April 9, 2019

System No. 1000319

VENKATA K. ALAPATI
HUNTINGTON LAKE RESORT
1582 Montalban Drive
SAN JOSE, CA 95120

CITATION NO. *03-23-19C-059*
NITRATE MONITORING VIOLATION
FOR 2018

Enclosed is Citation No. 03-23-19C-059 (hereinafter "Citation"), issued to the HUNTINGTON LAKE RESORT (hereinafter "System"), public water system. Please note there are legally enforceable deadlines associated with this Citation.

The HUNTINGTON LAKE RESORT will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The HUNTINGTON LAKE RESORT will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the HUNTINGTON LAKE RESORT for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued <u>under authority delegated to an officer or employee of the State Water Board</u> under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or

decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day 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 regarding this matter, please contact the Fresno District at (559)447-3300.

Sincerely,

Jose A. Robledo, P.E.
District Engineer, Fresno District
Division of Drinking Water
State Water Resources Control Board

Enclosures

Certified Mail No. 7018 0040 0000 3160 0206

Citation No. 03-23-19C-059

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: HUNTINGTON LAKE RESORT

Water System No: 1000319

Attention: VENKATA K. ALAPATI
1582 Montalban Drive
SAN JOSE, CA 95120

Issued: April 9, 2019

CITATION FOR NONCOMPLIANCE

CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555 AND

CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64432.1(a)

NITRATE MONITORING VIOLATION

2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4,

commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 03-23-19C-059 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the HUNTINGTON LAKE RESORT (hereinafter "System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64432.1(a).

STATEMENT OF FACTS

The HUNTINGTON LAKE RESORT is classified as a transient public water system with a population of 30, serving 13 connections.

CHSC, Section 116555 requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants, specific treatment standards, and monitoring and reporting requirements as specified in regulations adopted by the State Water Board.

Pursuant to CCR, Title 22, Section 64432.1(a), the HUNTINGTON LAKE RESORT is required to collect one sample annually for nitrate testing from each source. During the 2018, the HUNTINGTON LAKE RESORT failed to collect a nitrate sample for the raw water sources listed in the table below:

Table 1. Sources	
Source Name	**Primary Station Code**
Well 01	1000319-001

DETERMINATION

The State Water Board has determined that the HUNTINGTON LAKE RESORT has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555 and nitrate monitoring requirements pursuant to CCR, Title 22, Section 64432.1(a) during **2018.**

DIRECTIVES

The HUNTINGTON LAKE RESORT is hereby directed to take the following actions:

1. By **May 1, 2019,** notify all persons served by the HUNTINGTON LAKE RESORT of the violation of CCR, Title 22, 64432.1(a), in conformance with Sections 64463.4 and 64465. Appendix 1: Notification Template, must be used to fulfill this Directive unless otherwise approved by the State Water Board. and contents of Appendix 1 must be approved by the State Water Board prior to issuance. **The HUNTINGTON LAKE RESORT must edit the wording of the notification template as necessary.** The notification must be completed in accordance with the following:
   - Posting of the Public Notification in conspicuous places within the area served by the water system. The notice must remain posted for a minimum of seven (7) consecutive days and;
   - By one of the following secondary methods to reach persons not likely to be reached by posting;
     - By publication in a local newspaper or newsletter distributed to customers, by internet posting of the notice or by direct delivery to each customer served by the HUNTINGTON LAKE RESORT. If the water system opts to issue the notice via internet website, the public notice must remain posted for a minimum of seven (7) consecutive days.

The HUNTINGTON LAKE RESORT must determine which option will be used to conduct the secondary distribution of the notice and notify the State Water Board of their decision no later than **April 20, 2019.**

2. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 1 to the State Water Board by **May 15, 2019.**

3. The HUNTINGTON LAKE RESORT shall ensure that monitoring is conducted annually for nitrate from all its active sources and that the laboratory, which conducts the analysis, submits the analytical results electronically by a State Water Board approved method no later than the 10th day of the month following completion of the analyses.

   The HUNTINGTON LAKE RESORT shall collect and report the 2019 annual nitrate sample result from for the raw water sources listed in the table below by **June 30, 2019**:

Table 2. Sources	
Source Name	**Primary Station Code**
WELL 01	1000319-001

4. The HUNTINGTON LAKE RESORT shall include this violation in the 2018 Consumer Confidence Report in accordance with CCR, Title 22, Section 64481(g)(1).

5. By **April 20, 2019,** complete and return to the State Water Board the "Notification of Receipt" form attached to this Citation as Appendix Appendix 3. Completion of

this form confirms that the HUNTINGTON LAKE RESORT has received this Citation and understands that it contains legally enforceable directives(s) with due dates.

All submittals required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation must include the following information: Water System name and number, citation number and title of the document being submitted.

Jose A Robledo, District Engineer
Division of Drinking Water
Drinking Water Field Operations Branch
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

Dwpdist23@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Citation 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.

Nothing in this Citation relieves the HUNTINGTON LAKE RESORT of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

This Citation shall apply to and be binding upon the HUNTINGTON LAKE RESORT, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, 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 State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Jose A. Robledo, P.E., District Engineer
Fresno District
State Water Resources Control Board
Division of Drinking Water

4/9/19
Date

Appendices:

1. Notification Template
2. Compliance Certification Form
3. Notification of Receipt Form

Certified Mail No. 7018 0040 0000 3160 0206

APPENDIX 1. NOTIFICATION TEMPLATE

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.

Nitrate Monitoring Requirements Not Met for HUNTINGTON LAKE RESORT during 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 2018, we did not monitor or test for nitrate from the sources listed in the table below and therefore, cannot be sure of the quality of our drinking water during that time.

Source Name	Primary Station Code
WELL 01	1000319-001

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

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples will be taken
Nitrate	Minimum is one sample annually from each active raw water source	None	During calendar year 2018	

What happened? What is being done?

[Describe corrective action].

For more information, please contact:

Water System Contact Name _____
Phone Number _____
Mailing Address _____

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 HUNTINGTON LAKE RESORT.

State Water System ID#: 1000319. Date distributed: _____.

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 03-23-19C-059

Name of Water System: HUNTINGTON LAKE RESORT

System Number: 1000319

Certification

I certify that the users of the water supplied by this water system were notified of the nitrate monitoring violation of California Code of Regulations, Title 22, Section 64432.1(a) for the compliance period of 2018 and the required actions listed below were completed.

Required Action	Date Completed
*(Citation Directive 1) Public Notification Method(s) Used:*_____	
(Citation Directive 3) Nitrate Sample Collection Date: _____	

_____ _____

Signature of Water System Representative Date

Attach a copy of the public notice distributed to the water system's customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN May 15, 2019.

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars ($5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than $25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

Appendix 3 – Notification of Receipt

Citation Number: 03-23-19C-059

Name of Water System: HUNTINGTON LAKE RESORT

System Number: 1000319

Certification

I certify that I am an authorized representative of the HUNTINGTON LAKE RESORT and that Citation No. 03-23-19C-059 was received on _____. Further I certify that the Citation has been reviewed by the appropriate management staff of the HUNTINGTON LAKE RESORT and it is clearly understood that Citation No. 03-23-19C-059 contains legally enforceable directives with specific due dates.

_____ _____

Signature of Water System Representative Date

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN Aprl 20, 2019.

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars ($5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than $25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.