



RON CHAPMAN, MD, MPH
Director

State of California—Health and Human Services Agency
Department of Public Health



EDMUND G. BROWN JR.
Governor

August 28, 2013
Certified Mail/Return
7011 2000 0001 1428 7310

Pleasant Grove Store & Cafe
5481 Pacific Ave.
Pleasant Grove, CA. 95668

Attention: Darrell Bowen, Owner

Subject: Public Water System No. 5103002 – Citation No. 21-13C-013 for Bacteriological Procedural Failure

Pleasant Grove Store & Cafe is classified as a Transient Non-community water system serving approximately 37 people per month. Per Title 22, Section 64424 of the California Code of Regulations (CCR), this water system is required to collect and report at least five routine samples in the distribution system the month following a total coliform-positive sample. The system failed to collect the aforementioned samples in May of 2013. Therefore, this Citation is hereby issued to the water system for violating the bacteriological monitoring and reporting requirements during the month of May 2013.

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 an enforcement action to that system. Therefore, your water system will be billed for the preparation and issuance of this citation. Our costs are approximately \$126 per hour. At this time we have spent approximately one hour on enforcement activities associated with this violation. You will receive a bill for these costs, typically by September 1st, from our Fee Billing Unit in Sacramento.

If you have any questions please call Paul Rowe at (530) 224-4866. You may also contact me directly at (530) 224-4861.

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

cc: Richard Hinrichs, Chief – DDW – Northern California Region

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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: PLEASANT GROVE STORE & CAFE

Water System No: 5103002

Owner: Darrell Bowen
To: Pleasant Grove Store & Cafe
5481 Pacific Avenue
Pleasant Grove, CA. 95668

Issued: August 28, 2013

**CITATION FOR NONCOMPLIANCE
TOTAL COLIFORM MONITORING AND REPORTING VIOLATION**

May 2013

Chapter 4, Article 9, Section 116650 of Part 1 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

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public water system. The citation shall be served upon the public water system personally or by certified mail. 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.

CCR, Section 64423.1 states in relevant part:

Analytical results of all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month.



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California Code of Regulations (CCR), Section 64424(d) states in relevant part:

If a public water system for which fewer than five routine samples per month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month.

STATEMENT OF FACTS

On April 6, 2013, a routine bacteriological test indicated total coliform positive for the Pleasant Grove Store & Café water system (hereinafter Water System). In response to this result, the Water System performed the appropriate number of follow-up samples in order to validate a bacteriological problem. In accordance with Sections 64423 and 64424, Title 22 of the CCR, the Water System was also required to collect and report at least five routine distribution system samples the month following (May 2013) a total coliform-positive sample. As of the date of this citation, the Department has not received the five routine samples, which were due by June 10, 2013.

DETERMINATIONS

The Department hereby issues a citation to the Water System for failure to comply with Sections 64423 and 64424 of Title 22, California Code of Regulations. Specifically, the Water System (mailing address: 5481 Pacific Ave, Pleasant Grove, CA 95668) failed to collect and report five routine samples in May of 2013, following a total coliform-positive sample in April of 2013.

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DIRECTIVES

The Water System is hereby directed to take the following actions:

1. Comply with the sampling requirements of Section 64423 and 64424, Title 22, of the CCR in all future monitoring periods. Should a routine sample be positive for total coliform bacteria, the water system shall collect and report five routine samples from the distribution system the following month, in accordance with California Regulations.

2. Notify all persons served by the Water System of the failure to sample, in conformance with Section 64423 and Section 64424, Title 22 of the CCR. Notification must be completed in accordance with the following:
 - a) By posting of the notice in Attachment A in conspicuous locations served by the water system by **September 30, 2013**

PARTIES BOUND

This Citation shall apply to and be binding upon the Water 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 a public water 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 enforcement action by issuance of this citation.

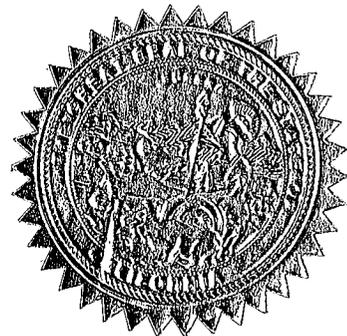
R. Crenshaw

Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field Operations Branch

8/29/13

Date

CERTIFIED MAIL NO. 7011 2000 0001 1428 7310



Attachments:

- Attachment A: Certification Form
- Attachment B: Public Notice

Attachment A

COMPLIANCE CERTIFICATION

Citation Number 21-13C-013

Name of Water System: Pleasant Grove Store & Cafe

System Number: 5103002

Certification

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of February 2013. In addition, I certify that PLEASANT GROVE STORE & CAFE complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Complete Attachment A, as required in Directive 2(a)	
Public Notification – Public Posting	
Public Notification – Direct Delivery/Internet/Email	

Signature of Water System Representative

Date

Attach a copy of the notice delivered to the customers. If the notice has been published in a newspaper, attach a copy of the newspaper publication.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN October 4, 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.

Attachment B

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.

Pleasant Grove Store & Cafe Failed to Report Coliform Bacteria Testing – May 2013

Our water system failed to report routine coliform bacteria sampling for the month of May 2013. Although this is not an emergency, as our customers, you have a right to know about this violation – 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 are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. We are required to collect and report five routine coliform bacteria tests the month following a positive-coliform test result. We did not collect and report these five routine samples in the month of May 2013.

What does this mean?

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling and reporting are important to periodically verify the water quality. Our failure to collect and report the May 2013 coliform bacteria test results was a violation of Section 64423 and 64424, Title 22 of the California Code of Regulations (CCR).

What should I do?

You do not need to boil the water or take any corrective actions. **This is not an emergency.** If you have health concerns, you may wish to consult your doctor. 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.

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)
