

IOWA DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATIVE ORDER

IN THE MATTER OF: THAKUR, L.L.C. dba RELAX INN Public Water Supply Facility No. 4884726	ADMINISTRATIVE ORDER NO. 2009-WS-02
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TO: Ranbir Thakur
Thakur, L.L.C.
2214 U Avenue
Williamsburg, IA 52361

Marc R. Engelmann
Registered Agent
1111 East River Drive
Davenport, IA 52803

I. SUMMARY

This administrative order (order) is issued to Thakur, L.L.C. dba Relax Inn, Williamsburg, Iowa. The order is issued due to violations of the water supply operation permit issued for this facility and public water supply rules and requirements. This order requires you to:

- Properly operate, maintain, and monitor continuous disinfection facilities. Monitor for chlorine residuals daily, record the daily chlorine residuals on the monthly operation report, and maintain adequate chlorine residuals;
- Record all required information on monthly operation reports and timely submit monthly operation reports to the field office;
- Comply with all monitoring requirements and all other conditions of this facility's public water supply operation permit;
- Provide public notice as required by the Department;
- Hire and maintain the services of a certified operator to operate the system on a daily basis and;
- Pay a penalty of \$9,250.00.

Any questions regarding this order should be directed to:

Relating to technical requirements:

Aaron Pickens, Environmental Specialist
IDNR Field Office No. 6
1023 West Madison
Des Moines, Iowa 52353-1623
Ph: 319/653-2135

Relating to legal requirements:

Diana L. Hansen, Attorney at Law
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034
Ph: 515/281-6267

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

Payment of penalty to:

Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034

II. JURISDICTION

This order is issued pursuant to Iowa Code section 455B.175(1) which authorizes the Director to issue any order necessary to secure compliance with or prevent a violation of Iowa Code chapter 455B, Division III, Part 1, and the rules promulgated or permits issued pursuant thereto; and Iowa Code section 455B.109 and 567 Iowa Administrative Code (IAC) 10(455B), which authorize the Director to assess administrative penalties.

III. STATEMENT OF FACTS

1. This public water supply facility is owned by Thakur, L.L.C. (hereinafter Relax Inn) and operates as the Relax Inn, located at 2214 U Avenue, Williamsburg, Iowa 52361. Ranbir Thakur is listed as the organizer and member of this limited liability corporation according to documents filed with the Iowa Secretary of State. The motel was purchased on contract on February 27, 2007 from Maha-Vishnu Corporation according to information from the Iowa County Assessor's office.

2. This public water supply facility provides piped water to the public for human consumption and regularly serves at least 25 persons. This facility, a transient non-community public water supply, serves a motel that provides water to approximately 95 customers and employees daily. Water is derived from two active wells with a third well listed as an emergency standby well. Current treatment is pre-chlorination for oxidation and disinfection and iron filtration through one iron filter followed by a zeolite softening unit.

3. On February 20, 2009, an engineer from the Department's Water Supply Section provided the Department's response to the submittal of a completed viability self assessment manual. This assessment was required by the May 2, 2007 sanitary survey of the facility. The Department engineer informed this facility that contaminant monitoring was not being conducted adequately in accordance with the facility's operation permit, self monitoring was not being performed, particularly with respect to chlorine residuals, adequate record keeping was not being performed, and that the facility did not have a properly certified operator. The facility was notified that it was not viable.

By a letter dated February 19, 2009, Department issued the Relax Inn, formerly the Econolodge, a notice of violation. The letter notified this facility that it had failed to comply with its operation permit and the requirement to have a certified operator. The letter additionally informed the facility that it was deficient due to failure to submit

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

monthly operation reports. The facility was informed that it was being referred for enforcement action.

4. This facility was issued a water supply operation permit on February 14, 2006. In addition to bacteria and nitrate monitoring requirements, the permit appendix required the hiring and retention of a certified operator to operate the system on a daily basis. The permit appendix also required the facility to maintain proper chlorine residuals and to record and report daily chlorine residuals, the daily amount of chlorine used, the daily amount of water used, the monthly water use, and the monthly static and pumping water levels. The additional requirements were imposed due to a prior administrative order issued concerning this facility in 2002.

Sampling Required for Lab Analysis

Bacteria

5. The water supply operation permit issued to the facility owner on February 14, 2006 required this facility to be monitored for coliform bacteria monthly. Department rules also require that when a routine bacterial sample is analyzed as containing bacteria, additional recheck and routine samples shall be taken. These samples must be analyzed at a certified laboratory.

6. This facility failed to take a bacteria sample for the months of April 2008, March 2008, February 2007, and March 2006. The facility owner was notified of these bacteria monitoring violations by letters dated May 27, 2008, April 29, 2008, March 28, 2007, and April 18, 2006. The letters and public notice instructions sent with the letter additionally advised the facility owner that public notification was required to be given and that proof of public notice was required to be submitted to the Department. The Department has not received proof that public notice for these violations was given.

Nitrate

7. The water supply operation permit issued to the facility owner on February 14, 2006 required nitrate monitoring once per year. The nitrate samples are to be analyzed at a certified laboratory.

8. The Department issued a notice of violation letter to this facility dated July 16, 2009 notifying this facility that it failed to take its yearly nitrate sample for 2009. The sample was due by June 30, 2009. By a notice of violation letter dated July 22, 2008, the facility was notified of a nitrate monitoring violation. The facility was informed that it failed to take the yearly nitrate sample for 2008. The Department issued a notice of violation letter dated July 26, 2006 to this facility concerning a nitrate monitoring violation. The letter informed this facility that it failed to take the yearly nitrate sample for 2006. Nitrate replacement samples were taken for 2006 and 2008 after issuance of the

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

notices of violation. The notice of violation letters and public notice instructions sent with the letters advised the facility owner that public notification was required to be given and that proof of giving public notice was required to be furnished to the Department. The Department has not received proof that public notice for these violations was given.

Site Visits and Reports

9. Field Office No. 6 has conducted site visits and a sanitary survey at this facility since 2005. On October 10, 2008 a site visit was conducted by Field Office No. 6. The environmental specialist conducting the site visit discussed this facility's failure to have a certified operator at this facility with the facility manager. Although the manager informed him that there was a person performing the testing, the facility had not submitted operator affidavit forms to Field Office No. 6 to confirm that there was a certified operator. Testing of chlorine residuals during the site visit did not meet the required minimums. Free chlorine was tested at 0.06 mg/L while total chlorine tested at 0.52 mg/L. These test results were well below the required minimums of 0.3 mg/L free chlorine or 1.5 mg/ L total chlorine. The facility did not have a test kit on site to take the chlorine residuals, which are required to be taken and recorded daily. The facility additionally had not submitted monthly operation reports and had no operational records on site.

10. On October 20, 2008 Field Office No. 6 issued a notice of violation letter to this facility for the violations discovered in the October 10, 2008 site visit. The letter advised the facility that it failed to have a certified operator, failed to maintain adequate chlorine residuals in the distribution system, failed to take daily chlorine residuals, failed to submit monthly operation reports, and failed to have operational records on site. The facility was required to submit operator affidavit forms to the field office by November 21, 2008 and to submit monthly operation reports to the field office by the 10th of each month. The reports were required to contain information concerning daily free and total chlorine residuals, the daily record of chlorine used, the daily record of total water used, the monthly record of total water used and the monthly static and pumping water levels.

11. By a notice of violation letter dated March 17, 2008 letter, Field Office No 6 informed the Relax Inn that it was in violation of the requirement to submit monthly operation reports. The letter also informed this facility that the field office had received notice that the certified operator had quit and advised the facility that it needed to hire a certified operator licensed for water treatment.

12. By a May 23, 2007 cover letter, the Department notified the Relax Inn of the results of the sanitary survey conducted on May 3, 2007. The cover letter informed this facility that it was considered to be a non-viable public water supply system and was required to complete a viability assessment. This decision was based on issuance of Administrative Order No. 2002-WS-02, the history of the facility and the operating practices at the time of the sanitary survey. The survey report stated that viability was questionable due to lack

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

of proper on-site operation. This determination triggered the requirement that the facility complete a viability assessment.

The report for the May 3, 2007 sanitary survey noted numerous deficiencies at the facility. The report noted that the facility was required to submit monthly operation reports but was in violation of this requirement. The reports were required to include information on daily free and total available chlorine residuals, the daily amount of chlorine residuals used, the total amount of water used on a daily basis, the total amount of water used on a monthly basis, and the monthly static and pumping water levels.

The sanitary survey report noted that the facility had not monitored for chlorine daily as required by the permit. The report noted that the test kit was not available during the survey to determine if it was appropriate for the treatment process or for the testing required. The facility was required to respond in writing concerning the steps it had taken to comply with the daily chlorine monitoring and adequate test kit requirements. Additionally, the facility was required to develop and maintain on site a written total coliform rule sample siting plan.

The sanitary survey report advised this facility that it needed to obtain a certified operator. The report required that the facility submit affidavit forms to the field office by July 9, 2007 confirming that a certified operator had been hired. The facility hired a certified operator in November 2007 but by March 2008, the operator quit.

13. By a notice of violation letter dated April 12, 2006, Field Office No. 6 informed this facility of violations observed during the April 11, 2006 site visit. The notice of violation was issued for failure to comply with the conditions of the operation permit, failure to maintain adequate chlorine residuals, failure to take daily chlorine residuals and to monitor residuals in the distribution system, and failure to submit monthly operation reports to Field Office No. 6 by the 10th of each month.

14. A site visit was conducted by an environmental specialist from Field Office No. 6 on December 15, 2005. Chlorine residuals were tested and observed to be below the minimum requirement of 0.3 mg/L free or 1.5 mg/L total chlorine required by Department rules. Readings documented at the time of the visit were 0.1 mg/L free and 0.2 mg/L total chlorine. It was also observed that the facility was not monitoring chlorine residuals on a daily basis in the distribution system and that the facility was not submitting monthly operating reports.

15. By a notice of violation letter dated December 20, 2005, Field Office No. 6 informed this facility of the violations documented during the December 15, 2005 visit. The letter cited failure to comply with the conditions of the facility's operation permit and failure to maintain the required chlorine residuals in the disinfection system. The letter informed this facility that it had not submitted monthly operation reports timely, that it had not monitored chlorine residuals on a daily basis, and that it had not maintained chlorine

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

residuals in the distribution system. The letter required this facility to monitor and maintain chlorine residuals in the distribution system, ensure that all other monitoring requirements in the permit are met, and submit monthly operation reports timely.

Viability Assessment

16. As shown by the above discussion, this facility has failed to take all required bacteria and nitrate samples. The facility failed to take daily chlorine residuals and failed to maintain adequate chlorine residuals in the distribution system. Monthly operation reports have not been submitted for the facility and the facility does not have a certified operator. It does not appear that this facility has the managerial and technical ability to achieve or remain in compliance with the rules applicable to a public water supply system. Due to these factors the Department finds that this system is not viable.

IV. CONCLUSIONS OF LAW

1. Iowa Code section 455B.172 makes this Department the agency of the state to conduct the public water supply program. Iowa Code section 455B.171 defines a public water supply system as a system for the provision of piped water for human consumption, if the system has at least fifteen service connections or regularly serves at least twenty-five individuals. Iowa Code sections 455B.173(3), (5), and (6) authorize the Environmental Protection Commission (Commission) to promulgate rules relating to the operation of public water supply systems, to adopt drinking water standards to assure compliance with federal standards adopted pursuant to the federal Safe Drinking Water Act, and to adopt rules relating to monitoring, record keeping, and reporting requirements for any public water supply. The Commission has adopted such rules at 567 IAC chapters 40- 43.

2. Rule 567 IAC 40.2(455B), further defines public water supply by defining "community water system" as a public water supply which has at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents, consistent with federal regulations. A "noncommunity water system" is any other public water supply. This facility is a transient noncommunity water system.

Bacterial Monitoring

3. Subrule 567 IAC 41.2(1) requires a noncommunity water system to be sampled at least once per calendar quarter. More frequent sampling may be required. Subparagraph "c"(1) of that subrule requires that bacterial samples must be collected at sites which are representative of water throughout the distribution system, according to a written sampling plan that meets the criteria of said subparagraph. When positive results are obtained in a routine sample, additional follow-up sampling is required.

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

Subrule 83.1(3) requires the samples to be analyzed at a certified laboratory, subrule 42.4(1) requires that the analytical results be reported to the Department within ten days after the test, and subrule 42.5(1) requires a public water supply system to retain records of bacteria analyses of its water supply for a period of five years. The facility has failed to properly sample, as specified above.

Nitrate Monitoring

4. Subrule 41.3(1), subparagraph "c"(5), requires a transient noncommunity water system to be sampled at least once every year, and have the samples analyzed for nitrate, in accordance with prescribed analytical procedures.

Subrule 83.1(3) requires the samples to be analyzed at a certified laboratory. Subrule 42.4(1) requires that the analytical results be reported to the Department within ten days after the test. Subrule 42.5(1) requires a public water supply system to retain records of chemical analysis of its water supply for a period of ten years. The facility has failed to properly sample, as specified above.

Public Notification of Violations

5. Subrule 567 IAC 42.1(4) requires the owner or operator of a public water supply system which fails to perform monitoring required by rule to notify persons served by the system within three months. Noncommunity systems may provide public notice by continuous posting in conspicuous places within the area served by the system.

The notice is required to provide a clear and readily understandable explanation of the violation, the steps the system is taking to correct the violation, and include the telephone number of the owner, operator, or designee of the system as a source of additional information. Subrule 567 IAC 42.4(1), paragraph "c", provides that the public water supply shall submit a representative copy of the public notice, to the Department within ten days of completion of the notice. This facility has failed to comply with public notice requirements for bacteria and nitrate monitoring violations.

Continuous Disinfection

6. Subrule 42.4(3), subparagraph "b", provides:

(1) Continuous disinfection.

1. When required. Continuous disinfection must be provided at all public water supply systems, except for the following: groundwater supplies that have no treatment facilities or have only fluoride, sodium hydroxide or soda ash addition and that meet the

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

bacteria standards as provided in 567—41.2(455B) and do not show other actual or potential hazardous contamination by microorganisms.

2. Method. Chlorine is the preferred disinfecting agent. Chlorination may be accomplished with liquid chlorine, calcium or sodium hypochlorites or chlorine dioxide. Other disinfecting agents will be considered, provided a residual can be maintained in the distribution system, reliable application equipment is available and testing procedures for a residual are recognized in Standard Methods for the Analysis of Water and Wastewater.

3. Chlorine residual. A minimum free available chlorine residual of 0.3 mg/L or a minimum total available chlorine residual of 1.5 mg/L must be continuously maintained throughout the water distribution system, except for those points in the distribution system that terminate as dead ends or areas that represent very low use when compared to usage throughout the rest of the distribution system as determined by the department.

4. Test kit. A test kit capable of measuring free and combined chlorine residuals in increments no greater than 0.1 mg/L in the range below 0.5 mg/L, and in increments no greater than 0.3 mg/L in the range from 1.0 mg/L to 2.0 mg/L must be provided at all chlorination facilities. The test kit must use a method of analysis that is recognized in Standard Methods for the Examination of Water and Wastewater.

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6. Other disinfection residuals. If an alternative disinfecting agent is approved by this department, the residual levels and type of test kit used will be assigned by the department in accordance with and based upon analytical methods contained in Standard Methods for the Examination of Water and Wastewater.

7. Subrule 42.4(3) also provides that systems that provide treatment such as disinfection must perform routine operational monitoring, as follows:

- Daily free and total available chlorine residuals.
- Daily record of the amount of chlorine used.
- Daily or weekly record of the total water used.
- Static water levels and pumping water levels once per month.

These operational monitoring requirements were included in the operation permit issued to this facility in 2006. The permit required that this information be collected and recorded on monthly operation reports and submitted to the field office by the 10th of each month. The facility has failed to comply with these requirements.

Certified Operator

8. Iowa Code section 455B.223 provides that it shall be unlawful for any person, firm, corporation, municipal corporation, or other governmental subdivision or agency, operating a public water supply system to operate such a system unless the competency of the operator to operate such plant or system is duly certified by the Director. The Commission has adopted rules relating to certified operators in 567 IAC 43.1(5) and for certification requirements in 567 IAC chapter 81. .

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

9. Subrule 567 IAC 43.(1) 5 provides as follows.

43.1(5) Requirement for certified operator.

a. CWS and NTNC systems.

All community and nontransient noncommunity public water supply systems must have a certified operator in direct responsible charge of the treatment and distribution systems, in accordance with 567—Chapters 40 through 44 and 81.

b. TNC systems.

Any transient noncommunity public water supply system which is owned by the state or federal government, such as a state park, state hospital, or interstate rest stop, or is using a groundwater under the direct influence of surface water or surface water source, must have a certified operator in direct responsible charge of the treatment and distribution systems, in accordance with 567 Chapters 40 through 44 and 81. Any TNC which uses chlorine dioxide as a disinfectant or oxidant must have a certified operator in direct responsible charge of the treatment and distribution systems, in accordance with 567 Chapters 40 through 44 and 81. The department may require any TNC to have a certified operator in direct responsible charge.

Subrule 43.1(5)“b” provides that the Department can require a transient noncommunity public water supply system to hire a certified operator. The Department has required this facility to hire and retain a certified operator. This facility has failed to comply with this requirement.

Viability Assessment

10. Subrule 43.8(5), subparagraph “a”(2), requires that existing public water supply systems categorized as being in significant noncompliance by the Department due to their history of failure to comply with drinking water standards, are required to complete a viability assessment for the Department’s review and approval. “Significant noncompliance” means the failure to comply with any drinking water standard. See subrule 43.8(1).

The viability assessment must address the areas of technical, financial, and managerial viability for a public water supply system. The assessment must include evaluation of the following areas at a minimum. The public water supply may be required to include additional information as directed by the Department. The viability of a system should be forecast for a twenty year period.

a. Technical Viability

- (1) Supply sources and facilities,
- (2) Treatment, and
- (3) Infrastructure (examples: pumping, storage, and distribution).

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

b. Financial Viability.

- (1) Capital and operating costs
- (2) Revenue sources
- (3) Contingency plans.

c. Managerial Viability

- (1) Operation
- (2) Maintenance
- (3) Management
- (4) Administration

This facility submitted a completed viability study to the Water Supply Section. By a letter dated February 20, 2009, this facility was informed by an engineer in the Department's Water Supply Section that the facility was not considered viable. The letter informed the facility that in order to obtain viability status, it would need to secure a certified operator and adequately satisfy the compliance obligations pertaining to the significant deficiencies identified by Field Office No. 6. To date this facility has not satisfied the Department engineer's requirements for becoming a viable facility.

V. ORDER

THEREFORE, in order to abate and redress violations of Department rules and this facility's public water supply operation permit, the Department orders the Relax Inn to comply with the following:

1. Properly operate, maintain and monitor continuous disinfection of your public water supply system at all times. Chlorine residuals are required to be monitored on a daily basis using an approved test kit in accordance with the requirements of Department rules. The results are required to be recorded on the monthly operation report. You are required to maintain minimum chlorine residuals of 0.3 mg/L free or 1.5 mg/L total available chlorine in finished water throughout the distribution system, except at dead ends or low use areas. You are required to monitor chlorine residuals in the distribution system in conjunction with all total coliform bacteria monitoring.

2. Record the following on the monthly operation report and submit that report to Field Office No. 6 in Washington, Iowa, on a monthly basis by the 10th of each month.

- Daily free and total available chlorine residuals.
- Daily record of the amount of chlorine used.
- Daily record of the total water used.
- Monthly record of the total water used.

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

- Monthly static water levels and pumping water levels

Operation report forms may be obtained from Field Office No. 6 in Washington, Iowa by calling (319) 653-2135.

3. Sample this public water supply at least once per month for coliform bacteria, submit the samples to a laboratory certified for coliform bacteria analysis, timely report the results to the Department, and maintain the records of such analyses for five years. Required follow-up sampling for bacteria shall be conducted upon notice by the Department.

4. Sample this public water supply at least once per year for nitrate, submit the sample to a laboratory certified for nitrate analysis, timely report the results to the Department, and maintain the records of such analyses for ten years.

5. Provide public notice of bacteria and nitrate monitoring violations as required by Department rules.

6. Acquire and maintain the services of a certified operator to operate this public water supply system on a daily basis. The certified operator is required to be given all direct responsibility and authority necessary to insure operation of the system in full compliance with the rule requirements. You must verify to the Department within 30 days of receipt of this order that a certified operator has been obtained. You are required to submit four notarized copies of the operator by affidavit form (IDNR Form 542-3119) to Field Office No. 6 in Washington, Iowa. The affidavit form may be obtained from the field office by calling (319) 653-2135.

7. An administrative penalty of \$9,250.00 is assessed. The penalty shall be paid to the Department within 60 days after your receipt of this order.

VI. PENALTY

1. Iowa Code section 455B.191 authorizes the assessment of civil penalties of up to \$5,000.00 per day of violation for the violations involved in this matter.

2. Iowa Code section 455B.109 authorizes the Commission to establish by rule a schedule of civil penalties up to \$10,000.00 that may be assessed administratively. The Commission has adopted this schedule with procedures and criteria for assessment of penalties in 567 IAC chapter 10. Pursuant to this chapter, the Department has determined that the most effective and efficient means of addressing the above-cited violations is the issuance of an order with an administrative penalty. The administrative penalty assessed by this order is determined as follows:

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

a. Economic Benefit. There have been cost savings to the facility in failure to retain a certified operator as required by the water supply operation permit issued to this facility. This facility failed to have a certified operator from March 2008 through July 2009, a period of 17 months. At an estimated amount of \$200.00 per month for a certified operator by affidavit, this would total \$3,400.00 in cost savings. There were additional cost savings due to not performing the monitoring and reporting required by the water supply operation permit and in not providing public notice following monitoring violations. The amount of \$250.00 is assessed for cost savings relating to monitoring and public notices. The facility additionally did not submit monthly operation reports. The Department assesses the amount of \$25.00 for each month that a report was not done for the past 24 months for a total of \$600.00 in cost savings for not submitting monthly operation reports. This would include the cost of taking the various daily and monthly tests and readings at the facility that would most likely be taken by a facility staff person, not the certified operator, and the cost of completing and submitting the reports. The amount of \$4,250.00 is assessed for this factor.

b. Gravity of the Violation. One of the factors to be considered in determining the gravity of a violation is the amount of penalty authorized by the Iowa Code for the type of violation. As indicated above, substantial civil penalties are authorized by statute. Despite the high penalties authorized, the Department has decided to handle the violations administratively at this time, as the most equitable and efficient means of resolving the matter. This matter involves a potential threat to public health due to the failure to have a certified operator, the failure to take required bacteria and nitrate samples, the failure to obtain and record information required by the monthly report and to submit the required monthly operation reports, and the failure to give public notice of monitoring violations. Because of the relative importance of the drinking water program, \$2,500.00 is assessed for this factor, due to multiple violations.

c. Culpability. The facility owner was issued a permit with the monitoring requirements, the requirement to hire and retain a certified operator, the requirement to obtain and report certain information on a monthly basis, and the requirement to submit monthly operation reports. Letters and sanitary survey reports advised this facility of the failure to submit monthly operation reports, reporting deficiencies and the failure to have a certified operator. Additionally, the facility owner was sent letters advising of monitoring violations for bacteria and nitrate. The facility owner has been given ample time to comply. Therefore, \$2,500.00 is assessed for this factor, in view of multiple violations.

VII. APPEAL RIGHTS

Pursuant to Iowa Code section 455B.175(1), and 561 IAC 7.5(1), as adopted by reference by 567 IAC chapter 7, a written notice of appeal to the Commission may be filed within 30 days of receipt of this order. The notice of appeal should be filed with the Director of the Department, and must identify the specific portion or portions of this order

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER
THAKUR, L.L.C. DBA RELAX INN**

being appealed and include a short and plain statement of the reasons for appeal. A contested case hearing will then be commenced pursuant to Iowa Code chapter 17A and 561 IAC chapter 7.

VIII. NONCOMPLIANCE

Compliance with Section V. of this order constitutes full satisfaction of the requirements pertaining to the violations described in this order. Failure to comply with this order may result in the imposition of further administrative penalties or referral to the Attorney General to obtain injunctive relief and civil penalties pursuant to Iowa Code section 455B.191.



RICHARD A. LEOPOLD, DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 12 day of
August, 2009

Thakur, L.L.C. dba Relax Inn- Public Water Supply Facility No. 4884726, Aaron Pickens- Field Office No. 6, Bill Wycer- Water Supply Section, Diana Hansen- Legal Services, U.S. EPA Region VII, II.B.2.a.(1), II.B.2.a.(2), II.B.2.d., II.B.2.e., II.B.2.g.