

State Water Resources Control Board

Division of Drinking Water

April 3, 2015

Sophie James, Director of Water Quality
California Water Service Company
1720 North First Street
San Jose, CA 95112-4598

Attention Ms. James:

**COMPLIANCE ORDER NO. 02_05_15R_001
HEXAVALENT CHROMIUM MCL EXCEEDANCE FOR WELL 303-01
CALIFORNIA WATER SERVICE COMPANY LAS LOMAS – WATER SYSTEM NO. 2710013**

Enclosed is a Compliance Order issued to California Water Service Company Las Lomas water system for failure to comply with requirements of 64432(i), Chapter 15, Title 22, California Code of Regulations. Specifically, California Water Service Company Las Lomas exceeded the hexavalent chromium maximum contaminant level (MCL) of 0.010 mg/L at Well 303-01.

California Water Service Company Las Lomas will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128) for the time spent on issuing this Compliance Order. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing and monitoring compliance associated with this violation. California Water Service Company Las Lomas will receive a bill from our Division of Drinking Water Fee Billing Unit which will contain fees for enforcement time spent during the current fiscal year.

If you have any questions regarding this matter, please contact Jonathan Weininger of my staff at (831) 655-6932 or me at (831) 655-6934.

Sincerely,



Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

Enclosure: Compliance Order No. 02_05_15R_001 with attachments

Certified Mail No. 7008 1830 0004 5435 0707

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1 Lower Ragsdale, Bldg. 1, Suite 120, Monterey, CA 93940 | www.waterboards.ca.gov

cc: Carmen Rocha, Utilities Engineer (w/enclosures)
Division of Water & Audits, Area 3-B
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Monterey County Environmental Health Department (w/ enclosures)

1 CALIFORNIA
2 STATE WATER RESOURCES CONTROL BOARD
3 DIVISION OF DRINKING WATER
4

5 TO: California Water Service Company – Las Lomas
6

7 ATTN: Sophie James, Director of Water Quality
8 1720 North First St.
9 San Jose, CA 95112-4598
10

11
12 COMPLIANCE ORDER NO. 02_05_15R_001
13 FOR
14 VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a)(1) AND
15 THE PRIMARY DRINKING WATER STANDARD FOR HEXAVALENT CHROMIUM
16 Dated April 3, 2015
17

18 The State Water Resources Control Board (hereinafter “Board”), acting by and through its
19 Division of Drinking Water (hereinafter “Division”) and the Deputy Director for the
20 Division, hereby issues this compliance order (hereinafter “Order”) pursuant to Section
21 116655 of the California Health and Safety Code (hereinafter “CHSC”) to California Water
22 Service Company – Las Lomas (Cal Water Las Lomas) for violation of CHSC section
23 116555(a)(1) and Title 22, California Code of Regulations (hereinafter “CCR”), Section
24 64431.
25

26 **APPLICABLE AUTHORITIES**
27

28 **CHSC, Section 116555(a)(1) states in relevant part:**

29 (a) Any person who owns a public water system shall ensure that the system does all of
30 the following:

31 (1) Complies with primary and secondary drinking water standards.
32



1 **CHSC, Section 116655 states in relevant part:**

2
3 (a) Whenever the department determines that any person has violated or is violating this
4 chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter,
5 the director may issue an order doing any of the following:

- 6 (1) Directing compliance forthwith.
7 (2) Directing compliance in accordance with a time schedule set by the
8 department.
9 (3) Directing that appropriate preventive action be taken in the case of a
10 threatened violation.

11 (b) An order issued pursuant to this section may include, but shall not be limited to, any
12 or all of the following requirements:

- 13 (1) That the existing plant, works, or system be repaired, altered, or added to.
14 (2) That purification or treatment works be installed.
15 (3) That the source of the water supply be changed.
16 (4) That no additional service connection be made to the system.
17 (5) That the water supply, the plant, or the system be monitored.
18 (6) That a report on the condition and operation of the plant, works, system, or
19 water supply be submitted to the department.
20

21 **Title 22, CCR, Section 64431 (hereinafter "Section 64431"), states in relevant part:**

22
23 Public water systems shall comply with the primary MCLs in table 64431-A as specified in
24 this article.

25
26 **Table 64431-A**
27 **Maximum Contaminant Levels**
28 **Inorganic Chemicals**
29

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010

Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO3)	45.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

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Title 22, CCR Section 64432 (hereinafter “Section 64432”) provides in relevant part:

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

(1) Inform the Department within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or

(2) Inform the Department within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the Department within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

(h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the Department and resample as confirmation. The water supplier shall notify the Department of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).



1 (1) If the average concentration of the original and confirmation sample(s) is less than
2 or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in
3 the quarter following the quarter in which the exceedance occurred.

4
5 (2) If the average concentration of the original and confirmation sample(s) exceeds ten
6 times the MCL, the water supplier shall, if directed by the Department;

7
8 (A) Immediately discontinue use of the contaminated water source; and

9
10 (B) Not return the source to service without written approval from the Department.

11
12 (i) Compliance with the MCLs shall be determined by a running annual average; if any
13 one sample would cause the annual average to exceed the MCL, the system is
14 immediately in violation. If a system takes more than one sample in a quarter, the
15 average of all the results for that quarter shall be used when calculating the running
16 annual average. If a system fails to complete four consecutive quarters of monitoring, the
17 running annual average shall be based on an average of the available data.

18
19 **STATEMENT OF FACTS**

20 Division is informed by Cal Water Las Lomas and believes that Cal Water Las Lomas is a
21 privately owned community water system located in Monterey County that supplies water
22 for domestic purposes to approximately 2,082 individuals through approximately 637
23 service connections. Cal Water Las Lomas operates under Domestic Water Supply
24 Permit No.02-92-006, issued on March 5, 1992. Cal Water Las Lomas is a community
25 public water system as defined in CHSC, section 116275.

26
27 Cal Water Las Lomas utilizes three active and one standby groundwater wells as its
28 source of domestic water. Title 22, CCR, Division 4, Chapter 15, Article 4, establishes
29 primary drinking water standards and monitoring and reporting requirements for inorganic
30 constituents. Community and nontransient noncommunity water systems must comply
31 with the maximum contaminant level (MCL) for hexavalent chromium of 0.010 mg/L, as
32 established in Title 22, CCR, Section 64431.

1
2 Samples collected from the Cal Water Las Lomas on January 1, 2015 showed a
3 hexavalent chromium concentration of 0.047 mg/L in Well 303-01. Section 64431(i)
4 specifies that compliance with the hexavalent chromium MCL is based on a "running
5 annual average" (RAA) of the quarterly monitoring samples, computed each quarter.
6 Further, Section 64431(i) states: "if any one sample would cause the annual average to
7 exceed the MCL, the system is immediately in violation." Four additional samples were
8 collected on March 18, 2015. Three of the samples were found to contain a hexavalent
9 chromium concentration of 0.053 mg/L and the fourth sample had a hexavalent chromium
10 concentration of 0.052 mg/L. These additional samples did not alter the final running
11 annual average calculations and were not included in compliance calculations.

12
13 A summary of Cal Water Las Lomas' hexavalent chromium monitoring results for Well
14 303-01 is presented in Table 1 below. All results are as reported to the Division by the
15 laboratory that performed the analysis.

16
17 **Table 1: Well 303-01 Hexavalent Chromium Monitoring Results**

Sample Quarter	Well 303-10
1Q 2015	0.047 mg/L
1Q 2015 Running Annual Average (1Q2015 / 4)	0.012 mg/L

18
19 The first quarter 2015 RAA for Well 303-01, calculated as the first quarter sample results
20 averaged over a four quarter period, is 0.012 mg/L, which exceeds the hexavalent
21 chromium MCL of 0.010 mg/L.

22
23 **DETERMINATIONS**

24 Based on the above Statement of Facts, the Division has determined that Cal Water Las
25 Lomas has violated CHSC, Section 116555 and Section 64431 in that the water
26 produced by Well 303-01, during the first quarter of 2015, exceeded the hexavalent

1 chromium MCL as shown in Table 1 above, and further has determined that said violation
2 has continued from January 1, 2015 and through the date of this Order

3
4 **DIRECTIVES**

5 Cal Water Las Lomas is hereby directed to take the following actions:

- 6
- 7 1. On or before **March 31, 2018**, comply with Title 22, CCR, Section 64431 and
8 remain in compliance.
 - 9
 - 10 2. On or before **May 4, 2015**, submit a written response to the Division indicating
11 its agreement to comply with the directives of this Order and with the Corrective
12 Action Plan addressed herein.
 - 13
 - 14 3. Commencing on the date of service of this Order, provide quarterly public
15 notification in accordance with Attachment A, hereto, of Cal Water Las Lomas'
16 failure to meet the hexavalent chromium MCL during any calendar quarter that
17 the four-quarter running annual average exceeds the MCL. The public
18 notification must be submitted to the Division for approval prior to distribution.
 - 19
 - 20 4. Commencing on the date of service of this Order, submit proof of each public
21 notification conducted in compliance with Directive No. 3, herein above, within
22 10 days following each such notification, using the form provided as Attachment
23 B, hereto.
 - 24
 - 25 5. Commencing on the date of service of this Order, collect quarterly samples for
26 hexavalent chromium from Well 303-01, as required by Section 64432(g), and
27 ensure that the analytical results are reported to the Division electronically by the
28 analyzing laboratory no later than the 10th day following the month in which the
29 analysis was completed.
 - 30
 - 31 6. Prepare a Corrective Action Plan for Division approval that identifies
32 improvements to Cal Water Las Lomas designed to correct the water quality



1 problem (violation of the hexavalent chromium MCL) and ensure that Cal Water
2 Las Lomas delivers water to consumers that meets primary drinking water
3 standards. The plan shall include a time schedule for completion of each of the
4 phases of the project such as design, construction, and startup, and a date as of
5 which Cal Water Las Lomas will be in compliance with the hexavalent chromium
6 MCL at Well 303-01, which shall be no later than **March 31, 2018**.

- 7
- 8 7. On or before **June 4, 2015**, present the Corrective Action Plan required under
9 Directive No. 6, above, to the Division in person at the Division's offices located
10 at 1 Lower Ragsdale Drive, Building 1, Suite 120, in Monterey, California.
11 Please contact the Monterey District office in advance to schedule an
12 appointment.
- 13
- 14 8. Complete the Division-approved Corrective Action Plan and each and every
15 element of said plan according to the time schedule set forth therein.
- 16
- 17 9. On or before **September 10, 2015** and every three months thereafter, submit a
18 report to the Division showing actions taken during the previous calendar three
19 months to comply with the Corrective Action Plan.
- 20
- 21 10. Not later than ten (10) days following the date of compliance with the hexavalent
22 chromium MCL, demonstrate to the Division that the water delivered by Cal
23 Water Las Lomas' Well 303-01 complies with the hexavalent chromium MCL.
- 24
- 25 11. Notify the Division in writing no later than five (5) days prior to the deadline for
26 performance of any Directive set forth herein if Cal Water Las Lomas and/or its
27 owner of record anticipates it will not timely meet such performance deadline.
28



1 All submittals required by this Order shall be addressed to:

2

3 Jan R. Sweigert, P.E.

4 District Engineer, Monterey District Office

5 State Water Resources Control Board

6 Division of Drinking Water

7 1 Lower Ragsdale Drive, Building 1, Suite 120

8 Monterey, CA 93940

9

10 As used in this Order, the date of issuance shall be the date of this Order; and the date of
11 service shall be the date of service of this Order, personal or by certified mail, on the
12 California Water Service Company Las Lomas or its owner of record.

13

14 The Division reserves the right to make such modifications to this Order and/or to issue
15 such further order(s) as it may deem necessary to protect public health and safety. Such
16 modifications may be issued as amendments to this Order and shall be deemed effective
17 upon issuance.

18

19 Nothing in this Order relieves California Water Service Company Las Lomas or its owner
20 of record of its obligation to meet the requirements of the California SDWA, or any
21 regulation, standard, permit or order issued thereunder.

22

23 **PARTIES BOUND**

24 This Order shall apply to and be binding upon California Water Service Company Las
25 Lomas, its owners, shareholders, officers, directors, agents, employees, contractors,
26 successors, and assignees.

27

28 **SEVERABILITY**

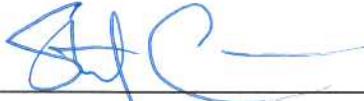
29 The Directives of this Order are severable, and California Water Service Company Las
30 Lomas and its owner of record shall comply with each and every provision hereof,
31 notwithstanding the effectiveness of any other provision.

32



1 **FURTHER ENFORCEMENT ACTION**

2 The California SDWA authorizes the Board to: issue a citation with assessment of
3 administrative penalties to a public water system for violation or continued violation of the
4 requirements of the California SDWA or any regulation, permit, standard, citation, or
5 order issued or adopted thereunder including, but not limited to, failure to correct a
6 violation identified in a citation or compliance order. The California SDWA also
7 authorizes the Board to take action to suspend or revoke a permit that has been issued to
8 a public water system if the public water system has violated applicable law or
9 regulations or has failed to comply with an order of the Board; and to petition the superior
10 court to take various enforcement measures against a public water system that has failed
11 to comply with an order of the Board. The Board does not waive any further enforcement
12 action by issuance of this Order.

13 

14 _____
15 Stefan Cajina, P.E., Chief
16 North Coastal Section
17 State Water Resources Control Board
18 Division of Drinking Water

13 April 3, 2015
14 _____
15 Date



21 Certified Mail No. 7008 1830 0004 5435 0707

22
23 cc: Ms. Carmen Rocha, Utilities Engineer (no attachments)
24 Division of Water & Audits, Area 3-B
25 California Public Utilities Commission
26 505 Van Ness Avenue
27 San Francisco, CA 94102
28
29 Monterey County Environmental Health Department (no attachments)

Quarterly Public Notification Instructions and Template

Instructions for Tier 2 Hexavalent Chromium MCL Notice Template

Template Attached

Since exceeding the hexavalent chromium maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water

system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove hexavalent chromium or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for hexavalent chromium."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

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.

California Water Service Company – Las Lomas Has Levels of Hexavalent Chromium Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results received on [date] showed hexavalent chromium levels of [level and units]. This is above the standard, or maximum contaminant level (MCL), of 0.010 milligrams per liter.

What should I do?

- You do not need to use an alternative water supply (e.g., bottled water).
- This is not an emergency. If it had been, you would have been notified immediately. However, *some people who drink water containing hexavalent chromium in excess of the MCL over many years may have an increased risk to getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] 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 public 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 by [system].

State Water System ID#: _____. Date distributed: _____.

Proof of Notification

PROOF OF NOTIFICATION

Citation No. 02_05_15R_001

California Water Service Company

System Number: 2710013

Certification

As required by Section 64463.4 of the California Health and Safety Code, I notified the users of the water supplied by the California Water Service Company – Las Lomas Water System of the violations of Title 22, California Code of Regulations, as indicated below:

Required Action	Date Completed
Mail or Direct delivery	
Alternative method (local newspaper, conspicuous places served by water system, internet, and/or delivery to community organizations)	

Signature of Water System Representative

Date

Attach a copy of the notice distributed by the system and proof of alternative method of distribution.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION

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