	Date

\*Attach a copy of the posted notice to be delivered to staff and residents.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT  
BY MAY 15, 2013**

**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states 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 each 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 county jail not to exceed one year, or by both the fine and imprisonment.

**Attachment A**

**AN IMPORTANT NOTICE REQUIRED BY THE**

**CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

**Hilltop Recovery Center—Surface Water Treatment Violation**

The State of California Department of Public Health (CDPH) sets drinking water standards and has determined the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease. Disease symptoms may include diarrhea, cramps, nausea, and possibly jaundice, and any associated headaches and fatigue. These symptoms, however are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. CDPH has set enforceable requirements for treating drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. Drinking water, which is treated to meet CDPH requirements, is associated with little to none of this risk and should be considered safe.

At present, Hilltop Recovery Center has no approved filtration of its source, which was determined to be under the direct influence of surface water.

Interim measures are being taken to ensure the water delivered is safe until the required improvements are completed. These include higher levels of disinfection and more frequent monitoring for free chlorine residual and bacteriological quality.

This notification of the public is being performed in compliance with Section 64464.3, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_  
*(water system contact name)*

\_\_\_\_\_  
*(phone number)*

Or: Ms. Michelle F. Frederick, District Engineer  
Mendocino District  
California Department of Public Health  
707-576-2145

Water System Number: 1700719