



Ron Chapman, MD, MPH  
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

April 15, 2013

Water System No. 1710011

Allan Mitchell, Acting General Manager  
Buckingham Park Water District  
2880 Eastlake Drive  
Kelseyville, CA 95451

**CITATION NO. 02-03-13C-006-1710011-41**  
**SURFACE WATER DISINFECTION TREATMENT VIOLATION**

Enclosed is a Citation issued to the Buckingham Park Water District (System) for failure to meet disinfection requirements during the months of January 2013, February 2013, and March 2013; and for failure to submit the required monthly reports by the 10<sup>th</sup> day of the following month during the months of January 2013 and February 2013. Please read the citation carefully as it has legally binding requirements.

The Buckingham Park Water District will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation, an enforcement action for noncompliance with State regulations. Invoices documenting time and fees associated with enforcement are sent from the Department's Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact Sheri Miller of my staff at (707) 576-2734 or me at (707) 576-2731.

Sincerely,

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

Enclosures

c: Lake County Department of Environmental Health (w/o enclosures)  
922 Bevins Court  
Lakeport, CA 95453

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** Buckingham Park Water District

**Water System No:** 1710011

**To:** Buckingham Park Water District  
2880 Eastlake Drive  
Kelseyville, CA 95451

**Issued:** April 15, 2013

**CITATION FOR NONCOMPLIANCE**

**With Title 22 of the California Code of Regulations Sections 64652 and 64654 during January 2013, February 2013 and March 2013 and Section 64664 during January 2013 and February 2013**

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of 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.

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



1 citation to the Buckingham Park Water District (System) for failure to comply  
2 with Title 22, California Code of Regulations (CCR) Sections 64652 and  
3 64654 during the months of January 2013 through March 2013; and for  
4 failure to comply with Section 64664 during January 2013 and February  
5 2013.  
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8 **APPLICABLE AUTHORITIES**  
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10 Section 116650 of the CHSC states in relevant part:

11 (a) If the department determines that a public water system is in violation of this chapter or  
12 any regulation, permit, standard, citation, or order issued or adopted thereunder, the  
13 department may issue a citation to the public water system. The citation shall be served  
14 upon the public water system personally or by certified mail. Service shall be deemed  
15 effective as of the date of personal service or the date of receipt of the certified mail. If a  
16 person to whom a citation is directed refuses to accept delivery of the certified mail, the  
17 date of service shall be deemed to be the date of mailing.  
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19 (b) Each citation shall be in writing and shall describe the nature of the violation or  
20 violations, including a reference to the statutory provision, standard, order, citation,  
21 permit, or regulation alleged to have been violated.  
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23 (c) A citation may specify a date for elimination or correction of the condition constituting  
24 the violation.  
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26 (d) A citation may include the assessment of a penalty as specified in subdivision (e).  
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1 (e) The department may assess a penalty in an amount not to exceed one thousand dollars  
2 (\$1,000) per day for each day that a violation occurred, and for each day that a violation  
3 continues to occur. A separate penalty may be assessed for each violation.  
4

5 California Code of Regulations, Section 65652 states in relevant part:

6 (a) Each supplier using an approved surface water shall provide multibarrier treatment that  
7 meets the requirements of this chapter and reliably ensures at least:

8 (1) A total of 99.9 percent reduction of *Giardia lamblia* cysts through filtration and  
9 disinfection; and

10 (2) A total of 99.99 percent reduction of viruses through filtration and disinfection.  
11

12 California Code of Regulations, Section 64654 states in relevant part:

13 (a) All approved surface water utilized by a supplier shall be provided with continuous  
14 disinfection treatment sufficient to insure that the total treatment process provides  
15 inactivation of *Giardia lamblia* cysts and viruses, in conjunction with the removals  
16 obtained through filtration, to meet the reduction requirements specified in section  
17 64652(a).  
18

19 California Code of Regulations, Section 64664 states in relevant part:

20 (a) Each supplier with an approved surface water treatment facility shall submit a monthly  
21 report on the operation of each facility to the Department by the tenth day of the  
22 following month.  
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**STATEMENT OF FACTS**

The California Surface Water Treatment Regulations (SWTR) require all water utilities that use surface water sources to provide reliable, multi-barrier treatment to ensure specific levels of reduction of Giardia lamblia cysts and viruses from the water supply.

The System provides surface water treatment utilizing a conventional filtration credited with 99.7 percent (2.5-log) removal of Giardia lamblia cysts and 99 percent (2-log) removal of viruses through filtration. The System utilizes chlorination treatment to achieve a minimum of 0.5-log inactivation of Giardia lamblia and 2-log inactivation of viruses at all times the treatment plant is operated.

During the period of January 1, 2013 to March 5, 2013, the System failed to achieve 0.5-log Giardia inactivation utilizing its disinfection treatment. Monthly reports from January 2013 and February 2013 were received on March 8, 2013 and March 12, 2013, respectively.

The water system notified its customers of its failure to meet Sections 65652 and 64654 of Title 22 of the CCR on March 29, 2013. The water system did not provide public notification of the failure to comply with Section 64664.

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**DETERMINATIONS**

**THE DEPARTMENT HAS DETERMINED:**

The System violated Title 22 of the CCR, Sections 64654, and 64652, in that the System failed to provide surface water treatment sufficient to reliably ensure a total of 99.9 percent reduction of Giardia lamblia cysts through filtration and disinfection during the months of January 2013, February 2013 and March 2013.

The System violated Title 22 of the CCR, Section 64664 in that the System failed to submit the January 2013 and February 2013 monthly reports by the 10<sup>th</sup> day of the following month.

**DIRECTIVES**

Buckingham Park Water District is hereby directed to take the following actions:

1. Notify all persons served by the System in accordance with the requirements of Section 64463.7 and 64465, Title 22 of the CCR, as follows:

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a) The system shall give public notice of the failure to comply with the monitoring and reporting requirements of Section 64664 of Title 22 within one year of the violation.

b) The System shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

a. Using the 2012 consumer confidence report mailed to each customer by July 1, 2013. The consumer confidence report shall include the content required in Section 64465 of Title 22 of the CCR.

2. The System shall complete the attached Compliance Certification form and return it to the Department within 10 days of the public notice being given to system customers but in no case later than **July 10, 2013.**

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.

1 Nothing in this Citation relieves the System of its obligation to meet the  
2 requirements of the California Safe Drinking Water Act (CHSC, Division 104,  
3 Part 12, Chapter 4, commencing with Section 116270), or any regulation,  
4 standard, permit or order issued thereunder.

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7 All submittals required by this Citation shall be submitted to the Department  
8 at the following address:

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10 Michelle F. Frederick, P.E.  
11 Department of Public Health  
12 Drinking Water Field Operations Branch  
13 50 D Street, Suite 200  
14 Santa Rosa, CA 95404

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20 **PARTIES BOUND**

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22 This Citation shall apply to and be binding upon the System, its officers,  
23 directors, agents, employees, contractors, successors, and assignees.  
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27 **SEVERABILITY**

The directives of this Citation are severable, and the 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 the 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 water 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. The Department does not waive any further enforcement action by issuance of this citation.

April 15<sup>th</sup>, 2013

Date

Michelle F. Frederick

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

Attachments

Certified Mail No. 7012 2210 0002 1674 0533

1710011/Compliance-4  
02-03-13C-006-1710011-41.docx/SKM



# COMPLIANCE CERTIFICATION

**Citation Number: 02-03-13C-006-1710011-41**

Name of Water System: Buckingham Park Water District

System Number: 1710011

## Certification

I certify that the users of the water supplied by this water system were notified of the surface water treatment monitoring violation of Title 22, California Code of Regulations (CCR) for the compliance period of January 2013, February 2013 and March 2013 and failure to submit monthly reports by the 10<sup>th</sup> day of the following month during the months of January 2013 and February 2013.

Required Action	Date Completed
Public Notification of Disinfection Failure – Mail or Direct Delivery	_____
Public Notification of Disinfection Failure– Other – Please specify	_____
Public Notification-Consumer Confidence Report-Reporting Failure	_____
_____	_____
Signature of Water System Representative	Date

**Attach a copy of public notification.  
This shall be returned to the Department by July 10, 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.