



COMMONWEALTH of VIRGINIA

B. Cameron Webb, MD, JD
State Health Commissioner

Department of Health
P O BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

**STATE BOARD OF HEALTH
ORDER BY CONSENT
ISSUED TO
Kunal Gandhi, Inc.
FOR THE
Relax Inn Waterworks
PWSID No. 2163185**

This is a Consent Order issued under authority granted by Va. Code § 32.1-26 between the State Board of Health and Kunal Gandhi, Inc., for the Relax Inn Waterworks for the purpose of resolving certain violations of the Public Water Supplies Law and the applicable regulations.

Section A. Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned below:

1. "Board" means the State Board of Health, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code § 32.1-5.
2. "Commissioner" means the State Health Commissioner, who supervises and manages the Department, as described in Va. Code §§ 32.1-16 and 17.
3. "Department" or "VDH" means the Department of Health, an agency of the Commonwealth of Virginia, as described in Va. Code § 32.1-16.
4. "Human consumption" means drinking, food preparation, dishwashing, bathing, showering, hand washing, teeth brushing, and maintaining oral hygiene, as described in Va. Code § 32.1-167 and 12VAC5-590-10 of the Regulations.
5. "LFO" means the ODW Field Office located in Lexington, Virginia.
6. "Notice of Alleged Violation" or "NOAV" means a type of notice of alleged violation issued under 12VAC5-590-110 of the Regulations.

7. "ODW" means the VDH Office of Drinking Water.
8. "Order" means this document, also known as a "Consent Order" or "Order by Consent," which the Board is authorized to issue to require any person to comply with the provisions of any law administered by it, the Commissioner or the Department or any regulations promulgated by the Board or to comply with any case decision, as defined in § 2.2-4001, of the Board or Commissioner.
9. "Owner" means Kunal Gandhi, Inc.
10. "Permit" means Waterworks Operation Permit No. 2163185.
11. "Public Water Supplies Law" or "PWSL" means Chapter 6, Article 2 of Title 32.1 of the Va. Code.
12. "Pure water" means water fit for human consumption that is (i) sanitary and normally free of minerals, organic substances, and toxic agents in excess of reasonable amounts and (ii) adequate in quantity and quality for the minimum health requirements of the persons served.
13. "PWSID" means Public Water System Identification.
14. "Regulations" means the Waterworks Regulations, 12VAC5-590-10, *et seq.*
15. "Transient noncommunity waterworks" or "TNC", means a noncommunity waterworks that is not a nontransient noncommunity waterworks as defined in 12VAC5-590-10 of the Regulations. A TNC serves at least 25 persons daily for at least 60 days out of the year.
16. "Va. Code" means the Code of Virginia (1950), as amended.
17. "VAC" means the Virginia Administrative Code.
18. "Waterworks" means a system that serves piped water for human consumption to at least 15 service connections or 25 or more individuals for at least 60 days out of the year. Waterworks includes all structures, equipment, and appurtenances used in storage, collection, purification, treatment, and distribution of pure water except the piping and fixtures inside the building where such water is delivered.

Section B. Findings of Fact and Conclusions of Law

1. The Owner owns and operates Relax Inn Waterworks. Relax Inn Waterworks is a transient noncommunity waterworks located in Rockbridge County. Relax Inn Waterworks consists of

one drilled well, an 86-gallon hydropneumatic bladder tank, and a water softening system serving the entire facility. Relax Inn Waterworks serves approximately 35 people per day.

2. On October 28, 2021, ODW issued the Permit to the Owner to operate Relax Inn Waterworks in compliance with the PWSL and Regulations.
3. A review of ODW records indicates that the Owner failed to comply with the requirement to collect annual nitrate-nitrite samples at Relax Inn Waterworks in 2024 and 2025, and failed to collect monthly bacteriological samples for March and April 2026.
4. On February 5, 2025, ODW issued an NOAV to the Owner for failing to monitor for combined nitrate-nitrite as nitrogen because the Owner did not collect the required annual sample for 2024.
5. On January 26, 2026, ODW issued an NOAV to the Owner for failing to monitor for combined nitrate-nitrite as nitrogen because the Owner did not collect the required sample for 2025.
6. On May 14, 2026, ODW issued an NOAV to the Owner for failing to monitor the bacteriological sample for March 2026.
7. On June 2, 2026, ODW issued an NOAV to the Owner for failing to monitor the bacteriological sample for April 2026.
8. The Regulations at 12VAC5-590-370.A.1 state, in part, "The owner shall collect total coliform samples at specific sites and according to a schedule that is representative of water quality throughout the distribution system, which shall be documented in a written [bacteriological sample siting plan]. The [bacteriological sample siting plan] shall be established or approved by the [Virginia Department of Health]...." The Owner is required to sample on a monthly basis.
9. The Regulations at 12VAC5-590-372.D.3 state, in part, "Monitoring to determine compliance with the [Primary Maximum Contaminant Level] for...combined nitrate-nitrite as nitrogen specified in Table 340.1 shall be conducted as follows: a. The owner shall collect one sample annually at each groundwater source entry point."
10. Pursuant to Va. Code § 32.1-26, the Board may issue orders requiring compliance with any law or regulation administered by the Board.
11. Based on a review of ODW records, the Board concludes that the Owner has violated 12VAC5-590-370.A.1 and 12VAC5-590-372.D.3 of the Regulations, as described in paragraphs B.3 through B.9, above.

Section C. Agreement and Order

Accordingly, by virtue of the authority granted in Va. Code §§ 32.1-26 and 32.1-27, the Board orders the Owner, and the Owner agrees, to:

1. Perform the actions described in Appendix A of this Order.
2. Pay a civil charge of **\$1,196.00** within 30 days of the effective date of this Order in settlement of the violations cited in this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia" and shall be delivered to:

Virginia Department of Health
Office of Drinking Water
109 Governor Street, 6th Floor
Richmond, Virginia 23219

The Owner shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Water Supply Assistance Grant Fund. If VDH must refer collection of monies due under this Order to the Department of Law, the Owner shall be liable for attorneys' fees of 30% of the outstanding amount.

Section D. Administrative Provisions

1. This Order addresses and resolves only those violations specifically identified in Section B of this Order. This Order shall not preclude VDH from taking any action authorized by law, including but not limited to taking any action authorized by law regarding additional, subsequent, or subsequently discovered violations or taking subsequent action to enforce this Order.
2. This Order does not suspend, minimize, or otherwise alter the Owner's obligation to comply with federal, state, and local laws and regulations. The Board waives no lawful means of enforcing the laws it administers, the regulations it has adopted, or this Order.
3. The Owner agrees that it has received fair and due process under the Administrative Process Act (Va. Code § 2.2-4000, et seq.) and waives its right to further hearings or challenges, whether civil or administrative, regarding the terms, conditions, or issuance of this Order and specifically waives its rights to a hearing under Va. Code §§ 2.2-4019 or 2.2-4020 as a predicate for issuance of this Order. The Owner consents to the issuance of this Order freely, voluntarily, and after an opportunity to consult counsel of its choice.

4. Any plans, reports, schedules, or specifications submitted by the Owner and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
5. To the fullest extent allowed by law, this Order is binding on the Owner, its agents and legal representatives, heirs, devisees, executors, administrators, and successors in interest, jointly and severally as applicable.
6. The Board may modify, rewrite, or amend this Order with the consent of the Owner. Additionally, the Board may modify, rewrite, or amend this Order on the Board's own motion pursuant to the Administrative Process Act, Va. Code §§ 2.2-4000, *et seq.*, after the Owner has received notice and an opportunity to be heard. Any request by the Owner for modification of this Order shall be submitted to VDH in writing to be considered for approval by the Board or its designee.
7. This Order shall not preclude the Board, the Commissioner, or the Department from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce this Order.
8. Failure by the Owner to comply with any terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or Department as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
9. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
10. The Owner shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. The Owner shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. The Owner shall notify the Department in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of this Order. Such notice shall set forth:
 - a. The reasons for the delay or noncompliance;
 - b. The projected duration of any such delay or noncompliance;
 - c. The measures taken and to be taken by the Owner to prevent or minimize such delay or noncompliance; and
 - d. The timetable by which the Owner will implement such measures and the date full compliance will be achieved.

Failure by the Owner to notify the Department verbally within 24 hours and in writing within three business days of learning of any condition above, which the Owner intends to assert will result in the impossibility of compliance, shall constitute a waiver by the Owner of any claim to inability to comply with a requirement of this Order.

11. This Order shall become effective on the 15th day after a copy of it is mailed to the Owner by certified mail. Va. Code § 32.1-26.
12. This Order shall continue in effect until:
 - a. The Commissioner or the Commissioner's designee terminates the Order after the Owner has completed all of the requirements of this Order;
 - b. The Commissioner or the Commissioner's designee terminates the Order after finding that the circumstances that led to the Order's issuance no longer exist, and that the Order is no longer needed to enforce the PWSL and Regulations to protect the public health;
 - c. The Owner petitions the Commissioner or the Commissioner's designee to terminate the Order after the Owner has completed all of the requirements of the Order and the Commissioner or the Commissioner's designee approves the termination of the Order; or
 - d. The Commissioner or the Commissioner's designee, or the Board, in their sole discretion, terminates the Order upon 30 days written notice to the Owner. Termination of the Order pursuant to this authority without the Owner having satisfied all terms of the Order may result in VDH pursuing further enforcement related to the violations identified in the Order.
13. Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve the Owner from its obligation to comply with any statute, regulation, permit condition, other order, certificate, standard, or requirement otherwise applicable.
14. The undersigned representative of the Owner certifies that they are a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind the Owner to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of the Owner.
15. By its signature below, the Owner voluntarily agrees to the issuance of this Order.

It is SO ORDERED this day, July 29, 2026.

STATE BOARD OF HEALTH
Commonwealth of Virginia



B. Cameron Webb, MD, JD
State Health Commissioner

Owner Signature and Notary

Kunal Gandhi, Inc., voluntarily agrees to the issuance of this Order.

Neel Patel

Name

Owner

Title

07/17/26

Date

Neel Patel

Signature

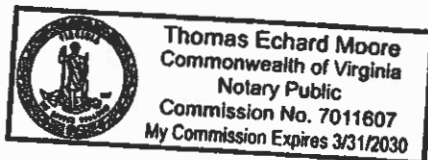
Notary Public:

Commonwealth of Virginia

City/County of Rockbridge

The foregoing document was signed and acknowledged before me this 17 day of

July, 2026, by Neel Patel who
is owner of Kunal Gandhi, Inc., signing on behalf of the
entity.



Thomas Echard Moore

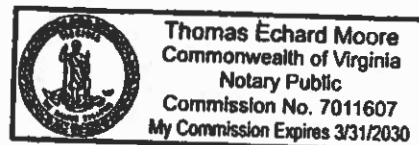
Notary Public

7011607

Registration No.

My commission expires: 3/31/2030

Notary seal:



Appendix A

Corrective Action Plan and Schedule

The Owner shall:

- a. Collect the annual combined nitrate-nitrite as nitrogen sample for 2026 in accordance with the Regulations by July 31, 2026, and timely report the results to VDH as required by the Regulations.
- b. Collect the annual combined nitrate-nitrite as nitrogen sample for 2027 in accordance with the Regulations by June 30, 2027, and timely report the results to VDH as required by the Regulations.
- c. For 12 consecutive months, collect the monthly bacteriological samples in accordance with the Regulations and timely report the results to VDH as required by the Regulations.