

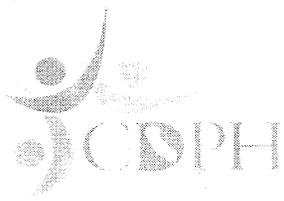
State of California—Health and Human Services Agency  
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

50 D STREET, SUITE 200, SANTA ROSA, CA 95404

PHONE: (707) 576-2145 / FAX: (707) 576-2722

INTERNET ADDRESS: [www.cdph.ca.gov](http://www.cdph.ca.gov)



Ron Chapman, MD, MPH  
Director



EDMUND G. BROWN JR.  
Governor

November 19, 2012

Water System No. 4901357

Rachelle Mercer  
Rivers Edge Kayak & Canoe Trips  
13840 Healdsburg Avenue  
Healdsburg, CA 95448

**RE: CITATION NO. 02-18-12C-047- MONITORING AND REPORTING VIOLATION  
FOR SEPTEMBER 2012**

Enclosed is a Citation issued to the Rivers Edge Kayak & Canoe Trips (System) water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation.

You will receive a bill sent from our Fee Billing Unit in Sacramento by August 1, 2013. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact Cindi Lee of my staff at (707) 576-2422 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E.  
Sonoma District Engineer  
Drinking Water Field Operations Branch

Enclosure



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** River's Edge Kayak & Canoe Trips  
**Water System No:** 4901357

**To:** River's Edge Kayak & Canoe Trips  
13840 Healdsburg Avenue  
Healdsburg, CA 95448

**Issued:** November 19, 2012

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

**TOTAL COLIFORM MONITORING AND REPORTING VIOLATION  
September 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 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.

The Division of Drinking Water and Environmental Management of the California Department of Public Health (Department) hereby issues a citation to River's Edge Kayak & Canoe Trips (System) for failure to comply



1 with Title 22, California Code of Regulations (CCR) Sections 64423 and  
2 64423.1.

3 **APPLICABLE AUTHORITIES**

4  
5 Section 116650 of the CHSC states in relevant part:

6  
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 adopted  
9 thereunder, the department may issue a citation to the public water system. The  
10 citation shall be served upon the public water system personally or by certified mail.  
11 Service shall be deemed effective as of the date of personal service or the date of  
12 receipt of the certified mail. If a person to whom a citation is directed refuses to  
13 accept delivery of the certified mail, the date of service shall be deemed to be the  
14 date of mailing.

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

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

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

22  
23  
24 (e) The department may assess a penalty in an amount not to exceed one thousand  
25 dollars (\$1,000) per day for each day that a violation occurred, and for each day that  
26 a violation continues to occur. A separate penalty may be assessed for each  
27 violation.



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

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

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

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

### STATEMENT OF FACTS

The System is required to collect one routine water sample from its distribution system during each month of operation in accordance with CCR, Title 22, Section 64423(a). As of the date of this citation, the Department has not received any bacteriological results for a sample collected from the System's distribution system in September 2012.

### DETERMINATIONS

The Department has determined that the System violated Title 22, CCR, Sections 64423 and 64423.1 due to failing to collect and report a quarterly bacteriological sample from the distribution system during September 2012.



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**PENALTIES PURSUANT TO HEALTH AND SAFETY CODE SECTION  
116650**

The Department hereby assesses upon the System a penalty in the amount of \$100.00. Directions for paying this penalty are included in Directive 4 of this citation.

**VIOLATION HISTORY**

This is the second violation of Sections 64423 and 64423.1, Title 22 of the CCR by this water system within a twelve month period of time. The System was issued Citation No. 02-18-12C-040 by the Department on September 25, 2012 for failure to collect a routine bacteriological water sample in July 2012.

**DIRECTIVES**

The System is hereby directed to take the following actions:

1. Comply with Title 22, CCR, Sections 64423 and 64423.1 in all future monitoring periods.
2. Notify in conformance with Title 22, CCR, Sections 64463.4 and Section 64465 all persons served by the Water System of the failure to sample. 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 water system representative as a source of additional information concerning the public notice. **You must**



1           **also give a legible, written description (preferably typed) of**  
2           **the corrective actions taken by the water system to prevent**  
3           **this violation from occurring in the future. You must use the**  
4           **space provided on Attachment A for this written description.**

- 5
- 6           b) By publication of the notice contained in Attachment A, **after it**  
7           **has been completed in accordance with (a) above**, in a local  
8           newspaper. This notice must be published for one day. The  
9           publication in a local newspaper or distribution of a newsletter  
10           must be completed by **December 21, 2012**.
- 11           c) The water system must provide public notice for this violation in  
12           accordance with Section 64465(c), Title 22 of the CCR. This  
13           section requires that each public notice given pursuant to this  
14           article shall contain information in Spanish regarding the  
15           importance of the notice, or contain a telephone number or  
16           address where Spanish-speaking residents may contact the  
17           water system to obtain a translated copy of the public notice or  
18           assistance in Spanish. In addition, Section 64465(c) also  
19           requires for each non-English speaking group that exceeds 1,000  
20           residents or 10% of the residents in a community (whichever is  
21           less), the public notice must contain information in the  
22           appropriate language(s) regarding the importance of the notice,  
23           or it must contain a telephone number or address where such  
24           residents may contact the water system to receive a translated  
25           copy of the notice or to receive assistance in the appropriate  
26           language. The Spanish language requirement is already  
27           included in the notice attached to this citation, Attachment A.



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3. A representative of River's Edge Kayak & Canoe Trips 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 must be attached to the form.**

4. Submit to the Department by **December 28, 2012**, a check for the penalty of \$100.00 imposed by this Citation and a copy of the form which is attached hereto entitled "Notice of Citation Issuance." The Citation number shall be written on the check and the check made payable to the **California Department of Public Health Safe Drinking Water Account** and submitted to:

Department of Public Health  
Drinking Water Program – Fee Billing Unit  
P.O. Box 997379, MS 7406  
Sacramento, CA 95899-7379  
ATTN: Perin Peebles

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.

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

Janice M. Thomas, P.E.  
Department of Public Health  
Drinking Water Field Operations Branch  
50 D Street – Suite 200  
Santa Rosa, CA 95404

By issuance of this Citation, the Department does not waive any right to take additional or alternative enforcement action against the System including, but not limited to, assessment of additional penalties as authorized by law.

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Failure to comply with any provision of this citation, including payment of assessed penalty, may result in the Department imposing a civil penalty of up to two hundred dollars (\$200.00) per day as of the date of violation of the provision.

**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 System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Stefan Cajina, P.E., Chief  
North Coastal Section  
Drinking Water Field Operations Branch

Nov. 19, 2012

Date

**Attachments**

Certified Mail No. 7012 1010 0000 3984 0378

4901357/Section 6  
02-18-12C-047/CEL



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**COMPLIANCE CERTIFICATION**

**Citation Number 02-18-12C-047**

Name of Water System: **River's Edge Kayak & Canoe Trips**

System Number: **4901357**

**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 monitoring and reporting violations of 64423 and 64423.1, Title 22, California Code of Regulations (CCR) for the compliance period of September 2012. In addition, I certify that **River's Edge Kayak & Canoe Trips** 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)	<input type="text"/>
Public Notification – Newspaper Publication	<input type="text"/>

_____	_____
Signature of Water System Representative	Date

**Attach 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.

**River's Edge Kayak & Canoe Trips Failed to Test for Coliform Bacteria in September 2012**

Our water system failed to test the drinking water for coliform bacteria during Septeber 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. We did not test for coliform bacteria during September 2012 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 September 2012 was a violation of Section 64423, Title 22 of the California Code of Regulations (CCR).

**What should I do?** 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)*

**STATE OF CALIFORNIA  
DRINKING WATER FIELD OPERATIONS BRANCH  
DEPARTMENT OF PUBLIC HEALTH**

**Notice of Citation Issuance**

System Name: River's Edge Kayak & Canoe Trips

System Number: 4901357

**Background Statement**

During the month of September 2012, the Division of Drinking Water and Environmental Management issued Citation Number 02-18-12C-047 to River's Edge Kayak & Canoe Trips. The citation carried a civil penalty in the amount of **\$100.00**.

**Method of Payment**

A check for the total amount of the civil penalty and a copy of this form shall be submitted to the Department by **December 28, 2012**. The citation number shall be written on the check. The check shall be made payable to the California Department of Public Health Safe Drinking Water Account and submitted to:

Department of Public Health  
Drinking Water Program – Fee Billing Unit  
P.O. Box 997379, MS 7406  
Sacramento, CA 95899-7379  
Attn: Ms. Perin Peebles

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Please attach check below: