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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

June 9, 2014

Water System No. 4901074

Alvin Cooper
Valley Ford Hotel
322 Post Street
Petaluma, CA 94952

**CITATION NO. 02-18-14C-023
NITRATE MAXIMUM CONTAMINANT LEVEL VIOLATION FOR SECOND QUARTER
2014**

Enclosed is a Citation issued to the Valley Ford Hotel (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 on approximately August 1, 2014. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact George Chien of my staff at (707) 576-2971 or me at (707) 576-2006.

Sincerely,

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

Enclosures

CC (w/ Enclosures): Brandon Guenther, P.O. Box 573, Valley Ford, CA 94972
Gary Mickelson, P.O. Box 2689, Petaluma, CA 94953

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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Valley Ford Hotel

Water System No: 4901074

To: Alvin Cooper

System Physical Address: 14415 Highway 1, Valley Ford, CA

Issued: June 9, 2014

CITATION FOR NONCOMPLIANCE

With Title 22 of the California Code of Regulations Section 64432.1

Section 116650 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 State of California Department of Public Health (Department) hereby issues a citation to Valley Ford Hotel (System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64432.1.

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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

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

California Code of Regulations (CCR), Title 22, Section 64431 states, in relevant part:

(a) Public water systems shall comply with the primary MCLs in Table 64431-A as specified in this article.

**Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals**

Chemical	Maximum Contaminant Level (MCL), mg/L
Nitrate (as NO3)	45.

Section 64432 of the CCR states, in relevant part:

(a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in Table 64431-A, ... and §64432.1.

Section 64432.1 of the CCR states, in relevant part:

The water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the Department of any acute nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. Within 24 hours of notification, the water supplier shall:

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(A) Collect another sample, and

(B) Analyze the new sample; if the average of the two nitrate sample results exceeds the MCL, report the result to the Department within 24 hours.

STATEMENT OF FACTS

The System is a transient-noncommunity public water system serving an estimated population of 50 through 1 connection. Pursuant to Section 64432.1, Title 22 of the CCR, the System is required to collect quarterly nitrate samples directly from Well 01.

Well 01 nitrate monitoring for second quarter 2014 was conducted on May 8, 2014 and the laboratory result showed 120 milligrams per liter (mg/L). The Department was not notified until May 20, 2014 through electronic notification from Drinking Water Program database. The Department contacted the System and the operator and agreed to conduct a resample from a representative location in the distribution system. The resample collected on May 23, 2014 showed the result was 110 mg/L. The average of the two nitrate sample results was 115 mg/L, which exceed the nitrate maximum contaminant level (MCL) of 45 mg/L. The Department instructed the System to conduct a Tier 1 Public Notice to all customers and employees no later than 4 PM June 4, 2014. The Department has confirmed



1 that the Tier 1 Public Notice has been distributed to all customers and
2 employees by June 4, 2014.

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4 **DETERMINATIONS**

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7 **THE DEPARTMENT HAS DETERMINED:**

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9 The System violated Title 22 of the CCR, Section 64432.1, in that the
10 average of the two nitrate sample results exceed the MCL.

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13 **DIRECTIVES**

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15 The System is hereby directed to take the following actions:

- 16
17 1. Comply with Section 64432.1, Title 22, of the CCR in all future
18 monitoring periods.
- 19 2. Continue with quarterly nitrate monitoring of the Well 01.
- 20 3. Notify all persons served by the System of the nitrate maximum
21 contaminant level violation, in conformance with Section 64463.1 and
22 64465, Title 22 of the CCR, by taking the following actions:
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 - 25 a) Completion of Attachment A to include the name, address, and
26 telephone number of a System representative as a source of
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1 additional information concerning the public notice. **You must**
2 **also give a legible, written description (preferably typed) of**
3 **the corrective actions taken by the System to prevent this**
4 **violation from occurring in the future. You must use the**
5 **space provided in Attachment A for this written description.**
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8 b) Publish the notice contained in Attachment A, **after it has been**
9 **completed in accordance with (a) above**, in a local newspaper
10 of general circulation in the area served by the System (or weekly
11 newspaper if no daily paper is available) for one day. The
12 publication in a local newspaper must be completed by **June 30,**
13 **2014.**
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16 c) Provide public notice for this violation in accordance with Section
17 64465(c), Title 22 or the CCR, which requires for each non-
18 English speaking group that exceeds 1,000 residents or 10% of
19 the residents in a community (whichever is less), that the public
20 notice contain information in the appropriate language(s)
21 regarding the importance of the notice, or it contain a telephone
22 number or address where such residents may contact the
23 System to receive a translated copy of the notice or to receive
24 assistance in the appropriate language.
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1 4. The System shall complete the attached Compliance Certification
2 form and return it to the Department within 10 days of the public
3 notice being given to system customers but in no case later than **July**
4 **7, 2014. A copy of the notice published in the newspaper, and a**
5 **copy of the notice delivered to the customers must be attached**
6 **to the form.**
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9 The Department reserves the right to make such modifications to this
10 Citation, as it may deem necessary to protect public health and safety.
11 Such modifications may be issued as amendments to this Citation and shall
12 be effective upon issuance.
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15 Nothing in this Citation relieves the System of its obligation to meet the
16 requirements of the California Safe Drinking Water Act (CHSC, Division 104,
17 Part 12, Chapter 4, commencing with Section 116270), or any regulation,
18 standard, permit or order issued thereunder.

19 All submittals required by this Citation shall be submitted to the Department

20 at the following address: Janice M. Thomas, P.E.
21 Department of Public Health
22 Drinking Water Field Operations Branch
23 50 D Street, Suite 200
24 Santa Rosa, CA 95404

25 **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.

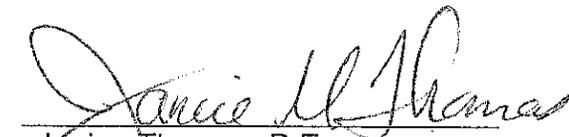
SEVERABILITY

The directives of this Citation are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

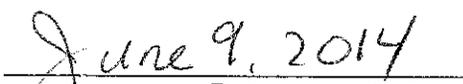
FURTHER ENFORCEMENT ACTION

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.

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Janice Thomas, P.E.
District Engineer
Drinking Water Program



Date

Attachments

Certified Mail No. 7012 3460 0002 6459 4522



4901074/Compliance
02-18-14C-023-4901074-01.docx/GC

COMPLIANCE CERTIFICATION

Citation Number: 02-18-14C-023

Name of Water System: Valley Ford Hotel

System Number: 4901074

Certification

I certify that the users of the water supplied by this System were notified of the nitrate Maximum Contaminant Level violation of Title 22, California Code of Regulations (CCR) during the compliance period of the second quarter of 2014.

Required Action	Date Completed
Complete Attachment A, as required in Directive 3(a)	
Public Notification – Mail or Direct Delivery	
Public Notification – Newspaper	

Signature of Water System Representative

Date

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

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

DRINKING WATER WARNING

Valley Ford Hotel water has high levels of nitrate

**DO NOT GIVE THE WATER TO
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received on May 8 and May 23, 2014 showed nitrate levels of 120 milligrams per liter (mg/L) and 110 mg/L, respectively. The average is above the nitrate standard, or maximum contaminant level (MCL), of 45 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL 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. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

The System is providing bottled water for drinking and cooking to customers. We are working with the Department of Public Health to develop a plan to ensure we can reliably provide a safe supply of water.

For more information, please contact Brandon Guenther at (707) 876-1983.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Valley Ford Hotel.

State Water System ID#: 4901074 Date distributed: June 30, 2014