



RON CHAPMAN, MD, MPH  
Director & State Health Officer

State of California—Health and Human Services Agency  
California Department of Public Health



EDMUND G. BROWN JR.  
Governor

June 14, 2013

Certified Mail  
7010 1060 0000 5278 6483

Ocean Grove Lodge  
P.O. Box 873  
Trinidad, CA 95570

Attention: Ron Fleshman, Owner

CITATION NO. 01-01-13C-006

Enclosed is a Citation for failure to monitor for coliform during March of 2013. The Citation specifies action to be taken by Ocean Grove Lodge to achieve compliance and avoid future civil penalties.

Section 116577 of the California Safe Drinking Water Act provides for our department to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, your water system will be billed for the preparation and issuance of this citation. Our costs are approximately \$126 per hour. At this time we have spent approximately one hour on enforcement activities associated with this violation. You will receive a bill for these costs, typically by September 1<sup>st</sup>, from our Fee Billing Unit in Sacramento.

Should you have any questions, please contact me at (530) 224-4872 or Craig Bunas at (530) 224-4887.

Tony Wiedemann, P.E.  
Klamath District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosure

cc: Richard Hinrichs, Chief – DDW – Northern California Section

System No. 1200772

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** Ocean Grove Lodge

**Water System No:** 1200772

**To:** Mr. Ron Fleshman  
P.O. Box 873  
Trinidad, CA 95570

**Issued:** June 14, 2013  
Via Certified Mail

**CITATION FOR NONCOMPLIANCE  
TOTAL COLIFORM MONITORING AND REPORTING VIOLATION**

**March 2013**

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.

**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



1 system. The citation shall be served upon the public water system personally  
2 or by certified mail. Service shall be deemed effective as of the date of  
3 personal service or the date of receipt of the certified mail. If a person to  
4 whom a citation is directed refuses to accept delivery of the certified mail, the  
5 date of service shall be deemed to be the date of mailing.

6  
7 (b) Each citation shall be in writing and shall describe the nature of the  
8 violation or violations, including a reference to the statutory provision,  
9 standard, order, citation, permit, or regulation alleged to have been violated.

10 (c) A citation may specify a date for elimination or correction of the condition  
11 constituting the violation.

12  
13 (d) A citation may include the assessment of a penalty as specified in  
14 subdivision (e).

15  
16 (e) The department may assess a penalty in an amount not to exceed one  
17 thousand dollars (\$1,000) per day for each day that a violation occurred, and  
18 for each day that a violation continues to occur. A separate penalty may be  
19 assessed for each violation.

20  
21 California Code of Regulations (CCR), Section 64423 states in relevant part:

22 (a) Each water supplier shall collect routine bacteriological water samples as follows:

23 (5) The minimum number of samples for transient-noncommunity water  
24 systems using approved surface water shall be based on the population  
25 served as shown in Table 64423-A. A system using groundwater under the  
26 direct influence of surface water shall begin monitoring at this frequency by  
27 the end of the sixth month after the Department has designated the source to  
be approved surface water.



**Table 64423-A  
Minimum Number of Routine Total Coliform Samples**

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month

**STATEMENT OF FACTS**

As of the date of this Citation, the Division of Drinking Water and Environmental Management of the Department of Public Health (Department) has not received results for a routine bacteriological sample collected from the distribution system of the Ocean Grove Lodge during March 2013.

**DETERMINATIONS**

The Department has determined that the failure to collect a routine bacteriological from the distribution system of the Ocean Grove Lodge during the month of March 2013 is a violation of Section 64423, Title 22, of the California Code of Regulations. The Department hereby issues a citation to the Ocean Grove Lodge for failure to comply with Section 64423, Title 22, of the California Code of Regulations:

**Directives**

Ocean Grove Lodge is hereby directed to take the following actions:

1. Comply with Section 64423 in all future monitoring periods.
2. By **June 28, 2013**, notify all persons served by the Water System of the failure to sample. Notification must be completed in accordance with each of the following:
  - a) Complete the enclosed notice *"IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER"* to include the name, address, and telephone

1 number of a water system representative as a source of additional  
2 information concerning the public notice. Also, in the space provided, you  
3 must give a legible, written description (preferably typed) of the corrective  
4 actions taken by the water system to prevent this violation from occurring  
5 in the future. At the bottom, provide the date or dates the notice was  
6 distributed.

7 b) Distribute the notice to the users in accordance with Section 64463.4(c)(2),  
8 Title 22, CCR, by:

9 1) Posting in conspicuous locations throughout the area served by the  
10 water system for at least seven days;

11 2). And by one or more of the following methods to reach persons not  
12 likely to be reached by public posting;

- 13 • Publication in a local newspaper or newsletter distributed to  
14 customers;
- 15 • E-mail message to employees or students;
- 16 • Posting on the Internet or intranet; or
- 17 • Direct delivery to each customer.

18 3. A representative of the Ocean Grove Lodge shall complete the enclosed  
19 "Certification of Public Notice" form and return it to the Department by  
20 **July 12, 2013**. A copy of the notice that was distributed must be included  
21 with the form.

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

24  
25 Tony Wiedemann, P.E.  
26 California Department of Public Health  
27 Drinking Water Field Operations Branch  
364 Knollcrest Drive, Suite 101  
Redding, CA 96002



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**Civil Penalty**

Sections 116650(d) and 116650(e) of the California Health and Safety Code allow for the assessment of a civil penalty for failure to comply with requirements of Chapter 4. Failure to comply with any provision of this citation may result in the Department imposing a civil penalty of up to one thousand dollars (\$1,000.00) per day for each day that the violation occurred, and for each day that the violation continues to occur.

Tony Wiedemann  
Tony Wiedemann, P.E.  
District Engineer  
Klamath District  
Drinking Water Field Operations Branch

June 14, 2013  
Date

Attachments:  
Notice - Important Information About Your Drinking Water  
Certification of Public Notice

Certified Mail No. 7010 1060 0000 5278 6483



# **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.

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## **Coliform Monitoring Requirements Not Met for Ocean Grove Lodge – March 2013**

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Our water system failed to test the drinking water for coliform bacteria during March 2013. Even though this failure was not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct this situation.

### **What happened?**

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 March 2013, we did not monitor or test for total coliform and therefore, cannot be sure of the quality of our drinking water during that time.

Coliform are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling are important to periodically verify the water quality.

### **What should you do?**

There is nothing you need to do at this time. This is not an emergency. If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

### **What is being done to prevent this violation in the future?**

Persons wishing more information should contact:

\_\_\_\_\_

(name)

\_\_\_\_\_

(address)

\_\_\_\_\_

(phone number)

*Please share this information with 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.*

Upon receipt of this notice from a public water system the following establishments must provide secondary notification by distributing this notice within ten days as follows: Schools must notify school employees, students, and parents (if the students are minors). Residential rental property owners or managers (including nursing home and care facilities) must notify tenants. Business property owners, managers, or operators must notify employees of businesses located on the property. [Health and Safety Code Section 116450(g)]

Date(s) distributed: \_\_\_\_\_

**Certification of Public Notice**  
(Noncommunity)

This form when completed and returned to the Division of Drinking Water and Environmental Management (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463 – 64465.

Public Water System Name Ocean Grove Lodge

Public Water System No. 1200772

Public notification for the March 2013 failure to monitor for coliform bacteria was performed by the following method(s) (check and complete those that apply):

The notice was posted in the following conspicuous places:  
A copy of the notice is attached.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide the date (or dates) that the notice was posted \_\_\_\_\_  
(date)

The notice was published in a local newspaper or newsletter on \_\_\_\_\_  
A copy of the newspaper or newsletter notice is attached. (date)

The notice was e-mailed to employees or students on \_\_\_\_\_  
A copy of the notice is attached. (date)

The notice was posted on the Internet or intranet on \_\_\_\_\_  
A copy of the notice is attached. (date)

The notice was directly delivered to each customer on \_\_\_\_\_  
A copy of the notice is attached. (date)

I hereby certify that the above information is factual.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date