



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

CERTIFIED MAIL
7009 1680 0001 3114 5073

February 1, 2013

Emmit Richards, Civil Engineering Technician
Lassen National Forest -
Bogard Work Center
2550 Riverside Drive
Susanville, CA 96130

Subject: Public Water System # 1800589 – Citation 01-02-13C-002-1800589-22

Enclosed is a citation issued to the Lassen National Forest - Bogard Work Center (Work Center). The citation is being issued because the Work Center failed to comply with the drinking water standard for total coliform bacteria during October 2012. Please be aware that the Directives section of the citation contains required actions that must be taken by the Work Center 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 Work Center 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 hour.

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: Citation No. 01-02-13C-002-1800589-22

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

srt: Lassen \ LNF-Bogard Work Center \ Enforcement \ 01-02-13C-002-1800589-22 File: Main

1 Citation No. 01-02-13C-002-1800589-22

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3 STATE OF CALIFORNIA
4 DEPARTMENT OF PUBLIC HEALTH
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7 **Public Water System:** Lassen National Forest - Bogard Work Center

8 **Water System No:** 1800589

9
10 **To:** Lassen National Forest - Bogard Work Center
11 Attention: Emmitt Richards, Civil Engineering Technician
12 2550 Riverside Drive
13 Susanville, CA 96130

14 **Issued:** February 1, 2013
15 VIA CERTIFIED MAIL

16 **CITATION FOR NONCOMPLIANCE**

17
18 **With Title 22 California Code of Regulations**
19 **Section 64426.1(b)**

20
21 Section 116650 of the California Health and Safety Code (CHSC) authorizes
22 the issuance of a citation for failure to comply with a requirement of the
23 California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4,
24 commencing with Section 116270), or any regulation, standard, permit, or
25 order issued thereunder.

26 The Division of Drinking Water and Environmental Management of the
27 California Department of Public Health (Department) hereby issues a
citation to Mr. Emmitt Richards, Civil Engineering Technician, of the Lassen
National Forest - Bogard Work Center (Work Center) for failure to comply



1 with Section 64426.1(b), Title 22, of the California Code of Regulations
2 (CCR).

3
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states in relevant part:

6
7 (a) If the department determines that a public water system is in violation
8 of this chapter or any regulation, permit, standard, citation, or order
9 issued or adopted thereunder, the department may issue a citation to
10 the public water system. The citation shall be served upon the public
11 water system personally or by certified mail. Service shall be deemed
12 effective as of the date of personal service or the date of receipt of
13 the certified mail. If a person to whom a citation is directed refuses to
14 accept delivery of the certified mail, the date of service shall be
15 deemed to be the date of mailing.

16 (b) Each citation shall be in writing and shall describe the nature of the
17 violation or violations, including a reference to the statutory provision,
18 standard, order, citation, permit, or regulation alleged to have been
19 violated.

20 (c) A citation may specify a date for elimination or correction of the
21 condition constituting the violation.

22 (d) A citation may include the assessment of a penalty as specified in
23 subdivision (e).

24
25 (e) The department may assess a penalty in an amount not to exceed
26 one thousand dollars (\$1,000) per day for each day that a violation
27 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, of the CCR states in relevant part:

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

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

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 The Lassen National Forest - Bogard Work Center (Work Center) domestic
19 water system is classified as a transient noncommunity water system. On
20 October 3, 2012, the Work Center collected one routine sample from the
21 distribution system that contained total coliform bacteria. One of three
22 repeat samples collected from the distribution system on October 5, 2012,
23 also contained total coliform bacteria. The repeat sample collected from the
24 source on October 5, 2012, was absent for total coliform bacteria. The two
25 follow-up samples collected on October 9, 2012, were absent for total
26 coliform. None of the samples that contained total coliform bacteria tested
27 positive for *E. coli*.

The Department had previously issued Citation No. 01-02-12C-009 for violation of Section 64426.1, Title 22, of the CCR in June 2012.



1 **DETERMINATIONS**

2 The Department has determined that the Work Center violated
3 Section 64426.1(b), Title 22, of the CCR, in that the Work Center exceeded
4 the total coliform MCL during the month of October 2012. This is the second
5 violation of Section 64426.1(b) within a twelve month period.

6
7 **DIRECTIVES**

8 The Work Center is hereby directed to take the following actions:

- 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 Work Center 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) Posting of the notice contained in Attachment 'A' in conspicuous
17 locations throughout the area served by the Work Center for a
18 period of at least seven days. The posting shall be completed by
19 March 1, 2013.
- 20 b) By March 1, 2013, provide the notice contained in Attachment 'A'
21 to customers using one or more of the following methods to reach
22 persons not likely to be reached by a public posting:
- 23 (1) Publication in a local newspaper or newsletter distributed to
24 customers for one day,
25 (2) E-mail message to employees,
26 (3) Posting on the Internet or intranet, or
27

(3) Posting on the Internet or intranet, or



1 (4) Direct delivery to each customer.
2

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

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

9 All documents required by this Citation to be submitted to the Department
10 shall be submitted to the following address:

11
12 Michael J. McNamara, P.E., District Engineer
13 Department of Public Health
14 Drinking Water Field Operations Branch
15 364 Knollcrest Drive, Suite 101
16 Redding, CA 96002

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

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

25 **FURTHER ENFORCEMENT ACTION**

26 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the
27 California Health and Safety Code authorizes the Department to: issue
additional citations with assessment of penalties if the Work Center



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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 enforcement action by issuance of this citation.

PARTIES BOUND

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

SEVERABILITY

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

Michael J. McNamara

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

02/01/2013
Date

Attachments:

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



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.

**Tests Showed Coliform Bacteria in the
Lassen National Forest – Bogard Work Center Domestic Water System**

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 October 3, 2012, the Work Center collected one routine sample from the distribution system that contained total coliform bacteria. One of three repeat samples collected from the distribution system on October 5, 2012, also contained total coliform bacteria. The repeat sample collected from the source on October 5, 2012, was absent for 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 system was chlorinated and flushed. The two follow-up samples collected on October 9, 2012, and the November 2012, December 2012, and January 2013 routine samples show that bacteriological standards are now being met. The cause of the contamination has not been determined.

For more information, please contact:

Emmitt Richards, Lassen National Forest - Bogard Work Center, (530) 252-6451.

*This notice is being provided to you by Lassen National Forest - Bogard Work Center
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 LNF - Bogard Work Center

Public Water System No. 1800589

Public notification for the October 2012 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