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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

December 13, 2012

Water System No. 4901223

Bert Whitaker
Sonoma County Parks – Putnam Park
2300 County Center Drive – Suite 120A
Santa Rosa, CA 95403

**RE: CITATION NO. 02-18-12C-055- MAXIMUM CONTAMINANT LEVEL
VIOLATION FOR OCTOBER 2012**

Enclosed is a Citation issued to the Sonoma County Parks – Putnam Park (System) water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation.

You will receive a bill sent from our Fee Billing Unit in Sacramento by August 1, 2013. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact Cindi Lee of my staff at (707) 576-2422 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas
for Janice M. Thomas, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

C Caryl Hart, Director

Enclosure

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Sonoma County Parks-Putnam Park

Water System No: 4901223

To: Bert Whitaker
Sonoma County Parks-Putnam Park
2300 County Center Drive-Suite 120A
Santa Rosa, CA 95403

Issued: December 13, 2012

CITATION FOR NONCOMPLIANCE

**Maximum Contaminant Level - Total Coliform Bacteria
and Triggered Source Sampling**

October 2012

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

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.



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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.

California Code of Regulations (CCR), Title 22, Section 64426.1 states in relevant part:

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

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



- 1 (2) For a public water system which collects fewer than 40 samples per month,
- 2 more than one sample collected during any month is total coliform-positive; or
- 3 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- 4 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine
- 5 sample is total coliform-positive.

6
7 CCR, Title 22, Section 64430 and Section 141.402(a)(1) Title 40, Code of
8 Federal Regulations published in November 8, 2006, Federal Register
9 (Vol.71, No. 216) state in relevant part:

10 A ground water system must conduct triggered source water monitoring if the
11 system is notified that a sample collected under California Code of Regulations,
12 Title 22, Sections 64422 and 64423 is total coliform-positive and the sample is not
13 invalidated under California Code of Regulations, Title 22, Section 64425.

14 15 **STATEMENT OF FACTS**

16 The Division of Drinking Water and Environmental Management of the
17 Department of Public Health (Department) has received laboratory results
18 for five bacteriological samples collected during October 2012 from the
19 Sonoma County Parks-Putnam Park water system. All samples were
20 analyzed for the presence of coliform bacteria. All five samples tested
21 positive for total coliform bacteria (fecal coliform-absent).

22 A routine bacteriological sample tested total coliform-positive (fecal coliform-
23 absent) on October 10, 2012. A wellhead source sample from Well 01 was
24 not collected as required.

25 26 **DETERMINATIONS**

27 The Department has determined that Sonoma County Parks-Putnam Park
(System) failed to comply with the maximum contaminant level (MCL) for



1 total coliform bacteria during the month of October 2012. That is a violation
2 of Section 64426.1, Title 22, of the California Code of Regulations. The
3 Department hereby issues a citation to the Sonoma County Parks-Putnam
4 Park for failure to comply with Section 64426.1, Title 22, of the California
5 Code of Regulations.

6
7 The Department has determined that Sonoma County Parks-Putnam Park
8 failed to comply with the Section 116555(a) of the CHSC and Sections
9 64423.1 and 64434 of Title 22, California Code of Regulations (CCR).
10 Specifically, the System failed to collect and report a complete repeat
11 sample set during the month of October.

12 Section 64430, Title 22 of the CCR and Section 141.402(a) Title 40, Code
13 of Federal Regulations published in November 8, 2006, Federal Register
14 (Vol.71, No. 217) require water systems using ground water to collect a
15 triggered source sample from each well in use at the time the positive
16 routine water sample was collected. The source sample must be collected
17 within 24 hours of notification of the total coliform-positive routine sample
18 result. The routine sample tested coliform-positive on October 10, 2012. No
19 wellhead sample was collected.

20 DIRECTIVES

21 Sonoma County Parks-Putnam Park is hereby directed to take the following
22 actions:

- 23
- 24 1. Comply with Section 64426.1 and Section 64430 in all future
25 monitoring periods.
 - 26 2. Notify all persons served by the System of the MCL violation in
27 conformance with Section 64463.4 and Section 64465, Title 22 of the



1 CCR. Notification must be completed in accordance with each of the
2 following:

3
4 a) Completion of Attachment A to include the name, address, and
5 telephone number of a System official as a source of additional
6 information concerning the public notice. **You must also give a**
7 **legible, written description (preferably typed) of the**
8 **corrective actions taken by the water system to prevent this**
9 **violation from occurring in the future. You must use the**
10 **space provided on page 2 of Attachment A for this written**
11 **description.**

12 b) By continuous posting of the notice contained in Attachment A,
13 **after it has been completed in accordance with (a) above**, in
14 conspicuous locations throughout the area served by the Water
15 System. Posting must begin no later than **January 11, 2013** and
16 must continue for seven days.

17 c) By publication of the notice contained in Attachment A, **after it**
18 **has been completed in accordance with (a) above**, in a local
19 newspaper. This notice must be published for one day. The
20 publication in a local newspaper must be completed by **January**
21 **18, 2013.**

22
23 d) The System must provide public notice for this violation in
24 accordance with Section 64465(c), Title 22 of the CCR. This
25 section requires that each public notice given pursuant to this
26 article shall contain information in Spanish regarding the
27 importance of the notice, or contain a telephone number or
address where Spanish-speaking residents may contact the



1 water system to obtain a translated copy of the public notice or
2 assistance in Spanish. In addition, Section 64465(c) also
3 requires for each non-English speaking group that exceeds 1,000
4 residents or 10% of the residents in a community (whichever is
5 less), the public notice must contain information in the
6 appropriate language(s) regarding the importance of the notice,
7 or it must contain a telephone number or address where such
8 residents may contact the water system to receive a translated
9 copy of the notice or to receive assistance in the appropriate
10 language. The Spanish language requirement is already
11 included in the notice attached to this citation, Attachment A.

12 3. Pursuant to Section 64424(d), Title 22 of the CCR, the Water System
13 shall collect five (5) routine bacteriological samples by **December 31,**
14 **2012.** The results of these samples shall be submitted with the
15 attached Compliance Certification form.

16
17 4. A representative of the System shall complete the attached
18 Compliance Certification form and return it to the Department by
19 **January 25, 2013.** **A copy of the notice published in the**
20 **newspaper and a copy of the notice posted within the water**
21 **system must be attached to the form.**

22 All documents required by this Citation shall be submitted to the Department
23 at the following address: Janice Thomas, P.E., District Engineer
24 Department of Public Health
25 Drinking Water Field Operations Branch
26 50 D Street, Suite 200
27 Santa Rosa, CA 95404



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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.

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 System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

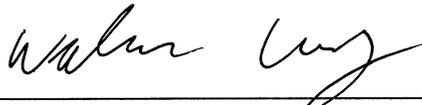
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FURTHER ENFORCEMENT ACTION

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 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. The Department does not waive any further legal enforcement action by issuance of this citation.

CIVIL PENALTY

Sections 116650(d) and 116650(e) of the California Health and Safety Code allow for the assessment of a civil penalty for failure to comply with requirements of Chapter 4. Failure to comply with any provision of this citation may result in the Department imposing a civil penalty of up to two hundred dollars (\$200.00) per day as of the date of violation of the provision.



for Janice M. Thomas, P.E.,
Sonoma District Engineer
Drinking Water Field Operations Branch

December 13, 2012
Date

C Caryl Hart, Director – Sonoma County Regional Parks

Attachments

Certified Mail No. 7012 1010 0000 3984 0125



4901223/Section 6
02-18-12C-055/CEL

COMPLIANCE CERTIFICATION

Citation Number 02-18-12C-055

Name of Water System: **Sonoma County Parks-Putnam Park**

System Number: **4901223**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by the Sonoma County Parks-Putnam Park were notified of the TCR maximum contaminant level and missed triggered source sample violations of Title 22, California Code of Regulations (CCR) for the compliance period of **October 2012**. In addition, I certify that **Sonoma County Parks-Putnam Park** has complied with the directives of this citation as indicated below:

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Required Action

Date Completed

- Complete Attachment A, as required in Directive 2(a)
- Public Notification – Continuous Posting for 7 days
- Public Notification – Newspaper Publication
- 5 Bacteriological Samples Collected & Analyzed

Signature of Water System Representative

Date

Attach a copy of the notice posted within the system, a copy of the notice published in the newspaper, and a copy of the laboratory results from the 5 water samples.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT
NO LATER THAN JANUARY 25, 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.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

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

Sonoma County Parks-Putnam Park Had Levels of Coliform Bacteria Above the Drinking Water Standard

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 happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened? We routinely monitor our drinking water for contaminants. We took nine water samples to test for the presence of coliform bacteria during October 2012. Five of our samples showed the presence of coliform bacteria. The standard is that no more than one sample per month may test positive for bacteria. The positive samples were tested further for fecal coliform. **No fecal coliform or E. coli were found.** However, our drinking water exceeded the maximum contaminant level allowed for total coliform bacteria as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR).

What does this mean? The California Department of Public Health (Department) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that 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 drinking water samples than allowed. This was a warning of potential problems and a violation of the regulations.

What should I do? This is not an emergency. 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 (800) 426-4791.

If you have other health concerns related to the consumption of this water, you may wish to consult your doctor.

Has the problem been resolved? What corrective actions have been taken to prevent this violation from occurring in the future?

Attachment A
Page 2 of 2

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact: _____
(name)

(address)

(phone number)