

**STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH**

IN RE: **DOYAL'S MOBILE HOME PARK**  
Water System No. 1000405

TO: Mr. Calvin "Bud" Doyal  
Doyal's Mobile Home Park  
P. O. Box 321  
Piedra, CA 93649

**CITATION FOR NONCOMPLIANCE  
ANNUAL NITRATE MONITORING AND REPORTING VIOLATION  
Calendar Year 2012  
March 25, 2013**

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

**VIOLATION**

The Drinking Water Field Operations Branch of the Department of Public Health (hereinafter 'Department') hereby issues a Citation to Doyal's Mobile Home Park (hereinafter 'Water System'), for failure to comply with Section 116555 of the CHSC and Sections 64432.1(a) of Title 22, California Code of Regulations (CCR). Specifically the Water System (mailing address: P.O. Box 321, Piedra, CA 93649) failed to comply with the following:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**Section 116555(a)(1) and (3) of the CHSC,**

Section 116555(a)(1) and (3) of the CHSC specifies “Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with the primary and secondary drinking water standards.
- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.”

**Section 64432.1(a). Monitoring and compliance – nitrate and nitrite**

Section 64432.1(a), Title 22, CCR, specifies “To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems using groundwater and transient-noncommunity systems using approved surface water shall monitor annually.” Surface water systems are to monitor quarterly for one year, then annually thereafter.

As specified in Section 64432.1(a), Title 22, CCR, all active sources are required to be tested at least annually for nitrate. In the absence of nitrate data, the Department is unable to determine whether or not water produced by the Water System source(s) meets the nitrate MCL of 45 mg/L (as nitrate).

The Water System is classified as a community water system with a groundwater source. The Water System has failed to report a nitrate result for the calendar year 2012 for the following active source:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**TABLE 1**

<b>Source Name</b>	<b>Primary Station Code</b>	<b>Source Class Code</b>
Well 01	1000405-001	CTGD

On March 27, 2012 the Department issued Enforcement Letter No. 03-23-12E-047 to the Water System informing them that the 2011 nitrate samples had not been received by the Department. The failure to collect the 2012 annual nitrate sample constitutes the second consecutive year of violation.

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

**NOTIFICATION REQUIREMENTS**

Section 64464.6 requires a public water system to notify the Department and the consumers of the water system, whenever the water supplier fails to collect and report the required number of nitrate samples as specified in Section 64432.1. The Department has deemed that Tier 2 public notification is appropriate under Section 64463.4(a)(3)

A Tier 2 Public Notice for violation of paragraph 64432.1(b)(2) shall be given pursuant to Section 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory health effects language from Appendix 64465-D for nitrate.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Section 64463.4 allows community water systems to use mail or direct delivery to each customer and the use of one or more of the following methods: publication in a daily or weekly newspaper, posting the public notice in a conspicuous public place within the water system or on the internet, or by delivery to community organizations. The appropriate Tier 2 is included as Attachment A.

CHSC Section 116450(g) requires that upon receipt of notification from a public water system, 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 their tenants and business property owners, managers or operators must notify employees of businesses located on the property.

Attachment A is a copy of a public notice that the Water System may use to notify its customers of the failure to conduct nitrate monitoring in 2012. This notice fulfills the public notification requirements for monitoring and reporting violations and includes the mandatory standard monitoring language. The attached notice should be checked for accuracy and any missing information should be completed prior to mailing or hand delivery.

Proof of notification is required. Attachment B is a Proof of Notification form that must be completed and returned to the Department.

1  
2  
3 **DIRECTIVES**

4 The Doyal's Mobile Home Park water system is hereby directed to take the following  
5 actions:

6 1. By **April 30, 2013**, the Water System shall provide public notification, using  
7 Attachment A, of the nitrate monitoring and reporting procedural failure by mailing  
8 or directly delivering to each customer as well as the use of one or more of the  
9 following methods: publication in a daily or weekly newspaper, posting the public  
10 notice in a conspicuous public place within the water system or on the internet, or  
11 by delivery to community organizations.

12  
13 2. By **May 15, 2013**, the Water System shall provide to the Department proof of  
14 notification of the nitrate monitoring and reporting procedural violation to each  
15 consumer using Attachment B. Upon completion of the public notification,  
16 Attachment B shall be completed and submitted to:

17 Betsy S. Lichti, Senior Sanitary Engineer  
18 Department of Public Health  
19 Drinking Water Field Operations Branch  
20 265 W. Bullard Avenue, Suite 101  
21 Fresno, CA 93704

22 3. The Water System shall ensure that monitoring is conducted annually for nitrate its  
23 active source.

24  
25 4. The Water System shall collect the 2013 annual nitrate sample from each active  
26 source by **June 30, 2013**.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

5. The Water System shall ensure that the laboratory submits the analytical results to the Department using the Electronic Data Transfer (EDT).

6. By April 30, 2013, the Water System shall submit a written response to the Department acknowledging that it has received this citation and will comply with all the directives listed herein.

**CIVIL PENALTIES**

Sections 116650(d) and 116650(e) of the CHSC allow for the assessment of a civil penalty for failure to comply with requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the Department imposing an administrative penalty of not less than \$100 (one hundred dollars) per day as of the date of violation of any provision of this Citation.

3/25/13  
Date

Betsy Lichte  
Betsy S. Lichte, P.E.  
Senior Sanitary Engineer, Fresno District  
DRINKING WATER FIELD OPERATIONS BRANCH

- Attachments:**
- Attachment A: Public Notification Format
- Attachment B: Proof of Notification Form



**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 Doyal's Mobile Home Park**

Our water system failed to monitor as required for a drinking water monitoring standard during the year 2012 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 year 2012 we did not monitor or test for nitrate 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 we did not properly test for during the year 2012, how many samples we are required to take and how often, how many samples we 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
Nitrate	Minimum is One Sample Annually	None	In the 2012 year	_____

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

**What happened? What is being done?**

Corrective action:

For more information, please contact \_\_\_\_\_ at:

Phone No. (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ or 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 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 in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

**PROOF OF NOTIFICATION**  
(Return with copy of notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Doyal's Mobile Home Park** water system of the failure to meet the **monitoring and reporting requirement for nitrate** for the year 2012 as directed by the Department.

Notification was made on \_\_\_\_\_ by  
(date)

hand delivered or mailed or posted written notice.  
(circle all that apply)

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**DISCLOSURE:** Be advised that Section 116725 and 116730 of the California Health and Safety Code state 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 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 the county jail not to exceed one year, or by both the fine and imprisonment.

**Due to the Department: May 15, 2013**  
2012 Nitrate M&R Violation  
System Number: 1000405  
Enforcement Action Number: 03-23-13C-017