

1 **CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

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3
4 **IN RE:** U.S. Border Patrol I-8 Checkpoint
5 Pine Valley, California, 91962

6
7 **TO:** Mr. Greg A. Gephart
8 Operations Branch Chief
9 US Border Patrol
10 24000 Avila Rd.
11 Laguna Niguel, CA 92677
12

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14 **CITATION FOR VIOLATION OF**
15 **CALIFORNIA HEALTH AND SAFETY CODE, Section 116525(a)**
16 **CALIFORNIA CODE OF REGULATIONS, Title 22, Section 64552(a)**

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18 **CITATION No. 05-14-13C-009**
19 **Issued on July 17th, 2013**
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21 Section 116650 of the California Health and Safety Code (CH&SC), authorizes the
22 issuance of a citation for failure to comply with the requirements of CH&SC, Division 104,
23 Part 12, Chapter 4, (California Safe Drinking Water Act), or any regulation, standard,
24 permit, or order issued thereunder.
25

26 **VIOLATIONS**

27 The California Department of Public Health, Division of Drinking Water and Environmental
28 Management (hereinafter 'CDPH') hereby issues a citation to the U.S. Border Patrol
29 Interstate-8 Checkpoint (hereinafter 'Water System') for the following violations:
30

31 **California Health and Safety Code, Section 116525(a).** CH&SC §116525(a) states that
32 no person shall operate a public water system unless he or she first receives a permit. The
33 Water System is in violation of this section in that the Water System is in operation without
34 having obtained a permit.



1 **California Code of Regulations, Title 22, Section 64452(a).** Title 22 §64452(a) states
2 that each public water system applying for an initial domestic public water system
3 permit shall submit an application that includes detailed information about the water
4 system. The Water System is in violation of this section in that the Water System has failed
5 to provide the necessary information needed to complete the permit application.
6

7 **ENFORCEMENT HISTORY**

8 On May 3rd, 2012 the Water System was issued Citation No. 05-14-12C-007. The citation
9 was issued for 1) failure to provide a reliable and adequate supply of pure, wholesome,
10 healthful, and potable water, and 2) failure to meet the primary drinking water standard for
11 the total coliform maximum contaminant level (MCL) for the month of April 2011.
12

13 **BACKGROUND**

14 The Water System is a nontransient-noncommunity water system located on westbound
15 Interstate 8 approximately 3 miles east of the community of Pine Valley in southeastern
16 San Diego County. The Water System is headquartered at the USBP Campo Station (Pine
17 Valley Station) at 32355 Old Highway 80, Pine Valley, CA 91962. The Water System
18 serves approximately 50 agents and consists of one active well, the distribution system,
19 one storage reservoir, and related pumps and appurtenances. No disinfection is
20 performed.
21

22 The Water System has been provided the permit application package materials and has
23 been reminded of the delinquent materials on several occasions. The Water System has
24 been operating without a domestic water supply permit since beginning operations.

1 **CHRONOLOGY OF EVENTS**

2 On March 16th, 2012 CDPH mailed a permit application package to Mr. Greg Gephart of
3 the US Border Patrol. The permit application package included required documentation for
4 obtaining a domestic water supply permit. The letter requested that the following materials
5 be submitted as part of the requirements for completing the permit application and
6 obtaining a domestic water supply permit.

- 7
- 8 1. Water System Information Datasheets
 - 9 2. Well Location, Design and Construction Plans
 - 10 3. Well Drillers Report and Well Log
 - 11 4. California Environmental Quality Act (CEQA) Clearance
 - 12 5. Drinking Water Source Assessment and Protection Program (DWSAPP)
 - 13 6. Water Quality Emergency Notification Plan (ENP)
 - 14 7. Bacteriological Sample Siting Plan (BSSP)
 - 15 8. Cross-Connection Control Survey
- 16

17 On April 2, 2012, CDPH sent an e-mail to Mr. Greg Gephart that included a list of the
18 outstanding permit application materials.

19

20 On August 14th, 2012 CDPH sent the 2012 Sanitary Survey letter to Mr. Greg Gephart that
21 included a list of the outstanding permit application materials with a due date of August
22 31st, 2012 to complete the permit application package.

23

24 On March 26th, 2013 CDPH sent an e-mail to Mr. Steve Carroll of California Drinking Water
25 requesting information on the status of completing the permit application materials.

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1 **DIRECTIVES**

2 The Water System is hereby directed to take the following actions:

3 1. Within 30 days of the date of this citation submit the following permit application
4 materials.

- 5 a. Well datasheet.
- 6 b. Reservoir datasheet.
- 7 c. Pump datasheet.
- 8 d. Distribution datasheet.
- 9 e. Water Quality Emergency Notification Plan.
- 10 f. Bacteriological Sample Siting Plan.

11
12 2. Within 60 days of the date of this citation submit the following permit application
13 materials.

- 14 a. Well drillers report.
- 15 b. Well drillers log.
- 16 c. California Environmental Quality Act (CEQA) Clearance.¹
- 17 d. DWSAPP TurboSWAP report.
- 18 e. Cross-Connection Control Survey.
- 19 f. Technical engineering report.²

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21 Footnote 1: California Environmental Quality Act (CEQA) Clearance can be satisfied by
22 submitting NEPA document information of a Finding Of No Significant Impact (FONSI)
23 from the Final Environmental Assessment for the original construction of the USBP I-8
24 Checkpoint, or information of a categorical exclusion or categorical exemption from a
25 similar NEPA document.

26 Footnote 2: A technical engineering report providing details on the water system design,
27 water source, treatment, storage, distribution, and adequacy of supply shall be submitted

