

1 **CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

2  
3  
4 **IN RE:** U.S. Border Patrol Highway 94 Checkpoint  
5 15430 Campo Road  
6 Jamul, CA 91935

7  
8 **TO:** Mr. Greg A. Gephart  
9 Operations Branch Chief  
10 US Border Patrol  
11 24000 Avila Rd.  
12 Laguna Niguel, CA 92677

13  
14  
15 **CITATION FOR VIOLATION OF**  
16 **CALIFORNIA HEALTH AND SAFETY CODE, Section 116525(a)**  
17 **CALIFORNIA CODE OF REGULATIONS, Title 22 Section 64426.1(b)(2)**  
18 **CALIFORNIA CODE OF REGULATIONS, Title 22, Section 64552(a)**

19  
20 **CITATION No. 05-14-13C-008**  
21 **Issued on June 27th, 2013**  
22

23 Section 116650 of the California Health and Safety Code (CH&SC), authorizes the  
24 issuance of a citation for failure to comply with the requirements of CH&SC, Division 104,  
25 Part 12, Chapter 4, (California Safe Drinking Water Act), or any regulation, standard,  
26 permit, or order issued thereunder.

27  
28 **VIOLATIONS**

29 The California Department of Public Health, Division of Drinking Water and Environmental  
30 Management (hereinafter 'CDPH') hereby issues a citation to the U.S. Border Patrol  
31 Highway 94 Checkpoint (hereinafter 'Water System'), located at 15430 Campo Road,  
32 Jamul CA 91935, for the following violations:

33  
34 **California Health and Safety Code, Section 116525(a).** CH&SC §116525(a) states that  
35 no person shall operate a public water system unless he or she first receives a permit. The



1 Water System is in violation of this section in that the Water System is in operation without  
2 having obtained a permit.

3  
4 **California Code of Regulations, Title 22, Section 64452(a).** Title 22 §64452(a) states  
5 that each public water system applying for an initial domestic public water system  
6 permit shall submit an application that includes detailed information about the water  
7 system. The Water System is in violation of this section in that the Water System has failed  
8 to provide the necessary information needed to complete the permit application.

9  
10 **California Code of Regulations, Title 22, Section 64426.1(b)(2).** Title 22 §64426.1(b)(2)  
11 states that a public water system is in violation of the total coliform Maximum Contaminant  
12 Level (MCL) when a water system which collects fewer than 40 samples per month has  
13 more than one sample collected during any month that is total coliform-positive. The Water  
14 System is in violation of the Total Coliform Rule (TCR) MCL for the month of April 2013 in  
15 that during this month a total of 5 samples were total coliform-positive.

16  
17 **ENFORCEMENT HISTORY**

18 No previous violation, citations, or compliance orders have been issued to the Water  
19 System.

20  
21 **BACKGROUND**

22 The U.S. Border Patrol Highway 94 Checkpoint is a nontransient-noncommunity water  
23 system located on Highway 94 (Campo Road) in San Diego County approximately 8 miles  
24 east of the community of Jamul and 3 miles west of the community of Dulzura. The Water

1 System is within the Area of Operation of the Brown Field Border Patrol Station and  
2 operates 24-hours per day over three 8-hour shifts.

3  
4 The Water System uses a single well to provide water to approximately 100 field agents  
5 and related staff. The well delivers water through a chlorine injection unit to a 10,000  
6 gallon welded steel storage tank and provides water to the secondary/processing building  
7 that includes an operations area, office area, detention area, kitchen area, and restrooms.  
8 The storage tank also provides a connection for using the potable water as a source under  
9 fire-fighting conditions.

10  
11 **CHRONOLOGY OF EVENTS**

12 The U.S. Border Patrol Highway 94 Checkpoint opened in 1997 without a permit  
13 application for operation of a public water system being submitted to CDPH. The water  
14 system has been operating without a domestic water supply permit since that time.

15  
16 On January 31<sup>st</sup>, 2012, CDPH received from U.S. Border Patrol an Application for  
17 Domestic Water Supply Permit for the Highway 94 Checkpoint. On March 16th, 2012,  
18 CDPH provided by letter to the Water System a New Domestic Water Supply Permit  
19 Application Package. The letter requested that the following materials be submitted as part  
20 of the requirements of completing the permit application and obtaining a domestic water  
21 supply permit.

- 22  
23 1. Water System Information Datasheets  
24 2. Well Location, Design and Construction documentation

- 1 3. Well Drillers Report and Well Log(s)
- 2 4. California Environmental Quality Act (CEQA) Clearance
- 3 5. Source Bacteriological (Coliform) Analyses Results
- 4 6. Source Water Chemical Analyses Results
- 5 7. Drinking Water Source Assessment and Protection Program (DWSAP) documentation
- 6 8. Technical, Managerial, and Financial (TMF) Capacity documentation
- 7 9. Cross-connection Control Survey
- 8 10. Technical, Managerial, and Financial (TMF) Capacity documentation
- 9 11. Bacteriological Sample Siting Plan (BSSP)
- 10 12. Water Quality Emergency Notification Plan (ENP)
- 11 13. Copies of state certification for all water system operators

12 To date, the only items to be received are Source Bacteriological (Coliform) Analyses  
13 Results the Source Water Chemical Analyses Results with the exception of 6 VOC  
14 compounds.

15  
16 On August 14th, 2012, CDPH issued the 2012 Sanitary Survey And Permit Application  
17 Package letter reminding the Water System of the outstanding permit application items  
18 (Action Items) originally discussed in the March 16<sup>th</sup>, 2012 letter.

19  
20 On April 18<sup>th</sup>, 2013, routine coliform monitoring was performed. One raw source water  
21 sample was collected from the well and one distribution system sample was collected. Test  
22 results indicated that both samples were positive for total coliform. A required repeat  
23 sample set was collected on April 19<sup>th</sup>, 2013 consisting of one raw source water sample  
24 and four distribution system samples. Test results on April 23<sup>rd</sup> indicated that the well

1 sample was negative for total coliform and the four distribution samples were positive for  
 2 total coliform. These test results are included as an attachment to this citation. Tier 1  
 3 Public Notification was performed and the U.S. Border Patrol posted Do Not Drink notices  
 4 throughout the water system requiring bottled water for drinking and food preparation.

5  
 6 Well disinfection was performed and five routine samples were collected on May 3<sup>rd</sup>. Test  
 7 results on May 6<sup>th</sup> indicated that the raw source water sample and the four distribution  
 8 samples were absent of total coliform. These test results are included as an attachment to  
 9 this citation. A summary of the test results is included in Table 1 below.

10  
 11 **TABLE 1**

<b>Total Coliform MCL Violation Summary</b> <b>Total TC+ Events = 5      EPA Total Coliform Rule and Title 22 MCL = 1</b>								
Routine Monitoring Date	Sample ID	Result	Repeat Monitoring Date	Sample ID	Result	2 <sup>nd</sup> Repeat Monitoring Date	Sample ID	Result
4/18	Well	MPN = 1	4/19	Well	ND	5/3	Well	ND
4/18	Dist 1	TC+	4/19	Dist 1	TC+	5/3	Dist 1	Absent
			4/19	Dist 2	TC+	5/3	Dist 2	Absent
			4/19	Dist 3	TC+	5/3	Dist 3	Absent
			4/19	Dist 4	TC+	5/3	Dist 4	Absent

MPN = Most probable number  
 Dist = Distribution  
 TC+ = Total coliform positive  
 Note: All well samples ND for fecal coliform and all distribution samples absent for e. coli.

**DIRECTIVES**

The U.S. Border Patrol Highway 94 Checkpoint water system is hereby directed to take the following actions:

1. As described in the June 2013 Customs and Border Protection letter to CDPH, the contracts to be awarded to address the Action Items included in the August 14<sup>th</sup>, 2012 CDPH Sanitary Survey And Permit Application Package letter shall be awarded within 90 days of the date of issuance of this citation except as directed in Directives 12, 13, and 14.
2. Within 60 days of awarding the contracts described in Directive 1 to address the outstanding permit application Action Items, submit the outstanding permit materials listed on Page 4, Lines 3 through 10 of this citation.
3. Within 30 days of awarding the contracts described in Directive 1 to address the outstanding permit application Action Items, submit the outstanding permit materials listed on Page 4 Lines 11 through 14 of this citation and summarized below:
  - a. Bacteriological Sample Siting Plan (BSSP)
  - b. Water Quality Emergency Notification Plan (ENP)
  - c. Chlorine Disinfection Datasheet
  - d. Copies of state certification for all water system operators
4. Within 30 days of the date of this citation, submit a copy of the existing contract(s) for water system services and certified operator services.
5. Continue with the Tier 1 Public Notification issued on April 20<sup>th</sup>, 2013 until directed otherwise by CDPH.
6. Determine, if possible, the source of coliform contamination and prepare documentation describing how the source of contamination has been mitigated.



- 1 7. The 10,000 gallon welded steel storage tank shall either be refurbished or replaced.  
2 Within 60 days of awarding the July 2013 contract or within 60 days of the actual  
3 date of contract award to address the storage tank Action Item:
- 4 a. submit a plan for either refurbishing or replacing the storage tank;
  - 5 b. submit plans and specifications for either refurbishing or replacing the tank to  
6 CDPH for review and approval prior to purchasing and beginning  
7 refurbishment or replacement.
  - 8 c. If the tank is being replaced, a suitable size tank capable of meeting the  
9 peak daily potable water demand shall be used.
  - 10 d. If the replacement tank will also be used to provide fire flow, the tank shall be  
11 able to simultaneously supply both peak potable water demand and fire flow  
12 demand.
  - 13 e. The installed tank shall meet all applicable Waterworks Standards in Title 22  
14 of the California Code of Regulations for potable water distribution system  
15 reservoirs.
- 16 8. Install a chlorine analyzer to measure the disinfectant residual. The chlorine  
17 analyzer shall be located at:
- 18 a. the entrance to the storage tank and fitted with a feedback loop system to  
19 ensure disinfection applied at the well head is continuously controlled to be  
20 within the optimal range or
  - 21 b. at the exit of the storage tank or at the entrance to the distribution system  
22 with a flow-paced chlorine injection system providing disinfection at the  
23 wellhead.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

- 9. Install an automated alarm system with autodial capability to work in conjunction with the chlorine analyzer to notify the chief operator of inadequate disinfection events, exceedance of the Maximum Residual Disinfectant Level (MRDL), or of a disinfection system malfunction.
- 10. Within 30 days of awarding the contract(s) described in the June 2013 Customs and Border Protection letter to CDPH, a copy of the contract(s) shall be submitted to CDPH.
- 11. All GWUDI weekly data from paired sampling (from the well and the stream as described in the August 14<sup>th</sup>, 2012 CDPH Sanitary Survey And Permit Application Package letter) collected during a calendar month shall be submitted to CDPH with the routine monthly report due by the tenth day of the following month.
- 12. Within 30 days of awarding the contract to address the GAC filtration Action Item, submit an Operations Plan for the unit currently in use to CDPH for review and approval.
- 13. Within 60 days of awarding the contract to address the backup booster pump and combined vault Action Item, submit a booster station operations and maintenance plan to CDPH for review and approval.
- 14. Within 30 days of awarding the contract to address the well construction Action Item, submit a proposed timeline for addressing the well construction deficiencies.

All submittals required by this citation shall be sent to:

Sean Sterchi, P.E.  
District Engineer  
California Department of Public Health  
Drinking Water Program  
1350 Front Street, Room 2050  
San Diego, CA 92101





Client Name: Stephen E. Carroll  
 Project Name: DHS BORDER PATROL HWY 94 CHECKPOINT

EMA Log #: 13D0516

**Microbiological Parameters by Standard Methods**

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Date Prepared Date Analyzed	Method	Notes
<b>3710053-DST (13D0516-01) Drinking Water Sampled: 04/18/13 07:50 Received: 04/18/13 08:52</b>								
Total Coliforms	Present		None	1	3041823	04/18/13 09:00 04/19/13 09:05	SM9223	
E. Coli	Absent		"	"	"	04/18/13 09:00 04/19/13 09:05	"	
<b>3710053-001 (13D0516-02) Drinking Water Sampled: 04/18/13 08:00 Received: 04/18/13 08:52</b>								
Total Coliforms	1	1	MPN/100 ml	1	3041824	04/18/13 09:00 04/22/13 08:42	SM 9221 B, E	
Fecal Coliforms	ND	1	"	"	"	04/18/13 09:00 04/21/13 08:30	"	

*The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.*

EnviroMatrix



Analytical, Inc.



Client Name: Stephen E. Carroll  
 Project Name: DHS BORDER PATROL HWY 94 CHECKPOINT

EMA Log #: 13D0570

**Microbiological Parameters by Standard Methods**

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Date Prepared Date Analyzed	Method	Notes
<b>3710053-001 (13D0570-01) Drinking Water Sampled: 04/19/13 10:50 Received: 04/19/13 12:26</b>								
Total Coliforms	ND	1	MPN/100 ml	1	3041926	04/19/13 12:55 04/21/13 10:55	SM 9221 B, E	
Fecal Coliforms	ND	1	"	"	"	04/19/13 12:55 04/21/13 10:55	"	
<b>3710053-DST 1 (13D0570-02) Drinking Water Sampled: 04/19/13 11:00 Received: 04/19/13 12:26</b>								
Total Coliforms	Present		None	1	3041925	04/19/13 12:55 04/20/13 12:55	SM9223	
E. Coli	Absent		"	"	"	04/19/13 12:55 04/20/13 12:55	"	
<b>3710053-DST 2 (13D0570-03) Drinking Water Sampled: 04/19/13 11:10 Received: 04/19/13 12:26</b>								
Total Coliforms	Present		None	1	3041925	04/19/13 12:55 04/20/13 12:55	SM9223	
E. Coli	Absent		"	"	"	04/19/13 12:55 04/20/13 12:55	"	
<b>3710053-DST 3 (13D0570-04) Drinking Water Sampled: 04/19/13 11:10 Received: 04/19/13 12:26</b>								
Total Coliforms	Present		None	1	3041925	04/19/13 12:55 04/20/13 12:55	SM9223	
E. Coli	Absent		"	"	"	04/19/13 12:55 04/20/13 12:55	"	
<b>3710053-DST 4 (13D0570-05) Drinking Water Sampled: 04/19/13 11:20 Received: 04/19/13 12:26</b>								
Total Coliforms	Present		None	1	3041925	04/19/13 12:55 04/20/13 12:55	SM9223	
E. Coli	Absent		"	"	"	04/19/13 12:55 04/20/13 12:55	"	

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

EnviroMatrix



Analytical, Inc.



Client Name: Stephen E. Carroll  
 Project Name: DHS BORDER PATROL HWY 94 CHECKPOINT

EMA Log #: 13E0084

**Microbiological Parameters by Standard Methods**

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Date Prepared Date Analyzed	Method	Notes
<b>3710053-001 (13E0084-01) Drinking Water Sampled: 05/03/13 11:15 Received: 05/03/13 12:23</b>								
Total Coliforms	ND	1	MPN/100 ml	1	3050321	05/03/13 13:25 05/05/13 11:40	SM 9221 B, E	
Fecal Coliforms	ND	1	"	"	"	05/03/13 13:25 05/05/13 11:40	"	
<b>3710053-DST 1 (13E0084-02) Drinking Water Sampled: 05/03/13 11:30 Received: 05/03/13 12:23</b>								
Total Coliforms	Absent		None	1	3050320	05/03/13 13:25 05/04/13 13:25	SM9223	
E. Coli	Absent		"	"	"	05/03/13 13:25 05/04/13 13:25	"	
<b>3710053-DST 2 (13E0084-03) Drinking Water Sampled: 05/03/13 11:30 Received: 05/03/13 12:23</b>								
Total Coliforms	Absent		None	1	3050320	05/03/13 13:25 05/04/13 13:25	SM9223	
E. Coli	Absent		"	"	"	05/03/13 13:25 05/04/13 13:25	"	
<b>3710053-DST 3 (13E0084-04) Drinking Water Sampled: 05/03/13 11:40 Received: 05/03/13 12:23</b>								
Total Coliforms	Absent		None	1	3050320	05/03/13 13:25 05/04/13 13:25	SM9223	
E. Coli	Absent		"	"	"	05/03/13 13:25 05/04/13 13:25	"	
<b>3710053-DST 4 (13E0084-05) Drinking Water Sampled: 05/03/13 11:42 Received: 05/03/13 12:23</b>								
Total Coliforms	Absent		None	1	3050320	05/03/13 13:25 05/04/13 13:25	SM9223	
E. Coli	Absent		"	"	"	05/03/13 13:25 05/04/13 13:25	"	

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

EnviroMatrix



Analytical, Inc.

