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Director & State Health Officer

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

DRINKING WATER FIELD OPERATIONS BRANCH  
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EDMUND G. BROWN JR.  
Governor

March 11, 2013

Ms. Jane Willhite  
High Valley Ranch  
11650 High Valley Road  
Clearlake Oaks, CA 95423

**RE: Citation No. 02-03-13C-004-1700695-22**

Dear Ms. Willhite:

Enclosed is a citation issued to High Valley Ranch (Water System). The citation is being issued because the Water System failed to comply with the bacteriological maximum contaminant level, as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR) during November 2012 and December 2012.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the Citation. No civil penalty is levied in the enclosed citation.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,

*Michelle F. Frederick*

Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District

c: Lake County Environmental Health (w/enclosure)

Enclosure: Citation No. 02-03-13C-004-1700695-22

1700695/Compliance Section #6/02-03-13C-004-1700695-22 coverletter/LSH

1 Citation No. 02-03-13C-004-1700695-22

2 STATE OF CALIFORNIA  
3 DEPARTMENT OF PUBLIC HEALTH  
4

5 **Name of Public Water System:** High Valley Ranch

6 **Water System No:** 1700695

7  
8 **To:** High Valley Ranch  
9 c/o Jane Willhite  
10 11650 High Valley Road  
11 Clearlake Oaks, CA 95423

12 **Issued:** March 11, 2013  
13 VIA CERTIFIED MAIL  
14

15 **CITATION FOR NONCOMPLIANCE WITH SECTION 64426.1,**  
16 **TITLE 22, OF THE CALIFORNIA CODE OF REGULATIONS**  
17 **Total Coliform Maximum Contaminant Level**

18  
19 **November 2012 and December 2012**

20 Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the  
21 California Health and Safety Code (CHSC), authorizes the issuance of a  
22 citation for failure to comply with a requirement of Chapter 4 (California Safe  
23 Drinking Water Act), or any regulation, standard, permit or order issued  
24 thereunder.

25  
26 The Division of Drinking Water and Environmental Management of the  
27 California Department of Public Health (Department) hereby issues a



1 citation to High Valley Ranch (Water System) for failure to comply with the  
2 California Code of Regulations (CCR), Title 22, Section 64426.1.

3  
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states in relevant part:

6  
7 (a) If the department determines that a public water system is in  
8 violation of this chapter or any regulation, permit, standard, citation,  
9 or order issued or adopted thereunder, the department may issue a  
10 citation to the public water system. The citation shall be served upon  
11 the public water system personally or by certified mail. Service shall  
12 be deemed effective as of the date of personal service or the date of  
13 receipt of the certified mail. If a person to whom a citation is directed  
14 refuses to accept delivery of the certified mail, the date of service  
15 shall be deemed to be the date of mailing.

16 (b) Each citation shall be in writing and shall describe the nature of  
17 the violation or violations, including a reference to the statutory  
18 provision, standard, order, citation, permit, or regulation alleged to  
19 have been violated.

20 (c) A citation may specify a date for elimination or correction of the  
21 condition constituting the violation.

22  
23 (d) A citation may include the assessment of a penalty as specified in  
24 subdivision (e).

25  
26 (e) The department may assess a penalty in an amount not to exceed  
27 one thousand dollars (\$1,000) per day for each day that a violation



1 occurred, and for each day that a violation continues to occur. A  
2 separate penalty may be assessed for each violation.

3  
4 California Code of Regulations (CCR), Section 64426.1 states in relevant  
5 part:

6  
7 A public water system is in violation of the total coliform MCL  
8 {maximum contaminant level} when any of the following occurs:

- 9  
10 1) For a public water system which collects at least 40 samples per  
11 month, more than 5.0 percent of the samples collected during any  
12 month are total coliform-positive; or  
13 (2) For a public water system which collects fewer than 40 samples  
14 per month, more than one sample collected during any month is total  
15 coliform-positive; or  
16 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or  
17 (4) Any repeat sample following a fecal coliform-positive or E. coli-  
18 positive routine sample is total coliform-positive.

19  
20 **STATEMENT OF FACTS**

21 On November 8, 2002, PSI Seminars was issued a domestic water supply  
22 permit to operate the Water System. On May 10, 2012, California  
23 Department of Public Health (Department) staff inspected the public water  
24 system. Ms. Amy Little, of the Department, met with Mr. Roger Gouldberg,  
25 a T2 state certified operator, the System's Ranch Foreman and volunteer  
26 operator for the System.

27 The water system treatment includes an aeration system to remove iron and  
manganese. The aeration system is a series of concrete basins



1 approximately 100 feet long and 8 feet wide. During inspection, Department  
2 staff observed that the aeration system was not covered in any way and was  
3 likely subject to wild animal usage and therefore fecal contamination. The  
4 aeration system was required to be covered and the security of the cover  
5 was to be verified weekly, per Permit Condition No. 4. Additionally, there  
6 were several intermediate "storage" facilities such as an old treatment  
7 vessel and a storage drum that are utilized and not properly covered to  
8 prevent animal access.

9  
10 As a result of the inspection, the Department issued Citation No. 02-03-12C-  
11 017 for violation of Section 116550(a) of the Health and Safety Code and  
12 Domestic Water Supply Permit 02-03-02P17024 Conditions No. 2, 3, 6, and  
13 7 in May 2012 to address the systems deficiencies. The Department also  
14 implemented a Boil Water Notification on May 5, 2012. The Department  
15 subsequently issued Citation No. 02-03-12C-017, because the water system  
16 did not submitted any documentation or plan for bringing the water system  
17 into compliance by eliminating the aeration treatment system. However, the  
18 Water System began hauling water during periods of their training events  
19 and drilled two pilot wells which were found to be non-water bearing. Under  
20 a modified boil water notification, the System was providing hauled water for  
21 its special events. Directive No. 5 of Citation No. 02-03-12C-017 required  
22 weekly bacteriological monitoring. The water system has been complying  
23 with weekly bacteriological monitoring, since October 2013.

24 The Department received laboratory results for November 2012 and  
25 December 2012 bacteriological samples from High Valley Ranch, labeled as  
26 routines and repeats, 14 samples were collected in each month. All  
27 samples were analyzed for the presence of coliform bacteria. Two of the 14  
samples tested positive for total coliform bacteria and negative for E. coli in  
November 2012 and two of the 14 samples tested positive for total coliform



1 bacteria and negative for E. coli in December 2012. All positive samples  
2 occurred in the kitchen facilities.

3  
4 On February 19, 2013, the Department contacted that Water System and  
5 informed them that hauling water for special events would no longer be  
6 adequate based on the November 2012 and December 2012 bacteriological  
7 results. Boil water notification was required to be posted by February 20,  
8 2013.

### 9 **DETERMINATIONS**

10 The Department has determined that the High Valley Ranch failed to comply  
11 with the maximum contaminant level for total coliform bacteria during the  
12 month of November 2012 and December 2012. That is a violation of  
13 Section 64426.1, Title 22, of the CCR.

14 The Department hereby issues Citation No.02-03-13C-004-1700695-22 to  
15 the High Valley Ranch for failure to comply with Section 64426.1, Title 22, of  
16 the California Code of Regulations in November 2012 and December 2012.

### 17 **DIRECTIVES**

18  
19 The High Valley Ranch is hereby directed to take the following actions:

- 20  
21 1. Comply with Sections 64426.1, Title 22, of the CCR in all future  
22 monitoring periods.  
23  
24 2. Notify all persons served by the Water System of these violations in  
25 conformance with Section 64463.4 and Section 64465, Title 22 of the  
26 CCR. Notification must be completed in accordance with each of the  
27 following:



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- a) Notify all persons served by the Water System, including special event visitors, of the failure to comply with the total coliform maximum contaminant level, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR AND that the Department has recommended that all water users boil their water until such time as an alternative source is approved by the Department that does not require treatment and the open basins are eliminated; OR a Department approved water treatment system has been installed at the facility. Public notification of the boil water order shall be given to employees monthly, visitors upon arrival, and posted continuously until such time as the Department lifts the boil water notice requirements. Notification must be completed in accordance with each of the following:
- b) By continuous posting of the notice contained in Attachment A in a conspicuous location wherever water is available, including the kitchen shall begin by **March 22, 2013**. Supplying employees and visitors with this notice shall also begin on March 22, 2013.
- c) By publication of the notice contained in Attachment A in a local newspaper of general circulation in the area served by the Water System. This notice must be published for one day. The publication in a local newspaper must be completed by **April 11, 2013**.
- d) The Water System must provide public notice for this violation in accordance with Section 64465(c), Title 22 of the CCR. This section requires that for each non-English speaking group that exceeds 1,000 residents or 10% of the residents in a community



1 (whichever is less), the public notice must contain information in  
2 the appropriate language(s) regarding the importance of the  
3 notice, or it must contain a telephone number or address where  
4 such residents may contact the water system to receive a  
5 translated copy of the notice or to receive assistance in the  
6 appropriate language. The Spanish language requirement is  
7 already included in the notice attached to this citation,  
8 Attachment A.

9  
10 3. A representative of High Valley Ranch shall complete the attached  
11 Compliance Certification form and return it to the Department within 10  
12 days of the public notice being given to the system customers but in no  
13 case later than **April 11, 2013**. **A copy of the notice published in the**  
14 **newspaper and a copy of the notice posted within the Water**  
15 **System must be attached to the form.**

16 4. The public health risks associated with this facility are equivalent in  
17 nature to a surface water source. Therefore, the Department is  
18 requiring that the water system obtain a licensed T3 operator to be in  
19 responsible charge of the Water System. A contract with a T3 certified  
20 operator shall be submitted to the Department by **May 1, 2013**. The  
21 operator shall visit the Water System at least once per week beginning  
22 no later than May 7, 2013. The T3 operator shall also submit weekly  
23 operations status reports which include at minimum: weekly public  
24 notification posting status, weekly metered production rate from each  
25 source on-line, weekly chlorine dosages and residuals, and monthly  
26 iron concentration and manganese concentrations from all online  
27 sources.



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5. The Water System shall submit the name of a registered professional engineer in the State of California, with a minimum of three years of experience with drinking water design, who will be responsible for overseeing the design of a plan to eliminate the aeration treatment system and all open storage hazards while providing a minimum of 20 psi operating pressure at all times. The engineer shall provide monthly status reports to the Department on the progress of design and/or construction through project completion. The name of the engineer and a copy of the signed contract shall be submitted to the Department by **May 1, 2013**. The first status report shall be received by June 1, 2013.

All documents required by this Citation shall be submitted to the Department at the following address:

Michelle Floyd Frederick, P.E., District Engineer  
Department of Public Health  
Drinking Water Field Operations Branch  
50 D Street, Suite 200  
Santa Rosa, CA 95404

The Department reserves the right to make such modifications to this 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 (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

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**PARTIES BOUND**

This Citation shall apply to and be binding upon the 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**

Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California Health and Safety Code authorizes the Department to: issue additional citations with assessment of penalties if a public water system continues to fail to correct a violation identified in a citation; 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 orders of the department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the department. By issuance of this Citation, the Department does not waive any right to take additional or alternative enforcement action against the System including, but not limited to, assessment of civil penalties as authorized by law.

*Michelle F. Frederick*

*March 11, 2013*

Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District  
Drinking Water Field Operations Branch

Date

Attachments

Certified Mail No.: 7012 1010 0000 3983 8122



1700695/Compliance Section #6  
02-03-13C-004-1700695-22/LSH

**COMPLIANCE CERTIFICATION**

Citation Number: **02-03-13C-004-1700695-22**

Name of Water System: **High Valley Ranch**

System Number: **1700695**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this Water System were notified of the bacteriological maximum contaminant level violation of Title 22, of the CCR for the compliance period of November 2012 and December 2012. In addition, I certify that the High Valley Ranch complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public Notification – Post Attachment A for 7 Days	_____
Public Notification – Newspaper Publication of Attachment A	_____
_____	_____
Signature of Water System Representative	Date

**Attach a copy of the notice posted within the Water System and a copy of the notice published in the newspaper.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT  
NO LATER THAN April 11, 2013**

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

Date: March 2013

**BOIL WATER NOTICE****Failure to follow this advisory could result in stomach or intestinal illness.**

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

In November 2012 and December 2012, our water system exceeded the maximum contaminant level for total coliform bacteria. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling are important to periodically verify the water quality. The presence of total coliform in exceedance of the maximum contaminant level was a violation of Section 64426.1, Title 22 of the California Code of Regulations (CCR).

The California Department of Public Health in conjunction with the Lake County Health Department, and the water system are advising users of the High Valley Ranch water system to use boiled tap water or bottled water for drinking and cooking purposes as a safety precaution until appropriate treatment is added, the open reservoirs are removed from the water system, or another Department approved source which does not require treatment is installed. We will inform you when the water is safe to drink and you no longer need to boil your water. It is currently unknown when this boil water notice will be lifted.

***DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.*** *Bring all water to a boil, let it boil for one (1) minute, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking and food preparation until further notice. Boiling kills bacteria and other organisms in the water. This is the preferred method to assure that the water is safe to drink.*

Optional alternatives:

- An alternative method of disinfection for residents that are not able to boil their water is to use fresh, unscented, liquid household bleach. To do so, add 8 drops (or 1/8 teaspoon) of bleach per gallon of clear water or 16 drops (or 1/4 teaspoon) per gallon of cloudy water, mix thoroughly, and allow it to stand for 30 minutes before using. A chlorine-like taste and odor will result from this disinfection procedure and is an indication that adequate disinfection has taken place.
- Water disinfection tablets may also be used by following the manufacturer's instructions.

**For more information call:**

Water Utility contact: Jane Willhite at 707-998-2222

California Department of Public Health Mendocino District Office at (707) 576-2145

*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, businesses and property owners must post this in a conspicuous place.)*