



Ron Chapman, MD, MPH  
Director & State Health Officer

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

DRINKING WATER FIELD OPERATIONS BRANCH

50 D STREET, SUITE 200, SANTA ROSA, CA 95404

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EDMUND G. BROWN JR.  
Governor

January 7, 2013

Mr. Frank Perez  
Rancho de la Fuente  
2290 Soda Bay Road  
Lakeport, CA 95453

Dear Mr. Perez:

Enclosed is a citation issued to the Rancho de la Fuente water system (Water System). The citation is being issued because the Water System failed to comply with the bacteriological maximum contaminant level, as specified in Section 64426.1, Title 22 of the California Code of Regulations during November 2012.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the Citation. No civil penalty is levied in the enclosed citation.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,

Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District

Enclosure: Citation No. 02-03-13C-002-1700723-22

1700723/Compliance Section #6/02-03-13C-002-1700723-22-MCL/LSH

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** RANCHO DE LA FUENTE

**Water System No:** 1700723

**To:** RANCHO DE LA FUENTE  
2290 Soda Bay Road  
Lakeport, CA 95453

**Issued:** January 7, 2013  
VIA CERTIFIED MAIL

**CITATION FOR NONCOMPLIANCE WITH SECTION 64426.1, TITLE 22,  
OF THE CALIFORNIA CODE OF REGULATIONS**

**November 2012**

Chapter 4, Article 9, Section 116650 of Part 12 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,



1 or order issued or adopted thereunder, the department may issue a  
2 citation to the public water system. The citation shall be served upon  
3 the public water system personally or by certified mail. Service shall  
4 be deemed effective as of the date of personal service or the date of  
5 receipt of the certified mail. If a person to whom a citation is directed  
6 refuses to accept delivery of the certified mail, the date of service  
7 shall be deemed to be the date of mailing.

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

12  
13 (c) A citation may specify a date for elimination or correction of the  
14 condition constituting the violation.

15  
16 (d) A citation may include the assessment of a penalty as specified in  
17 subdivision (e).

18 (e) The department may assess a penalty in an amount not to  
19 exceed one thousand dollars (\$1,000) per day for each day that a  
20 violation occurred, and for each day that a violation continues to  
21 occur. A separate penalty may be assessed for each violation.

22  
23 California Code of Regulations (CCR), Section 64426.1 states in relevant  
24 part:

25  
26 A public water system is in violation of the total coliform MCL  
27 {maximum contaminant level} when any of the following occurs:



1 (1) For a public water system which collects at least 40 samples per  
2 month, more than 5.0 percent of the samples collected during any  
3 month are total coliform-positive; or

4  
5 (2) For a public water system which collects fewer than 40 samples  
6 per month, more than one sample collected during any month is  
7 total coliform-positive; or

8 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

9  
10 (4) Any repeat sample following a fecal coliform-positive or E. coli-  
11 positive routine sample is total coliform-positive.

### 12 **STATEMENT OF FACTS**

13  
14 The Division of Drinking Water and Environmental Management of the  
15 Department of Public Health (Department) has received laboratory results  
16 for six bacteriological samples collected during November 2012 from the  
17 drinking water system of Rancho De La Fuente (Water System). All  
18 samples were analyzed for the presence of coliform bacteria. Two of the six  
19 samples tested positive for coliform bacteria.

### 20 **DETERMINATIONS**

21 The Department has determined that Rancho De La Fuente failed to comply  
22 with the maximum contaminant level (MCL) for total coliform bacteria during  
23 the month of November 2012. That is a violation of Section 64426.1, Title  
24 22, of the California Code of Regulations. The Department hereby issues a  
25 citation to the Rancho De La Fuente for failure to comply with Section  
26 64426.1, Title 22, of the California Code of Regulations.

27



**DIRECTIVES**

The Rancho De La Fuente is hereby directed to take the following actions:

1. Comply with Section 64426.1, Title 22, of the California Code of Regulations in all future monitoring periods.
2. Notify all persons served by the Water System of the MCL violation in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. Notification must be completed in accordance with each of the following:
  - a) Completion of Attachment A to include the name, address, and telephone number of a water system official as a source of additional information concerning the public notice. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the water system to prevent this violation from occurring in the future. You must use the space provided on page 2 of Attachment A for this written description.**
  - b) By continuous posting of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in conspicuous locations throughout the area served by the Water System. Posting must begin no later than **January 21, 2013** and must continue for seven days.
  - c) By publication of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in a local newspaper. This notice must be published for one day. The



1 publication in a local newspaper must be completed by **January**  
2 **21, 2013.**

- 3
- 4 3. Pursuant to Section 64424(d), Title 22 of the CCR, the Water System  
5 shall collect five (5) routine bacteriological samples by **January 21,**  
6 **2013.** The results of these samples shall be submitted with the  
7 attached Compliance Certification form.
- 8
- 9 4. Ranch De La Fuente shall submit a revised bacteriological site  
10 sampling plan that includes monthly monitoring for total coliform and E.  
11 coli for Department approval by **January 31, 2013.** A bacteriological  
12 site sampling plan template has been enclosed with this citation.  
13 Beginning in February 2013, the Water System shall continuously  
14 conduct monthly bacteriological monitoring of the distribution system  
15 unless otherwise directed by the Department.
- 16 5. A representative of Rancho De La Fuente shall complete the attached  
17 Compliance Certification form and return it to the Department within 10  
18 days of the public notice being given to the system customers but in no  
19 case later than **January 31, 2013.** **A copy of the notice published in**  
20 **the newspaper and a copy of the notice posted within the water**  
21 **system must be attached to the form.**

22 All documents required by this Citation shall be submitted to the Department  
23 at the following address:

24 Michelle Floyd Frederick, P.E., District Engineer  
25 Department of Public Health  
26 Drinking Water Field Operations Branch  
27 50 D Street, Suite 200  
Santa Rosa, CA 95404



1 The Department reserves the right to make such modifications to this  
2 Citation, as it may deem necessary to protect public health and safety.  
3 Such modifications may be issued as amendments to this Citation and shall  
4 be effective upon issuance.

5  
6 **PARTIES BOUND**

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

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10 **SEVERABILITY**

11 The directives of this Citation are severable, and the System shall comply  
12 with each and every provision thereof notwithstanding the effectiveness of  
13 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. By issuance of this citation, the Department does not waive any right to take further enforcement action against the Water System including but not limited to the assessment of civil penalties as authorized by law.

*Michelle F. Frederick*  
Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District  
Drinking Water Field Operations Branch

*Jan. 7, 2013*  
Date

Attachments

Certified Mail No. 7011 0110 0000 6178 5473



1700723/Section #6  
02-03-13C-002-1700723-22/LSH



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**COMPLIANCE CERTIFICATION**

**Citation Number 02-03-13C-002-1700723-22**

Name of Water System: **RANCHO DE LA FUENTE**

System Number: **1700723**

**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 November 2012. In addition, I certify that the RANCHO DE LA FUENTE 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 – Posting within Water System for 7 days	
Public Notification - Newspaper	
5 Bacteriological Samples Collected & Analyzed	

  

_____	_____
Signature of Water System Representative	Date

**Attach a copy of the notice published in the newspaper, a copy of the notice posted within the water system, and the laboratory results from the 5 water samples.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT  
NO LATER THAN January 31, 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.

## **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.

### **Rancho De La Fuente Had Levels of Coliform Bacteria Above the Drinking Water Standard During November 2012**

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know 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 routinely monitor our drinking water for contaminants. We took six water samples from our drinking water system to test for the presence of coliform bacteria during November 2012. Two of our samples showed the presence of coliform bacteria. The standard is that no more than 1 sample per month may test positive for bacteria. The positive samples were tested further for fecal coliform. **No fecal coliform or E. coli were found.** However, our drinking water exceeded the maximum contaminant level allowed for total coliform bacteria, as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR).

#### **What does this mean?**

The California Department of Public Health (Department) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that 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 drinking water samples than allowed. This was a warning of potential problems and a violation of the regulations.

#### **What should I do?**

You do not need to boil your water or take other corrective actions. This is not an emergency. If it had been, you would have been notified immediately.

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 (800) 426-4791.

If you have other health concerns related to the consumption of this water, you may wish to consult your doctor.

**Has the problem been resolved? What corrective actions have been taken to prevent this violation from occurring in the future?**

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

*(name)*

\_\_\_\_\_

*(address)*

\_\_\_\_\_

*(phone number)*

**To all School Administrators, Rental Property Owners, and Business Property Owners:**

You must provide public notification within 10 days of the receipt of this notice from **RANCHO DE LA FUENTE** [Health and Safety Code Section 116450(g)]. The notification must be provided as follows:

**SCHOOLS:** Must give written notification to school employees, students, and parents (if the students are minors). **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including but not limited to apartment complexes, nursing home facilities, other care facilities): Must give written notification to tenants/patients. Must give written notification to employees (if applicable). **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS** (including but not limited to restaurants, stores, hospitals, churches, clubs, daycare facilities, offices, other businesses): Must give written notification to employees and members. Must post in conspicuous places for customers/visitors (if applicable).