



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

June 13, 2014  
Certified Mail/Return  
7012 3460 0003 1113 0192

Donner Summit PUD – Big Bend  
P.O. Box 610  
Soda Springs, CA 95728

Attention: Jim King, Lead Operator

**Subject: Public Water System No. 3100034 – Citation No. 21-14C-006 for failure to complete bacteriological testing for the first quarter 2014.**

Although this water system is under a long-standing boil water advisory, bacteriological samples are still required by regulation. It is preferred that an enumeration test method is utilized for this particular circumstance. According to my staff, this requirement had been communicated in 2013 when this office took jurisdiction of the Big Bend water system.

The standard enforcement action taken for all water systems when a bacteriological sample is missed is a Citation. This citation is for failure to test for total coliform bacteria during the first quarter of 2014.

Given the circumstance that this system is under a continuous boil water advisory, the required public notification could be reduced to a Tier 3 (consumer confidence report, CCR). However, we are unaware that a CCR is produced for this transient non-community system.

If a CCR is produced, public notification may occur in the CCR otherwise we have no choice but to require a Tier 2 notification as specified in the enclosed citation.

If you have any questions, feel free to contact me at (530) 224-4861.

  
Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

1 **Citation No. 21-14C-006**

2  
3 STATE OF CALIFORNIA

4 DEPARTMENT OF PUBLIC HEALTH

5  
6 **Public Water System:** Donner Summit PUD – Big Bend

7 **Water System No.:** 3100034

8  
9 **To:** Donner Summit PUD – Big Bend

10 Attn: Jim King, Lead Operator

11 P.O. Box 610

12 Soda Springs, CA 95728

13  
14 **Issued:** June 13, 2014

15 VIA CERTIFIED MAIL

16  
17 **CITATION FOR NONCOMPLIANCE**

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

19 **Section 64423(a)**

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

25  
26 The Division of Drinking Water and Environmental Management of the California  
27 Department of Public Health (Department) hereby issues a citation to Donner Summit



1 Public Utilities District – Big Bend (DSPUD) for failure to comply with Section  
2 64423(a), Title 22, of the California Code of Regulations (CCR).

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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).

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

5  
6 Section 64423(b), Title 22, of the CCR states in relevant part:

7  
8 (a) Each water supplier shall collect routine bacteriological water  
9 samples as follows:

10  
11 (3) The minimum number of samples for transient-  
12 noncommunity water systems using groundwater and  
13 serving 1000 or fewer persons a month shall be one in  
14 each calendar quarter during which the system  
15 provides water to the public.

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17 **STATEMENT OF FACTS**

18 The Donner Summit PUD – Big Bend (DSPUD) domestic water system is classified  
19 as a transient water system serving approximately 20 privately owned vacation  
20 cabins. As such, DSPUD is required to collect one routine bacteriological sample per  
21 quarter according to Section 64423 of Title 22. DSPUD failed to collect a routine  
22 bacteriological sampler in the first quarter of 2014.

23  
24 A letter dated November 21, 2013 was sent to DSPUD as a reminder of the sampling  
25 requirements.

1 **DETERMINATIONS**

2 The Department has determined that the DSPUD violated Section 64423(a)(3), Title  
3 22, of the CCR, in that DSPUD failed to collect a routine bacteriological sample for  
4 the first quarter of 2014.

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6 **DIRECTIVES**

7 DSPUD is hereby directed to take the following actions:

- 8
- 9 1. Comply with Section 64423, Title 22, of the CCR in all future monitoring  
10 periods.
  - 11  
12 2. **Within 30 days** of the issuance of this Citation, notify all persons served by  
13 the DSPUD – Big Bend system of the MCL violation as required by Section  
14 64463.4 and Section 64465, Title 22, of the CCR. Notification shall be  
15 completed in accordance with each of the following:
    - 16  
17 a. Mail or direct delivery of the notice contained in Attachment 'A' to each  
18 customer receiving a bill including those that provide their drinking  
19 water to others (e.g., schools or school systems, apartment building  
20 owners, or large private employers), and other service connections to  
21 which water is delivered by the Big Bend water system. Modifications to  
22 Attachment 'A' shall be not be made unless approved by the  
23 Department.
  - 24  
25 3. Complete and return Attachment 'B' "Certification of Completion of Public  
26 Notification" form **within 10 days** of giving public notice. A copy of the notice  
27 used to provide public notification shall be attached to the form.

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

Reese B. Crenshaw, P. E.  
Valley District Engineer  
Drinking Water Field Operations  
Division of Drinking Water and Environmental Management  
Department of Public Health  
364 Knollcrest Drive, Suite 101  
Redding, CA 96002  
(530) 224-4800

Nothing in this Citation relieves the DSPUD of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

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.

**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 DSPUD 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

1 water system if the system has violated applicable law or regulations or has failed to  
2 comply with orders of the Department; and petition the superior court to take various  
3 enforcement measures against a public water system that has failed to comply with  
4 orders of the Department. The Department does not waive any further enforcement  
5 action by issuance of this Citation.

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7 **PARTIES BOUND**

8 This Citation shall apply to and be binding upon DSPUD, its officers, directors,  
9 agents, employees, contractors, successors, and assignees.

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11 **SEVERABILITY**

12 The directives of this Citation are severable, and the District shall comply with each  
13 and every provision thereof notwithstanding the effectiveness of any other provision.

14  
15 RCrenshaw  
16 Reese B. Crenshaw, P.E., District Engineer  
17 Valley District  
18 Drinking Water Field Operations Branch

19 6/13/14  
20 Date

21 Attachments:

22 'A' Public Notification Template

23 'B' Certification of Completion  
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**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.

**DONNER SUMMIT PUD – BIG BEND FAILED TO COLLECT A  
ROUTINE BACTERIOLOGICAL SAMPLE FOR THE FIRST  
QUARTER OF 2014**

Our water system recently violated a monitoring requirement. Although this was 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.

Even though the Big Bend water system remains on a boil water notice for bacteriological contamination measured in the past, routine quarterly bacteriological samples are still required by regulations. It is also worthwhile to know the extent of contamination and its variability in present time.

**What should I do?**

- **Continue to use boiled or bottled water for your consumption needs as advised by the quarterly posted “Boil Water Order”.**

**What happened? What was done?**

Donner Summit PUD failed to collect a routine bacteriological sample for the first quarter of 2014 as required by state and federal regulations. Both regulations require that public water systems notify their customers for monitoring violations.

Donner Summit PUD has since collected a routine bacteriological sample for the 2<sup>nd</sup> quarter of 2014, which turned out to be free of coliform bacteria.

For more information, please contact the DSPUD Operator, Jim King at (530) 426-9144.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by the Donner Summit PUD – Big Bend water system.

State Water System ID#: 3100034. Date distributed: \_\_\_\_\_.

## CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form when completed and returned to the Division of Drinking Water and Environmental Management (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), 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** Donner Summit PUD – Big Bend

**Public Water System No.** 3100034

Public notification for the 1<sup>st</sup> quarter 2014 bacteriological monitoring failure was performed by the following method(s):

### Check and Complete

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

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