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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Lake Isabella Motel Water System
Water System No. 1502153

Attn: Larnie Rowlet, Owner
Lake Isabella Motel
P.O. Box 2134
Lake Isabella, CA 93240

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CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTIONS 64426.1(b)(2) - June 2016**

C I T A T I O N N O. 03-19-16C-042

Issued on September 7, 2016

STATEMENT OF FACTS

The State Board is informed by and believes that the Lake Isabella Motel Water System (hereinafter "Water System") is a transient non-community water system located in Kern County that supplies water for domestic purposes to approximately 36 transient individuals through 18 service connections. Domestic Water Supply Permit #2153 was issued to the Water System on June 22, 1972, by Kern County. The Water System is now regulated by the State water Resources Control Board. The Water System utilizes one groundwater well (Well 01) as its source of domestic water, with a small pressure tank that serves a motel. No treatment is provided to the well water.

1 On August 8, 2016, the State Board received a written Request for Inactivation of the
2 Water System. The request states that the Water System does not serve 25 or more
3 people for 60 days or more out of the year and also does not have 15 or more service
4 connections. The inactivation request has been reviewed by the State Board and an
5 inactivation approval letter is being issued by the State Board, classifying the Water
6 System to a non-public water system, effective June 30, 2016.
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9 Section 116650 of the California Health and Safety Code authorizes the issuance of a
10 citation to a public water system for violation of the California Safe Drinking Water
11 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with
12 Section 116270) (hereinafter "California SDWA") or any regulation, standard, permit
13 or order issued or adopted thereunder.
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16 The State Water Resources Control Board (hereinafter State Board), acting by and
17 through its Division of Drinking Water and the Deputy Director for the Division of
18 Drinking Water (hereinafter "Deputy Director"), hereby issues a citation to the Lake
19 Isabella Motel Water System (mailing address: P.O. Box 2134, Lake Isabella, CA
20 93240) for violations of the California Code of Regulations (CCR), Title 22, Section
21 64426, subsections (b)(2) and (c), and subsection (b)(4).
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- One (1) routine bacteriological quality sample collected on May 9, 2016, from
25 the distribution system, tested positive for total coliform bacteria.
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- Three (3) repeat bacteriological quality samples collected on May 11, 2016, from the distribution system, and one repeat (1) sample (also counted towards the Ground Water Rule compliance) collected on the same day, from Well 01, tested negative for total coliform bacteria.
- The Water System did not fail the total coliform maximum contaminant level (MCL) for the month of May 2016.
- Due to the routine total coliform positive sample in May 2016, the Water System was required to collect five routine samples in June 2016.
- Three (3) out of five (5) routine bacteriological quality samples collected on June 14, 2016, from the distribution system, tested positive for total coliform bacteria.
- **Lake Isabella Motel Water System failed the total coliform maximum contaminant level (MCL) for June 2016 [Section 64426.1(b)(2), *Authorities*].**
- On June 16, 2016, Scott Moore of Seaco Technologies, Inc., the Water System's contract sampler, informed the State Board, Division of Drinking Water by telephone that the Water System failed the total coliform MCL for the month of June 2016.
- On June 21, 2016, in a phone call between the State Board staff and the Water System, the Water System was directed to collect a Ground Water Rule sample from Well 01, before providing emergency disinfection and flushing.

- 1 • One (1) Ground Water Rule compliance sample collected on June 23, 2016,
2 from Well 01, also showed the presence of total coliform bacteria, when
3 analyzed by the Most Probable Number (MPN) method.
- 4 • On June 21, 2016, a blank Level 1 Assessment form was emailed to Seaco
5 Technologies, on behalf the Water System, because the Water System does not
6 have an email address or fax number.
- 7
- 8 • One (1) out of five (5) special bacteriological quality samples collected on July
9 11, 2016, from the distribution system, showed the presence of total coliform
10 bacteria, when analyzed by the Most Probable Number (MPN) method.
- 11 • On July 12, 2016, a public notice and *Certification of Completion of Public*
12 *Notification* were mailed to the Water System for the June 2016 total coliform
13 MCL failure.
- 14
- 15 • On July 13, 2016, the completed Level 1 Assessment form was received by the
16 State Board. The Level 1 Assessment form was completed by Scott Moore. A
17 possible cause of the total coliform positive samples was described as lack of
18 routine flushing of the system.
- 19
- 20 • On July 18, 2016, all five (5) special bacteriological quality samples collected
21 from the distribution system, tested negative for total coliform bacteria, when
22 analyzed by the MPN method.
- 23 • Four (4) out of five (5) routine bacteriological quality samples collected on
24 July 25, 2016, from the distribution system, tested positive for total coliform
25 bacteria.
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- 1 • One (1) Ground Water Rule compliance sample collected on July 27, 2016,
2 from Well 01, tested negative total coliform bacteria, when analyzed by the
3 MPN method.
- 4 • After providing emergency disinfection and flushing, five (5) special
5 bacteriological quality samples were collected on July 29, 2016, from the
6 distribution system, and they all tested negative for total coliform bacteria,
7 when analyzed by the MPN method.
- 8 • On August 4, 2016, Five (5) routine bacteriological quality samples collected
9 on August 4, 2016, from the distribution system, tested positive for total
10 coliform bacteria.
- 11 • Results of all bacteriological samples collected from January 2016 to August
12 2016, are summarized in **Attachment A**. None of the above-mentioned total
13 coliform positive samples tested positive for *E.coli* bacteria.
- 14 • The Water System has made several attempts, in the past, to clear
15 bacteriological contamination. An exact cause of the contamination has not
16 been identified. As of writing of this citation, the Water System continues to
17 experience intermittent bacteriological quality problems. The State Board
18 recommends installation of continuous chlorination treatment at Well 01.
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23 **AUTHORITIES**

24 **Section 116577 of the CHSC**, states in relevant part:

25 “(a) Each public water system shall reimburse the State Board for the actual costs incurred by the
State Board for any of the following enforcement activities related to that water system:

- 26 (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

27 ...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section.”...

Section 116650 of the CHSC, states in relevant part:

“(a) If the State Board 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 State Board 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 State Board 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.”

Section 116655 of the CHSC, states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the State Board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1."

DETERMINATIONS

Based upon the above Statement of Facts and Authorities, the State Board determines that the Water System has violated the following:

- 1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for June 2016 when more than one sample during the month, tested positive for total coliform bacteria.

The above violation is classified as a non-continuing violation.

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DIRECTIVES

Lake Isabella Motel Water System is hereby directed to take the following actions:

1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Section 64426.1(b)(2) of Title 22, California Code of Regulations.
2. The Water System shall reimburse the State Board, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 (or by a different date if specified by the State Board) of the fiscal year following the fiscal year in which such costs are incurred as described in CHSC Sections 116577(a)(1-2) and 116577(b).
3. The Water System shall not serve 25 or more people for 60 days or more out of the year without first obtaining a domestic water supply permit from the State Board.

FURTHER ENFORCEMENT ACTIONS

Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the State Board to: issue additional citations with assessment of penalties if a public water system continues to fail or 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 State Board; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

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PARTIES BOUND

This citation shall apply to and be binding upon Lake Isabella Motel s Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

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

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing an administrative penalty in an amount not to exceed \$1,000 (one thousand dollars) per day as of the date of violation of any provision of this Citation.

Sep. 7, 2016
Date

Jaswinder S. Dhaliwal
Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Drinking Water Field Operations Branch

Certified Mail No. 7015 1520 0000 4432 2233

ATTACHMENTS

Attachment A: Summary of Bacteriological Samples Collected from January 2016 – August 2016

CC: Kern County Dept. of Public Health, Env. Health Services Division (w/o attachment)
Seaco Technologies, Contract Sampler (via email)

JSD/dc

Attachment A

Lake Isabella Motel & Trailer Park

1502153

Distribution System Freq: 1/Q

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	Cl2	Violation	Comment
2/8/2016	9:40	Mgr. Office N/S	A	A		Routine	0		
5/9/2016	10:02	N. Wall Mgrs Offic	P	A		Routine	0		
5/11/2016	8:25	Mgs. Office N/S	A	A		Repeat	0		
5/11/2016	8:39	Room #2	A	A		Repeat	0		
5/11/2016	8:46	Pool Area	A	A		Repeat	0		
6/14/2016	8:19	Mgrs quarters N/	P	A		Routine	0	MCL	Cit. #03-19-16C-042 issued.
6/14/2016	8:22	Room #2 E/Wall	P	A		Routine	0		
6/14/2016	8:28	Room #6 E/Wall	A	A		Routine	0		
6/14/2016	8:29	Room #14 E/Wall	A	A		Routine	0		
6/14/2016	8:32	Pool Area	P	A		Routine	0		
7/11/2016	8:53	N/S Office	2.0	A		Other/Sp	0		
7/11/2016	8:57	Room #2	<1	A		Other/Sp	0		
7/11/2016	9:00	Room #7	<1	A		Other/Sp	0		
7/11/2016	9:04	Room #14	<1	A		Other/Sp	0		
7/11/2016	9:13	Pool Area	<1	A		Other/Sp	0		
7/18/2016	8:02	N/S Mars Office	<1	A		Special	0		
7/18/2016	8:10	RM #2	<1	A		Special	0		
7/18/2016	8:14	RM #7	<1	A		Special	0		
7/18/2016	8:17	RM #9	<1	A		Special	0		
7/18/2016	8:26	Pool Area	<1	A		Special	0		
7/25/2016	11:25	Mgr. Office N/S (H	P	A		Routine			Water System inactive effective June 30, 2016.
7/25/2016	11:27	RM #7	P	A		Routine			
7/25/2016	11:31	RM #14 (HB)	A	A		Routine			
7/25/2016	11:33	RM #17	P	A		Routine			
7/25/2016	11:38	Pool Area	P	A		Routine			
7/29/2016	7:58	Mgr. Office	<1	A		Repeat	0		
7/29/2016	8:03	Room #7	<1	A		Repeat	0		
7/29/2016	8:08	Room #14	<1	A		Repeat	0		
7/29/2016	8:11	Room #17	<1	A		Repeat	0		
7/29/2016	8:23	Pool Area	<1	A		Repeat	0		
8/4/2016	8:55	Mgrs. Office (HB)	P	A		Routine	0.0		Water System inactive effective 6/30/16.
8/4/2016	8:59	Room #9 (HB)	P	A		Routine	0.0		
8/4/2016	9:03	Room #14 (HB)	P	A		Routine	0.0		
8/4/2016	9:06	Room #17 (HB)	P	A		Routine	0.0		
8/4/2016	9:12	Pool Area (HB)	P	A		Routine	0.0		

Lake Isabella Motel & Trailer Park

1502153

Source Monitoring Freq:

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
5/11/2016	8:31	Well #001 / Repeat	A	A			
6/22/2016	19:20	Well #001 / Repeat	P	A			
7/27/2016	9:39	Well #001 / Repeat	A	A			
