State of California—Health and Human Services Agency
California Department of Public Health
DRINKING WATER FIELD OPERATIONS BRANCH
50 D STREET, SUITE 200, SANTA ROSA, CA 95404
PHONE: (707) 576-2145 / FAX: (707) 576-2722
INTERNET ADDRESS: www.cdph.ca.gov

Ron Chapman, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

August 7, 2013

Water System No. 4901017

David Skerik
Naco West
33655 Geysers Road
Cloverdale, CA95425

CITATION NO. *02-18-13C-034*
TOTAL COLIFORM MONITORING VIOLATION FOR JUNE 2013

Enclosed is a Citation issued to the Naco West (System) public water system.

Your System will be billed at the Department's hourly rate (currently estimated at $126.00) for the time spent on issuing this Citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation. You will receive a bill sent from our Fee Billing Unit in Sacramento on approximately August 1, 2014. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact Cindi Lee of my staff at (707) 576-2422 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

Enclosures

C Jim Tyler/Sonoma County Environmental Heath Division

Citation No. 02-18-13C-034

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Naco West

Water System No:4901017

To: Naco West
33655 Geysers Road
Cloverdale, CA 95425

Issued: August 7, 2013

CITATION FOR NONCOMPLIANCE

With Title 22 of the California Code of Regulations Section 64426.1

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 Naco West (System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64426.1.

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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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California Code of Regulations (CCR), Section 64426.1 states in relevant part:

(b) A public water system is in violation of the total coliform MCL {maximum contaminant level} when any of the following occurs:

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

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

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

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

STATEMENT OF FACTS

The Department has received laboratory results for nine bacteriological samples collected during June 2013 from the System. All samples were analyzed for the presence of coliform bacteria. Four of the nine samples tested positive for coliform bacteria.

DETERMINATIONS

THE DEPARTMENT HAS DETERMINED:

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The Systemviolated Title 22 of the CCR, Section 64426.1, in that the System failed to comply with the maximum contaminant level (MCL) for total coliform bacteria during the month of June 2013.

DIRECTIVES

Naco West is hereby directed to take the following actions:

1. Comply with Section 64426.1, Title 22, of the California Code of Regulations in all future monitoring periods.

2. Notify all persons served by the System of the MCL violation in conformance with Section 64463.4 and 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 in Attachment A for this written description.**

   b) Post the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in conspicuous

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locations throughout the area served by the System. Posting must begin no later than **September 2, 2013** and must continue for seven days.

c) Provide public notice for this violation in accordance with Section 64465(c), Title 22 or the CCR, which requires for each non-English speaking group that exceeds 1,000 residents or 10% of the residents in a community (whichever is less) that the public notice contain information in the appropriate language(s) regarding the importance of the notice, or contain a telephone number or address where such residents may contact the water system to receive a translated copy of the notice or to receive assistance in the appropriate language.

3. Pursuant to Section 64424(d), Title 22 of the CCR, the System shall collect five (5) routine bacteriological samples by **September 9, 2013**. The results of these samples shall be submitted with the attached Compliance Certification form.

4. 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 the system customers but in no case later than **September 23, 2013**. **A copy of the notice posted in conspicuous locations and a copy of the laboratory results must be attached to the form.**

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

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

Janice M. Thomas, P.E.
Department of Public Health
Drinking Water Field Operations Branch
50 D Street, Suite 200
Santa Rosa, CA 95404

PARTIES BOUND

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

SEVERABILITY

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

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 the System 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.

Janice M. Thomas, P.E. — Date: August 7, 2013
Sonoma District Engineer
Drinking Water Field Operations Branch

Attachments

Certified Mail No. 7012 2210 0002 1673 9797

4901017/Compliance
130807-02-18-13C-034-4901017-22.docx

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COMPLIANCE CERTIFICATION

Citation Number 02-18-13C-034

Name of Water System: **Naco West**

System Number: **4901017**

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological violations of Title 22, California Code of Regulations (CCR) for the compliance period of June 2013.

Required Action	Date Completed
Complete Attachment A, as required in Directive 2(a)	
Public Notification – Continuous Posting for 7 Days	
5 Bacteriological Samples Collected & Analyzed	

_____ _____

Signature of Water System Representative Date

Attach a copy of the notice posted and the laboratory results from the 5 water samples.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN SEPTEMBER 23, 2013

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.

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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.

Naco West Had Levels of Coliform Bacteria Above the Drinking Water StandardDuring June 2013

Our water system recently violated a drinking water standard. 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 routinely monitor our drinking water for contaminants. We took nine water samples to test for the presence of coliform bacteria during June 2013. Four of our samples showed the presence of coliform bacteria. The standard is that no more than 1 sample per month may test positive for bacteria. The positive samples were tested further for fecal coliform. **No fecal coliform or E. coli were found**. However, our drinking water exceeded the maximum contaminant level allowed for total coliform bacteria, as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR).

What does this mean?

The California Department of Public Health (Department) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that 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 drinking water samples than allowed. This was a warning of potential problems and a violation of the regulations.

What should I do?

This is not an emergency. If it had been, you would have been notified immediately.

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 (800) 426-4791.

If you have other health concerns related to the consumption of this water, you may wish to consult your doctor.

Has the problem been resolved? 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: _____
(name)

_____
(address)

_____
(phone number)