



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

April 25, 2013  
Certified Mail/Return  
Receipt Requested  
7009 1680 0001 3114 5110

Caltrans L.T. Davis Rest Area  
P.O. Box 496073  
Redding, CA 96049

Attention: John Dobson – Landscape Specialist

**Subject: Public Water System No. 3200020 – Citation No. 01-02-13C-008-3200020-22  
October 2012 and November 2012 Exceedance of the Bacteriological  
Maximum Contaminant Level**

Enclosed is a citation issued to the Caltrans L.T. Davis Rest Area (Rest Area). The citation is being issued because the Rest Area failed to comply with the drinking water standard for total coliform bacteria during the months of October and November 2012. Please be aware that the Directives section of the citation contains required actions that must be taken by the District to return to compliance.

Note that Section 116577 of the California Safe Drinking Water Act provides for our Department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation to that system. In accordance with Section 116577, the Rest Area will be billed for the preparation and issuance of this citation. Our current costs are approximately \$126 per hour. The estimated time to prepare the citation is one hour.

If you have any questions regarding this matter, please call staff engineer Steve Watson at (530) 224-4828 or me at (530) 224-4800.

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

Enclosures

cc: Plumas County Environmental Health Department

sww \ 3200020 Caltrans L.T. Davis Rest Area \ File: Enforcement

1 Citation No. 01-02-13C-008-3200020-22

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STATE OF CALIFORNIA

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DEPARTMENT OF PUBLIC HEALTH

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6 **Public Water System:** Caltrans L.T. Davis Rest Area

7 **Water System No.:** 3200020

8

9 **To:** Caltrans L.T. Davis Rest Area

10 Attention: John Dobson, Landscape Specialist

11 P.O. Box 496073

12 Redding, CA 96049

13

14 **Issued:** April 25, 2013

15 VIA CERTIFIED MAIL

16

17

**CITATION FOR NONCOMPLIANCE**

18

**With Title 22 California Code of Regulations**

19

**Section 64426.1(b)**

20

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 the Caltrans



1 L.T. Davis Rest Area (Rest Area) for failure to comply with Section 64426.1(b), Title  
2 22, of the California Code of Regulations (CCR).

3  
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states in relevant part:

- 6  
7 (a) If the department determines that a public water system is in violation of  
8 this chapter or any regulation, permit, standard, citation, or order issued  
9 or adopted thereunder, the department may issue a citation to the  
10 public water system. The citation shall be served upon the public water  
11 system personally or by certified mail. Service shall be deemed  
12 effective as of the date of personal service or the date of receipt of the  
13 certified mail. If a person to whom a citation is directed refuses to  
14 accept delivery of the certified mail, the date of service shall be deemed  
15 to be the date of mailing.
- 16  
17 (b) Each citation shall be in writing and shall describe the nature of the  
18 violation or violations, including a reference to the statutory provision,  
19 standard, order, citation, permit, or regulation alleged to have been  
20 violated.
- 21  
22 (c) A citation may specify a date for elimination or correction of the  
23 condition constituting the violation.
- 24  
25 (d) A citation may include the assessment of a penalty as specified in  
26 subdivision (e).
- 27



1 (e) The department may assess a penalty in an amount not to exceed one  
2 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 64426.1(b), Title 22, of the CCR states in relevant part:

7  
8 (b) A public water system is in violation of the total coliform MCL [maximum  
9 contaminant level] when any of the following occurs:

10  
11 (1) For a public water system which collects at least 40 samples per  
12 month, more than 5.0 percent of the samples collected during any  
13 month are total coliform-positive; or

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

18  
19 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

20  
21 (4) Any repeat sample following a fecal coliform-positive or E. coli-  
22 positive routine sample is total coliform-positive.

23  
24 **STATEMENT OF FACTS**

25 The Caltrans L.T. Davis Rest Area (Rest Area) is located on Highway 70,  
26 approximately 4-miles east of the City of Portola. It is open for public use during the  
27 months between April and November each year. The domestic water system is



1 classified as a transient noncommunity water system. As such, the Rest Area is  
2 required to collect one routine bacteriological sample during each month the Rest  
3 Area is open to the public. During September 2012, routine and repeat monitoring  
4 showed the water system to be contaminated with total coliform bacteria. As a result,  
5 the Rest Area was required to collect five routine bacteriological samples during  
6 October 2012. On October 8, 2012, the Rest Area collected five routine samples  
7 from the distribution system. Four of these samples were found to contain total  
8 coliform bacteria. On November 15, 2012, five routine samples were collected from  
9 the distribution system, all of which were found to contain total coliform bacteria.  
10 None of the samples that contained total coliform bacteria tested positive for E. coli.  
11 During the month of October 2012, Department and Rest Area personnel performed  
12 an investigation to determine the source of the contamination, however, the source of  
13 the contamination was not found. Due to the quantity of bacteria found in the water  
14 and the persistence of the contamination, the Department issued a "Do Not Drink the  
15 Water" notice to the Rest Area. This notice was posted at the facility bathrooms on  
16 September 25, 2012, and remained in effect until the Rest Area closed for the  
17 season on November 30, 2012.

18

19 **DETERMINATIONS**

20 The Department has determined that the Rest Area violated Section 64426.1(b)(2),  
21 Title 22, of the CCR, in that the Rest Area exceeded the total coliform MCL during the  
22 months of October and November 2012. The Department has also determined that  
23 the Rest Area completed the public notification requirements of Section 64463, Title  
24 22, of the CCR, for these violations.

25

26 **DIRECTIVES**

27 The Rest Area is hereby directed to take the following actions:



- 1 1. Comply with Section 64426.1, Title 22, of the CCR in all future monitoring  
2 periods.  
3  
4 2. Complete and return Attachment 'A' "Certification of Completion of Public  
5 Notification" form within 30 days of receiving this Citation. A copy of the notice  
6 used to provide public notification during September 2012 to November 2012  
7 shall be attached to the form.

8  
9 All documents required by this Citation to be submitted to the Department shall be  
10 submitted to the following address:

11  
12 Michael J. McNamara, P. E.  
13 Lassen District Engineer  
14 Drinking Water Field Operations  
15 Division of Drinking Water and Environmental Management  
16 Department of Public Health  
17 415 Knollcrest Drive, Suite 110  
18 Redding, CA 96002  
19 (530) 224-4800  
20

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

25  
26 The Department reserves the right to make such modifications to this Citation, as it  
27 may deem necessary to protect public health and safety. Such modifications may be



1 issued as amendments to this Citation and shall be effective upon issuance.

2

3 **FURTHER ENFORCEMENT ACTION**

4 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California  
5 Health and Safety Code authorizes the Department to: issue additional citations with  
6 assessment of penalties if the Rest Area continues to fail to correct a violation  
7 identified in a citation; take action to suspend or revoke a permit that has been issued  
8 to a public water system if the system has violated applicable law or regulations or  
9 has failed to comply with orders of the Department; and petition the superior court to  
10 take various enforcement measures against a public water system that has failed to  
11 comply with orders of the Department. The Department does not waive any further  
12 enforcement action by issuance of this Citation.

13

14 **PARTIES BOUND**

15 This Citation shall apply to and be binding upon the Rest Area, its officers, directors,  
16 agents, employees, contractors, successors, and assignees.

17

18 **SEVERABILITY**

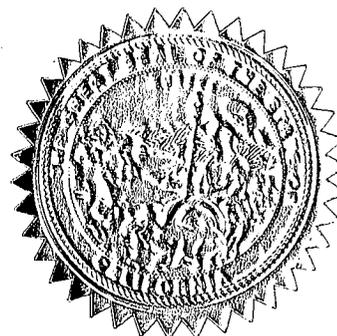
19 The directives of this Citation are severable, and the Rest Area shall comply with  
20 each and every provision thereof notwithstanding the effectiveness of any other  
21 provision.

22

23 Michael J. McNamara

24 Michael J. McNamara, P.E.  
25 District Engineer  
26 Lassen District  
27 Drinking Water Field Operations Branch  
Attachment: 'A' Certification of Completion

4/25/2013  
Date



## 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** \_\_\_\_\_ Caltrans L.T. Davis Rest Area \_\_\_\_\_

**Public Water System No.** \_\_\_\_\_ 3200020 \_\_\_\_\_

Public notification for the October and November 2012 bacteriological failure was performed by the following method(s):

**(CHECK AND COMPLETE ONLY 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 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