State Water Resources Control Board

Division of Drinking Water

February 19, 2019

System No. 3500836

Mr. Frank Paura, General Manager
Betabel RV Resort
9664 Betabel Road
San Juan Bautista, CA 95045

CITATION NO. 02_05_19C_008

LEAD AND COPPER MONITORING VIOLATION FOR JUNE - SEPTEMBER 2018

Enclosed is Citation No. 02_05_19C_008 (hereinafter "Citation"), issued to the Betabel RV Resort (hereinafter "Betabel") public water system. Please note that there are legally enforceable deadlines associated with this Citation.

Betabel 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 but not limited to, 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.

Betabel 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 Betabel water system for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board 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 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 Lora Lyons of my staff at (831) 655-6942 or me at (831) 655-6934.

Sincerely,

Jan Sweigert

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

Enclosures

Certified Mail No. 7008 1830 0004 5435 1391

Email cc: San Benito County Environmental Health Department
Rachel Labas, Manager- Betabel RV Resort

Citation No. 02_05_19C_008

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

Name of Public Water System: Betabel RV Resort

Water System No: 3500836

Attention: Mr. Frank Paura, General Manager
9664 Betabel Road
San Juan Bautista, CA 95045

Issued: February 19, 2019

CITATION FOR NONCOMPLIANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64675

LEAD AND COPPER MONITORING VIOLATION JUNE THROUGH SEPTEMBER 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. 05_019C_008 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to Betabel RV Resort (hereinafter "Betabel"), for violation of California Code of Regulations (hereinafter "CCR"), Title 22, Section 64675.

Applicable statutes and regulations are available on the State Water Board website at:
https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html

STATEMENT OF FACTS

Betabel is classified as a community public water system with a residential population of 49, serving 176 connections. Betabel operates under Domestic Water Supply Permit No. 02_05_14P-3500836 issued by the State Water Board on June 11, 2014.

Betabel is required to maintain a monitoring program for lead and copper levels at the consumers' tap. The minimum number of tap sample sites required for Betabel is based on the population served and whether Betabel is on a standard or reduced monitoring schedule. The annual monitoring schedule for Betabel was five lead and copper samples due during the period June through September 2018. The State Water Board has not received the analytical results to show that the lead and copper monitoring was conducted during the period of June through September 2018.

By email dated October 17, 2018, Division staff requested submittal of the lead and copper tap sample results and reporting forms for the 2018 lead and copper tap

sampling. In response, Betabel conducted lead and copper tap sampling on October 21 and 24, 2018, with collection of five tap samples. Analysis results showed a 90th percentile of non-detect for lead and 0.14 mg/L for copper, below the respective action levels of 0.015 mg/L and 1.3 mg/L. The five lead and copper samples were not collected in the required period of June through September 2018.

DETERMINATION

Betabel was required to collect a minimum of five lead and copper samples during the period June through September of 2018. Betabel failed to collect the required number of lead and copper samples and submit the analytical results to the State Water Board for the period June through September 2018. Therefore, the State Water Board has determined that Betabel has failed to comply with CCR, Title 22, Section 64675 during 2018.

DIRECTIVES

Betabel is hereby directed to take the following actions:

1. Collect the next lead and copper samples during **the summer months (June 1 through September 30) 2019.** The required number of samples based on population is five. Analysis results and the Lead and Copper Rule Reporting Form shall be submitted to the State Water Board no later than **October 10, 2019** in accordance with CCR, Title 22, Sections 64675 and 64690.10.

2. On or before **March 22, 2019**, notify all persons served by Betabel of the violation of CCR, Title 22, Sections 64675, in conformance with Section 64463.4(b) and (c) and 64465. The Notification Template: Monitoring Violations – Annual Notice shall be used to fulfill this Directive, unless otherwise

approved by the State Water Board. The Notification Template can be downloaded from the State Water Board website at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Notices.html

Betabel shall edit the wording of the sample notification as necessary and submit the completed form to the State Water Board for approval.

3. Distribute the public notice by:
   A. Mail or direct delivery of the Public Notification to each customer served by the water system and;
   B. By one of the following secondary methods to reach persons not likely to be reached by mail or direct delivery;
      1) publication in a local newspaper,
      2) delivery to community organizations or
      3) posting in conspicuous public places served by the water system or on the internet. If the water system opts to issue the notice via internet website, the public notice shall remain posted for a minimum of seven (7) consecutive days.

4. Determine which secondary distribution method shown in Directive 3 will be used to conduct notification and inform the State Water Board of the selected method no later than **March 5, 2019**.

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

All submittals, with exception to analytical results, required by this Citation shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted.

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office

Dwpdist05@waterboards.ca.gov

The State Water Board reserves the right to make 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.

Nothing in this Citation relieves Betabel 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 Betabel, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and Betabel 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.

Jan Sweigert

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

2/19/2019
Date

Appendix:

1. Compliance Certification Form

Certified Mail No. 7008 1830 0004 5435 1391

APPENDIX 1. COMPLIANCE CERTIFICATION

Citation Number: 02_05_19C_008

Name of Water System: Betabel RV Resort

System Number: 3500836

Certification

I certify that the users of the water supplied by this water system were notified of the lead and copper monitoring violation of California Code of Regulations, Title 22, Section 64675 for the compliance period of June through September 2018 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method Used: *Posted at:* _____ *Distribution Method(s):* _____	

_____ _____

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 APRIL 1, 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.