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

CITATION FOR NON-COMPLIANCE

Rusty Cochran, Owner
State Ready Mix
1011 Azahar Street, Suite 1
Ventura, CA 93004

WATER SYSTEM NO.: **5603122**

CITATION NO.: **04_06_16C_005**

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

Violation

The State Water Resources Control Board's Division of Drinking Water (hereinafter Division) hereby issues a citation to State Ready Mix (hereinafter SRM) for the following violation:

1. **Water Permit Number 04-06-12P-001, Provision 14:** Specifically, State Ready Mix used an unapproved source for the public water supply when they hauled untreated surface water originating from the Santa Clara River from November 2015 to March 2016. The water was hauled from United Water Conservation District's desilting basin which contains untreated surface water from the Santa Clara River. The Division learned of SRM's use of an unapproved source on March 10, 2016.



1 In accordance with Section 116650 (e) of the Health and Safety Code, the above violation
2 is classified as a non-continuing violation.

3
4 **Background**

5 The SRM water system is privately owned and serves the employees of the State Ready
6 Mix concrete processing plant. The water system is owned by Mr. Russell Cochran. SRM
7 provides potable water for handwashing to a population of at least 25 people via 1 service
8 connection. SRM's domestic water system includes one groundwater well, three 8,000
9 gallon welded steel storage tanks, one booster station, and an associated distribution
10 system. A portion of the water is used to serve the office and a restroom location while
11 another portion is used for operating the concrete mixing and recycling facility. The water
12 utilized in the office and the restrooms is treated by a point-of-use treatment unit which
13 includes filtration, softening, and ultraviolet (UV) disinfection. The treated water is un-
14 chlorinated. Due to the high potential of cross-connections, SRM employees do not drink
15 the water and are provided with bottled water for consumption. There are signs reminding
16 employees not to drink the water located at the office and restroom locations. However,
17 the SRM water system is required to supply water which is bacteriologically safe for
18 handwashing.

19 On March 10, 2016, the Division learned SRM's only groundwater well, Well 03, went dry
20 in November 2015. At this time, State Ready Mix was instructed to turn off the faucets
21 and provide an alternative source of potable water for handwashing. State Ready Mix
22 brought portable bathrooms to the site. The bathrooms were reported to be filled with
23 potable water. State Ready Mix also verified the faucets were posted as non-potable.
24 Between November 2015 and March 2016, SRM was hauling surface water from United
25 Water Conservation District's silting basin which is not a permitted source. SRM does not
26 have an approved surface water treatment plant and the treatment they do have is
27 inadequate for surface water treatment. A coliform sample taken March 11, 2016 from
the hauled, untreated water which was used in the distribution system after inadequate
treatment, had a total coliform density too numerous to count (>200.5 MPN/100 mL) and
an *E. coli* density of 144.5 MPN/100 mL. A coliform sample collected March 8, 2016 from
the administration bathroom was total coliform positive. On March 10, 2016, the Division
learned SRM's only groundwater well, Well 03, went dry in November 2015 and SRM had
been hauling water from an unapproved surface water source. At this time, State Ready



1 Mix was instructed to turn off the bathroom and kitchen faucets and provide an alternative
2 source of potable water for handwashing. State Ready Mix brought portable bathrooms
3 to the site. The bathrooms were reported to be filled with potable water. State Ready Mix
4 also verified the faucets were posted as non-potable. A new groundwater well, Well 04,
5 was drilled and work was completed March 3, 2016.

6 On April 2, 2016, the operator drained the water system and the new well, Well 4, was
7 chlorinated to 150 ppm and allowed to sit overnight. On April 3, 2016, the well was
8 flushed to waste until the chlorine fell to 50 ppm. At this time the well was turned into the
9 system fill the three 8,000 gallon reservoirs. Chlorine was increased to 150 ppm in the
10 full reservoirs and then the system was flushed. All micron filters were removed and
11 disposed of and the filter vessels were disinfected. This water was flushed through the
12 mixed media filters. The filters were then backwashed with chlorinated water. All water
13 lines in the bathrooms and kitchen were flushed with 150 ppm chlorinated water. New
14 micron filters were installed. On April 3, 2016, after system flushing, coliform samples
15 were taken from both bathrooms, the reservoir effluent and the wellhead (Well 4). With
16 the exception of the wellhead sample, all results were total coliform negative. Well 4 was
17 8.7 MPN/100 mL present for total coliform, negative for *E. coli*.

18 On April 4, 2016, the Division was notified a new well had been drilled, Well 4, and it was
19 in operation. On April 7, 2016, the Division received a permit application from SRM for
20 the use Well 4 as a domestic water supply.

21 The well was sampled again April 8, 2016 and the results were total coliform negative.
22 On April 11, 2016 the well, both bathrooms and the reservoir effluent were sampled again
23 and all sample results were total coliform negative. On April 22, 2016, Well 4 was
24 sampled again and it was total coliform negative.

25 Directives

26 State Ready Mix shall take the following actions:

- 27 1. State Ready Mix shall provide reliable and safe drinking water at all times. The
only sources approved by the Division as a potable water supply for SRM are



1 listed in Table 1. SRM shall use no other sources or treatment facilities as part of
2 its domestic water system without first receiving an amendment permit and prior
3 approval from the Division.

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Source	Status	PS Code
Well 03	Inactive	5603122-001
Well 04	Pending	5603122-002

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2. SRM shall provide the Division with a detailed description of the distribution/treatment disinfection process completed after using raw surface water in the distribution system. Please include verification coliform samples showing the distribution system was properly disinfected.
 3. Provide all required water quality information for the new well, including raw water coliform monitoring.
 4. Provide continuous, precautionary chlorination to the well water used for potable purposes (i.e. handwashing, drinking, cooking, food preparation, etc.).
 5. Provide documentation the filters and UV system (described above) used to treat the potable water are NSF approved. If NSF approved, the treatment facilities shall be regularly monitored and maintained per manufacturer's recommendations. A monthly report shall be submitted to the Division demonstrating the treatment facilities are being properly maintained and monitored. SRM shall submit an operations plan for Division review and approval. If the treatment facilities are not NSF approved, they shall be removed from the potable water system.
 6. Within 90 days, submit documentation to the Division demonstrating the cross-connections have been abated. Once the Division is satisfied the cross-connections have been abated and the water quality meets standards, SRM may discontinue providing bottled water after receiving approval from the Division.



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7. If water supply issues arise in the future, SRM shall contact the Division prior to making changes to the water system which require a permit action.

8. State Ready Mix is directed to pay a penalty of \$300 by July 1, 2016 for the use of an unapproved source between November 2015 and March 2016. Payment shall be made by check, made payable to the State Water Resources Control Board, together with a copy of the Notice of Administrative Penalty form included (Appendix 2), and with the number of the Citation written on the check at the following address:

**SWRCB Accounting Office
ATTN: Drinking Water Program Fees
P.O. Box 1888
Sacramento, CA 95812-1888**

Civil Penalties

Sections 116650 (d) and (e) of the H&S Code allow for the assessment of a civil penalty for failure to comply with the requirements of Chapter 4. Failure to comply with any provision of this citation will result in the Division imposing an administrative penalty not to exceed \$1,000 (one thousand dollars) per day as of the date of violation of any provision of this citation.

The Division reserves the right to make such modifications to this Citation and/or to issue such further citation(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be deemed effective upon issuance.

Nothing in this Citation relieves State Ready Mix 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.

FURTHER ENFORCEMENT ACTION

The California Safe Drinking Water Act (SDWA) authorizes the State Board to: issue a 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 regulation,

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permit, standard, citation, 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 State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State 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 State Board. The State Board does not waive any further enforcement action by issuance of this Citation.

Kurt Souza
Kurt Souza, P.E., Assistant Deputy Director
SWRCB-DDW
Santa Barbara District

May 25, 2016
Date

cc: Ventura County Environmental Health Division



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APPENDIX 1.
APPLICABLE STATUTES AND REGULATIONS
FOR CITATION NO. 04_06_16C_005

Section 116270. of the CHSC states, in relevant part:

The Legislature finds and declares all of the following:

- (a) Every citizen of California has the right to pure and safe drinking water.

Section 116555 of the CHSC states, in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

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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Appendix 2

STATE OF CALIFORNIA
DIVISION OF DRINKING WATER

STATE WATER RESOURCES CONTROL BOARD

Notice of Administrative Penalty

Citation Number: 04-06-16C-005

System Name: State Ready Mix

System Number: 5603122

Background

During the month of May 2016, the Division of Drinking Water issued Citation Number 04_06_16C_005 to State Ready Mix. The citation carried a civil penalty in the amount of **\$300 (three hundred dollars)**.

Method of Payment

A check for the total amount of the civil penalty and a copy of this form shall be submitted to the Division by **July 1, 2016**. The citation number shall be written on the check, the check made payable to the State Water Resources Control Board, and submitted to:

SWRCB Accounting Office
ATTN: Drinking Water Program Fees
P.O. Box 1888
Sacramento, CA 95812-1888

Attach check below: