



State of California—Health and Human Services Agency  
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH



RON CHAPMAN, MD, MPH  
Director & State Health Officer

EDMUND G. BROWN JR.  
Governor

February 24, 2014

Certified Mail/Return \ Receipt Requested  
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Clear Creek Community Services District – Westwood  
P.O. Box 833  
Westwood, CA 96137

Attention: Rob Lee, Board President

**Subject: Public Water System # 1800512 – Citation 01-02-14C-001-1800512-22**

Enclosed is a citation issued to the Clear Creek Community Services District - Westwood (District). The citation is being issued because the District failed to comply with the drinking water standard for total coliform bacteria during September and October 2013. Please be aware that the Directives section of the citation contains required actions that must be taken by the District to return to compliance.

Note that Section 116577 of the California Safe Drinking Water Act provides for our Department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation to that system. In accordance with Section 116577, the District will be billed for the preparation and issuance of this letter. Our current costs are approximately \$126 per hour. The estimated time to prepare this letter is one and one-half hours.

If you have any questions regarding this matter, please call staff engineer Sandi Tenney at (530) 224-4876 or me at (530) 224-4800.

Michael J. McNamara, P.E.  
Lassen District Engineer  
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures

cc: Alan Jones, Director, Lassen County Environmental Health Department

srt: Lassen \ Clear Creek - WW \ Enforcement \ 01-02-14C-001-1800512-22 **File: Main**

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Citation No. 01-02-14C-001-1800512-22

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Public Water System:** Clear Creek Community Services District – Westwood  
**Water System No:** 1800512

**To:** Clear Creek Community Services District – Westwood  
Attention: Rob Lee, Board President  
P.O. Box 833  
Westwood, CA 96137

**Issued:** February 24, 2014  
VIA CERTIFIED MAIL

**CITATION FOR NONCOMPLIANCE**

**With Title 22 California Code of Regulations  
Section 64426.1(b)**

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

The Division of Drinking Water and Environmental Management of the California Department of Public Health (Department) hereby issues a citation to Clear Creek Community Services District - Westwood (District) for failure to comply with Section 64426.1(b), Title 22, of the California Code of Regulations (CCR).

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**APPLICABLE AUTHORITIES**

Section 116650 of the CHSC states in relevant part:

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

1 Section 64426.1(b) Title 22 states in relevant part:

2 (b) A public water system is in violation of the total coliform MCL  
3 [maximum contaminant level] when any of the following occurs:

4  
5 (1) For a public water system which collects at least 40 samples per  
6 month, more than 5.0 percent of the samples collected during any  
7 month are total coliform-positive; or

8 (2) For a public water system which collects fewer than 40 samples  
9 per month, more than one sample collected during any month is  
10 total coliform-positive; or

11  
12 (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or

13  
14 (4) Any repeat sample following a fecal coliform-positive or *E. coli*-  
15 positive routine sample is total coliform-positive.

16  
17 **STATEMENT OF FACTS**

18 Clear Creek Community Services District - Westwood (District) domestic  
19 water system is classified as a community water system. On  
20 September 24, 2013, the District collected one routine sample from the  
21 distribution system that contained total coliform bacteria. The three repeat  
22 samples collected from the distribution system on September 25, 2013, also  
23 contained total coliform bacteria. Two of three follow-up samples collected  
24 from the distribution system on October 2, 2013, again contained total  
25 coliform bacteria. Repeat and follow-up samples collected from the District's  
26 spring source on September 25, 2013, and October 29, 2013, were absent  
27 for total coliform bacteria. None of the samples collected in September or  
October 2013 tested positive for *E. coli*.

**DETERMINATIONS**

1 The Department has determined that the District violated Title 22,  
2 Section 64426.1(b), in that the District exceeded the total coliform MCL  
3 during the months of September and October 2013. These are the first and  
4 second violations of Section 64426.1(b) within a twelve month period.

**DIRECTIVES**

5  
6  
7 The District is hereby directed to take the following actions:

- 8  
9
- 10 1. Comply with Section 64426.1, Title 22, of the CCR in all future  
11 monitoring periods.
  - 12 2. Notify all persons served by the District of the MCL violation as  
13 required by Section 64463.4 and Section 64465, Title 22, of the CCR.  
14 Notification shall be completed in accordance with each of the  
15 following:
    - 16 a) Mail or direct delivery to each customer served by the District of  
17 the notice contained in Attachment 'A'. The mail or direct delivery  
18 shall be completed by March 31, 2014.
    - 19 b) By March 31, 2014, provide the notice contained in Attachment 'A'  
20 to customers using one or more of the following methods to reach  
21 persons not likely to be reached by mail or direct delivery:
      - 22 (1) Publication in a local newspaper for at least one day,  
23
      - 24 (2) Posting in conspicuous public places served by the water  
25 system, or on the Internet, or  
26
      - 27 (3) Delivery to community organizations.

1 Changes and/or modifications to Attachment 'A' shall not be made  
2 unless approved by the Department.

- 3 3. Complete and return Attachment 'B' "Certification of Completion of  
4 Public Notification" form within 10 days of giving public notice. A copy  
5 of the notice used to provide public notification shall be attached to  
6 the form.

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

9  
10 Michael J. McNamara, P.E., Lassen District Engineer  
11 Department of Public Health  
12 Drinking Water Field Operations Branch  
13 364 Knollcrest Drive, Suite 101  
14 Redding, CA 96002

15 Nothing in this Citation relieves the District of its obligation to meet the  
16 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4  
17 (California Safe Drinking Water Act), or any regulation, permit, standard or  
18 order issued or adopted thereunder.

19 The Department reserves the right to make such modifications to this  
20 Citation, as it may deem necessary to protect public health and safety. Such  
21 modifications may be issued as amendments to this Citation and shall be  
22 effective upon issuance.

23 **FURTHER ENFORCEMENT ACTION**

24 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the  
25 California Health and Safety Code authorizes the Department to issue  
26 additional citations with assessment of penalties if the District continues to  
27 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. The Department does not waive any further enforcement action by issuance of this citation.

**PARTIES BOUND**

This Citation shall apply to and be binding upon the District, its officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The directives of this Citation are severable, and District shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.

*Michael J. McNamara*

Michael J. McNamara, P.E.  
Lassen District Engineer  
Drinking Water Field Operations Branch

*2/24/14*  
Date



Attachments:

- 'A' Public Notification Template
- 'B' Certification of Completion

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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.*

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**Tests Showed Coliform Bacteria in the  
Clear Creek CSD (District) - Westwood Domestic Water System**

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Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct the situation.

We routinely monitor for drinking water contaminants in the water system. On September 24, 2013, the District collected one routine sample from the distribution system that contained total coliform bacteria. The three repeat samples collected from the distribution system on September 25 2013, also contained total coliform bacteria. Two of three follow-up samples collected from the distribution system on October 2, 2013, again contained total coliform bacteria. The standard is that no more than one sample per month may show the presence of coliform bacteria.

**What Should You Do?**

**You do not need to boil your water or take other corrective actions.** However, if you have specific health concerns, consult your doctor.

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 EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

**What Does This Mean?**

This is not an emergency. If it were, you would have been notified immediately. Coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliform bacteria are a signal that there may be a problem with our source of supply, storage, or distribution systems. Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.

**What Happened? What Was Done?**

The water system was chlorinated and flushed. The three follow-up samples collected from the distribution system on October 15, 2013, were absent for total coliform bacteria. The District has complied with the state standard for coliform bacteria during the months of November 2013, December 2013, and January 2014. The cause of the contamination has not been determined.

For more information, please contact:

JD Hackett, Water Manager, Clear Creek CSD - Westwood, at (530) 375-9004.

*This notice is being provided to you by Clear Creek CSD – Westwood  
in compliance with the California Domestic Water Quality and Monitoring Regulations  
as a means of keeping the public informed*

## Certification of Completion of Public Notification

This form when completed and returned to the Division of Drinking Water and Environmental Management (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Department with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Clear Creek Community Services District - Westwood

Public Water System No. 1800512

Public notification for the September and October 2013 bacteriological performance standard failure was performed by the following method(s) (check and complete those that apply):

The notice was published in the local newspaper on \_\_\_\_\_  
A copy of the newspaper notice is attached.

The notice was mailed to users on \_\_\_\_\_  
A copy of the notice is attached.

The notice hand delivered to water customers on \_\_\_\_\_  
A copy of the notice is attached.

The notice was posted in the following conspicuous places:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For this method, provide the date (or dates) that the notice was posted \_\_\_\_\_  
A copy of the notice is attached.

I hereby certify that the above information is factual.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date