

1 STATE OF CALIFORNIA
2 DEPARTMENT OF PUBLIC HEALTH

3 IN RE: Seeley County Water District
4 1898 W. Main Street
5 Seeley, CA 92273

6 TO: Mr. John Valdez
7 Chief Operator

8 CITATION FOR NONCOMPLIANCE - WATER SYSTEM NO. 1310013
9 CITATION NO. 05-14-13C-002

10 Issued on January 24, 2013

11 Section 116650, Chapter 4, Part 12, Division 104 of the California Health and Safety Code
12 (H&S Code), authorizes the California Department of Public Health, Division of Drinking
13 Water and Environmental Management (CDPH) to issue a citation for failure to comply
14 with the requirements of Chapter 4, the California Safe Drinking Water Act, or any
15 regulation, permit, standard, or order issued or adopted thereunder.

16 VIOLATION

17 CDPH has determined that the Seeley County Water District (hereinafter Seeley) has
18 violated provisions contained in the H&S Code and Title 22, California Code of
19 Regulations (CCR). These violations include, but are not limited to, the following:

- 20 1. Title 22, CCR, Section 64426.1: Specifically, Seeley failed to meet the primary
21 drinking water standard for the Total Coliform (TC) Maximum Contaminant Level
22 (MCL) for the month of December 2012. A public water which collects fewer than
23 40 samples per month is in violation of the total coliform MCL when more than one
24 sample collected during any month is total coliform-positive.
- 25 2. Title 22, CCR, Section 64424(a)(1): Specifically, Seeley failed to collect at least
26 three repeat samples for each total coliform-positive sample. Repeat samples were
27 taken from the original routine sample sites that tested positive, but each positive



1 should have also resulted in repeat samples collected from within five service
2 connections upstream and downstream of the original sites.

3 **ENFORCEMENT HISTORY**

4 A Notice of Violation was issued to Seeley on May 28, 2002 for failing to submit the
5 Monthly Summary of Distribution System Coliform Monitoring Report for March 2002 by
6 the 10th day of the following month.

7 Seeley CWD has no other TCR related enforcement history.

8 **BACKGROUND**

9 Seeley is a small community water system that supplies water for domestic purposes to
10 approximately 2,000 permanent residents through 549 service connections. Seeley
11 collects three routine bacteriological samples each week from the distribution system in
12 accordance with an approved Bacteriological Sample Siting Plan, last updated December
13 19th, 2003. There are no dedicated sample stations in the water system, so sample sites
14 include faucets and hydrants. This may contribute to a higher chance of positive
15 bacteriological results.

16 Seeley receives raw surface water from the Imperial Irrigation District through Gate 94D of
17 the Elder Canal via the Central Main. The raw water is treated by a U.S. Filter Co. Micro
18 Floc Trimate-350A Water Treatment System. The filtered water exits the treatment plant
19 and is chlorinated prior to being pumped to two 500,000-gallon reservoirs piped in series.
20 Water from the reservoirs is pressurized to 60 psi to feed a single pressure zone
21 distribution system.

22



CHRONOLOGY OF EVENTS

Tuesday, December 18, 2012: Seeley collected three routine bacteriological samples from the distribution system at Sites 1, 2, and 3 (1898 Main St., 1702 W. Evans Hwy., and the Caltrans Rest Area respectively).

Wednesday, December 19, 2012: The laboratory notified Seeley staff that Sites 2 and 3 had tested present for Total Coliform, and absent for E-coli bacteria. The chlorine residual results were 1.00, 0.50 mg/L, respectively. On this date, Seeley staff collected two (2) repeat samples; one from each of the sample sites that had tested present for Total Coliform.

Thursday, December 20, 2012: The laboratory notified Seeley staff that repeat sample from Sites 2 and 3 had tested Absent for Total Coliform and E-coli bacteria. The chlorine residual results were 0.90, 0.50 mg/L, respectively. On this date, Seeley staff collected two (2) repeat samples; one from each of the sample sites that had tested present for Total Coliform.

DIRECTIVES

Seeley is hereby directed to:

1. Forthwith, Seeley shall cease and desist from failing to comply with the Primary Drinking Water Standard for bacteriological water quality.
1. By January 31, 2013, Seeley shall provide public notice of the TC MCL violation in accordance with CCR, Section 64463.4. Public notice shall be via 1. mail or direct delivery to each customer, and 2. posting notice using one or more of the following methods: posting on the internet and/or local newspaper, posting in conspicuous public spaces served by the water system, and delivery to



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community organizations. A draft notification shall be submitted to CDPH for review and approval prior to conducting public notification.

- 2. Within 10 days of conducting public notifications, a copy of the notice and the "Proof of Notification" certification shall be submitted to CDPH using the enclosed form.
- 3. By July 1, 2013, Seeley shall report both violations 1 and 2 listed earlier in this citation in the 2012 Consumer Confidence Report.
- 4. By March 1, 2013, Seeley shall submit a revised Bacteriological Sample Siting Plan that includes a listing of repeat sample sites for all routine bacteriological sample sites.

All Submittals required by this citation shall be sent to:

Sean Sterchi, P.E.
District Engineer
California Department of Public Health
1350 Front St., Rm. 2050
San Diego, CA 92101

CIVIL PENALTY

Sections 116650 (d) and (e) of the Health and Safety Code provides for the assessment of a penalty for failure to comply with the requirements of the California Safe Drinking Water Act. Failure to comply with any provision of this citation may result in CDPH imposing a penalty not to exceed one thousand dollars (\$1,000) per day as of the date of violation of any provision of this citation

1/24/13
Date


Sean Sterchi, P.E.
San Diego District Engineer
Southern California Branch
Drinking Water Field Operations

1 Enclosures: "Proof of Notification" Certification

2 cc: Lamoure, Deputy Director - Division of Environmental Health, Imperial County Public
3 Health Department



Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. _____

Consumers Notified _____ Yes _____ No

If not, Explain: _____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Department approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated: _____

Signature of Person Serving Notice

**** Notice:** Complete this Proof of Notification and return it **along with a copy of the notification** to the Department within **30 days** of receipt of your order.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a 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 fine of not more than twenty-five thousand dollars (\$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.