



Ron Chapman, MD, MPH
Director & State Health Officer

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



EDMUND G. BROWN JR.
Governor

August 27, 2013

Ms. Sharon Sutherland
Sutherland Waterworks
P.O. Box 12
Leggett, CA 95585

RE: Sutherland Waterworks Citation No. 02-03-13C-012-2300503-23

Dear Ms. Sutherland:

Enclosed is a citation issued to Sutherland Waterworks (Water System). The citation is being issued because the Water System failed to comply with the monthly bacteriological monitoring requirement during the month of June 2013. We did receive the submitted July 2013 bacteriological results. Thank you for this submittal.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact Lori Hanson or myself at (707) 576-2145.

Sincerely,
Michelle F. Frederick

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

Enclosure: Citation No. 02-03-13C-012-2300503-23

c: Mendocino County Health Department

1 Citation No. 02-03-13C-012-2300503-23

2
3 STATE OF CALIFORNIA
4 DEPARTMENT OF PUBLIC HEALTH

5
6 **Name of Public Water System:** SUTHERLAND WATERWORKS

7 **Water System No:** 2300503

8 **To:** SUTHERLAND WATERWORKS

9 P.O. Box 12

10 Leggett, CA 95585

11
12 **Issued:** August 27, 2013

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14 **CITATION FOR NONCOMPLIANCE WITH**
15 **SECTIONS 64423 AND 64423.1, TITLE 22,**
16 **OF THE CALIFORNIA CODE OF REGULATIONS**
17 **Monitoring and Reporting Violation**

18 **June 2013**

19 Section 116650 of the California Health and Safety Code (CHSC),
20 authorizes the issuance of a citation for failure to comply with a requirement
21 of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter
22 4, commencing with Section 116270), or any regulation, standard, permit or
23 order issued thereunder.

24
25 The Division of Drinking Water and Environmental Management of the State
26 of California Department of Public Health (Department) hereby issues a
27 citation to Sutherland Waterworks (System) for failure to comply with Title
22, California Code of Regulations (CCR) Sections 64423 and 64423.1.



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APPLICABLE AUTHORITIES

Section 116650 of the 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, citation, 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 certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

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

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

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

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

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California Code of Regulations (CCR), Section 64423, states in relevant part:

(a) Each water supplier shall collect routine bacteriological water samples as follows:

(3) The minimum number of samples for transient non-community water systems using groundwater and serving 1,000 or fewer persons per month shall be one in each calendar quarter during which the system provides water to the public.

CCR, Section 64423.1, states in relevant part:

Analytical results of all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month.

STATEMENT OF FACTS

The Sutherland Waterworks water system is required by the Division of Drinking Water and Environmental Management of the Department of Public Health (Department) to collect and report one bacteriological sample per calendar month, per Citation No. 02-03-13C-003-2300503-23. As of the date of this Citation, the Department has not received results for a routine bacteriological sample collected from the distribution system of the SUTHERLAND WATERWORKS during the month of **June 2013**. However, a sample for the month of July 2013 was received.

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DETERMINATIONS

The Department has determined that the failure to collect and report a routine bacteriological from the distribution system of the SUTHERLAND WATERWORKS during the month of June 2013 is a violation of Sections 64423 and 64423.1, Title 22, of the California Code of Regulations.

The Department hereby issues a citation to the SUTHERLAND WATERWORKS for the failure to comply with Sections 64423 and 64423.1, Title 22, of the California Code of Regulations.

The Department has also determined that the Water System must continue to notify its customers that the Department recommends that customers boil their drinking water before using it. This recommendation is due to the fact that the Sutherland Waterworks failed to monitor for bacteriological water quality in June 2013 and has repeatedly failed to demonstrate that it has adequate technical, financial, and managerial resources to safely operate a public water system.

DIRECTIVES

SUTHERLAND WATERWORKS is hereby directed to take the following actions:

1. Comply with Sections 64423 and 64423.1, Title 22, of the CCR in all future monitoring periods. Additionally, SUTHERLAND WATERWORKS shall collect a distribution bacteriological sample each month, unless otherwise directed by the Department.

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2. Notify all persons served by the Water System of the failure to sample, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. The notification must include that the Department has recommended that all water users boil their water until such time as regular, consistent monitoring is reinstated, and the system can show that it has adequate technical, financial and managerial resources to operate a public water system. The public notification shall be updated and sent to customers monthly until the water system resumes regular, consistent monthly bacteriological sampling, completes all required chemical monitoring, has a state certified operator under contract to check and maintain the water system, AND the Department lifts the boil water notice requirements. Notification must be completed in accordance with each of the following:

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- a) By mail or direct delivery of the notice contained in Attachment A to each customer and/or service connection, including those that supply drinking water to others. This notice must also be given to all other service connections which receive water from this Water System. This updated notice must be delivered to each customer and/or service connection every month, and the updated notice must be continuously posted in a conspicuous public location by **September 27, 2013.**
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- b) The water system must provide public notice for this violation in accordance with Section 64465(c), Title 22 of the CCR. Section 64465(c) requires for each non-English speaking group that exceeds 1,000 residents or 10% of the residents in a community (whichever is less), the public notice must contain information in the appropriate language(s) regarding the importance of the



1 notice, or it must contain a telephone number or address where
2 such residents may contact the water system to receive a
3 translated copy of the notice or to receive assistance in the
4 appropriate language.

- 5
- 6 3. A representative of SUTHERLAND WATERWORKS shall complete
7 the attached Compliance Certification form and return it to the
8 Department by **September 27, 2013**. **A copy of the notice**
9 **delivered to the customers and posted in a conspicuous public**
10 **location must be attached to the form.**

11 All documents required by this Citation shall be submitted to the Department
12 at the following address:

13 Michelle Floyd Frederick, P.E.
14 Department of Public Health
15 Drinking Water Field Operations Branch
16 50 D Street, Suite 200
17 Santa Rosa, CA95404

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

22 PARTIES BOUND

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

The directives of this Citation 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 California Health and Safety Code authorizes the Department to: issue additional citations with assessment of penalties if the 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 Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. The Department does not waive any further legal enforcement action by issuance of this citation.

Michelle F. Frederick

Michelle Floyd Frederick, P.E.
District Engineer
Mendocino District
Drinking Water Field Operations Branch

Aug 27, 2013
Date

Attachments

Certified Mail No. 7002 2410 0001 3653 5883



2300503/Compliance File #4
02-03-13C-012-2300503-23.doc/LSH

BOIL WATER NOTICE

Failure to follow this advisory could result in stomach or intestinal illness.

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Our water system failed to test the drinking water for coliform bacteria during the month of June 2013. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling are important to periodically verify the water quality. Our failure to test the drinking water for bacteria during June 2013 was a violation of Section 64423, Title 22 of the California Code of Regulations (CCR). The water system did collect a bacteriological sample in April, May, and July 2013. The results of these three sampling events showed no coliform.

The California Department of Public Health in conjunction with the Mendocino County Health Department and Sutherland Waterworks are advising users of the Sutherland Waterworks water system to boil their tap water or use bottled water for drinking and cooking purposes as a safety precaution until regular monitoring of the water quality is consistently performed and the water system has a certified operator. We will inform you when the water is safe to drink and you no longer need to boil your water. It is currently unknown when this boil water notice will be lifted.

DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST. *Bring all water to a boil, **let it boil for one (1) minute**, and let it cool before using. Boiling kills bacteria and other organisms in the water. Boiling is the preferred method to assure that the water is safe to drink. Another alternative is to use bottled water. Boiled or bottled water should be used for drinking, brushing teeth, and food preparation until further notice.*

Optional alternatives:

- An alternative method of disinfection for residents that are not able to boil their water is to use fresh, unscented, liquid household bleach. To do so, add 8 drops (or 1/8 teaspoon) of bleach per gallon of clear water or 16 drops (or 1/4 teaspoon) per gallon of cloudy water, mix thoroughly, and allow it to stand for 30 minutes before using. A chlorine-like taste and odor will result from this disinfection procedure and is an indication that adequate disinfection has taken place.
- Water disinfection tablets may also be used by following the manufacturer's instructions.

Date: August 27, 2013

For more information call:

Water Utility contact: Sharon Sutherland at 707-354-0603
California Department of Public Health Mendocino District Office at (707) 576-2145

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, businesses and property owners must post this in a conspicuous place.)

[Type text]

To all School Administrators, Rental Property Owners, and Business Property Owners:

You must provide public notification within 10 days of the receipt of the following notice from **SUTHERLAND WATERWORKS** [Health and Safety Code Section 116450(g)]. The notification must be provided as follows:

SCHOOLS: Must give written notification to school employees, students, and parents (if the students are minors).

RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS(including but not limited to apartment complexes, nursing home facilities, other care facilities): Must give written notification to tenants/patients. Must give written notification to employees (if applicable).

BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS (including but not limited to restaurants, stores, hospitals, churches, clubs, daycare facilities, offices, other businesses): Must give written notification to employees and members. Must post in conspicuous places for customers/visitors (if applicable).