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

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

June 18, 2014

Mr. Gopi Nathan
Superintendent
City of East Palo Alto
2415 University Avenue, 2nd Floor
East Palo Alto, CA 94303

Dear Mr. Nathan:

CITATION NO. 02-17-14C-005
MAXIMUM CONTAMINANT LEVEL – TOTAL COLIFORM BACTERIA
City of East Palo Alto, Water System No. 4110024

Enclosed is a citation issued to the City of East Palo Alto (City) for failure to comply with Section 64426.1(b)(1), Chapter 15, Title 22, California Code of Regulations. Specifically, the City failed to comply with the maximum contaminant level for total coliform during the month of May 2014.

The attached citation consists of four sections: Violation, Background, Directives and Civil Penalty. The Violation and Background sections describe the event leading up to the issuance of the citation. The Directives section specifies what the City needs to do to return to compliance. The Civil Penalty section describes fees to be assessed for failure to comply with the citation. No civil penalty is levied with the current citation.

If you have any further questions regarding this letter, please contact Ms. Van Tsang at (510) 620-3602.

Sincerely,

Eric Lacy, P.E.
District Engineer
Santa Clara District
Drinking Water Field Operations Branch

cc: San Mateo County Environmental Health Department

Citation No. 02-17-14C-005

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC HEALTH

RE: Water System No: 4110024
City of East Palo Alto
2415 University Avenue, 2nd Floor
East Palo Alto, CA 94303

TO: Mr. Gopi Nathan
Superintendent

CITATION FOR NONCOMPLIANCE

Maximum Contaminant Level - Total Coliform Bacteria

May 2014

Section 116650, Chapter 4 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, standards, permit or order issued there under.

Violation

The Drinking Water Field Operations Branch of the Department of Public Health (hereinafter, Department) hereby issues a citation to the City of East Palo Alto (hereinafter, Water System) (mailing address: 2415 University Avenue, 2nd Floor, East Palo Alto, CA 94303) for the following violation:

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STD. 113 (REV. 3-95)
OSP 98 10924

Section 64426.1(b)(1), Chapter 15, Title 22, California Code of Regulations (CCR). Specifically, the Water System failed to comply with the maximum contaminant level (MCL) for total coliform during the month of May 2014.

Section 64426.1(b)(1), CCR specifies that a public water system which collects at least 40 samples per month is in violation of the total coliform MCL if more than 5.0 percent of the samples collected during any month are total coliform positive. During May 2014, the Water System collected a total of 57 bacteriological samples and four (4), or 7.0 percent, of the samples collected were total coliform positive. This resulted in a violation of Section 64426.1(b)(1), CCR.

In accordance with Section 116650(e), CHSC, this violation is classified as a noncontinuing violation.

Background

The City of East Palo Alto operates a community water system, located in San Mateo County, that provides potable water to approximately 25,927 people through 3,967 active service connections. All of the Water System's water supply is treated surface water purchased from the San Francisco Public Utilities Commission's Hetch Hetchy System, imported from the Sierra Nevada Mountains and local East Bay Watersheds. The water supply is provided through three connections located in the northern portions of the City, and water is distributed directly to all of the customers within the City's one pressure zone. There are no storage facilities or alternate potable water supply sources within the City. Based on the approved bacteriological sampling site plan, the Water System is required to collect, and have analyzed, twelve (12) samples per week for bacteriological quality from the distribution system.

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STD. 113 (REV. 3-95)
OSP 98 10924

On May 27, 2014, the Water System collected a total of twelve samples for the fourth week of the month for bacteriological quality. Of the twelve routine samples, the sample collected at Cooley Avenue was total coliform positive, fecal coliform negative. As a result of the total coliform positive sample, the Water System was required to collect at least three repeat samples for each total coliform positive sample. Three repeat samples were collected on May 29, 2014 at the original site, one within five service connections upstream of the original site, and one within five service connections downstream of the original site. The original and upstream sample sites were both total coliform positive, fecal coliform negative.

As a result of the two total coliform positive repeat samples, six additional repeat samples were collected on May 31, 2014. One of the six repeat samples was total coliform positive, fecal coliform negative. With four, or 7.0 percent, of the 57 bacteriological samples collected during May 2014 total coliform positive, fecal coliform negative, the Water System was in violation of Section 64426.1(b)(1), CCR.

Directives

The Water System is hereby directed to take the following actions:

1. Immediately cease and desist failing to comply with Section 64426.1(b)(1), CCR specifies that a public water system which collects at least 40 samples per month is in violation of the total coliform MCL if more than 5.0 percent of the samples collected during any month are total coliform positive. During May 2014, the Water System collected a total of 57 bacteriological samples and four (4), or 7.0 percent, of the samples collected were total coliform positive. This resulted in a violation of Section 64426.1(b)(1), CCR.

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STD. 113 (REV. 3-95)
OSP 98 10924

2. Conduct public notification by July 16, 2014 for the bacteriological MCL violation in conformance with Section 64463.4, Chapter 15, Title 22, CCR. The notification shall be performed in accordance with the following methods:

    a. Method 1 – Notice by mail or direct delivery shall be given 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; and

    b. Method 2 – Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

        i. Publication in a local newspaper;
        ii. Posting in conspicuous public places served by the water system, or on the Internet; or
        iii. Delivery to community organization.

3. Submit a proposed notice to the Department for review and approval prior to distribution. Attachment A is a sample notice that may be used.

4. Complete and return the attached Proof of Compliance form to the Department within seven days of completion of the public notification. A copy of the mailed notice shall be attached to the Proof of Notification Form.

5. Prepare and submit a Corrective Action Plan. The plan shall include an evaluation of the causes that led to the bacteriological contamination, the follow-up actions taken to correct the problem, and preventative measures to be taken to prevent

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STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10924

the reoccurrence of bacteriological contamination in the future. The CAP shall be submitted to the Department by July 16, 2014.

All submittals required by this Citation shall be submitted to the Department at the following address:

Eric Lacy, P.E.
District Engineer
Santa Clara District
Department of Public Health
Drinking Water Field Operations Branch
850 Marina Bay Parkway
Building P, 2nd Floor
Richmond, CA 94804

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 as of the date of violation of the provision.

June 18, 2014
Date

Eric Lacy, P.E.
District Engineer
Santa Clara District
Drinking Water Field Operations Branch

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STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10924

Enclosures: 1) Compliance Certificate

2) Proof of Notification

cc: San Mateo County Environmental Health Department

Certified Mail No. 7007 0220 0004 6904 0511

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STD. 113 (REV. 3-95)
OSP 98 10924

ATTACHMENT A

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.

East Palo Alto Has Levels of Coliform Bacteria 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. We took 57 samples for coliform bacteria during May 2014. Four (4) of those samples showed the presence of coliform bacteria. The standard is that no more than 5.0 percent of our samples may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.** If we had, we would have notified you immediately. However, we are still finding coliforms in the drinking water.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- 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 will inform you when our sampling shows that no bacteria are present. 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 East Palo Alto.

State Water System ID#: 4110024. Date distributed: _____.

ATTACHMENT B

PROOF OF COMPLIANCE
Citation Number 02-17-14C-005
City of East Palo Alto
System Number: 4110024

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the City of East Palo Alto water system, of the total coliform maximum contaminant violation of Section 64426.1(b)(1), Chapter 15, Title 22, California Code of Regulations, for the compliance period of May 2014.

I complied with the directives of this citation as indicated below:

Required Action	*Date Completed*
1. Public notification	
a. Hand delivery or direct mail	_____
b. Newspaper, posting in conspicuous places or community centers.	_____

_____ _____
Signature of Water System Representative *Date*

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT. A COPY OF THE PUBLISHED NOTICE, DELIVERED NOTICE, AND POSTED NOTICE MUST BE ATTACHED TO THIS FORM

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 citation 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.*