
Response to Complaint No. I198480 dated April 4, 2017

Dear Mr. Wendland,

We are in receipt of your letter of the above date regarding alleged conditions, potentially in violation of Safety Work Orders at the Hornbrook Community Services District (HCSO or District) water treatment plant located at 15025 Bradley Henley Rd., Hornbrook. Included herein as **Exhibit A** is a photo of the posting of the April 4, 2017 Complaint letter. We have investigated the matter and submit the following responses, with additional detail below and attached.

Code Section(s) and Alleged Condition(s):

1. 3203: Allowing an employee to live at the facility. **HCSO Response** - The District's only employee (part time) is not allowed to live at the normally unattended water treatment plant facility, and is prohibited from doing so.
2. 3364: No toilet at the facility. **HCSO Response** - A portable toilet facility (service) had previously been provided at this unattended location, but was removed after lack of use. There have been no requests from the current part time employee for a toilet at the plant. However, we have contracted with Siskiyou Sanitary for the delivery and servicing of a portable toilet to be maintained on the HCSO water treatment facility location to ensure the part time employee has adequate toilet facilities if needed while on site. The service receipt is attached hereto as **Exhibit B** and the toilet will be delivered on or before Monday April 24th, 2017. If you would like follow up photos of the toilet on site, please let me know. The water treatment facility is normally unattended, and inspected/maintenance performed twice daily or as needed to provide adequate supplies of safe drinking water as required by the HCSO drinking water permits.

The District employs one part-time maintenance worker, who works a varying schedule of 15 to 25 hours per week operating and maintaining the HCSO water treatment plant and water distribution system. A portion of his work is conducted at the water treatment plant itself, and the remainder in various HCSO facility and infrastructure locations, such as groundwater wells and tank sites throughout Hornbrook. The time and location requirements of the work are dictated by the job itself, and the District has set no minimum or maximum amount of time within that normal work schedule in which the employee is to be performing his duties at the water treatment plant. Attached hereto as **Exhibit C** is a statement from part time employee Clint Dingman regarding his place of residence.

Please note that Mr. Dingman's work hours are self-directed, on call and as needed within his part time position assignment. There are days in which he works two hours per day when all is working well, and others where snow, freezing weather, equipment breakdown or other water supply emergency situations call for late night and early morning work, and extended work hours. Therefore, it is difficult to predict the exact hours or schedule he will work at the treatment facility.

We hope that the above addresses the reported allegations. If not, please feel free to contact me directly by email or on my cell phone below.

Sincerely,

Peter J. Kampa
General Manager

April 20th, 2017

Exhibit A



STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Occupational Safety and Health
Reading District Office
383 Memorial Drive
Reading, CA 96082
Tel. # (530) 224-4743 Fax # (530) 224-4747

EDMUND G. BROWN JR., Governor

April 4, 2017

Hornbrook Community Services District
15025 Bradley Henley Rd.
Hornbrook, CA 96044

Dear Employer:

The Division of Occupational Safety and Health has received a complaint (Complaint No. 1198480) alleging the following condition(s) at your workplace at 15025 Bradley Henley Rd, Hornbrook, which may be a violation of the Safety Orders found in Title 8 of the California Code of Regulations:

Code Section(s) and Alleged Condition(s)

1. 3203: Allowing an employee to live at the facility.
2. 3364: No toilet at the facility.

To review Title 8, California Code of Regulations, go to www.dir.ca.gov, click on "Title 8 Regulations" then click on "Cal/OSHA" and enter the code section number mentioned above. Or you can go directly to www.dir.ca.gov/samples/search/query.htm.

The Division has not determined whether the hazard(s), as alleged, exist(s) at your workplace and, at this time, the Division does not intend to conduct an inspection of your workplace.

However, you are required to investigate the alleged condition(s) and notify this office § 32032 no later than fourteen (14) calendar days after receipt of this letter whether the alleged condition(s) exist and, if so, specify the corrective action(s) you have taken and the estimated date when the corrections will be completed. If possible, please fax or e-mail your response to John Wendland, District Manager, at fax number (530) 224-4747 or e-mail at DIRDOHRED@DIR.ca.gov.

Please include any written documentation, e.g., equipment purchase orders or contracts for corrective work, and photographs, if appropriate, in your response. If you do not respond in a timely and satisfactory manner, an unannounced inspection of your workplace will be scheduled, which may result in citation(s) and monetary penalties. Also, every tenth satisfactory letter response from employers is subject to verification by an inspection.

You are required to post a copy of this letter in a prominent location in their workplace where it is readily accessible for employee review for at least three (3) working days or until the hazard is corrected, whichever is longer.

This letter is not a citation or a notification of a proposed penalty. Citations and penalties can only be issued after an inspection of your workplace. If the Division does not receive a satisfactory response from you within fourteen (14) calendar days after receipt of this letter, an on-site inspection will be conducted as appropriate.

If the identity of the complainant is known to the Division, a copy of this letter will be sent to the complainant.

Also, the complainant will be notified that California law protects any person who makes a complaint about workplace safety or health hazards from being treated differently, discharged or discriminated against in any manner by their employer. If a complainant believes they have been discriminated against, it is their right to file a complaint with the Division of Labor Standards Enforcement within six (6) months of the discriminatory action.

If you have any questions concerning this matter, please contact me at the address in the letterhead.

Your interest in the safety and health of your employees is appreciated.

Sincerely,

Exhibit B

From: Jackie lovelace
To: [Chalyse Drake](#)
Subject: Siskiyou Sanitary toilet rental
Date: Wednesday, April 19, 2017 6:38:35 PM

>
> Toilet will be set by or before April 24,2017 for Hornbrook Water Community Service District
>
> Thank you
> Emmet Lovelace
> Siskiyou Sanitary
> 5308423023
> 1537 Lucas Rd
> Yreka, Ca. 96097
>
>
>
>
>
> Sent from my iPad

3 Life-Shortening Foods You Should Avoid
3 Harmful Foods
<http://thirdpartyoffers.netzero.net/TGL3241/58f8110262b6810fd2249st03duc>

Exhibit C

From: clint dingman
To: [Peter Kampa](#)
Subject: Re: pay
Date: Monday, April 17, 2017 8:15:40 AM

I, clint dingman, live at 200 Rancheria creek road, hornbrook, ca,96044. I have lived there from may, 2016 to the present.

On Mon, Apr 17, 2017 at 7:26 AM, Peter Kampa <pkampa@kampacs.com> wrote:

Clint

I still need the letter from you re your place of residence. If you need to call me on this, please do so in the afternoon. Thanks!

Peter J Kampa
General Manager

From: clint dingman <dingmanclint@gmail.com>
Sent: Sunday, April 16, 2017 9:05:43 AM
To: Peter Kampa
Subject: pay