

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

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6 IN RE: **National Park Service-Lodgepole
Water System No. 5410502**
7
8 TO: Mr. Paul Schwarz, Sanitarian
National Park Service-Lodgepole
47050 Generals Highway
9 Three Rivers, CA 93271
10
11 CC: Mr. Jason Gambatese, USEPA Region 9

12 **CITATION FOR NONCOMPLIANCE OF THE
13 DOMESTIC WATER SUPPLY PERMIT**

14 **December 2012**

15 *Issued on January 28, 2013*

16
17 Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance
18 of a Citation for failure to comply with a requirement of the California Safe Drinking
19 Water Act, or any regulation, standard, permit, or order issued thereunder.
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21 **VIOLATIONS**

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24 The Drinking Water Field Operations Branch of the California Department of Public
25 Health (hereinafter Department) hereby issues a Citation to the National Park Service-
26 Lodgepole Water System (hereinafter System) for failure to comply with Section
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116555(a)(3) of the CHSC and Section 64653(c)(1) of Title 22, California Code of Regulations (CCR). Specifically, the System (mailing address: 47050 Generals Highway, Three Rivers, CA, 93271) failed to comply with Permit Provisions No. 7(a) of the Domestic Water Supply Permit issued on May 27, 2011.

The above violations are classified as continuing.

The System operates an inline filtration treatment plant which is classified as an alternative technology. Section 64653 (h) of the CCR specifies that the Department's approval of alternative filtration technologies, including establishment of performance standards and monitoring requirements, shall be done in accordance with the permit process specified in section 116525 through 116550 of the Health and Safety Code. Permit condition 7(a) of the Domestic Water Supply Permit No. 03-12-11P-003 issued to the System on May 27, 2011, specifies that the turbidity level of the combined filter effluent water shall be less than or equal to 0.1 NTU in 50 percent of the measurements taken each month. The turbidity level of the filtered water shall not exceed 1.0 NTU for more than eight consecutive hours while the plant is in operation. For the month of December 2012, the 50th percentile was 0.18 NTU.

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NOTIFICATION REQUIREMENTS

Section 64666(a) requires a water supplier to notify the persons served by the water system whenever there is a failure to comply with the permit provision specified in Section 64653(h).

Public notification for violation of Section 64653(h) shall be in accordance with Section 64463.4(a)(1), including the mandatory language in Section 64465(a).

Attachment B is a copy of the public notice template and guidance information that the System may use to fulfill the above notification requirements. This notice includes the mandatory language as required in Section 64465(a).

DIRECTIVES

The National Park Service is hereby directed to take the following actions:

1. By March 1, 2013, submit a written acknowledgment of receipt of this Citation and your willingness to comply with its directives.

2. By March 1, 2013, provide public notification to all customers, by publication in a daily newspaper serving the general area and by mail or hand delivery, informing them that the water did not meet the permit provisions during the month of

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December 2012. Instructions on how to complete the public notification are included in **Attachment A**. The public notification must include the mandatory language contained in **Attachment B**. The System shall provide proof of publication of the notification to the Department. Information regarding proof of publication is also described in **Attachment C**.

3. Submit all written responses and reports to:

Tricia A. Wathen, P.E., District Engineer
California Department of Public Health
Drinking Water Field Operations Branch
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

1 ADMINISTRATIVE PENALTY

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3 Section 116650(e)(2) of the CHSC allows for the assessment of an administrative penalty
4 for failure to comply with any citation issued for failure of the primary drinking water
5 standard for turbidity. Failure to comply with any directive of this citation will result in
6 the Department imposing an administrative penalty not to exceed \$250 (two hundred and
7 fifty dollars) per day as of the date of violation.
8

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12 January 28, 2013
13 Date

14 Tricia A. Wathen
15 Tricia A. Wathen, P.E.
16 Senior Sanitary Engineer
17 Visalia District
18 SOUTHERN CALIFORNIA BRANCH
19 DRINKING WATER FIELD OPERATIONS

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Instructions for Tier 2 SWTR Turbidity Exceedance Notice Template

Template Attached

Since surface water treatment filtration treatment technique violations are included in Tier 2, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].** This template may also be adapted for use with turbidity MCL violations.

For exceedance of single turbidity limits, you must consult with the Department as soon as practical but within 24 hours of learning of the violation. During the consultation, the Department may choose to elevate your turbidity exceedance to Tier 1. If consultation does not occur, the violation is automatically elevated to Tier 1 (See Tier 1 Turbidity Single Exceedance Instructions and Notice Template).

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Description of the Violation

Choose from the following descriptions and modify to fit your situation:

- For Exceedance of Single Turbidity Limits – “Normal turbidity levels at our plant are [number] turbidity units. A water sample taken [date] showed levels of [number] turbidity units. This was above the standard of [standard] units. Because of these high levels of turbidity, there is an increased chance that the water may contain disease-causing organisms.”
- For Exceedance of Monthly Turbidity Limits – “Water samples for [month year] showed that [number] percent of turbidity measurements were over [standard] turbidity units. The standard is that no more than 5 percent of samples may exceed [standard] turbidity units per month. The turbidity levels are relatively low. However, their persistence is a concern. Normal turbidity levels at our plant are [number] turbidity units.”

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with filtration treatment technique violations. Use one or more of the following actions, if appropriate, or develop your own:

- “We added chemicals that reduce turbidity.”
- “We sampled both untreated and treated water for the presence of coliform bacteria.”
- “We monitored chlorine levels and adjusted them as needed to compensate for the filtration problems.”
- “We inspected and cleaned the filters.”

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64451(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

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.

National Park Service-Lodgepole Water System Did Not Meet Treatment Requirement (Turbidity)

Our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor your water for turbidity (cloudiness) which tells us whether we are effectively filtering the water supply. Water samples for December 2012 showed that 92.2% of turbidity measurements taken monthly were over 0.1 turbidity units. The standard is that no more than 50 percent of samples may exceed 0.1 turbidity units per month. The turbidity levels are relatively low. However, their persistence is a concern. Normal turbidity levels at our plant are 0.08 turbidity units.

What should I do?

- **You do not need to boil your water or take other actions.**
- This is not an emergency. If it had been you would have been notified immediately. We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.
- *Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.*
- 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.
- If you have other health issues concerning the consumption of the water, you may wish to consult your doctor.

What happened? What was done?

A problem occurred with the treatment system at the water plant. The existing treatment plant has a difficult time removing turbidity from the water. The water system is planning upgrades to the existing plant that would allow the plant to remove turbidity and improve treatment provided. The water system is currently in the planning stages and financing is being pursued through the federal government.

For more information, please contact _____ [name of contact] at
_____ [phone number] or _____ [mailing address].

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, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).

- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by National Park Service-Lodgepole Water System.

Date distributed: _____.

PROOF OF NOTIFICATION
(Return with copy of Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **National Park Service-Lodgepole Water System** (water system) of the failure to meet the **California Surface Water Treatment Rule - Turbidity** for the month of **December 2012** as directed by the Department.

Notification was made on _____ (date) by

hand delivered and/or mailed and/or posted written notice.
(circle all completed)

Signature of Water System Representative

Print Name

Date

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

Due by February 1, 2013
System No.: 5410502
Enforcement Action No.: 03-12-13C-003