

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

IN RE: **LA KEBRADA RESTAURANT**
 Water System No. 1000595

TO: Rafael Sanchez Solano
 La Kebrada Restaurant
 P.O. Box 12591
 Fresno, CA 93778

**CITATION FOR NONCOMPLIANCE
FAILURE TO SUBMIT
2012 ANNUAL REPORT TO THE DRINKING WATER PROGRAM**

Issued on September 3, 2013

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

VIOLATION

The Drinking Water Field Operations Branch of the Department of Public Health (hereinafter 'Department') hereby issues a Citation to the La Kebrada Restaurant (hereinafter 'Water System'), for failure to comply CHSC Section 116530 and Section 116460. Specifically, the Water System (mailing address: P.O. Box 12591, Fresno, CA 93778) failed to submit an Annual Report to the Drinking Water Program for the year ending December 31, 2012 and an updated Emergency Notification Plan.

1 **Section 116530, CHSC**, specifies that a public water system shall submit a technical
2 report to the department when requested. The Department has established a requirement
3 for each public water system under its jurisdiction to submit a technical report annually
4 specifying contact and operational information for the prior calendar year. The Department
5 has not received the Annual Report to the Drinking Water Program (ARDWP) for 2012
6 from the La Kebrada Restaurant water system.

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8 The 2012 ARDWP was due to be submitted electronically via the DRINC portal by March
9 31, 2013. A second request for the 2012 ARDWP further extended the deadline for
10 submittal to June 14, 2013. Enforcement Letter no. 03-23-13E-102 established a final
11 submittal deadline of July 25, 2013. The 2012 ARDWP has not been received by the
12 Department for the Water System as of the date of this citation.

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14 **Section 116460, CHSC**, specifies that no person shall operate a public water system
15 without an Emergency Notification Plan that has been submitted to and approved by the
16 Department. The request for the 2012 ARDWP also included a requirement for submittal
17 of an updated Emergency Notification Plan due to changes in emergency contact staff at
18 the state and county level. The Department has not received an updated Emergency
19 Notification Plan from the Water System.

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21 The above violations are classified as non-continuing violations.

22 23 **DIRECTIVES**

24 The La Kebrada Restaurant water system is hereby directed to take the following actions:

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26 1. **By September 23, 2013**, the *2012 Annual Report to the Drinking Water Program*
27 shall be completed and submitted electronically as outlined in Attachment A,
reporting operational information for the calendar year ending December 31, 2012.

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2. **By September 23, 2013**, an updated *Emergency Notification Plan* shall be completed using Attachment B and returned to the Department at the following address:

Betsy Lichti, P.E., District Engineer
CDPH Fresno District
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

CIVIL PENALTIES

Sections 116650(d) and 116650(e) of the CHSC allow for the assessment of a civil penalty for failure to comply with requirements of the California Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the Department imposing an administrative penalty of not less than \$100 (one hundred dollars) per day as of the date of violation of any provision of this Citation.

9/13/13
Date

Betsy Lichti
Betsy S. Lichti, P.E.
Senior Sanitary Engineer, Fresno District
DRINKING WATER FIELD OPERATIONS BRANCH

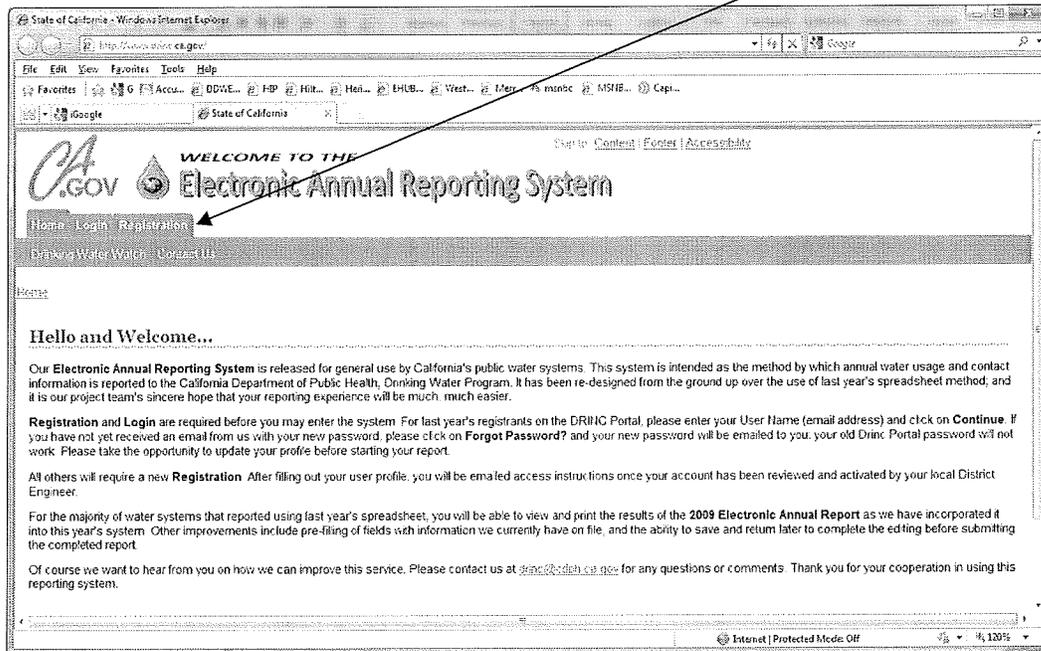


Attachment A: Guidance for Submitting the 2012 Electronic ARDWP
Attachment B: Emergency Notification Plan Template

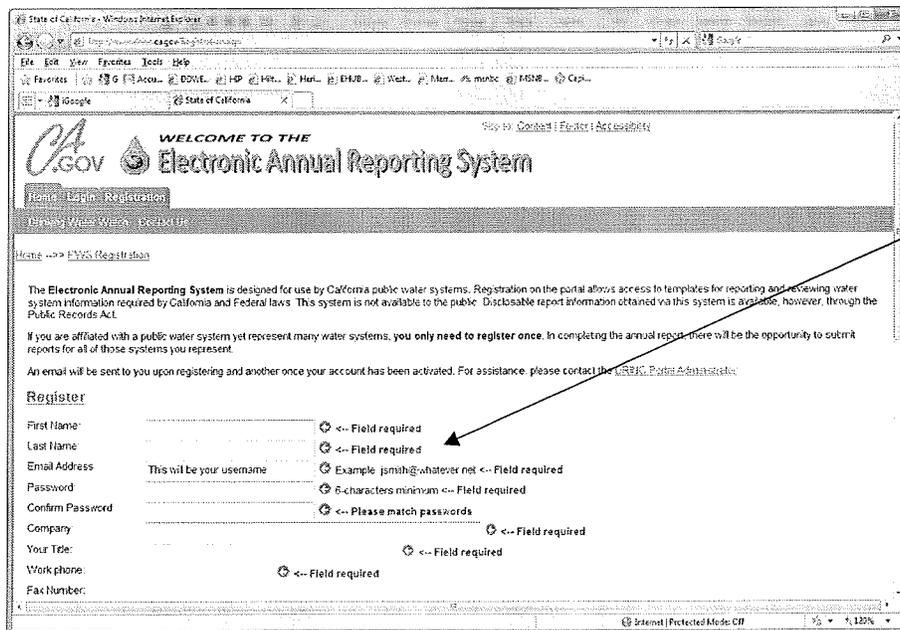
Instructions for Accessing and Submitting the 2012 Electronic Annual Report to the Drinking Water Program

To access the electronic ARDWP on-line page, please go to the *DRINC Portal* at the following link and **Register** (third tab in the upper left of the screen).

<http://www.drinc.ca.gov>

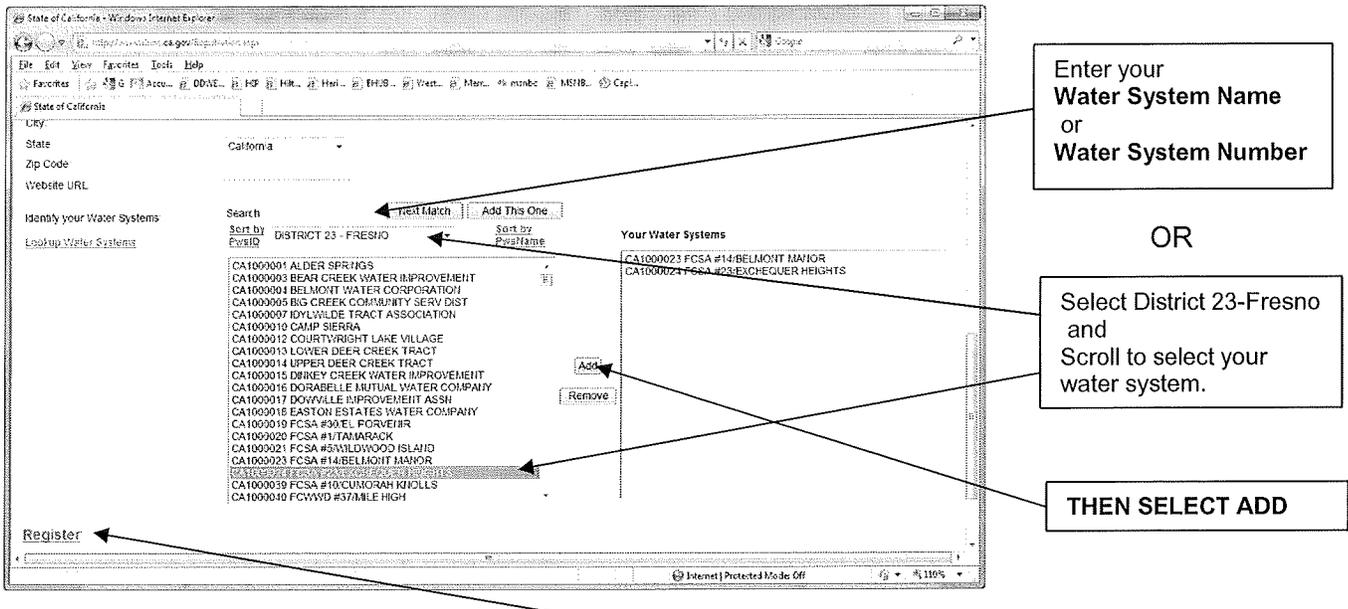


You need only register once to complete reports for multiple systems for which you are responsible. Within 1 to 3 days after you have registered and the CDPH Fresno District has reviewed your registration, you will receive an email to allow you access to make a report for your Public Water System(s).

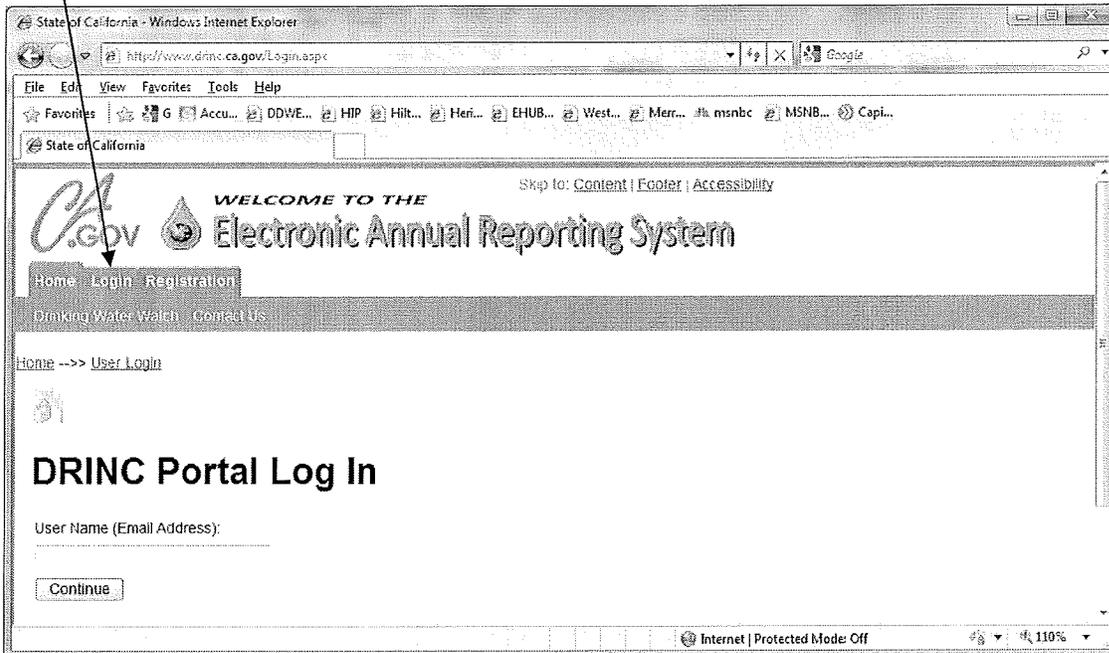


Enter the information requested:
 First name
 Last name
 Email address
 Password
 Etc

To identify your water system, either enter your **water system name** or assigned **system number** (Example: CA1000005) into the box labeled SEARCH, or use the LOOKUP WATER SYSTEM and select **Fresno District 23** from the drop down box. Once you find your water system, click on it so it is highlighted, then click on ADD. It should show up in the box to the right. See the example below, which demonstrates that you may select multiple water system that you may be responsible for submitting a report for.



Once you have selected your water system, click on **REGISTER**. You will receive an email from the DRINC Portal Administrator once the Fresno District Office has approved your registration. You may then go back into the DRINC Portal, **LOGIN** and begin filling in your 2010 ARDWP.



Once you have filled in all of the information required in the 2012 ARDWP, making sure to click "NEXT" after each page, you must click on the **"SUBMIT TO THE DISTRICT ENGINEER"** button on the bottom of the last page of the report. If the report is not successfully submitted, your water system will not receive credit for completion of the 2012 ARDWP.

A confirmation email will be sent to you indicating successful submittal of the electronic 2012 ARDWP.

If you have any questions concerning the information requested on the report form, please contact the CDPH Fresno District Office at (559) 447-3300 or send an email to drinc@cdph.ca.gov.

Those individuals who have registered this year for the 2012 electronic ARDWP will automatically be registered next year and received e-mail notification of the availability of the 2013 ARDWP during March 2014.



RON CHAPMAN, MD, MPH
Director & State Health Officer

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



EDMUND G. BROWN JR.
Governor

System No. _____

WATER QUALITY EMERGENCY NOTIFICATION PLAN

Name of Utility: _____

Physical Location Address: _____

The following persons have been designated to implement the plan upon notification by the State Department of Public Health that an imminent danger to the health of the water users exists:

Water Utility: Contact Name & Title	Email Address	Day	Telephone	
			Evening	Cell
1. _____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____

The implementation of the plan will be carried out with the following State Dept. of Public Health and County Health personnel:

State Department of Public Health: Contact Name & Title	Day	Telephone	
		Evening	Cell
1. Betsy S. Lichti, District Engineer California Department of Public Health	(559) 447-3300	(559) 323-1460 (559) 647-2388	
2. Carl L. Carlucci, Regional Engineer California Department of Public Health	(559) 447-3300	(559) 280-6363	
3. Wayne Fox, Supervising REHS Fresno County Human Services System	(559) 445-3357	(559) 445-3357	

4. If the above personnel cannot be reached, contact:

Office of Emergency Services (24 Hrs.) Ask for "Drinking Water Program, CDPH Duty Officer"	(800) 852-7550 or (916) 845-8911
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NOTIFICATION PLAN

Attach a written description of the method or combination of methods to be used (radio, television, door-to-door, sound truck, etc.) to notify customers in an emergency. For each section of your plan give an estimate of the time required, necessary personnel, estimated coverage, etc. Consideration must be given to special organizations (such as schools), non-English speaking groups, and outlying water users. Ensure that the notification procedures you describe are practical and that you will be able to actually implement them in the event of an emergency. *Guidance and an example* of a notification plan are attached.

Report prepared by:

Signature and Title

Date

Guidance for Preparation of the Emergency Notification Plan

Good planning means having a thought out process that has sufficient detail so it can be implemented as quickly as possible. Also, contact with your local county health department, which regulates commercial food service providers (restaurants), and possibly the Food and Drug Branch of the California Department of Public Health, which regulates food processors, will need to be made. Templates (fill in the blank) for the public notices and instructions can be obtained from our Department's website at

<http://www.cdph.ca.gov/certlic/drinkingwater/Pages/Notices.aspx>

We recommend that the following items be addressed in your plan:

- The names, titles, and phone numbers of the water system personnel who are responsible and authorized to implement the plan. A suggestion would be to include board members and civic organizations that may be available to assist.
- The names and phone number of newspapers, radio stations, TV stations, internet and other electronic media. Also, smaller and transient water systems may be able to use community bulletin boards and the post office.
- If a door-to-door method is used, the plan must specify who and how the notification will be carried out. It is important that the people going door-to-door are coordinated and trained so they distribute copies to the designated areas of the water system. Maps of the specific areas that the notices are to be distributed should be provided to the customers.
- Expect to receive follow-up phone calls and anticipate the questions that will be asked and have written responses for the persons answering the calls so consistent information is given. The persons answering the phones should *not* downplay the importance of the notification.
- Key facilities such as schools, hospitals, health/treatment centers, day care centers, convalescence homes, etc., should be directly notified by phone and/or hand notifications. Apartment and business owners/managers will need to be given sufficient copies and asked to distribute it to their tenants and employees. Your plan should list these facilities along with their contact information.

SAMPLE PLAN ONLY
(Use only the text that applies to your water system)

During regular working hours our people will contact the news media at television station KXYZ to broadcast the necessary warning. The local radio stations will also be contacted. The television and radio personnel are available at all hours. As a follow-up measure, we will also contact the Daily Bee, a local newspaper that serves both Ourtown and Hometown.

The warnings will be issued in both English and Spanish to cover all members of the community. Outlying areas of the water service area (such as Isolated Canyon and Lonesome Mountain subdivisions) will also be notified by sound truck and/or handbill distributed to their respective areas. Both of these areas are very small and this can be done quite quickly.

A special telephone answering service can also be quickly set up at the utility headquarters (using the regular company numbers) to answer questions that will come in from consumers. Questions are anticipated, especially from the Hometown area, because that area is served by three different water companies. A map will be available to the telephone answering personnel to determine the water company serving the caller.

It is anticipated that the time for notification to the television and radio audiences will be very short. The areas served by handbill and sound truck will also be notified within an hour. For notification to be issued in other than normal hours, the same media will be contacted and an announcement will be scheduled for as long as is necessary. A sound truck(s) will be used in the early morning hours to quickly alert the people not listening to their radio or television.