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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

May 27, 2014

Debbie and Dan Dunston
Vagabond Village Mobile Home Park
32850 Mill Creek Drive
Fort Bragg, CA 95437

CITATION NO. 02-03-14C-004
NITRATE MONITORING AND REPORTING VIOLATION

Enclosed is a citation issued to the Vagabond Village Mobile Home Park (System), public water system number 2300634, for failing to sample for nitrate in the 4th quarter of 2013. Also enclosed is Attachment A. This enclosure contains the language required to notify the public.

Because this is an enforcement action for noncompliance with State regulations, your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent issuing this citation. You will receive a bill for these fees sent from our Fee Billing Unit in Sacramento later this year.

If you have any questions regarding this matter, please contact Lori Hanson of my staff at (707) 576-2145.

Sincerely,

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

Enclosures

c: Ryan Whitaker
1020 E. Alder
Fort Bragg, CA 95437

Mendocino County Environmental Health Department

2300634/Compliance #4
Citation 02-03-14C-004-2300634-003/LSH

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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Public Water System: Vagabond Village Mobile Home Park

Water System Number: 2300634

To: Vagabond Village Mobile Home Park
32850 Mill Creek Drive
Fort Bragg, CA 95437

Issue Date: May 27, 2014

CITATION FOR NON-COMPLIANCE
Section 64432.1, Title 22, California Code of Regulations
Monitoring and Reporting Violation for Nitrate
Fourth Quarter 2013

Chapter 4, Article 9, Section 116550 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.

The Division of Drinking Water and Environmental Management of the California Department of Public Health (Department) hereby issues a citation to Vagabond

1 Village Mobile Home Park (System) for failure to comply with Title 22, California
2 Code of Regulations (CCR) Section 64432.1.

3
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states in relevant part:

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7 (a) If the department determines that a public water system is in violation of this
8 chapter or any regulation, permit, standard, citation, or order issued or
9 adopted thereunder, the department may issue a citation to the public water
10 system. The citation shall be served upon the public water system
11 personally or by certified mail. Service shall be deemed effective as of the
12 date of personal service or the date of receipt of the certified mail. If a
13 person to whom a citation is directed refuses to accept delivery of the
14 certified mail, the date of service shall be deemed to be the date of mailing.

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

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20 (c) A citation may specify a date for elimination or correction of the condition
21 constituting the violation.

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23 (d) A citation may include the assessment of a penalty as specified in
24 subdivision (e).

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26 (e) The department may assess a penalty in an amount not to exceed one
27 thousand dollars (\$1,000) per day for each day that a violation occurred,

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and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations Section 64432.1(2) states:

For public water systems using groundwater, the repeat monitoring frequency shall be quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than the MCL, a system may request that the Department reduce monitoring frequency to annual sampling.

California Code of Regulations Section 64469 states in relevant part:

- (a) Analytical results of all sample analyses completed in a calendar month shall be reported to the Department no later than the tenth day of the following month.
- (c) Analytical results shall be reported to the Department electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.

STATEMENT OF FACTS

The Vagabond Village Mobile Home Park is required to monitor the groundwater source Well 02 for nitrate in every calendar quarter, in accordance with Section 64432.1(2). To date, the Department has not received any laboratory results for a nitrate sample collected in the fourth quarter of 2013 for the Vagabond Village Mobile Home Park.

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DETERMINATIONS

The Department has determined that the Vagabond Village Mobile Home Park is in violation of Section 64432.1(2), Title 22, of the CCR, because the System failed to perform nitrate monitoring in the fourth calendar quarter of 2013.

DIRECTIVES

The Vagabond Village Mobile Home Park is hereby directed to take the following actions:

1. Comply with Section 64432.1 and 64469, Title 22, of the California Code of Regulations in all future monitoring periods.
2. Notify all persons served by the System of the nitrate monitoring 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 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 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. Provide the notice by mail or direct delivery, **after it has been completed in accordance with (a) above**, to each customer or service connection served by the Water System no later than **June 27, 2014**. The water

1 system may supplement its consumer confidence report with Attachment
2 A, in lieu of mail or direct delivery.

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4 c. By publication of the notice contained in Attachment A, **after it has been**
5 **completed in accordance with (a) above**, in a local newspaper of
6 general circulation in the area served by the System (or weekly
7 newspaper if no daily paper is available). This notice must be published
8 for one day. The publication in a local newspaper must be completed by
9 **June 27, 2014**.

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

1 3. A representative of the System shall complete the enclosed Compliance
2 Certification form and return it to the Department by **July 7, 2014**. A copy of the
3 notice delivered to customers and a copy of the newspaper publication must be
4 attached to the Compliance Certification Form.

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

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Michelle F. Frederick, P.E., District Engineer
Mendocino District
Drinking Water Field Operations Branch
50 D Street, Suite 200
Santa Rosa, CA 95404

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

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PARTIES BOUND

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

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SEVERABILITY

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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 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 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 27, 2014

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

Date

Certified Mail No. 70101870 000059270212



2300634/Compliance File #4
02-03-13C-004/LSH

COMPLIANCE CERTIFICATION

Citation Number : 02-03-14C-004

Name of Water System: **Vagabond Village Mobile Home Park**

System Number: **2300634**

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. In addition, I certify that Vagabond Village Mobile Home Park complied with the directives of this citation as indicated below:

Required Action	Date Completed
Complete Attachment A, as required in Directive 2(a)	<input type="text"/>
Public Notification – Mail or Direct Delivery of Attachment A	<input type="text"/>
Public Notification – Newspaper	<input type="text"/>
<hr style="width: 30%; margin-left: 0;"/>	<hr style="width: 30%; margin-left: 0;"/>
Signature of Water System Representative	Date

Attach a copy of the notice published in the newspaper and a copy of the notice delivered to the customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN July 7, 2014
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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.

Attachment A

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.

Vagabond Village Mobile Home Park Failed to Sample for Nitrate

Our water system failed to monitor for nitrate in the fourth quarter of 2013, as required by the California Code of Regulations.

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 should I do?

You do not need to take any corrective actions at this time. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on regulated contaminants in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened?

We are required by state regulations to monitor our drinking water for nitrate every calendar quarter. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. We did not test for nitrate during the fourth quarter of 2013 and, therefore, cannot be sure of the quality of the drinking water at that time.

What does this mean?

Infants below the age of six months who drink water containing nitrate in excess of the maximum level allowed by the regulations may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.

What corrective actions have been taken by the Vagabond Village Mobile Home Park 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)*

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 **Vagabond Village Mobile Home Park** [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).

PUBLIC WATER SYSTEM NO. 2300634

Date: _____