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Director & State Health Officer

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

DRINKING WATER FIELD OPERATIONS BRANCH
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EDMUND G. BROWN JR.
Governor

November 15, 2012

Ms. Melissa Fulton
Caspar Beach RV Park
14441 Point Cabrillo Drive
Mendocino, CA 95460

Dear Ms. Fulton:

Enclosed is a citation issued to the Caspar Beach RV Park (Water System). The citation is being issued because the Water System failed to comply with the quarterly bacteriological monitoring requirement as specified in Section 64423, Title 22 of the California Code of Regulations during the third calendar quarter of 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. To date we have spent approximately 1.5 hour on enforcement activities associated with this violation. 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. 02-03-12C025-2300736-1211-23

2300736/Compliance Section 6/02-03-12C025-2300736-1211-23/LSH

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Citation No. 02-03-12C025-2300736-1211-23

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: CASPAR BEACH RV PARK

Water System No: 2300736

To: CASPAR BEACH RV PARK
14441 Point Cabrillo Road
Mendocino, CA 95460

Issued: November 15, 2012

**CITATION FOR NONCOMPLIANCE WITH SECTIONS 64423 AND
64423.1, TITLE 22, OF THE CALIFORNIA CODE OF REGULATIONS**

TOTAL COLIFORM MONITORING AND REPORTING VIOLATION

Third Calendar Quarter 2012

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:



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(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 California Code of Regulations (CCR), Title 22, Section 64423(a) states in
2 relevant part:

3
4 The minimum number of samples for a transient-noncommunity water system using
5 groundwater and serving 1000 or fewer persons a month shall be one in each
6 calendar quarter during which the system provides water to the public.

7
8 CCR, Title 22, Section 64423.1 states in relevant part:

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

12
13 **STATEMENT OF FACTS**

14 Section 64423(a) specifies that each water supplier shall collect routine
15 bacteriological water samples based on the classification of the water
16 system, the source of water, the known population served or the total
17 number of service connections. CASPAR BEACH RV PARK (Water
18 System) is required to collect one routine water sample from its distribution
19 during each calendar quarter. As of the date of this citation, the Division of
20 Drinking Water and Environmental Management of the Department of
21 Public Health (Department) has not received any bacteriological results for a
22 sample collected from the Water System's distribution system in the third
23 calendar quarter of 2012.

24 **DETERMINATIONS**

25 The Department has determined that the failure to collect and report a
26 quarterly bacteriological sample from the distribution system during the
27 Third Calendar Quarter 2012 is a violation of Sections 64423 and 64423.1,
Title 22 of the CCR. The Department hereby issues a citation to the Water



1 System for failure to comply with Sections 64423 and 64423.1, Title 22, of
2 the California Code of Regulations. Specifically, the Water System failed to
3 collect and report the required number of bacteriological water samples
4 during the third calendar quarter of 2012.

5
6 **DIRECTIVES**

7 CASPAR BEACH RV PARK is hereby directed to take the following actions:

- 8
- 9 1. Comply with Sections 64423 and 64423.1, Title 22, of the CCR in all
10 future monitoring periods.

 - 11 2. Notify all persons served by the Water System of the failure to
12 sample, in conformance with Section 64463.4 and Section 64465,
13 Title 22 of the CCR. Notification must be completed in accordance
14 with each of the following:
15
 - 16 a) Completion of Attachment A to include the name, address, and
17 telephone number of a water system representative as a source
18 of additional information concerning the public notice. **You must**
19 **also give a legible, written description (preferably typed) of**
20 **the corrective actions taken by the water system to prevent**
21 **this violation from occurring in the future. You must use the**
22 **space provided on Attachment A for this written description.**

 - 23 b) By continuous posting of the notice contained in Attachment A,
24 **after it has been completed in accordance with (a) above,** in
25 conspicuous locations throughout the area served by the Water
26 System. Posting must begin no later than **December 15, 2012**
27 and must continue for seven days.



1 c) By publication of the notice contained in Attachment A, **after it**
2 **has been completed in accordance with (a) above**, in a local
3 newspaper. This notice must be published for one day. The
4 publication in a local newspaper must be completed by
5 **December 20, 2012**.

6
7 d) The water system must provide public notice for this violation in
8 accordance with Section 64465(c), Title 22 of the CCR. This
9 section requires that each public notice given pursuant to this
10 article shall contain information in Spanish regarding the
11 importance of the notice, or contain a telephone number or
12 address where Spanish-speaking residents may contact the
13 water system to obtain a translated copy of the public notice or
14 assistance in Spanish. In addition, Section 64465(c) also
15 requires for each non-English speaking group that exceeds 1,000
16 residents or 10% of the residents in a community (whichever is
17 less), the public notice must contain information in the
18 appropriate language(s) regarding the importance of the notice,
19 or it must contain a telephone number or address where such
20 residents may contact the water system to receive a translated
21 copy of the notice or to receive assistance in the appropriate
22 language. The Spanish language requirement is already
23 included in the notice attached to this citation, Attachment A.

24 3. This Water System shall collect one bacteriological water sample per
25 month from the distribution system for the next three consecutive
26 months. Specifically, one bacteriological water sample must be
27 collected in each of the following three months: **November 2012,**
December 2012, and January 2013. The results of these samples
must be submitted directly to this Department by the analytical



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laboratory, and they must be received no later than the tenth day of the month following sampling.

4. A representative of CASPAR BEACH RV PARK shall complete the attached Compliance Certification form and return it to the Department by **December 28, 2012. 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.**

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

Michelle Floyd Frederick, P.E.
Department of Public Health
Drinking Water Field Operations Branch
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 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.

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

November 15, 2012
Date

Attachments
Certified Mail No. 7011 2000 0001 1918 4928



2300736/Section 6
02-03-12C025-2300736-1211-23/LSH

COMPLIANCE CERTIFICATION

Citation Number 02-03-12C025-2300736-1211-23

Name of Water System: **CASPAR BEACH RV PARK**

System Number: **2300736**

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 Total Coliform violations of Title 22, California Code of Regulations (CCR) for the compliance period of the third calendar quarter of 2012. In addition, I certify that the **CASPAR BEACH RV PARK** 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 - Continuous Posting for 7 days	
Public Notification – Newspaper Publication	

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 December 28, 2012**

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.

CASPAR BEACH RV PARK Failed to Test for Coliform Bacteria -- Third Calendar Quarter 2012

Our water system failed to test the drinking water for coliform bacteria during the third calendar quarter 2012 (July/August/September 2012). 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. During the third calendar quarter of 2012 we did not test for coliform bacteria, and therefore cannot be sure of the quality of the drinking water during that time.

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 sampling and follow up sampling are important to periodically verify the water quality. Our failure to test the drinking water for bacteria during the third calendar quarter of 2012 was a violation of Section 64423, 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 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)

 (phone number)