



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

January 30, 2013

Certified Mail  
7009 1680 0001 3113 4480

NTPUD – Carnelian Woods  
P.O. Box 139  
Tahoe Vista, CA 96148

Attention: Paul Schultz, General Manager

**Subject: Public Water System No. 3110023**  
**Citation No. 01-02-12C-018-3110023-22**

Enclosed is the subject citation, issued to the North Tahoe Public Utilities District – Carnelian Woods (Carnelian Woods) water system for non-compliance with the total coliform maximum contaminant level. Please review the citation and take the actions required by the citation, including the notification of the Carnelian Woods customers.

Section 116577 of the California Safe Drinking Water Act provides for our Department to be reimbursed by the public water system for costs associated with preparing and issuing an enforcement action to that system. In accordance with Section 116577, the Company will be billed for the preparation and issuance of this letter and compliance order. Approximately two hours were spent preparing this letter and citation, and currently our costs are \$126.00 per hour.

If you have any questions, please contact Michael Burgess at (530) 224-6506 or me at (530) 224-4800.

Michael J. McNamara, P.E.  
Lassen District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

cc: Richard Hinrichs, Chief, DDWEM-Northern California Section  
Placer County Department of Environmental Health

3110023/Enforcement  
2012 TCR Cit Cvr Ltr/mtb

1 Citation No. 01-02-12C-018-3110023-22

2  
3 STATE OF CALIFORNIA  
4 DEPARTMENT OF PUBLIC HEALTH

5  
6 **Public Water System:** North Tahoe PUD – Carnelian Woods

7  
8 **Water System No:** 3110023

9  
10 **To:** Paul Schultz, General Manager  
11 NTPUD – Carnelian Woods  
12 P.O. Box 139  
13 Tahoe Vista, CA 96148

14 **Issued:** January 30, 2013

15 VIA CERTIFIED MAIL

16 **CITATION FOR NONCOMPLIANCE**

17 **With Title 22 California Code of Regulations**

18 **Section 64426.1(b)**

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

24  
25 The California Department of Public Health, Division of Drinking Water and  
26 Environmental Management (Department), hereby issues a citation to North  
27 Tahoe Public Utilities District – Carnelian Woods (Carnelian Woods), Water



1 System No. 3110023, for failure to comply with requirements of Title 22, Section  
2 64426.1(b)(2) of the California Code of Regulations (CCR).  
3

4  
5 **APPLICABLE AUTHORITIES**

6 Section 116650 of the Health and Safety Code

7 Title 22, Section 64426.1 of the CCR

8 Title 22, Section 64463.4 of the CCR  
9

10  
11 The text of the applicable authorities cited above is provided in Appendix A.  
12

13 **STATEMENT OF FACTS**

14  
15 Carnelian Woods is a community water system located in the Carnelian Bay area  
16 of Lake Tahoe, north of Tahoe City and west of the Nevada border. Carnelian

17 Woods collected a total of eight bacteriological samples during the month of  
18 September 2012. Four of the samples tested positive for total coliform bacteria.

19 The State regulations pertaining to the bacteriological quality of drinking water  
20 state that a public water system that collects fewer than 40 samples per month is  
21 in violation of the total coliform maximum contaminant level (MCL) when more  
22 than one sample in a month tests positive for total coliform bacteria. Title 22,  
23 Section 64426.1(c) of the CCR requires water systems that exceed the total  
24 coliform maximum contaminant level (MCL) to notify their customers of the  
25 failure.  
26  
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1 Carnelian Woods collected a total of eight samples to test for the presence of  
2 coliform bacteria during September 2012. Four of those samples showed the  
3 presence of total coliform bacteria. The standard is that no more than one  
4 sample per month may do so. A total of five samples were collected during  
5 October 2012. There was no coliform bacteria detected in any of these samples.  
6 The exact cause of the contamination has not been conclusively determined.  
7 However, Carnelian Woods indicated that they suspect the contamination may  
8 have been introduced while one of their storage tanks was being inspected and  
9 cleaned on September 15, 2012, even though the disinfection procedures  
10 provided to the Department by Carnelian Woods appear to meet AWWA  
11 Standards. The well source tested absent for total coliform bacteria, there were  
12 no other sources in use during 2012, and the tanks are protected against the  
13 entrance of animals and unauthorized persons.  
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18 **DETERMINATIONS**  
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20 The Department has determined that Carnelian Woods has violated Title 22,  
21 Section 64426.1 of the CCR. Specifically, more than one sample collected  
22 during the month of September 2012 tested positive for total coliform bacteria.  
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25 **DIRECTIVES**  
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27 As required under Title 22, Section 64426.1(c) of the CCR, Carnelian Woods is  
hereby directed to take the following actions:



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1. At all times produce water that meets the total coliform standards of Title 22, Section 64426.1(b)(2) of the CCR.

2. Provide public notification as follows:

a) By mail or hand delivery of the notice contained in Attachment A to each person served by Carnelian Woods. This notice must be given to each person once within 30 days of receipt of this Citation.

And

b) By publication of the notice contained in Attachment A in a local newspaper within 30 days of receipt of this Citation.

3. Within 10 days of providing public notification, you are required to send this office a copy of your notification, a description of the methods used, and a signed statement that indicates the date the notification was provided by the District. Completing and returning the attached "CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION" form fulfills this requirement.

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

Nothing in this Citation relieves the Water System of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4

1  
2 (California Safe Drinking Water Act), or any regulation, permit, standard or order  
3 issued or adopted thereunder.

4  
5 All submittals required by this Citation, shall be submitted to the Department at  
6 the following address:

7 Michael J. McNaamra, P.E.  
8 Lassen District Engineer  
9 Drinking Water Field Operations  
10 Division of Drinking Water and Environmental Management  
11 Department of Public Health  
12 364 Knollcrest Drive, Suite 101  
13 Redding, CA 96002

14 **PARTIES BOUND**

15  
16 This Citation shall apply to and be binding upon Carnelian Woods, its officers,  
17 directors, agents, employees, contractors, successors, and assignees.

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19 **SEVERABILITY**

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21 The directives of this Citation are severable, and Carnelian Woods shall comply  
22 with each and every provision thereof notwithstanding the effectiveness of any  
23 provision.  
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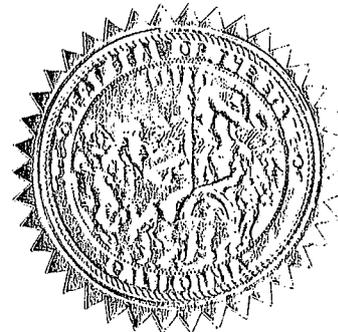
FURTHER ENFORCEMENT ACTION

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 Carnelian Woods 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 enforcement action by issuance of this citation.

*Michael J. McNamara*

Michael J. McNamara, P.E.  
Lassen District Engineer  
Drinking Water Field Operations Branch

01/30/2013  
Date



Certified Mail No. 7009 1680 0001 3113 4480

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Appendix A

1 Section 116650 of the Health and Safety Code provides:  
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3 116650. Citations.

4 (a) If the department determines that a public water system is in violation  
5 of this chapter or any regulation, permit, standard, citation, or order issued or  
6 adopted thereunder, the department may issue a citation to the public water  
7 system. The citation shall be served upon the public water system personally  
8 or by certified mail. Service shall be deemed effective as of the date of  
9 personal service or the date of receipt of the certified mail. If a person to  
10 whom a citation is directed refuses to accept delivery of the certified mail, the  
11 date of service shall be deemed to be the date of mailing.  
12

13 (b) Each citation shall be in writing and shall describe the nature of the  
14 violation or violations, including a reference to the statutory provision,  
15 standard, order, citation, permit, or regulation alleged to have been violated.  
16

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

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

21 (e) The department may assess a penalty in an amount not to exceed one  
22 thousand dollars (\$1,000) per day for each day that a violation occurred, and  
23 for each day that a violation continues to occur. A separate penalty may be  
24 assessed for each violation.  
25

26 Title 22, Section 64426.1 of the CCR provides in relevant part:  
27



Appendix A

1 64426.1. Total Coliform Maximum Contaminant Level (MCL).

2 (a) Results of all samples collected in a calendar month pursuant to  
3 Sections 64423, 64424, and 64425 that are not invalidated by the Department  
4 or the laboratory shall be included in determining compliance with the total  
5 coliform MCL.  
6

7 Special purpose samples such as those listed in §64421(b) and samples  
8 collected by the water supplier during special investigations shall not be used  
9 to determine compliance with the total coliform MCL.  
10

11 (b) A public water system is in violation of the total coliform MCL when  
12 any of the following occurs:

13 (2) For a public water system which collects fewer than 40 samples per  
14 month, more than one sample collected during any month is total coliform-  
15 positive; or

16 (c) If a public water system is not in compliance with paragraphs (b)(1)  
17 through (4), during any month in which it supplies water to the public, the  
18 water supplier shall notify the Department by the end of the business day on  
19 which this is determined, unless the determination occurs after the  
20 Department office is closed, in which case the supplier shall notify the  
21 Department within 24 hours of the determination. The water supplier shall  
22 also notify the consumers served by the water system. A Tier 2 Public Notice  
23 shall be given for violations of paragraphs (b)(1) or (2), pursuant to section  
24 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs  
25 (b)(3) or (4), pursuant to section 64463.1.  
26  
27



1 Title 22, Section 64463.4 of the CCR provides in relevant part:

2 64463.4. Tier 2 Public Notice.

3 (b) Each water system shall give the notice as soon as possible within 30  
4 days after it learns of a violation or occurrence specified in subsection (a),  
5 except that the water system may request an extension of up to 60 days for  
6 providing the notice. This extension would be subject to the Department's  
7 written approval based on the violation or occurrence having been resolved  
8 and the Department's determination that public health and welfare would in  
9 no way be adversely affected. In addition, the water system shall:

10 (1) Maintain posted notices in place for as long as the violation or  
11 occurrence continues, but in no case less than seven days;

12 (2) Repeat the notice every three months as long as the violation or  
13 occurrence continues. Subject to the Department's written approval based on  
14 its determination that public health would in no way be adversely affected, the  
15 water system may be allowed to notice less frequently but in no case less  
16 than once per year. No allowance for reduced frequency of notice shall be  
17 given in the case of a total coliform MCL violation or violation of a Chapter 17  
18 treatment technique requirement;

19 (c) Each water system shall deliver the notice, in a manner designed to  
20 reach persons served, within the required time period as follows:

21 (1) Unless otherwise directed by the Department in writing based on its  
22 assessment of the violation or occurrence and the potential for adverse  
23 effects on public health and welfare, community water systems shall give  
24 public notice by  
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(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

**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.

**NTPUD – Carnelian Woods Had Levels of Coliform Bacteria Above the Drinking Water Standard**

Our water system violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We collected a total of eight samples to test for the presence of coliform bacteria during September 2012. Four of our samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may do so. A total of five samples were collected during October 2012. There was no coliform bacteria detected in any of these samples.

**What should I do?**

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total 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. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's water source or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

## What happened? What was done?

The routine sample collected on September 18, 2012, and three of the four repeat samples collected on September 20, 2012, tested positive for total coliform bacteria. North Tahoe Public Utilities District chlorinated both storage tanks and the well serving the Carnelian Woods water system. Following chlorination, three additional samples were collected on September 24, 2012, all of which tested absent for total coliform bacteria. Five routine samples collected on October 30, 2012 also tested absent for total coliform bacteria, indicating that the problem had been corrected.

For more information, please contact Mark Begin at (530) 392-0245 or P.O. Box 139, Tahoe Vista, CA 96148.

*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, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

## Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by North Tahoe PUD – Carnelian Woods.

State Water System ID#: 3110023 . Date distributed: \_\_\_\_\_

## CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water and Environmental Management (415 Knollcrest Drive, Suite 110, Redding, CA 96002), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Department with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

**Public Water System Name** NTPUD – Carnelian Woods

**Public Water System No.** 3110023

Public notification for the September 2012 bacteriological failures was performed by the following method(s) (check and complete those that apply):

The notice was published in the local newspaper on \_\_\_\_\_. A copy of the newspaper notice is attached.

The notice was mailed to users on \_\_\_\_\_. A copy of the notice is attached.

The notice was hand delivered to water customers on \_\_\_\_\_. A copy of the notice is attached.

The attached notice was posted in the following conspicuous places:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For this method, provide the date (or dates) that the notice was posted \_\_\_\_\_.

I hereby certify that the above information is factual.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date