



RON CHAPMAN, MD, MPH  
Director and State Health Officer

State of California—Health and Human Services Agency  
California Department of Public Health



EDMUND G. BROWN JR.  
Governor

April 8, 2012  
System No. 1010049

Jeff Johnson, General Manager  
Biola CSD  
P.O. BOX 57  
BIOLA, CA 93606

**RE: Biola Community Services District Water System Citation No. 03-23-13C-020**

Dear Mr. Jeff Johnson:

Enclosed is Citation No. 03-23-13C-020 issued by the California Department of Public Health (Department) to the Biola Community Services District water system for violation of the Total Coliform Maximum Contaminant Level during August and September 2012.

As discussed in Citation No. 03-23-13C-020, the water system shall take the actions detailed as Directives by the dates indicated. Additionally, the Citation identifies that water system's certified contract operator has not conducted the required routine and repeat monitoring in accordance with the Total Coliform Rule.

**Please note that a written response to the Department is required by April 30, 2013, acknowledging that the water system has received the citation and that it will comply with all of the directives listed therein. Failure to comply with deadlines and directives specified in the Citation may result in further enforcement action by the Department.** Please be advised that the time we have spent on preparing the citation is considered enforcement time and has been billed to the water system at our current billing rate of \$126.00 per hour.

If you have any questions regarding this permit, please contact Sudarshan Poudyal or me at (559) 447-3300.

Sincerely,

Betsy S. Lichti, P.E.  
Senior Sanitary Engineer, Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

BSL/MH  
Enclosures

1  
2  
3 **STATE OF CALIFORNIA**  
4 **DEPARTMENT OF PUBLIC HEALTH**

5  
6 **IN RE: BIOLA COMMUNITY SERVICES DISTRICT**  
7 Water System No. 1010049

8  
9 **TO:** Jeff Johnson, General Manager  
10 Biola Community Services District  
11 P.O. Box 57  
12 Biola, CA 93606

13  
14 **CITATION FOR NONCOMPLIANCE**  
15 **TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION**  
16 **August and September 2012**

17 **Issued on April 8, 2013**

18  
19 Section 116650, Chapter 4, Part 12, Division 104 of the California Health and Safety Code  
20 (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the  
21 California Safe Drinking Water Act, or any regulation, standard, permit, or order issued  
22 hereunder.

23 **VIOLATION**

24 The Drinking Water Field Operations Branch of the Department of Public Health  
25 (hereinafter 'Department') hereby issues a Citation to Biola Community Services District  
26 (hereinafter 'District'), for failure to comply with Section 116555(a)(1) of the CHSC and  
27 Section 64426.1(b)(2) of Title 22, California Code of Regulations (CCR). Specifically, the

1 District (mailing address: P.O. Box 57, Biola, CA 93606) failed to comply with the total  
2 coliform Maximum Contaminant Level (MCL) for the months of August and September  
3 2012.

4  
5 Section 64426.1(b)(2) specifies that a public water system collecting fewer than 40 samples  
6 per month is in violation of the total coliform MCL when more than one sample collected  
7 during any month is total coliform-positive. The District is required to collect a minimum  
8 of two (2) distribution system bacteriological samples per month. The bacteriological water  
9 analysis results submitted by the District reported the presence of total coliform bacteria in  
10 two (2) of six (6) samples collected by the District in August 2012 and five (5) of fourteen  
11 (14) samples collected by the District in September 2012. None of the positive samples  
12 showed the presence of fecal coliform or *E. coli* bacteria.

13  
14 Upon being informed of the presence of total coliform bacteria in two (2) routine samples  
15 collected on August 13, 2012, a total of four (4) samples were collected on August 15,  
16 2012, all of which were absent for total coliform. Two of these samples were collected  
17 from Wells 3 and 4 and were absent for total coliform.

18  
19 The District collected the regularly scheduled two (2) routine distribution samples on  
20 September 12, 2012. Both samples were positive for total coliform and absent for *E. coli*  
21 and fecal coliform. The District then collected four (4) samples on September 14, 2012,  
22 two (2) from the sources and two (2) from the distribution sites. The two (2) distribution  
23 samples were positive for total coliform and absent for *E. coli* and fecal coliform. On  
24 September 17, 2012, the District then collected three (3) repeat samples from the  
25 distribution, one of which was positive for total coliform. On September 21, 2012, the  
26 District took five (5) repeat samples from the sources and distribution and all were absent  
27 for total coliform.

1  
2 The contract certified operator, Jared Steeley, informed the Department on September 18,  
3 2012, of the September 2012 total coliform positive results and the Department sent via  
4 email the public notice, the proof of notification, and the investigative report for a small  
5 community system that was to be completed by the District. Due to the above-mentioned  
6 total coliform positive samples, the District failed the total coliform MCL for the months of  
7 August and September 2012. All water samples for coliform bacteria collected during  
8 August and September 2012 are summarized in Attachment A.

9  
10 The cause of the contamination is unknown since no specific source of contamination has  
11 been identified. The District has not submitted an investigation report due to the total  
12 coliform positive samples in September 2012. The District reportedly initiated continuous  
13 disinfection at each well in September 2012, which was terminated only on discussion with  
14 the Department in early April 2013. The contract certified operator for the District has not  
15 maintained the required routine and repeat monitoring and reporting in accordance with the  
16 Total Coliform Rule for, as noted in the Associated Violations section of this Citation.

17  
18 **ASSOCIATED VIOLATIONS**

19 Additionally, the District has failed to comply with the following Section 64424 of Title 22,  
20 CCR:

- 21  
22 1. Section 64424 (a)(1) specifies that for system collecting more than one routine  
23 sample a month, a repeat sample set shall be at least three samples for each total  
24 coliform positive sample.

25  
26 The District collected only two distribution repeat samples on August 15, 2012, and  
27 September 14, 2012, following the report of total coliform positive samples on

1 August 13, 2012, and September 12, 2012, respectively. The District did collect two  
2 source samples with the repeat samples as required under the Groundwater Rule.  
3 However, these source samples do not quality as distribution repeat samples.  
4

- 5 2. Section 64424(d) specifies that if a public water system for which fewer than five  
6 routine samples/month are collected has one or more total coliform-positive  
7 samples, the water supplier shall collect at least five routine samples the following  
8 month.  
9

10 The District collected only two routine samples in September 2012 following the  
11 total coliform positive results in August 2012; and only three routine samples in  
12 October 2012, following the total coliform positive results in September 2012.  
13

- 14 3. Section 64423.1(c) specifies that the analytical results of all samples collected in a  
15 calendar month shall be reported to the Department not later than the tenth day of  
16 the following month.  
17

18 The District was issued Enforcement Letter No. 03-23-13E-016 on February 25,  
19 2013, for violation of bacteriological monitoring and reporting requirements for  
20 August 2012. Specifically, the Department had not received any coliform results for  
21 the month of August 2012. The District subsequently submitted the August 2012  
22 coliform results to the Department on March 8, 2013. On reviewing the results, the  
23 Department determined that the District failed the total coliform MCL for the month  
24 of August 2012.  
25

26 It was also determined that not all coliform results for samples collected during  
27 September 2012 had been received by the Department, since the Department was

1 unable to confirm that there had been a TCR MCL violation as reported by the water  
2 system operator on September 18, 2012. After several conversations with the water  
3 system operator, all results for total coliform samples collected in September 2012  
4 were provided to the Department on April 8, 2013. On review of these results, it  
5 was confirmed that the District failed the total coliform MCL for the month of  
6 September 2012.

### 7 8 **NOTIFICATION REQUIREMENTS**

9 Section 64426.1(c) requires a public water system to notify the Department and the  
10 consumers of the water system, when a violation of the total coliform MCL occurs.  
11 Notification to the Department shall be by the end of the business day on which the  
12 violation has been determined. If the Department is closed, notification shall be within 24  
13 hours of the determination. The Department was not notified in accordance with the above-  
14 referenced section. Specifically, the Department was not notified of the August 2012 total  
15 coliform positive results. The Department received the results in March 8, 2013, after  
16 issuance of Enforcement Letter No. 03-23-13E-016 for failure to report August 2012  
17 coliform results. The Department was informed of the September 2012 total coliform  
18 positive results by phone on September 18, 2012, but all of the results were not submitted to  
19 the Department at that time. A complete set of all samples collected in September 2012  
20 were received by the Department on April 8, 2013.

21  
22 A Tier 2 Public Notice for violations of paragraphs 64426.1(b)(2) shall be given pursuant to  
23 Section 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory health  
24 effects language for a total coliform MCL failure.

25  
26 Section 64463.4 allows community water systems to use mail or direct delivery to each  
27 customer and the use of one or more of the following methods: publication in a daily or

1 weekly newspaper, posting the public notice in a conspicuous public place within the water  
2 system or on the internet, or by delivery to community organizations. The Tier 2  
3 notification format to be used is included as Attachment B.

4  
5 Section 116450(g) requires that upon receipt of notification from a public water system,  
6 schools must notify school employees, students, and parents (if the students are minors),  
7 residential rental property owners or managers (including nursing homes and care facilities)  
8 must notify their tenants and business property owners, managers or operators must notify  
9 employees of businesses located on the property. These secondary notification  
10 requirements are also included in the public notice.

11  
12 Proof of notification is required. The District shall submit the proof of public notification  
13 by completing Attachment C and return it to the Department by April 30, 2013.

14  
15 **DIRECTIVES**

16 The District is hereby directed to take the following actions:

- 17  
18 1. By April 20, 2013 the District shall provide public notification of the total coliform  
19 Maximum Contaminant Level failure by mail or conduct direct delivery of the  
20 public notice to all customers served within the general service area. The Water  
21 System is additionally required to use one or more of the following notification  
22 methods: publication in a daily or weekly newspaper, posting the public notice in a  
23 conspicuous public place within the water system or on the internet, or by delivery  
24 to community organizations.

1 By April 30, 2013 the District shall provide proof of notification of the total  
2 coliform MCL violation notification to each consumer using Attachment C, to:

3  
4 Betsy S. Lichti, Senior Sanitary Engineer  
5 Department of Public Health  
6 Drinking Water Field Operations Branch  
265 W. Bullard Avenue, Suite 101  
Fresno, CA 93704

- 7 2. The District shall report all bacteriological samples collected in a month to the  
8 Department by the tenth day of the following month.
- 9  
10 3. The District shall collect repeat samples as required by Section 64424 and as  
11 discussed in this Citation whenever a routine sample is positive for total coliform  
12 bacteria. Specifically, a repeat sample set shall consist of at least three samples for  
13 each total coliform-positive sample. Samples shall be collected at the same location  
14 as the routine positive sample, within five service connections upstream and within  
15 five service connections downstream. Additionally, in accordance with the  
16 Groundwater Rule, the District shall collect samples from each active source  
17 whenever a routine distribution sample is total coliform-positive.
- 18  
19 4. Whenever the District has one or more total coliform-positive samples in a given  
20 month, at least five (5) routine samples shall be collected from distribution system  
21 sites the following month as required by Section 64424(d) and as discussed in this  
22 Citation.
- 23  
24 5. By April 30, 2013, the District shall complete and submit the enclosed  
25 "Investigation Report for Bacteriological MCL Failure" form to the Department that  
26 describes the incident and all corrective actions taken, and the results of the  
27 investigation. The appropriate investigation report is provided as Attachment D.

**CIVIL PENALTIES**

Sections 116650(d) and 116650(e) of the CHSC allow for the assessment of a civil penalty for failure to comply with requirements of the California Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the Department imposing an administrative penalty of not less than \$100 (one hundred dollars) per day as of the date of violation of any provision of this Citation.

4/8/13  
Date

*Betsy S. Lichti*  
Betsy S. Lichti, P.E.  
Senior Sanitary Engineer, Fresno District  
DRINKING WATER FIELD OPERATIONS BRANCH

**BSL/MH**

**Attachments:**

- Attachment A: Summary of Bacteriological Samples collected in August and September 2012
- Attachment B: Public Notice
- Attachment C: Proof of Notification Form
- Attachment D: Investigative Report

1010049 TCRMCL August and September 2012



# Bacteriological Distribution Monitoring Report

**1010049 Biola Community Services District** *Distribution System Freq: 2/M*

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	CI2	Violation	Comment
8/1/2012		No Routine Sample						MR1	
8/13/2012	9:25	12667 D	P	A		Routine			
8/13/2012	9:55	12550 H	P	A		Routine			
8/15/2012	10:00	Well 3	A	A		Source Repeat			
8/15/2012	10:12	Well 4	A	A		Source Repeat			
8/15/2012	10:30	12667 D	A	A		Repeat			
8/15/2012	10:40	12550 H	A	A		Repeat			Issued Enf. Ltr. 03-23-13E-016 on Feb. 25, 2012 for August 2012.
9/12/2012	9:13	E Street	P	A		Routine			MR4 addressed in Citation No 03-23-13C-020 issued April 8, 2013.
9/12/2012	9:20	D Street	P	A		Routine			
9/14/2012	11:30	Well 3	A	A		Source Repeat			
9/14/2012	11:45	Well 4	A	A		Source Repeat			
9/14/2012	12:10	D Street	P	A		Repeat			
9/14/2012	12:30	E. Street	P	A		Repeat			
9/17/2012	9:40	12667 D Street	<1.0	<1.0		Repeat			
9/17/2012	10:02	12558 H street	17	<1.0		Repeat			
9/17/2012	10:12	12535 E Street	<1.0	<1.0		Repeat			
9/21/2012	9:20	Well 4	A	A		Source Repeat			
9/21/2012	9:45	Well 3	A	A		Source Repeat			
9/21/2012	10:05	D Street	A	A		Repeat			
9/21/2012	10:20	H street	A	A		Repeat			
9/21/2012	10:40	E Street	A	A		Repeat			
10/3/2012	9:20	Biola Street	A	A		Routine			
10/3/2012	9:40	E. Street	A	A		Routine			
10/3/2012	10:00	H. Street	A	A		Routine			
11/7/2012	11:45	B street	A	A		Routine			MR4 addressed in Citation No 03-23-13C-020 issued April 8, 2013.
11/7/2012	12:10	H. Street	A	A		Routine			
12/5/2012	10:00	12558 H. Street	A	A		Routine			
12/5/2012	10:15	4974 Raisin	A	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	CI2 not reported