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

5
6 **IN RE: SOS CRANE & TRUCKING WATER SYSTEM**
7 Water System No. 1503666

8
9 **TO: Ms. Kimberly Whaley, President**
10 **SOS Crane & Trucking Water System**
11 **P.O. Box 11690**
12 **Bakersfield, CA 93389**

13 **BY REGISTERED MAIL**

14 **CITATION FOR NONCOMPLIANCE -- Water System No. 1503666**
15 **TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION**
16 **August & September 2012**
17 **Citation No. 03-19-13C-025**

18 **Issued on May 20, 2013**

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 thereunder.

23
24 **VIOLATION**

25 The Drinking Water Field Operations Branch of the California Department of Public Health
26 (hereinafter 'Department') hereby issues a Citation to the SOS Crane & Trucking Water
27 System (hereinafter 'Water System'), for failure to comply with Section 116555(a)(1) of the

1 CHSC and Section 64426.1(b)(2) of Title 22, California Code of Regulations (CCR).
2 Specifically, the Water System (mailing address: P.O. Box 11690, Bakersfield, CA 93389)
3 failed to comply with the total coliform Maximum Contaminant Level (MCL) for the
4 months of August and September 2012.

5
6 Section 64426.1(b)(2) specifies that a public water system collecting fewer than forty
7 samples per month is in violation of the total coliform MCL when more than one sample
8 collected during any month is total coliform-positive.

9
10 The Water System is classified as a nontransient noncommunity water system and serves
11 approximately 33 persons through two service connections. The Water System has one
12 active source of supply, Well 01 (PS Code: 1503666-001), a 5,000-gallon steel storage tank,
13 a booster pump, a pressure tank, and distribution system. No treatment was provided to the
14 well water in 2012, when the Water System experienced bacteriological quality problems.
15 In January 2013, the Water System installed continuous chlorination treatment.

16
17 The Water System operates under the authority of domestic water supply permit (No. 03-19-
18 12P-019) that the Department issued on July 26, 2012. The Department issued permit
19 amendment No. 03-19-13PA-001 on March 12, 2013, to allow addition of continuous
20 chlorination treatment at Well 01. The treatment was installed after the Water System failed
21 the total coliform Maximum Contaminant Level (MCL) in August and September 2012.

22
23 The Water System is required to collect a minimum of one distribution system
24 bacteriological sample per month. The routine monthly sample collected on July 19, 2012,
25 tested positive for total coliform bacteria and negative for fecal coliform and *E.coli* bacteria.
26 Four (4) repeat samples (three from the distribution system and one from Well 01) were
27 collected on July 26, 2012. All repeat samples tested negative for coliform bacteria.

1 **Repeat samples were not collected within 24 hours of notification of the routine total**
2 **coliform positive sample in July 2012.** The Water System did not fail the total coliform
3 maximum contaminant level (MCL) for the month of July 2012.

4
5 The Water System was required to collect five routine samples during the month of August
6 2012. The Water System collected five (5) routine samples on August 27, 2012. Four (4)
7 out of the five (5) samples tested positive for total coliform bacteria and negative for fecal
8 coliform and *E.coli* bacteria. One of the samples collected on August 27, 2012, was
9 collected from Well 01 and it tested negative for total coliform bacteria. Based on the
10 above mentioned total coliform positive samples, **the Water System failed the total**
11 **coliform MCL for the month of August 2012.** On August 28, 2012, Tami Welker of
12 skOO'kum h₂O Monitoring, Inc. (the Water System's contract sampling service), notified
13 the Department that the Water System failed the total coliform MCL for August 2012.

14
15 The Water System was required to collect five routine samples during the month of
16 September 2012. The Water System collected five (5) routine samples on September 27,
17 2012. Three (3) out of the five (5) samples tested positive for total coliform bacteria and
18 negative for fecal coliform and *E.coli* bacteria. Based on the above mentioned coliform
19 positive samples, **the Water System failed the total coliform MCL for the month of**
20 **September 2012. No bacteriological samples were collected from Well 01, in response**
21 **to the routine total coliform positive samples in September 2012.** On September 28,
22 2012, Tami Welker of skOO'kum h₂O Monitoring, Inc., notified the Department that the
23 Water System failed the total coliform MCL for September 2012.

24
25 The Water System was required to collect five routine samples during the month of October
26 2012. All five (5) routine bacteriological quality samples collected on October 31, 2012,
27 tested negative for total coliform bacteria. All routine monthly samples collected from

1 November 2012 to February 2013 have tested negative for total coliform bacteria. All
2 bacteriological results collected from January 2012 to February 2013 are summarized in
3 **Attachment A**

4
5 According to the investigation reports for the August and September 2012 total coliform
6 MCL failures, the cause of the contamination is believed to be the 5,000-gallon storage
7 tank. The investigation reports were completed by Dan Sackett of skOO’kum h2o
8 Monitoring, Inc., on behalf of the Water System. To help clear bacteriological
9 contamination, the Water System disinfected and flushed Well 01, the storage tank, and the
10 distribution system. In January 2013, the Water System installed continuous chlorination
11 treatment at Well 01.

12 The above violations are classified as non-continuing violations.

13
14 **NOTIFICATION REQUIREMENTS**

15 Section 64426.1(c) requires a public water system to notify the Department and the
16 consumers of the water system, when a violation of Section 64426.1(b) (1) through (4)
17 occurs. Notification to the Department shall be by the end of the business day on which the
18 violation has been determined. If the Department is closed, notification shall be within 24
19 hours of the determination. The Department was notified on August 28, 2012 and
20 September 28, 2012, in accordance with the above-referenced section.

21
22 The Water System provided its customers with a Tier 2 Notice on September 27, 2012 and
23 October 26, 2012. Copies of the Notices and Proof of Notification forms were received by
24 the Department on October 8, 2012 and October 30, 2012. The Water System also
25 submitted a Positive Total Coliform Investigation for both failures.

26
27 **DETERMINATIONS**

1 Based upon the above Statement of Facts and Authorities, the Department determines that
2 the Water System has violated the following:

- 3
- 4 1. CCR, Title 22, Section 64426.1(b)(2): Specifically, the Water System violated the
5 total coliform MCL for August and September 2012 when more than one sample
6 collected from the Water System, tested positive for total coliform bacteria.

7 The above violation is classified as a non-continuing violation.

8

9 **DIRECTIVES**

10 The SOS Crane & Trucking Water System is hereby directed to take the following actions:

- 11
- 12 1. Cease and desist from failing to comply with Section 116555(a) of the California
13 Health and Safety Code (CHSC) and Section 64426.1 (b)(2) of Title 22, California
14 Code of Regulations.
 - 15 2. The Water System is required to provide mandatory continuous chlorination
16 treatment per CHSC 116655(b)(2). All water supplied to the domestic water supply
17 shall receive continuous chlorination treatment.
 - 18 3. In the future, the Water System shall comply with the Ground Water Rule
19 requirements by collecting source sample(s) in follow-up to a routine total coliform
20 positive sample.
 - 21 4. **The Water System shall conduct quarterly bacteriological monitoring of raw
22 water produced by Well 01 and report the results to the Department in
23 MPN/100 mL.** This monitoring is required by the Water System's March 2013
24 permit amendment and is not being conducted (*see* Attachment A for details).
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FURTHER ENFORCEMENT ACTIONS

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2 Section 116270, Division 104, Part 12, Chapter 4 of the CHSC authorizes the Department
3 to: issue additional citations with assessment of penalties if the public water system
4 continues to fail to correct a violation identified in a citation; take action to suspend or
5 revoke a permit that has been issued to a public water system if the system has violated
6 applicable law or regulations or has failed to comply with orders of the Department; and
7 petition the superior court to take various enforcement measures against a public water
8 system that has failed to comply with orders of the Department. The Department does not
9 waive any further enforcement action by issuance of this citation.

PARTIES BOUND

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11
12 This citation shall apply to and be binding upon SOS Crane & Trucking Water System, its
13 officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

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16 The directives of this citation are severable, and SOS Crane & Trucking Water System shall
17 comply with each and every provision thereof, notwithstanding the effectiveness of any
18 other provision.

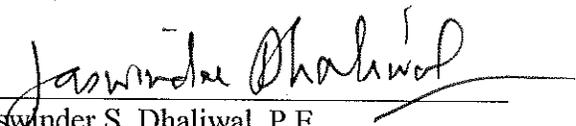
CIVIL PENALTY

19
20
21 Section 116650, subsection (d) and (e) of the CHSC allow for the assessment of a civil
22 penalty for the failure to comply with the requirements of the Safe Drinking Water Act.
23 Failure to comply with any Directive of this Citation may result in the Department imposing
24 an administrative penalty of not less than \$200 (two hundred dollars) for each day that the
25 violation continues beyond the date set for correction in this Citation.

1 The Department does not waive any further enforcement action by issuance of this citation,
2 and expressly reserves the right to issue a citation with penalties for the violations on which
3 the Directives of this citation are based.

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May 20, 2013
Date


Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Tehachapi District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachment

Attachment A: Bacteriological Summary January 2012 to February 2013

cc: Kern County Environmental Health Services Department (w/o attachment)
Dan Sackett, skOO'kum h₂O Monitoring, Inc. (via email)

JSD/mrw

ATTACHMENT A

SOS Crane and Trucking

1503666

Distribution System Freq:

Sample Date	Time	Location	T Coll	E Coll	F Coll	Type	CI2	Violation	Comment
2/2/2012	14:00	SOS Crane & Truc	A	A		Routine			
2/2/2012	14:10	SOS Crane & Truc	A	A		Routine			
4/17/2012	13:25	1ROU	A	A		Routine			
5/17/2012	12:30	1ROU	A	A		Routine			
6/19/2012	13:15	1ROU	A	A		Routine			
6/27/2012	15:00	1ROU	A	A		Other			
7/19/2012	15:00	1ROU	P	A		Routine			
7/26/2012	14:20	1REP1	A	A		Repeat			
7/26/2012	14:35	1REP2	A	A		Repeat			
7/26/2012	14:45	1REP3	A	A		Repeat			
8/27/2012	6:50	1ROU	P	A		Routine			
8/27/2012	6:55	4ROU	P	A		Routine		MCL	Citation 03-19-13C-025 Issued.
8/27/2012	7:05	3ROU	P	A		Routine			
8/27/2012	7:10	2ROU	P	A		Routine			
9/27/2012	16:30	1ROU	A	A		Routine			
9/27/2012	16:40	2ROU	P	A		Routine			
9/27/2012	16:50	3ROU	P	A		Routine		MCL	Citation 03-19-13C-025 Issued.
9/27/2012	17:00	4ROU	A	A		Routine			
9/27/2012	17:05	5ROU	P	A		Routine			
10/31/2012	12:30	1ROU	A	A		Routine			
10/31/2012	12:40	2ROU	A	A		Routine			
10/31/2012	12:50	3ROU	A	A		Routine			
10/31/2012	13:00	4ROU	A	A		Routine			
10/31/2012	13:10	5ROU	A	A		Routine			
11/19/2012	14:45	1ROU	A	A		Routine			
12/19/2012	14:10	1ROU	A	A		Routine			
1/28/2013	11:00	1ROU	A	A		Routine			
2/25/2013	14:24	1ROU	A	A		Routine	0.47		

SOS Crane and Trucking

1503666

Source Monitoring Freq:

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
2/2/2012	13:45	WELL #1	A	A			
7/26/2012	14:50	WELL #1	A	A			
8/27/2012	7:00	WELL #1	A	A			
