



RON CHAPMAN, MD, MPH
Director & State Health Officer

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



EDMUND G. BROWN
Governor

October 21, 2013
System No. 1009006

George Pappas
Pappas & Co. (Coalinga)
P.O. Box 477
Mendota, CA 93240

RE: Compliance Order No. 03-23-13R-009
Violation of the Surface Water Treatment Rule

Dear Mr. Pappas:

The purpose of this letter is to inform you that the California Department of Public Health (Department) has issued Compliance Order No. 03-23-13R-009 (enclosed) to the Pappas & Co. (Coalinga) water system on October 21, 2013, for non-compliance with the Surface Water Treatment Rule. The compliance order requires your water system to cease and desist from failing to comply with California Health & Safety Code Sections 116555(a)(1), (a)(3) and California Code of Regulations Section 64653, by ensuring that the system is provided with a reliable and adequate supply of pure, wholesome, healthful, and potable water, in compliance with all primary drinking water standards.

Please submit a written response to our office by November 18, 2013, acknowledging receipt of this order and your intent to comply with the directives within. The Compliance Order also requires the submission of quarterly progress reports to the Department, even if no progress has been made. The first progress report is due no later than January 10, 2014.

Item No. 1(c) of the enclosed order requires that the Water System personnel present a Corrective Action Plan for improvements to the water system encompassing a project designed to correct the water quality problem (violation of the turbidity performance standard of the Surface Water Treatment Rule) and eliminate the need to deliver water to consumers that does not meet primary drinking water standards. **Item No. 1(d) of the Compliance Order requires that the Corrective Action Plan be presented to the Department in an Office Meeting no later than December 15, 2013.**

In an Office Hearing on October 9, 2013, the Department discussed compliance strategies with you for other ongoing violations with this water system. This Compliance Order should be considered when evaluating an overall compliance strategy. As agreed to at the office hearing,

in December 2013, the Department will expect a plan and timeline addressing the prior violations. Item Nos. 1(c) and 1(d), as noted above, can be addressed at that time.

If there are any questions regarding this matter, please contact Philip Dutton or myself at (559) 447-3300.

Sincerely,



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

BSL/PD

Cc: Matt Gomes, California Water Services, P.O. Box 343, Coalinga, CA 93210 (w/ enclosures)

Enclosure

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

IN RE: **PAPPAS & CO. (COALINGA)**
 Water System No. 1009006

TO: Mr. George Pappas
 Pappas & Co. (Coalinga)
 P.O. Box 477
 Mendota, CA 93240

**COMPLIANCE ORDER FOR NONCOMPLIANCE
WITH THE SURFACE WATER TREATMENT RULE
TURBIDITY PERFORMANCE STANDARDS**

Issued on October 21, 2013

Section 116655, Chapter 4, Part 12, Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a compliance order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued hereunder.

FINDINGS

The Pappas & Co. (Coalinga) water system (hereinafter, "Water System") is a privately owned community water system located in Fresno County that supplies water for domestic

1 purposes to approximately 25 persons, who are generally retired employees of the Pappas &
2 Company, through 11 residential service connections. The Water System operates under
3 Domestic Water Supply Permit No. 03-23-09P-025, issued by the California Department of
4 Public Health (hereinafter, "Department") on March 18, 2009.

5
6 The Water System utilizes treated surface water obtained from the California Aqueduct, via
7 Westlands Water District and the Coalinga Canal. The raw water is treated by an inline
8 filtration treatment plant, with processes that include: polymer injection, upflow
9 clarification that does not provide adequate sedimentation, pressure filtration, and chlorine
10 disinfection.
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13 The Water System's treatment plant had previously been classified as a direct filtration
14 facility. Following a site inspection and sanitary survey conducted by Department personnel
15 in March 2012, the treatment plant was reclassified as an inline filtration facility, as the
16 Department determined that the upflow clarifier does not provide adequate solids removal
17 and could not be classified as direct filtration. The clarifier is not equipped with media or
18 operated in a continuous manner, either of which would improve solids removal.
19

20
21 Section 64653(f) of the Department's Surface Water Treatment Rule specifies that an
22 alternative to conventional filtration treatment, direct filtration treatment, diatomaceous
23 earth filtration, and/or slow sand filtration may be used, provided that the Water System can
24 demonstrate to the Department that the alternative technology provides a minimum of 90
25 percent *Giardia lamblia* cyst removal for water systems serving 500 or fewer persons. The
26 Department has determined that inline filtration plants must meet a turbidity performance
27

1 standard of 0.1 NTU in 95 percent of samples taken in each month and shall not exceed 1.0
 2 NTU for more than 1 continuous hour, in order to be accepted as an alternative filtration
 3 technology and be credited with the required 90 percent *Giardia lamblia* cyst removal.

4
 5 In three of the months since March 2012, when the Water System was informed of its
 6 classification as inline filtration, the 95th percentile filter effluent turbidity exceeded the 0.1
 7 NTU turbidity performance standard. A summary of these exceedances is shown in the
 8 table below.
 9

10
 11 **Table 1: Recent Turbidity Performance Standard Violations**

Month	95th Percentile Filter Effluent Turbidity
Turbidity Performance Standard = 0.1 NTU	
July 2012	0.16 NTU*
November 2012	0.20 NTU*
August 2013	0.15 NTU*

12
 13
 14
 15 * Exceeds Turbidity Performance Standard

16
 17 **CONCLUSIONS OF LAW**

18 Based on the above Findings, the Department has determined that the Pappas & Co.
 19 (Coalinga) water system has violated provisions contained in the California Health and
 20 Safety Code (hereinafter, "CHSC") and Title 22, California Code of Regulations
 21 (hereinafter, "CCR"). These violations include, but are not limited to, the following:
 22

- 23
 24 1. CHSC Section 116555 (a)(1): Specifically, the Pappas & Co. (Coalinga) water
 25 system fails to provide water that complies with primary drinking water standards.
 26
 27

1 2. CHSC Section 116555 (a)(3): Specifically, the Pappas & Co. (Coalinga) water
2 system fails to ensure that a reliable and adequate supply of pure, wholesome,
3 healthful, and potable water is provided to all of its consumers.

4
5 3. CCR, Section 64653: Specifically, the water produced by the Pappas & Co.
6 (Coalinga) water system exceeds the 0.1 NTU turbidity performance standard
7 established for the inline filtration process within Domestic Water Supply Permit
8 No. 03-23-09P-025, issued by the Department in March 2009.
9

10
11 **ORDER**

12 To ensure that the water supplied by the Pappas & Co. (Coalinga) water system is at all
13 times safe, wholesome, healthful, and potable, and pursuant to Section 116555 of the
14 CHSC, the Pappas & Co. (Coalinga) water system is ordered to take the following actions:
15

16
17 1. a) Cease and Desist from failing to comply with CHSC Sections 116555(a)(1),
18 (a)(3) and CCR Section 64653 by ensuring that the system is provided with a
19 reliable and adequate supply of pure, wholesome, healthful, and potable water, in
20 compliance with all primary drinking water standards.

21
22 b) The Pappas & Co. (Coalinga) water system shall provide public notification
23 of its inability to meet the turbidity performance standard following any calendar
24 month that the 95th percentile of filter effluent turbidity measurements exceeds 0.1
25 NTU. Notification procedures and format are provided in Attachment A. An
26 electronic version of Attachment A is available upon request. Proof of public
27

1 notification shall be provided to the Department following each notification, by the
2 10th day of the month following notification, using the form provided as Attachment
3 B.

4
5 c) The Pappas & Co. (Coalinga) water system personnel shall prepare a
6 Corrective Action Plan identifying improvements to the water system designed to
7 correct the water quality problem (violation of the turbidity performance standard)
8 and eliminate the need to deliver water to consumers that does not meet primary
9 drinking water standards. The plan shall include a time schedule for completion of
10 various phases of the project such as design, construction, startup and public
11 information. At a minimum, the plan must include an evaluation of the options that
12 are outlined in Attachment C.
13

14
15 d) The Corrective Action Plan required under item (1)(c) above shall be
16 presented to the Department in an office meeting no later than **December 15, 2013**.
17

18
19 e) The Pappas & Co. (Coalinga) water system shall submit quarterly progress
20 reports to the Department. The first quarterly progress report shall describe progress
21 made in the fourth quarter of 2013 and shall be submitted to the Department by
22 **January 10, 2014**.
23

24
25 f) By no later than **July 1, 2015**, the Pappas & Co. (Coalinga) water system
26 shall complete a project designed to achieve compliance with the Department's
27 Surface Water Treatment Rule. The Water System shall notify the Department in

1 writing of the date that the project has been completed. Any changes to the source or
2 treatment require prior Department approval.

3
4 2. The Pappas & Co. (Coalinga) water system shall submit a written response by
5 **November 18, 2013**, indicating its willingness to comply with the directives of this
6 Compliance Order.

7
8
9 3. The Pappas & Co. (Coalinga) water system shall comply with the requirements,
10 directives, and orders of Compliance Order Nos. 03-12-08O-25 (total
11 trihalomethanes MCL), 03-23-09O-027 (Surface Water Treatment Rule, disinfectant
12 contact time requirements), and 03-23-11O-007 (haloacetic acids five MCL).

13
14 4. The Department reserves the right to make such modifications to this Order as it may
15 deem necessary to protect public health and safety. Such modifications may be issued
16 as amendments to this Order and shall be effective upon issuance.

17
18
19 5. All submittals required by this Order shall be addressed to:

20 Betsy S. Lichti, P.E.,
21 Senior Sanitary Engineer
22 Department of Public Health
23 Southern California Branch
24 Drinking Water Field Operations
25 265 W. Bullard Avenue, Suite 101
26 Fresno, CA 93704

27 6. If the Pappas & Co. (Coalinga) water system is unable to perform the tasks specified
in this Order for any reason, whether within or beyond its control, and if the Pappas

1 & Co. (Coalinga) notifies the Department in writing no less than five days in
2 advance of the due date, the Department may extend the time for performance if the
3 Pappas & Co. (Coalinga) water system demonstrates that it has used its best efforts
4 to comply with the schedule and other requirements of this Order.

5
6 7. If the Pappas & Co. (Coalinga) water system fails to perform any of the tasks
7 specified in this Order by the time described herein or by the time subsequently
8 extended pursuant to Item 6 above, the Pappas & Co. (Coalinga) water system shall
9 be deemed to have not complied with the obligations of this Order and may be
10 subject to additional judicial action, including civil penalties specified in CHSC,
11 Sections 116725 and 116730.
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13
14 8. The State of California shall not be liable for any injuries or damages to persons or
15 property resulting from acts of omissions by the Pappas & Co. (Coalinga) water
16 system, its employees, agents, or contractors in carrying out activities pursuant to this
17 Order, nor shall the State of California be held as a party to any contract entered into
18 by the Pappas & Co. (Coalinga) water system or its agents in carrying out activities
19 pursuant to this Order.
20

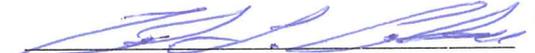
21
22 **PARTIES BOUND**

23 This Order shall apply to and be binding upon the Pappas & Co. (Coalinga) water system,
24 its officers, directors, agents, employees, contractors, successors, and assignees.
25
26
27

SEVERABILITY

The requirements of this Order are severable, and the Pappas & Co. (Coalinga) water system shall comply with each and every provision thereof notwithstanding the effectiveness of any provisions.

10-21-2013
Date


Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

CLC/PD

- Attachments:**
 Attachment A: Public Notification
 Attachment B: Proof of Notification Form
 Attachment C: Improvement Plan Options



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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

The Pappas & Co. (Coalinga) Water System Did Not Meet Treatment Requirement (Turbidity)

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 you should do, what happened, and what we did to correct this situation. We routinely monitor your water for turbidity (cloudiness). This tells us whether we are effectively filtering the water supply. Regulations require us to meet a 0.1 NTU turbidity performance standards in at least 95% of the samples we collect each month. During the month of _____ 20____, we failed to meet these standards.

What should I do?

- **You do not need to boil your water or take other actions.**
- This is not an emergency. If it had been you would have been notified immediately. We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.
- *Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.* These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.
- 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 U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of the water, you may wish to consult your doctor.

What happened? What was done?

A problem occurred with the treatment system at the water plant. [Describe the reason for high turbidity, corrective actions, and when the system returned or expects to return to compliance]. _____

For more information, please contact [name of contact] _____ at [phone number] _____ or [mailing address] _____.

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 _____.
State Water System ID#: 1009006.

Date distributed: _____.

PROOF OF NOTIFICATION
(Return with copy of the Notification)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Pappas & Co. (Coalinga) water system** of the failure of the 0.1 NTU Turbidity Performance Standard for the:

Month of _____
(month) (year)

Notification was made on _____ by
(date)

Hand-delivered/mailed and posted written notice.
(circle all completed)

Print Name

Signature of Water System Representative

Date

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state 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 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 the county jail not to exceed one year, or by both the fine and imprisonment.

Due within 10 days of issuance of notice to customers
System Number: 1009006
Enforcement Action No.: 03-23-13R-009

Attachment C

Improvement Plan Options

1. Provision of an alternate water supply, such as ground water or connection to a nearby water system.
2. Alternative filtration technologies (direct or conventional filtration).
3. Improvements or optimization to existing filtration process.
4. Plant shut-down when 0.1 NTU is exceeded.
5. Any other options

Possible modifications and treatment plant changes listed above require Department approval prior to implementation