COMMUNITY DEVELOPMENT SERVICES
ENVIRONMENTAL MANAGEMENT DEPARTMENT
http://www.edcgov.us/EMD/

PLACERVILLE OFFICE:
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5300
(530) 642-1531 Fax

LAKE TAHOE OFFICE:
924 B Emerald Bay Rd.
South Lake Tahoe, CA 96150
(530) 573-3450
(530) 542-3364 Fax

January 28, 2019

Fairbridge Inn Express -- Midway
1027 Midway Road
South Lake Tahoe, CA 96150

Attn: Kuldeep Singh Mand, Owner

RE: FAIRBRIDGE INN EXPRESS MIDWAY – PWS NO. 0900579
CITATION NO. 01_39_19C_003
FAILURE TO SAMPLE BACTERIOLOGICAL - 4TH QUARTER 2018

Enclosed is the County of El Dorado, Environmental Management Local Primacy Agency Citation No. 01_39_19C_003 issued to Fairbridge Inn Express Midway Water System. Please note there are certain deadlines associated with this Citation.

Any person who is aggrieved by a citation issued by the El Dorado County LPA may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the citation. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the citation. The date of issuance is the date when the El Dorado County LPA mails or serves a copy of the citation, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please contact Jeffrey Warren at (530) 621-7628 or by email jeffrey.warren@edcgov.us, or Karen Bender at (530) 573-3453 or by email karen.bender@edcgov.us.

Sincerely,

Jeffrey Warren, REHS
Environmental Health Program Manager
Cc: Ali Rezvani, PE

Citation Number: 09_39_19C_003
Issued: **January 28, 2019**

EL DORADO COUNTY
COMMUNITY DEVELOPMENT SERVICES
ENVIRONMENTAL MANAGEMENT DEPARTMENT

IN RE: Fairbridge Inn Express - Midway
Water System ID - 0900579
1027 Midway Road
South Lake Tahoe, CA 96150

ATTN: Kuldeep Singh Mand, Owner

CITATION NO. 01_39_19C_003

FAILURE TO COLLECT ROUTINE SAMPLE

FOR THE FOURTH QUARTER OF 2018

TITLE 22, CALIFORNIA CODE OF REGULATIONS, SECTION 64423

ISSUED ON January 28, 2019

Section 116650 of the California Health and Safety Code (hereinafter "CHSC") authorizes the issuance of a citation to a public water system for failure to comply with a requirement of the California Safe Drinking Water Act, California Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270 (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The County of El Dorado Community Development Services, Environmental Management Department (hereinafter "Department"), hereby issues a citation to the

Fairbridge Inn Express - Midway Water System (hereinafter "Water System") for violation of Title 22 of the California Code of Regulations ("CCR"), Section 64423.

APPLICABLE AUTHORITIES

CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116271 (k)(2) states:

(k)(2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625) and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650).

CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116275 (b) & (ab) states:

(b) "Department" means the state board.

(ab) "State board" means the State Water Resources Control Board.

CHSC Division 104, Part 12, Chapter 4, Article 9, Section 116650 states:

(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.

Local Primacy Delegation Agreement, Section 1.02. The Department hereby delegates to the County all authority granted to it under the California Safe Drinking Water Act (CHSC 116270) for regulation of small public water systems.

Title 22, California Code of Regulations, Section 64423 (a)(3) and (c) states:

(a) Each water supplier shall collect routine bacteriological water samples follows:

(3) The minimum number of samples for transient-noncommunity water systems 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.

(c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 664426 and 64426.1.

Title 22, California Code of Regulations, Section 64463.7 (a)(b) and (c) states:

(a) Each water system shall give public notice pursuant to this section if any of the following occurs:

(1) Monitoring violations.

(b) Each water system shall give the public notice within one year after it learns of the violation.

(1) The water system shall repeat the public notice annually for as long as the violation continues.

(2) Posted public notices shall remain in place for as long as the violation continues, but in no case less than seven days.

(c) Each water system shall deliver the notice in a manner designed to reach persons served within the required time period.

STATEMENT OF FACTS

The Water System is operated under Water Supply Permit No. 0900579-02, issued on November 16, 2017.

The Water System is a transient-noncommunity water system having 2 service connections serving approximately 16 rooms at the Midway Annex. The Water System source of supply is a well.

Title 22, CCR, Section 64423 (a)(3) specifies the minimum number of routine 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. Table 64423-A lists the minimum number of routine total coliform samples per month, based on the monthly population. (The table below is shown in part only):

Monthly Population Served	Minimum Number of Samples
25 to 1000	1 per month
1,001 to 2,500	2 per month
2,501 to 3,300	3 per month
3,301 to 4,1000	4 per month

This water system is required to take a minimum of one (1) bacteriological sample each quarter of the year. A routine sample was due by December 31, 2018 and was not collected in the fourth quarter (October 1 to December 31) of 2018.

DETERMINATION

Based on the above, the Department has determined that the Water System violated Title 22 CCR Section 64423 in that a routine sample was missed for the fourth quarter of 2018. The water system must follow the approved Routine Sample Siting Plan as described in Section 64422.

DIRECTIVES

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

1. **Comply with Title 22 CCR Section 64423 for taking bacteriological samples in future monitoring periods during the operating season.**
2. **Comply by collecting a complete repeat sample set, assuming that if a routine sample had been taken in the fourth quarter of 2018 it could have been positive for bacteria, in accordance with the approved bacteriological sample siting plan. *Comply by January 31, 2019 taking four repeat samples.***

3. **Provide public notification (Attachment A) for the failure to monitor for bacteria in the water for the fourth quarter of 2018. Complete the notification by March 1, 2019 and post the public notice for no less than seven (7) days.**
4. **Complete and return the Certification of Completion of Public Notification (Attachment B) by March 1, 2019.**
5. **Within thirty (30) days of receipt of this Citation, by March 1, 2019, the Water System shall submit a written response to the Department indicating its willingness to comply with directives of this Citation.**

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 deemed effective upon issuance. Nothing in this Citation relieves Water System of its obligation to meet the requirements of the California SDWA, or of any regulation, permit, standard, or order issued or adopted thereunder.

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

Jeffrey Warren, REHS
Environmental Management Programs Manager
El Dorado County
Community Development Services
Environmental Management Department
2850 Fairlane Court, Bldg C
Placerville, CA 95667
(530) 621-7628

PARTIES BOUND

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

SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Department to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Department to 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 an order of the Department; and to petition the Superior Court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Department. The Department does not waive any further enforcement action by issuance of this citation.

1/28/19
Date

Jeffrey Warren, REHS
Environmental Management Programs Manager
El Dorado County
Community Development Services
Environmental Management Department

cc: Ali R. Rezvani, P.E.
Sacramento District Engineer
Division of Drinking Water
State Water Resources Control Board

ATTACHMENT A: Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

If You Are a…	*You Must Notify Consumers by…*	*…and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method…*
Community Water System [64463.7(c)(1)]	Mail or direct delivery [(a)]	Publication in a local newspaper
		Posting [(b)] in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system [(b)]	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting [(b)] on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above, insertion in an annual notice, or included in the Consumer Confidence Report[1]. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing

[1] CCR may be used as long as public notification timing, content, and delivery requirements are met [64463.7(d)].

procedure violations and notification language in italics unchanged. This language is mandatory [64465].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

Contaminant	*Required Sampling Frequency*	*Number of Samples Taken*	*When All Samples Should Have Been Taken*	*When Samples Were or Will Be Taken*
VOCs [(a)]	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- "We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards."
- "We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]"
- "We plan to take the required samples soon, as described in the last column of the table above."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

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.

Monitoring Requirements Not Met for Fairbridge Inn Express Midway – 4th Quarter 2018

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the fourth quarter (October to December) 2018, we did not monitor or test for bacteria in the water and therefore, cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	*Required Sampling Frequency*	*Number of Samples Taken*	*When All Samples Should Have Been Taken*	*When Samples Were or Will Be Taken*
Bacteria (coliforms and e.coli)	1 sample every quarter during the year. We are also required to take 4 repeat samples in the month following a missed bacteriological sample	None in the 4th quarter of 2018	One sample was required in October, November or December 2018	We took 1 sample January 14th and we plan to take the remaining 3 required samples by January 31, 2019. The January 14th sample was negative for bacteria.

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

We missed taking our fourth quarter bacteriological sample in 2018. In order to ensure we don't have a problem, we are required to take 4 samples in January 2019. We will get back on our quarterly sampling schedule starting in the second quarter of 2019. .

For more information, please contact Mike Mand at 530-544-3311.

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.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Fairbridge Inn Express Midway water system.

State Water System ID#: 0900579. Date distributed: _____.

ATTACHMENT B

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the County of El Dorado, Environmental Management Department, Community Development Services, serves as certification that public notification to water users was completed as required by the State Water Resources Control Board (as required per Title 22 of the California Code of Regulations). Failure to do so may result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name: _____

Public Water System Number: _____

Public notification for the failure to sample violation, 4th Quarter of 2018 was performed by the following method(s):

Check and complete all that apply:

A) _____ By posting of the approved notice in conspicuous locations served by the water system.

B) ____ Distributing notice by using one or more of the following methods to reach persons not likely to be reached by public posting: Email message or direct delivery.

C) ____ Publication in a local newspaper.

D) ____ Posting on the internet.

Provide the date (or dates) that the notice was posted/distributed _____

I hereby certify that the above information is factual.

_____
Printed Name

_____
Signature

_____
Date

Return form to: County of El Dorado, Community Development Services
Environmental Management Division
2850 Fairlane Court, Building C, Placerville, CA 95667

OR: 924 Emerald Bay Rd, #B, South Lake Tahoe, CA 96150
Email: emd.info@edcgov.us