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Director & State Health Officer

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

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EDMUND G. BROWN JR.
Governor

May 28, 2014

Mr. Chris Nowak
Reel In Resort
9495 Konocti Bay Road
Kelseyville, CA 95451

CITATION NO. 02-03-14C-007
PWS NO. 1700604

Enclosed is a citation issued to the Reel In Resort public water system for bacteriological monitoring failures in March 2014. Because this is an enforcement action for noncompliance with State regulations, your water system will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation. You will receive a bill sent from our Fee Billing Unit in Sacramento later this year. This bill will contain fees for any enforcement time spent on your water system.

Please be aware that the citation directives include many of the items discussed during my staff's inspection on May 14, 2014 and that these directives are legally binding. A separate citation will be sent for failure to apply for an amended domestic water supply permit to operate a community water system.

If you have any questions regarding the public notification directives in this citation, please contact Lori Hanson of my staff at (707) 576-2145. If you have questions regarding inspection related directives, please contact Amy Little of my staff at (707) 576-2147.

Sincerely,

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

Enclosures

c: Lake County Environmental Health Department

1700604/Compliance Section #6
02-03-14C-007-1700604-25/LSH

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Reel In Resort

Water System No: 1700604

To: Reel In Resort
9495 Konocti Bay Road
Kelseyville, CA 95451

Issued: May 28, 2014

CITATION FOR NONCOMPLIANCE

March 2014

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

The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a citation to the Reel In Resort (System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64423.1 and 64430.



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 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.



1 CCR, Title 22, Section 64430 and Section 141.402(a)(1) Title 40, Code of
2 Federal Regulations published in November 8, 2006, Federal Register
3 (Vol.71, No. 216) states in relevant part:
4

5 A ground water system must conduct triggered source water monitoring if the
6 system is notified that a sample collected under California Code of Regulations,
7 Title 22, Sections 64422 and 64423 is total coliform-positive and the sample is not
8 invalidated under California Code of Regulations, Title 22, Section 64425.
9

10 CCR, Title 22, Section 64423.1 of the CHSC states in relevant part:
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12 (b) The water supplier shall require the laboratory to notify the supplier within 24
13 hours, whenever the presence of total coliforms, fecal coliforms or *E. coli* is
14 demonstrated in a sample or a sample is invalidated due to interference problems,
15 pursuant to Section 64425(b), and shall ensure that a contact person is available to
16 receive these analytical results 24-hours a day.
17

18 STATEMENT OF FACTS

19 The System collected a routine bacteriological sample on March 27, 2014 as
20 required by Sections 64422 and 64423. This sample was analyzed by a
21 certified laboratory and found to be total coliform positive and *Escherichia*
22 *coli* (*E. coli*) positive. The System notified the Department on April 4, 2014
23 that it had just received laboratory notification that a sample was positive.
24 Four repeat samples were collected on April 4, 2014. All repeats were
25 analyzed and found to be total coliform and *E. coli* absent. In addition to
26 repeat samples, and pursuant to Section 64430, the System is required to
27 collect a triggered source sample from each well in use at the time the



1 positive routine sample was collected. The source sample was collected on
2 April 15, 2014.

3
4 The Department performed an inspection of the water system on May 14,
5 2014. The Department found that Well 01, the only water source for the
6 system was inadequately secured and had open holes in the well cap.
7 Department staff also found that no well log was available for the well, but
8 the well was reported to be 40 feet deep with an estimated annular seal
9 depth of 20 feet. The well is approximately 3 to 5 feet to either side of a RV
10 trailer/manufactured home, providing an inadequate zone of well head
11 protection.
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14 The Department staff also found that there was a secondary non-potable
15 water irrigation supply system from Clearlake that was used to maintain the
16 lawn and gardens. It was unknown if the potable and non-potable water
17 systems are interconnected. The water system also had inadequate storage
18 capacity and the sodium hypochlorite storage container being utilized was
19 not designed for containment of drinking water chemicals.
20

21
22 The water system is currently classified as a transient water system based
23 on correspondence from the water system in December 1999. The water
24 system has a total of 60 service connections. During the inspection, it was
25 observed that the water system serves at least 15 service connections used
26 by yearlong residences and/or at least 25 or more yearlong residents. A
27 separate citation is being issued regarding this violation.



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DETERMINATIONS

The Department has determined that the System violated Title 22 of the CCR, Sections 64423.1 and 64430, in that the System failed to ensure that the laboratory contacted the System and/or that someone was available to receive the bacteriological reports within 24-hours. The System also failed to collect the required number of triggered source water samples.

DIRECTIVES

Reel In Resort is hereby directed to take the following actions:

1. Comply with Sections 64423.1 and 64430, Title 22, of the CCR in all future monitoring periods.

2. Notify all persons served by the System of the failure to sample, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR, and as follows:
 - a) Completion of Attachment A to include the name, address, and telephone number of a System representative 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 Attachment A for this written description.**



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b) Post 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 System. Posting must begin no later than **June 28, 2014** and must continue for seven days.

c) Publish the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in a local newspaper of general circulation in the area served by the System (or weekly newspaper if no daily paper is available) for one day. The publication in a local newspaper must be completed by **June 28, 2014**.

3. The System shall complete the attached Compliance Certification form and return it to the Department within 10 days of the public notice being given to system customers but in no case later than **July 8, 2014**. **A copy of the notice published in the newspaper and a copy of the notice posted within the water system must be attached to the form.**

4. The System shall correct the Well 01 construction such that it is secure from unauthorized tampering, the top plate of the well is water tight and does not have holes, and a screened inverted “U” vent is installed to prevent failure of the well. Photographic evidence that

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these items have been completed shall be submitted to the Department by **June 30, 2014**.

5. The System shall perform a thorough inspection of the wastewater laterals from the homes within a 50-foot radius of the well. Photographic evidence that all wastewater laterals were unearthed and found not to be leaking shall be submitted to the Department by **July 30, 2014**. If laterals are found to be leaking the laterals must be immediately repaired and the Department shall be notified within 24-hours.

6. The System shall begin measuring the well source, Well 01, for bacteriological water quality prior to any treatment on a quarterly basis. The results of the sampling shall be submitted to the Department by the 10th day of the following month. The System shall instruct the laboratory to contact a water system representative within 24 hours of any *E. coli* positive sample. The System shall contact the Department within 24 hours if there is an *E. coli* positive sample. The first quarterly bacteriological sample shall be collected by **June 30, 2014**.

7. The water system shall submit a new bacteriological site sampling plan by **July 1, 2014**, which includes monthly monitoring of the distribution system. The System shall instruct the laboratory to contact the water system immediately of any total coliform or *E. coli*

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positive distribution sample. A representative from the System must be available to receive these bacteriological reports. The System shall contact the Department immediately if there is an *E. coli* positive sample in the distribution system. Sampling in accordance with the new plan shall begin during the month of July 2014.

- 8. A cross connection survey inspection must be completed by the Water System. The survey shall be performed by a cross connection control specialist certified by the California-Nevada section of the American Water Works Association. The survey must include a pressure test of the distribution to ensure that the water systems do not overlap. A written report documenting the results of the survey shall be submitted to the Department for approval by **August 15, 2014.**

The Water System shall implement the recommendations of the approved survey within three months of receipt of the report. In the interim, the pressure of the domestic water system must be immediately raised to a minimum of 55 pounds per square inch (psi) to ensure that the pressure of the potable water system is higher than that of the non-potable water system at all times.

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9. Sodium hypochlorite disinfection of the water shall be required at all times, unless otherwise directed by the Department. A chlorine residual of at least 0.5 milligrams per liter (mg/L) shall be maintained at all times throughout all the distribution system as of the effective date of this citation. Dosage calculations of the sodium hypochlorite injected into the water shall be performed at least weekly and maintained for Department review for a period of at least three years. The trash can that currently stores sodium hypochlorite solution shall be replaced with a National Sanitation Foundation Standard 61 (NSF-61) approved chemical crock by **August 29, 2014**.

10. Water storage shall be added to the System to allow for additional chlorine contact time. At minimum, a 500 gallons water storage tank shall be installed in the distribution system prior to any service connections. The water storage tank shall be constructed of a material that is NSF-61 approved. Photographic evidence that at least 500 gallons of water storage has been added prior to the first connection shall be submitted to the Department by **August 29, 2014**.

The Department reserves the right to make such modifications to this Citation, as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance. Nothing in this Citation relieves the System of

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its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

All submittals required by this Citation shall be submitted to the Department at the following address:

Michelle F. Frederick, P.E.
Department of Public Health
Drinking Water Program
50 D Street, Suite 200
Santa Rosa, CA 95404

PARTIES BOUND

This Citation shall apply to and be binding upon the 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 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 the 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.

Michelle F. Frederick

May 28, 2014

Michelle F. Frederick, P.E.
Mendocino District Engineer
Drinking Water Program

Date



Attachments

Certified Mail No. 7012 2210 0002 1673 6277



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COMPLIANCE CERTIFICATION

Citation Number 02-03-14C-007

Name of Water System: **Reel In Resort**

System Number: **1700604**

Certification

I certify that the users of the water supplied by this water system were notified of the violation(s) of Title 22, California Code of Regulations (CCR) for the compliance period of March 2014.

Required Action

Date Completed

Complete Attachment A, as required by Directive 2(a)

Public Notification – Continuous Posting for 7 Days

Public Notification – Newspaper

Signature of Water System Representative

Date

Attach a copy of the notice posted within the water system and a copy of the notice published in the newspaper.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT
NO LATER THAN JULY 8, 2014**

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 información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Reel In Resort Failed to Perform Follow up Testing Within 24 Hours -- March 2014

Our water system failed to perform follow up testing within 24 hours on our drinking water during March 2014, after a routine water sample was tested and found to contain coliform and *Escherichia coli* (*E. coli*) bacteria. 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 indication of whether or not the drinking water meets health standards. On March 27, 2014 our routine distribution system water sample tested positive for coliform bacteria, including *E. coli*. We are required to have the laboratory notify us of any total coliform or *E. coli* positive sample in our distribution within 24-hours. The laboratory did not notify the water system until April 4, 2014. Eight follow-up water samples were collected April 4, 2014 and one well sample was collected on April 15, 2014. The results of all the follow-up samples showed no total coliform or *E. coli* in the water system.

What does this mean?

Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If water is tested for coliform bacteria and it is found to be absent, the water can be considered safe from bacteria. If the water is not tested, consumption of the water may not necessarily result in illness, but that possibility exists. Routine and repeat sampling is important to periodically verify the quality of drinking water. Our failure to perform timely follow-up sampling during March 2014 was a violation of Sections 64423.1 and 64430, 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.

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)

(phone number)