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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

January 7, 2012

Mr. and Mrs. Steve and Tina Brown  
Caspar Beach RV Park  
14441 Point Cabrillo Road  
Mendocino, CA 95460

Dear Mr. and Mrs. Brown:

Enclosed is a citation issued to the Caspar Beach RV Park (Water System). The citation is being issued because the Water System failed to comply with the bacteriological maximum contaminant level, as specified in Section 64426.1, Title 22 of the California Code of Regulations during October 2012 and November 2012.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the Citation. No civil penalty is levied in the enclosed citation.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,

Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District

Enclosure: Citation No. 02-03-13C-001-2300736-22

2300736/Compliance Section #6  
02-03-13C-001-2300736-22 coverLtr/LSH

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** CASPAR BEACH RV PARK

**Water System No:** 2300736

**To:** CASPAR BEACH RV PARK  
14441 Point Cabrillo Road  
Mendocino, CA 95460

**Issued:** January 7, 2013  
VIA CERTIFIED MAIL

**CITATION FOR NONCOMPLIANCE WITH SECTION 64426.1, TITLE 22,  
OF THE CALIFORNIA CODE OF REGULATIONS**

**October 2012 and November 2012**

Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the California Department of Public Health (Department) hereby issues a citation to CASPAR BEACH RV PARK (System) for failure to comply with the California Code of Regulations (CCR), Title 22, Section 64426.1.



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



1 California Code of Regulations (CCR), Section 64426.1 states in relevant  
2 part:

3  
4 A public water system is in violation of the total coliform MCL  
5 {maximum contaminant level} when any of the following occurs:

6  
7 (1) For a public water system which collects at least 40 samples per  
8 month, more than 5.0 percent of the samples collected during any  
9 month are total coliform-positive; or

10 (2) For a public water system which collects fewer than 40 samples  
11 per month, more than one sample collected during any month is  
12 total coliform-positive; or

13  
14 (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or

15  
16 (4) Any repeat sample following a fecal coliform-positive or *E. coli*-  
17 positive routine sample is total coliform-positive.

18  
19 **STATEMENT OF FACTS**

20 The Division of Drinking Water and Environmental Management of the  
21 Department of Public Health (Department) received laboratory results for  
22 five bacteriological samples in October 2012. All five tested positive for total  
23 coliform bacteria and negative for *E. coli*. One source sample was collected  
24 on October 12, 2012. That sample also tested positive for total coliform  
25 bacteria and negative for *E. coli*.

26 The Department received the laboratory results for seven bacteriological  
27 samples collected during November 2012 from the distribution system of the  
Caspar Beach RV Park. All samples were analyzed for the presence of



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coliform bacteria. Two of the seven samples tested positive for coliform bacteria. None of the distribution system samples tested positive for *E. coli*. However, two additional raw water samples collected one on November 2, 2012 and one on November 6, 2012 did test positive for *E. coli*. On December 30, 2013, Well 06 was removed from service after it was determined to be the source of contamination.

**DETERMINATIONS**

The Department has determined that Caspar Beach RV Park failed to comply with the maximum contaminant level (MCL) for total coliform bacteria during the month of October 2012 and November 2012. That is a violation of Section 64426.1, Title 22, of the CCR. The Department hereby issues Citation No. 02-03-13C-001-2300736-22 to the Caspar Beach RV Park for failure to comply with Section 64426.1, Title 22, of the California Code of Regulations in November 2012.

**DIRECTIVES**

The Caspar Beach RV Park is hereby directed to take the following actions:

- 1. Comply with Section 64426.1, Title 22, of the CCR in all future monitoring periods.
- 2. Notify all persons served by the Water System of the MCL violation in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. Notification must be completed in accordance with each of the following:
  - a) Completion of Attachment A to include the name, address, and telephone number of a water system official as a source of additional information concerning the public notice. **You must**

1           **also give a legible, written description (preferably typed) of**  
2           **the corrective actions taken by the water system to prevent**  
3           **this violation from occurring in the future. You must use the**  
4           **space provided on page 2 of Attachment A for this written**  
5           **description.**

6  
7           b) By mail or direct delivery of the notice contained in Attachment A,  
8           **after it has been completed in accordance with (a) above**, to  
9           each customer of the drinking water system. This notice shall  
10           also be posted in a conspicuous public location in the RV Park  
11           for a period of at least seven days. This notice must be delivered  
12           to each customer/service connection and the posting completed  
13           by **January 21, 2013**.

14           c) By publication of the notice contained in Attachment A, **after it**  
15           **has been completed in accordance with (a) above**, in a local  
16           newspaper. This notice must be published for one day. The  
17           publication in a local newspaper must be completed by **January**  
18           **21, 2013**.

19           3. Pursuant to Section 64424(d), Title 22 of the CCR, the Water System  
20           shall collect five (5) routine bacteriological samples by **January 21,**  
21           **2013**. The results of these samples shall be submitted with the  
22           attached Compliance Certification form.

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24           4. Caspar Beach RV Park shall submit a revised bacteriological site  
25           sampling plan that includes monthly distribution monitoring for total  
26           coliform and E. coli for Department approval by **January 31, 2013**. A  
27           bacteriological site sampling plan template has been enclosed with this  
            citation. Beginning in February 2013, the Water System shall



1 continuously conduct monthly bacteriological monitoring of the  
2 distribution system. The Department shall be notified within 24 hours if  
3 the results of any bacteriological samples in the raw water or  
4 distribution are E. coli positive.

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6 5. Casper Beach RV Park shall perform monthly raw water monitoring of  
7 Well 01, prior to treatment, during the months of: February 2013,  
8 March 2013 and April 2013. The results of the monitoring shall be  
9 submitted to the Department by the 10<sup>th</sup> day of the following month.  
10 The Department shall be notified within 24 hours if the results of any  
11 bacteriological samples in the raw water are E. coli positive.

12  
13 6. Well 06 shall not be utilized as a source, except during the months of  
14 June, July, August and September. When in use, Well 06 shall be  
15 monitored weekly for total coliform and E. coli until otherwise directed  
16 by the Department. The results of the monitoring shall be submitted to  
17 the Department by the 10<sup>th</sup> day of the following month. The  
18 Department shall be notified within 24 hours if the results of any  
19 bacteriological samples in the raw water are E. coli positive and the  
20 well shall be immediately removed from service.

21  
22 7. A representative of Caspar Beach RV Park shall complete the attached  
23 Compliance Certification form and return it to the Department within 10  
24 days of the public notice being given to the system customers but in no  
25 case later than **January 31, 2013. A copy of the notice published in**  
26 **the newspaper and a copy of the notice delivered to the**  
27 **customers/service connections must be attached to the form.**



1 All documents required by this Citation shall be submitted to the Department  
2 at the following address:

3 Michelle Floyd Frederick, P.E., District Engineer  
4 Department of Public Health  
5 Drinking Water Field Operations Branch  
6 50 D Street, Suite 200  
7 Santa Rosa, CA 95404

8 The Department reserves the right to make such modifications to this  
9 Citation, as it may deem necessary to protect public health and safety.  
10 Such modifications may be issued as amendments to this Citation and shall  
11 be effective upon issuance.

12 **PARTIES BOUND**

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

15 **SEVERABILITY**

16 The directives of this Citation are severable, and the Water System shall  
17 comply with each and every provision thereof notwithstanding the  
18 effectiveness of any provision.  
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**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 a public water 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. By issuance of this Citation, the Department does not waive any right to take additional or alternative enforcement action against the System including, but not limited to, assessment of additional penalties as authorized by law.

Failure to comply with any provision or directive of this Citation, including payment of assessed penalty, may result in the Department imposing additional penalties.

*Michelle F. Frederick*  
Michelle Floyd Frederick, P.E.  
District Engineer  
Mendocino District  
Drinking Water Field Operations Branch

*Jan 7, 2013*  
Date

Attachments

Certified Mail No. 7010 1870 0000 5926 9803



2300736/Section #6  
02-03-13C-001-23007360-22/LSH

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### COMPLIANCE CERTIFICATION

Citation Number 02-03-13C-001-2300736-22

Name of Water System: **CASPAR BEACH RV PARK**

System Number: **2300736**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the bacteriological maximum contaminant level violation for the compliance period of October 2012 and November 2012. In addition, I certify that the CASPAR BEACH RV PARK complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Complete Attachment A, as required by Directive 2(a)	_____
Public Notification – Mail or Direct Delivery	_____
Public Notification – Newspaper	_____
5 Bacteriological Samples Collected & Analyzed	_____
_____	_____
Signature of Water System Representative	Date

**Attach a copy of the notice delivered to the customers, a copy of the notice published in the newspaper, a copy of the check for payment of civil penalty, and a copy of the laboratory results for the 5 water samples.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT  
NO LATER THAN **January 31, 2013****

**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 informacion muy importante sobre su agua potable. Traduzcalo o hable con alguien que lo entienda bien.

### **Caspar Beach RV Park Had Levels of Coliform Bacteria Above the Drinking Water Standard**

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

#### **What happened?**

We routinely monitor our drinking water for contaminants. In October 2012, we took six bacteriological samples, five from the distribution system and one from the well source, all of which were positive for total coliform. None of the samples collected in October 2012 were shown to contain *E. coli*. In November 2012, we took seven water samples from our distribution system to test for the presence of coliform bacteria. Two of our samples showed the presence of coliform bacteria. The standard is that no more than 1 sample per month may test positive for bacteria. The positive samples were tested further for fecal coliform. **No fecal coliform or *E. coli* were found in the distribution system.** However, *E. coli* was found in two well water samples collected before disinfection. *E. coli* and other fecal indicators are microbes whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term health effects, such as nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

Our drinking water exceeded the maximum contaminant level allowed for total coliform bacteria in both October 2012 and November 2012, as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR).

#### **What does this mean?**

The California Department of Public Health (Department) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more drinking water samples than allowed. This was a warning of potential problems and a violation of the regulations.

#### **What should I do?**

You do not need to boil your water or take other corrective actions. This is not an emergency. If it had been, you would have been notified immediately.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

If you have other health concerns related to the consumption of this water, you may wish to consult your doctor.

**Has the problem been resolved? What corrective actions have been taken to prevent this violation from occurring in the future?**

On December 30, 2012, Caspar Beach RV Park removed the well from service that was determined to be the source of E. coli. Caspar Beach RV Park will be performing additional sampling of the remaining well and the distribution system in the months to come to ensure that there are no remaining bacteriological problems.

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact: \_\_\_\_\_  
(name)  
\_\_\_\_\_  
(address)  
\_\_\_\_\_  
(phone number)

If you have additional questions, you may also contact the California Department of Public Health's Mendocino District Office at 707-576-2145.