

## State Water Resources Control Board

Division of Drinking Water

September 24, 2014  
System No.: 5400919

Ms. Carole Mederos, Superintendent  
Buena Vista School  
21600 Road 60  
Tulare, CA 93274

RE: **Citation No. 03-24-14C-003**  
**Violation of Title 22, California Code of Regulations, Section 64426.1,**  
**For July 2014**

Dear Ms. Mederos:

Enclosed is a Citation issued to the Buena Vista School (Water System) public water system.

The Water System will be billed at the Division's hourly rate (currently estimated at \$126.00) for the time spent on issuing this Citation. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the Division has spent approximately one and one-half hours on enforcement activities associated with this violation.

The Water System will receive a bill sent from the Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on Buena Vista School for the current fiscal year.

If you have any questions regarding this letter and the enclosed citation, please contact the Tulare District office at (559) 447-3300.

Sincerely,



Chad Fischer, P.E.  
Senior Sanitary Engineer, Tulare District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

CJF/SF  
Enclosures  
cc: Tulare County Environmental Health Services Division

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**STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER**

**IN RE: BUENA VISTA SCHOOL**  
Water System No. 5400919

**TO: Ms. Carole Mederos, Superintendent**  
Buena Vista School  
21660 Road 60  
Tulare, CA 93274

**CC: Tulare County Environmental Health Services Division**

**CITATION FOR VIOLATION OF  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1  
July 2014**

**Issued on September 24, 2014**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Buena Vista School water system (hereinafter "Water System") (21660 Road 60, Tulare, CA 93274) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1.

1 **APPLICABLE AUTHORITIES**

2 The applicable statutes and regulations are provided in Appendix A, attached hereto and  
3 incorporated by reference.  
4

5 **STATEMENT OF FACTS**

6 The Water System is a non-transient non-community water system serving a population of  
7 approximately 365 persons through four service connections. Effective July 1, 2014,  
8 regulatory oversight for this water system was transferred to the Division from the Tulare  
9 County Environmental Health Services Division (TCEHSD). The Water System currently  
10 operates under a water supply permit issued by the TCEHSD on December 7, 2005.  
11

12 The Water System is required to collect a minimum of one distribution system  
13 bacteriological sample per month. The bacteriological water analysis results submitted by  
14 the Water System reported the presence of total coliform bacteria in five of five samples  
15 collected by the Water System in July 2014. None of the positive samples showed the  
16 presence of fecal coliform or *E. coli* bacteria.  
17

18 Upon being informed of the presence of total coliform bacteria in one routine sample  
19 collected on July 2, 2014, Water System staff collected a total of four repeat samples on  
20 July 7, 2014. All of the repeat samples showed the presence of total coliform bacteria, with  
21 results ranging from 17.8 to 69.7 MPN/100mL. All water samples for coliform bacteria  
22 collected over the past year are summarized in Attachment A. This is the Water System's  
23 second total coliform MCL failure in the past twelve months. Citation No. 2014-22 was  
24 issued by TCEHSD for failure of the total coliform MCL in April 2014.  
25

26 Based on an investigation done by Water System staff, it has been determined that the  
27 cause of contamination was likely related to sanding caused by low water levels in the well.  
Due to the unique nature of this situation which resulted in changing conditions of the well,

1 the Division has has accepted Attachment B as a summary of the investigation in lieu of  
2 the "Positive Total Coliform Investiation" form.

3  
4 In response to the July 2, 2014 total coliform positive routine distribution system sample,  
5 triggered source monitoring was conducted from the only active well, and analytical results  
6 were 69.7 MPN/100mL and <1.0 MPN/100mL for total coliform and *E. coli* bacteria,  
7 respectively. In response to the total coliform positive samples, Water System staff  
8 disinfected the well on July 18, 2014 and then flushed the distribution system.

9  
10 As summarized in Attachment B, Water System staff started noticing sanding in the well  
11 during June, 2014. After further investigation, it was determined that the well was surging  
12 and needed to be deepened. Work to deepen the well began on July 25, 2014 and was  
13 completed by August 15, 2014. School was not in session during this time. Upon  
14 completion of the well deepening, Water System staff disinfected the well and flushed the  
15 distribution system. The five routine samples required the month following a month with  
16 one or more total coliform-positive samples were collected on August 19, 2014, and all  
17 samples were negative for total coliform and *E. coli* bacteria.

18  
19 Public notification to the Division and consumers of a water system is required whenever a  
20 violation of the Total Coliform MCL occurs. Notification to the Division is required by the  
21 end of the business day on which the violation has been determined. If the Division is  
22 closed, notification shall be within 24 hours of the determination. The Division was notified  
23 on July 8, 2014, in accordance with regulation.

24  
25 Public notification to the consumers of the Water System was conducted on July 14, 2014,  
26 advising each customer of the failure of the total coliform MCL during the month of July  
27 2014. A copy of the notice that was posted and distributed is provided as Attachment C.  
Proof of Notification is provided as Attachment D.

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**DETERMINATION**

Title 22, CCR, Section 64426.1, Total Coliform Maximum Contaminant Level (MCL) provides that a public water system that collects fewer than 40 bacteriological samples per month has violated the regulation if more than one sample collected during any month is total coliform positive.

The Division has determined that the Water System failed to comply with Title 22, CCR, Section 64426.1, Total Coliform MCL for the month of July 2014 due to the presence of total coliform bacteria in five of five samples collected in July 2014.

**DIRECTIVES**

The Water System is hereby directed to comply with Title 22, CCR, Section 64426.1, in all future monitoring periods. The Water System has completed the necessary public notification and investigation and no other directives are necessary at this time.

The Division reserves the right to make such modifications to the 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 Water System of its obligation to meet the requirements of the California Safe Drinking Water Act or any regulation, standard, permit or order issued thereunder.

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All submittal required by this Citation shall be submitted to the Division at the following address:

Chad Fischer, P.E.  
Senior Sanitary Engineer  
State Water Resources Control Board  
Division of Drinking Water  
265 W. Bullard Avenue, Suite 101  
Fresno, CA 93704

**PARTIES BOUND**

This Citation shall apply to and be binding upon the Buena Vista School water system, its officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

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

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**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to 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 an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

9/23/14

\_\_\_\_\_  
Date



\_\_\_\_\_  
Chad Fischer, P.E.  
Senior Sanitary Engineer, Tulare District  
DRINKING WATER FIELD OPERATIONS BRANCH

**CF/SF**

**Attachments:**

- Attachment A: Summary of bacteriological samples collected during the past year
- Attachment B: Investigation summary
- Attachment C: Public Notice
- Attachment D: Proof of Notification



APPENDIX A

Applicable Statues and Regulations for Citation No. 03-24-14C-003

Section 116650 of the CHSC states in relevant part:

§116650. Citations

- (a) If the Division 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 Division 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 Division 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.

Section 64426.1 of Title 22, California Code of Regulations (CCR) states in relevant part:

§64426.1. Total Coliform Maximum Contaminant Level (MCL).

- (a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Department or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in §64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL 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.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Department by the end of the business day on which this is determined, unless the determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice

shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1.

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**BUENA VISTA SCHOOL****5400919***Distribution System Freq: M**Chlorinator: N**Collected by: Kevin Bangsund*

<i>Sample Date</i>	<i>Time</i>	<i>Location</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Type</i>	<i>Cl2</i>	<i>Violation</i>	<i>Comment</i>
8/26/2013	10:31	Office Sink	A	A		Routine	0.0		<i>Routine 1 of 5</i>
8/26/2013	10:37	Kitchen Sink	A	A		Routine	0.0		<i>Routine 2 of 5</i>
8/26/2013	10:42	Sink by Room B4	A	A		Routine	0.0		<i>Routine 3 of 5</i>
8/26/2013	10:47	Sink by Classroom	A	A		Routine	0.0		<i>Routine 4 of 5</i>
8/26/2013	10:50	HB by Shed	A	A		Routine	0.0		<i>Routine 5 of 5</i>
9/23/2013	11:13	Office Sink	A	A		Routine			
10/28/2013	10:48	Office Sink	A	A		Routine			
11/18/2013	9:48	Office Sink	A	A		Routine			
12/9/2013	11:20	Office Sink	A	A		Routine			
1/27/2014	10:43	Office Sink	A	A		Routine			
2/25/2014	13:38	Office Sink	A	A		Routine			
3/25/2014	12:39	Office Sink	A	A		Routine			
4/28/2014	10:16	Office Sink	P	A		Routine			
4/30/2014	10:06	Office Sink	P	A		Repeat		MCL	<i>Repeat sample 1 of 4. PN &amp; PoN documents sent via email.</i>
4/30/2014	10:10	Kitchen	P	A		Repeat			<i>Repeat sample 2 of 4</i>
4/30/2014	10:14	Well	P	A		Repeat			<i>Repeat sample 3 of 4.</i>
4/30/2014	10:19	HB South Wall	P	A		Repeat			<i>Repeat sample 4 of 4.</i>
5/20/2014	9:43	Office Sink	A	A		Routine			<i>Routine sample 1 of 5</i>
5/20/2014	9:49	Kitchen	A	A		Routine			<i>Routine sample 2 of 5</i>
5/20/2014	9:55	Room B5 Sink	A	A		Routine			<i>Routine sample 3 of 5</i>
5/20/2014	10:06	HB by Well	A	A		Routine			<i>Routine sample 4 of 5</i>
5/20/2014	10:10	HB South Wall	A	A		Routine			<i>Routine sample 5 of 5</i>

# Bacteriological Distribution Monitoring Report

**5400919 Buena Vista School**

*Distribution System Freq: 1/M*

Sample Date	Location	T Coli	E Coli	F Coli	HPC	Type	Cl2	Cl2 Avg	Viol. Type	GWR Satisfied?	Comments
7/7/2014	Lounge sink	25.4	<1.0			Repeat			MCL		Cit 03-12-14C-028; Well went dry - had to deeper well in Aug
7/7/2014	Cafeteria sink	23.8	<1.0			Repeat					
7/7/2014	Office sink	17.8	<1.0			Repeat					
7/2/2014	Office sink	P	A			Routine				Yes	
6/17/2014	Office sink	A				Routine					

**Violation Key**

MCL	Exceeds the maximum contaminant level	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR1	No monthly sample for the report month	MR6	No source sample
MR2	No quarterly sample for the report month	MR7	No summary report submitted
MR3	Incorrect number of routine samples for the report month	MR8	Other comments and/or info
MR4	Did not collect 5 routine samples for previous month's positive sample	MR9	Cl2 not reported

# Source Bacteriological Monitoring Report

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**5400919 Buena Vista School**

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<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>Sample Type</i>	<i>Test Method</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Violation</i>	<i>Comments</i>
7/7/2014	9:55	Well 01	GWR Well	MPN	69.7	<1.0				Well was going dry - system deepened the well in Aug

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*Buena Vista Elementary School*21660 Road 60  
Tulare, California 93274Phone: (559) 686-2015  
Fax: (559) 684-0932  
Email: buenavista@tcoe.orgCarole Mederos  
Superintendent

August 15, 2014

Linda Ramirez  
SWRCB, Div. of Drinking Water - Visalia District  
265 W. Bullard Ave., Ste 101  
Fresno, CA 93704

Re: Buena Vista Positive Total Coliform Investigation



Dear Linda,

Attached is our "Positive Total Coliform Investigation". As per our discussion on August 15, 2014, I am including this explanation of what has transpired with our well.

In the middle of June, we began picking up sand in our water system. After some investigation, we discovered that our well was surging and needed to be deepened. During a regular monthly test for Total Coliform we had a positive result. We also had positive results on the repeat tests (attached). We think that this may have been caused by the surging and the presence of the sand in our water system. We chlorinated at this time; July 18, 2014, however began the process of deepening the well on July 25, 2014. So there was no follow-up testing at that time. We are concluding this process of deepening the well today, August 15, 2014.

I found it very difficult to answer the questions on the "Investigation" form, due to the fact that we were making changes to the configuration of our well. We have gone from a turbine pump to a submersible pump. Therefore, everything around the well head is changing. Confusion developed as to how to answer the questions with regard to the well.

I am hoping that you will accept this response that we are making every effort to ensure that our water is safe and clear. And that our well is well maintained and protected.

As soon as our pump is connected and our system is disinfected and flushed, we will test for total coliform and results will be forthcoming.

I appreciate your consideration and assistance with this matter.

Sincerely,

  
Carole Mederos, Superintendent

## PUBLIC NOTIFICATION

### IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

**BUENA VISTA SCHOOL**

**Levels of Coliform Bacteria**

**Above the Drinking Water Standard**

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Our water system recently failed a drinking water standard. Although this incident was not an emergency, as users of the water system, you have a right to know what you should do, what happened and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We collected **five (5)** samples to test for the presence of coliform bacteria in **July 2014**. Of these, **five (5)** showed the presence of total coliform bacteria. The standard is that no more than **one (1)** sample per month may show the presence of coliform bacteria.

#### What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which 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 samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.**
- 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 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

#### What happened? What is being done?

We have chlorinated and we are doing maintenance, with plans of deepening our well. We will continue to test and provide bottled water for drinking and cooking.

For more information, please contact Carole Mederos at 559-686-2015 or 21660 Rd. 60 Tulare, CA 93274.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

#### Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, or OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by: **Buena Vista School**

Date distributed: 7/14/14

**PROOF OF NOTIFICATION**

**RECEIVED**  
 JUL 25 2014  
 BY: \_\_\_\_\_

I, Carole Mederos  
 Print Name Here

ON BEHALF OF  
**Buena Vista School**

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HAVE PROVIDED NOTIFICATION OF THE TOTAL COLIFORM MAXIMUM CONTAMINATION LEVEL EXCEEDANCE TO ALL WATER CONSUMERS OF THE ABOVE LISTED WATER SYSTEM AS REQUIRED BY THE TULARE COUNTY ENVIRONMENTAL HEALTH SERVICES DIVISION.

The following notification method(s) was used to notify all water consumers:

Written Handout Sheets	<input checked="" type="checkbox"/>	Posted Signs	<input checked="" type="checkbox"/>
Direct Mail	<input type="checkbox"/>	Newspapers	<input type="checkbox"/>
Door to Door Contact	<input type="checkbox"/>	Individual Telephone	<input type="checkbox"/>
Radio	<input type="checkbox"/>	Television	<input type="checkbox"/>
E-mail	<input type="checkbox"/>		

Notification was completed on 7/14/14  
 Date

Carole Mederos  
 Signature

559-686-2015  
 Phone Number

**ATTENTION: CDPH Drinking Water Field Operations**  
**Visalia District Office**  
**265 W. Bullard Ave., Suite 101**  
**Fresno, CA 93704**

PWS ID#: 5400919