



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

July 29, 2016

Twin Creeks Mobile and RV Village
c/o Janice Nishioka, owner
5405 Alton Parkway Ste. A207
Irvine, CA 92604

CITATION NO. 02_03_16C_024 FOR TWIN CREEKS MOBILE AND RV VILLAGE PUBLIC WATER SYSTEM ID #1700580 OPERATOR CERTIFICATION

Dear Ms. Nishioka;

Enclosed is a citation issued to Twin Creeks Mobile and RV Village (System) public water system for failure to comply with treatment and distribution operator requirements. Because this is an enforcement action for noncompliance with State regulations, the System will be billed at the Division's hourly rate (currently estimated at \$160.00) for the time spent issuing this citation.

If you have any questions regarding this matter, please contact Hector Cazares or me at (707) 576-2145.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sheri K. Miller".

Sheri K. Miller, P.E.
Senior Sanitary Engineer
Mendocino District Field Operations

Enclosure: Citation No. 02-03-16C-024-1700580-OP

c: Lake County Environmental Health

1700580/Compliance4 File
02-03-16C-024-1700580--OPCoverLtr.doc/HIC

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

50 D Street, Suite 200, Santa Rosa, CA 95404 | www.waterboards.ca.gov

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Twin Creeks Mobile and RV Village

Water System Number: 1700580

To: Twin Creeks Mobile Home and RV Village
5405 Alton Parkway, Ste. A207
Irvine, CA 92604

Attn: Janice Nishioka, owner

Issued: July 29, 2016

CITATION FOR NONCOMPLIANCE
FAILURE TO COMPLY WITH SECTION 116555
of the CALIFORNIA HEALTH AND SAFETY CODE
Operator Certification

The State of California Water Resources Control Board, Division of Drinking Water (herein after "Division") hereby issues a citation to the Twin Creeks Mobile and RV Village (herein after "System") for failure to comply with Chapter 4, Article 7, Section 116555 of Part 12 of Division 104 of the California Health and Safety Code (CHSC).



1 Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the CHSC,
2 authorizes the issuance of a citation for failure to comply with a requirement of
3 Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit
4 or order issued thereunder. A copy of the *Applicable Statutes and Regulations* is
5 located in Appendix 3, which is attached hereto and incorporated by reference.

6
7

STATEMENT OF FACTS

8 The Twin Creeks Mobile and RV Village is classified as a community water system
9 serving 17 connections and an estimated population of 50, located at 8130 Highway
10 53 in Lower Lake, California. The treatment plant classification is T1 and the
11 distribution system classification is D1. In accordance with Section 116555 of the
12 CHSC, the System must contract with a minimum T1 and D1 certified operator.

13

14 On March 15, 2016 the Division conducted a routine inspection of the System
15 facilities. The inspection letter, dated April 13, 2016, contained the following, "In order
16 to assure that all operator certification regulations stated under Title 22, Chapter 13 of
17 the California Code of Regulations, are being met, the Division is requesting that a
18 copy of the System's operating contract with Kit Larsen and Leif Larsen be
19 submitted".

20

21

DETERMINATIONS

22 The Division has determined that the System failed to comply with the California Safe
23 Drinking Water Act, Section 116555, Chapter 4, Article 7 of Part 12 of Division 104 of
24 the CHSC by 1) not employing or utilizing only water treatment operators that have
25 been certified by the department at the appropriate grade, 2) not employing or utilizing
26 only water distribution system operators who have been certified by the department at
27 the appropriate grade for positions in responsible charge of the distribution system,

1 and 3) placing the direct supervision of the water system, including water treatment
2 plants, water distribution systems, or both under the responsible charge of an
3 operator or operators holding a valid certification equal to or greater than the
4 classification of the treatment plant and the distribution system.

5
6 **DIRECTIVES**

7 The Twin Creeks Mobile and RV Village is hereby directed to take the following
8 actions:

- 9
- 10 1. Cease violating the requirements of Section 116555 of the CHSC. Specifically,
11 the System shall employ or contract with a certified operator at the appropriate
12 grade to be in responsible charge of the public water system. The System shall
13 submit a copy of a contract with a T1 and D1 certified operator to the Division by
14 **September 30, 2016.**
 - 15
 - 16 2. The System shall include this violation in the 2016 Consumer Confidence Report
17 under the Section "Summary Information for Violations of a MCL, MRDL, AL, TT,
18 or Monitoring and Reporting Requirement".
19

20 The Division reserves the right to make such modifications to this Citation as it may
21 deem necessary to protect public health and safety. Such modifications may be
22 issued as amendments to this Citation, and shall be deemed effective upon issuance.

23
24 Nothing in this Citation relieves the System of its obligation to meet the requirements
25 of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4,
26 commencing with Section 116270), or of any regulation, permit, standard, or order
27 issued or adopted thereunder.

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

SWRCB - Division of Drinking Water
Attn: Sheri Miller, P.E.
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, shareholders, 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 other 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 Division of Drinking Water 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 laws or regulations or has failed to comply with orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

[Handwritten signature]

July 29, 2016

Sheri K. Miller, P.E., District Engineer
Division of Drinking Water, Mendocino District
STATE WATER RESOURCES CONTROL BOARD

Date

Appendices: 1. Applicable Statutes and Regulations

Certified Mail No. 70150640000717887553



1700580/Compliance (4)/02-03-16C-024- OP/HIC

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS

FOR CITATION NO. 02-03-16C-024

Note: The Department referenced below, formerly the California Department of Public Health, Drinking Water Program, now refers to the State Water Resources Control Board, Division of Drinking Water. The Drinking Water Program moved to the State Water Resources Control Board on July 1, 2014.

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.

Section 116625 of the CHSC states, in relevant part:

- (a) The department, after a hearing noticed and conducted as provided in Section 100171, may suspend or revoke any permit issued pursuant to this chapter if the department determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permit at issue has been temporarily suspended pursuant to subdivision (c), the accusation shall be served and notice of the hearing data given within 15 days of the effective date of the temporary suspension order. The commencement of the hearing shall be as soon as practicable, but in no case later than 60 days after the effective date of the temporary suspension order.

OPERATOR CERTIFICATION REQUIREMENT

Section 116555 of the CHSC states, in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
- (1) Complies with primary and secondary drinking water standards.
 - (2) Will not be subject to backflow under normal operating conditions.
 - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.
 - (4) Employs or utilizes only water treatment operators or water treatment operators-in-training that have been certified by the department at the appropriate grade.
 - (5) Complies with the operator certification program established pursuant to Chapter 4 (commencing with Section 106875).
- (b) Any person who owns a community water system or a nontransient noncommunity water system shall do all of the following:
- (1) Employ or utilize only water distribution system operators who have been certified by the department at the appropriate grade for positions in responsible charge of the distribution system.
 - (2) Place the direct supervision of the water system, including water treatment plants, water distribution systems, or both under the responsible charge of an operator or operators holding a valid certification equal to or greater than the classification of the treatment plant and the distribution system.