



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

March 27, 2014

Mr. Lloyd Henderson
Pastor
4740 Allendale Road
Vacaville, CA 95688-8608

**CITATION NO. 02-04-14C-001
BACTERIOLOGICAL WATER QUALITY MONITORING FAILURE
VACAVILLE SEVENTH DAY ADVENTIST CHURCH, SYSTEM NO. 4810018**

Dear Mr. Henderson:

Enclosed is Citation No. 02-04-14C-001 failure to comply with 22 CCR §64423. Specifically, Vacaville Seventh Day Adventist Church failed to collect monthly bacteriological samples from May 2013 through February 2014.

In addition to the citation your water system is billed a subsequent fine for time spent on enforcement action for non-compliance with state regulations. You will receive this bill (estimated \$126/hour) sometime in August.

If you have any questions, please contact Ms. Alla Lilichenko by phone at (510) 620-3601 or by e-mail at alla.lilichenko@cdph.ca.gov.

Sincerely,

Stefan Cajina, P.E., Chief
North Coastal Section
Drinking Water Field Operations Branch

Attachments:

1. Citation No. 02-04-14C-001 (Certified Mail No. 7007 0710 0000 5917 2415)
2. Compliance Certification
3. Notice to all School Administrators, Rental Property Owners, and Business Property Owners
4. Attachment A
5. Notice of Citation Issuance

cc: Solano County Environmental Health Department (w/o attachment)

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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Vacaville Seventh Day Adventist Church
Water System Number: 4810018

To: Mr. Lloyd Henderson
Pastor
4740 Allendale Road
Vacaville, CA 95688-8608

Issued: March 27, 2014

CITATION FOR NONCOMPLIANCE
With Title 22 of the California Code of Regulations Sections
64423(a)(2) and 64423.1(c)

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

The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a citation to the Vacaville Seventh Day Adventist Church (System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64423(a)(2) and 64423.1(c).

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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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Title 22, California Code of Regulations, Section 64423(a)(2) states in relevant part:

- (a) Each water supplier shall collect routine bacteriological water samples as follows:
 - (2) The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A, CCR during those months when the system is operating.

Title 22, California Code of Regulations, Section 64423.1(c) states in relevant part:

- (c) 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, as follows:
 - (1) The water supplier shall submit a monthly summary of the bacteriological monitoring results to the Department.
 - (2) For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the Department.

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STATEMENT OF FACTS

The System is a nontransient noncommunity water system in Vacaville, Solano County. The System reportedly has one service connection and serves 120 people including over 25 children attending day school. Water is used for human consumption and hand washing. The source of supply is one groundwater well.

Vacaville Seventh Day Adventist Church is required to collect and have analyzed for total coliform bacteria, one sample from its distribution system per month. As of the date of this citation, the Division of Drinking Water and Environmental Management of the Department has not received any results or reports for samples taken from the Vacaville Seventh Day Adventist Church water distribution system in May, June, July, August, September, October, November, December 2013, January or February 2014. This is a violation of Sections 64423(a)(2) and 64423.1(c), Title 22 of the CCR.

DETERMINATIONS

THE DEPARTMENT HAS DETERMINED:

The System violated Title 22 of the CCR, Sections 64423(a)(2) and 64423.1(c), in that the System failed to collect and report the required samples during the months of May, June, July, August, September, October, November, December 2013, January or February 2014.



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PENALTIES PURSUANT TO HEALTH AND SAFETY CODE

SECTION 116650

The Department hereby assesses upon System a penalty in the amount of \$100.00. Directions for paying this penalty are included in Directive 4 of this citation.

DIRECTIVES

Vacaville Seventh Day Adventist Church is hereby directed to take the following actions:

1. Comply with Sections Sections 64423(a)(2) and 64423.1(c) in all future monitoring periods.

2. Notify all persons served by the System of the failure to sample, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR, and as follows:
 - a) Completion of Attachment A to include the name, address, and telephone number of a System representative as a source of additional information concerning the public notice. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the water system to prevent this violation from occurring in the future. You must use the space provided on Attachment A for this written description.**



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b) Post the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in conspicuous locations throughout the area served by the System. Posting must begin no later than **April 4th, 2014**, and must continue for seven days.

2. For the month of April 2014, collect a total of five routine bacteriological water samples, each from a different location in the water distribution system. Have the samples analyzed for total-coliform presence by a certified laboratory, and report the results to the Department no later than May 10th, 2014.

3. The System shall complete the attached Compliance Certification form and return it to the Department within 10 days of the public notice being given to system customers but in no case later than **April 21st, 2014**. **A copy of the notice posted to the customers must be attached to the form.**

4. The System shall complete the attached Notice of Citation Issuance form and return it to the Department by **April 21st, 2014** with the attached check in the amount of \$100.

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 System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division

1 104, Part 12, Chapter 4, commencing with Section 116270), or any
2 regulation, standard, permit or order issued thereunder.

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

7 Stefan Cajina, P.E.
8 Department of Public Health
9 Drinking Water Field Operations Branch
10 850 Marina Bay Parkway, Bldg. P., 2nd Floor
11 Richmond, CA 94804

12 **PARTIES BOUND**

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

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16 **SEVERABILITY**

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18 The directives of this Citation are severable, and the System shall comply
19 with each and every provision thereof notwithstanding the effectiveness of
20 any provision.

21 **FURTHER ENFORCEMENT ACTION**

22
23 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
24 California Health and Safety Code authorizes the Department to: issue
25 additional citations with assessment of penalties if the System continues to
26 fail to correct a violation identified in a citation; take action to suspend or
27 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



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

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7 Failure to comply with any provision of this citation, including payment of
8 assessed penalty, may result in the Department imposing a civil penalty of
9 up to two hundred dollars (\$200.00) per day as of the date of violation of the
10 provision.

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15 Stefan Cajina, P.E., Chief
16 North Coastal Section
17 Drinking Water Field Operations Branch

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20 3/27/14
21 _____
22 Date

23 Attachments:

- 24 1. Compliance Certification
- 25 2. Notice to all School Administrators, Rental Property Owners, and
26 Business Property Owners
- 27 3. Attachment A
4. Notice of Citation Issuance

Certified Mail No. 7007 0710 0000 5917 2415



COMPLIANCE CERTIFICATION

Citation Number 02-04-14C-001

Name of Water System: **Vacaville Seventh Day Adventist Church**

System Number: **4810018**

Certification

I certify that the users of the water supplied by this water system were notified of failure of Bacteriological sampling violations of Title 22, California Code of Regulations (CCR) for the compliance period of May, June, July, August, September, October, November, December 2013, January and February 2014.

| <u>Required Action</u> | <u>Date Completed</u> |
|--|-----------------------|
| Complete Attachment A, as required by Directive 2(a) | _____ |
| Public Notification -- Posting | _____ |
| Civil Penalty \$100 | _____ |
| _____ | _____ |
| Signature of Water System Representative | Date |

Attach a copy of the notice delivered to the customers.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT
NO LATER THAN 04/21/2014**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

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 **Vacaville Seventh Day Adventist Church** [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).

Attachment A

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene informacion muy importante sobre su agua potable. Traduzcalo o hable con alguien que lo entienda bien.
Vacaville Seventh Day Adventist Church Water System Failed to Test for Coliform Bacteria in May, June, July, August, September, October, November, December 2013, January and February 2014.

Our water system failed to test the drinking water for coliform bacteria during May, June, July, August, September, October, November, December 2013, January and February 2014. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened?

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. During May, June, July, August, September, October, November, December 2013, January and February 2014 we did not test for coliform bacteria and therefore cannot be sure of the bacteriological quality of the drinking water during that time. We failed to collect the proper number of samples, as required by Section 64423(a)(2), Title 22 CCR. We also failed to report the results findings to the California Department of Public Health, Division of Drinking Water and Environmental Management, as required by the Section 64423.1(c), Title 22 CCR.

What does this mean?

Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If water is tested for coliform bacteria and it is found to be absent, the water can be considered safe from bacteria. If the water is not tested, consumption of the water may not necessarily result in illness, but that possibility exists. Bacteriological sampling is important to verify the quality of drinking water in our piping system.

What should I do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What corrective actions have been taken to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

_____ *(water system contact name)*

_____ *(address)*

_____ *(phone number)*

STATE OF CALIFORNIA
DRINKING WATER FIELD OPERATIONS BRANCH

DEPARTMENT OF PUBLIC HEALTH

Notice of Citation Issuance

System Name: Vacaville Seventh Day Adventist Church

System Number: 4810018

Background Statement

During the month of March 2014, the Division of Drinking Water and Environmental Management issued Citation Number 02-04-14C-001 to Vacaville Seventh Day Adventist Church. The citation carried a civil penalty in the amount of **\$100.00**.

Method of Payment

A check for the total amount of the civil penalty and a copy of this form shall be submitted to the Department by **April 21st, 2014**. The citation number shall be written on the check. The check shall be made payable to the California Department of Public Health Safe Drinking Water Account and submitted to:

Department of Public Health
Drinking Water Program -- Fee Billing Unit
P.O. Box 997379, MS 7406
Sacramento, CA 95899-7379
Attn: Ms. Perin Peebles

Please attach check below: