



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 4, 2014

Mr. Brian Kestenblatt
General Manager
Skylawn Memorial Park
P.O. Box 5070
San Mateo, CA 94402

Dear Mr. Kestenblatt:

**CITATION NO. 02-17-14C-010
TOTAL COLIFORM RULE MAXIMUM CONTAMINANT LEVEL VIOLATION
SKYLAWN MEMORIAL PARK, WATER SYSTEM NO. 4100605**

Enclosed is a citation issued to Skylawn Memorial Park (hereafter, Water System or SMP). The citation is issued as the Water System failed to comply with Section 64426.1(b)(2), Chapter 15, Title 22, California Code of Regulations (CCR). The total coliform maximum contaminant level was not met during June 2014.

The attached citation consists of seven sections: Applicable Authorities, Statement of Facts, Determination, Directives, Parties Bound, Severability and Further Enforcement Action. The Applicable Authorities, Statement of Facts and Determination sections describe the events leading up to the issuance of the citation. The Directives section specifies what the Water System needs to do to return to compliance. The Parties Bound, Severability and Further Enforcement Action sections describe administrative penalties to be assessed for failure to comply with the citation. No administrative penalty is levied with the current citation.

If you have any questions regarding this letter, please contact Jose P. Lozano IV, P.E. at (510) 620-3459 or me at (510) 620-3453.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Lacy".

Eric Lacy, P.E.
District Engineer
Santa Clara District
Division of Drinking Water
State Water Resources Control Board

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

850 Marina Bay Parkway, Bldg. P, 2nd Floor, Richmond, CA 94804-6403 | www.waterboards.ca.gov

Mr. Brian Kestenblatt

- 2 -

August 4, 2014

Enclosures: 1) Sample TCR MCL – Resolved Notice
2) Proof of Notification

Certified Mail 7007 0220 0004 6904 0542

cc: San Mateo County Environmental Health Department (w/ encl.)

Mr. Mitch Prather
C&M Backflow Testing and Repair
P.O. Box 901
Rocklin, CA 95677

Mr. Brian Kestenblatt

- 2 -

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Rocklin, CA 95677

bcc: File Server; 4100605\Enforcement\July 2014 TCR MCL citation; Enforcement File; Chron
(all w/ encl.)
W4100605/140729.cit.ltr

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Skylawn Memorial Park
Water System No. 4100605
P.O. Box 5070
San Mateo, CA 94402

ATTN: Mr. Brian Kestenblatt
General Manager

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22,
SECTION 64426.1(b)(2) – WATER SYSTEM NO. 4100605
CITATION NO. 02-17-14C-010
Issued on August 4, 2014

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division" or "DDW") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to Skylawn Memorial Park (hereinafter, "SMP" or

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"Water System") (mailing address: P.O. Box 5070, San Mateo, CA 94402) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1 subsection (b)(2).

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the department determines that a public water system is in violation of ~~this chapter or any regulation, permit, standard, citation, or order issued or adopted~~ thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

1 California Code of Regulations, Title 22, Section 64426.1 subsection (b)(2) provides, in
2 relevant part:

3
4 A public water system, which collects fewer than 40 samples per month, is in violation of the
5 Total Coliform Maximum Contaminant Level (MCL) when more than one sample collected
6 during any month is total coliform-positive.

7
8 **STATEMENT OF FACTS**

9 SMP is a non-transient non-community water system that provides water for domestic use
10 year-round through two service connections. The Water System consists of one active well,
11 Well 01 (Primary Station Code (PSC) No. 4100605-001), and a 10,000-gallon underground
12 storage tank. Based on the DDW-approved bacteriological sample siting plan (BSSP) dated
13 July 2, 2013 on file, the Water System is required to collect and have analyzed a minimum of
14 one sample per month for bacteriological quality from the distribution system. If a routine
15 sample contains coliform bacteria, SMP is required to collect a repeat sample set consisting
16 of four sample sites. In addition, in accordance with the Groundwater Rule, SMP is required
17 to collect a triggered source monitoring sample if the routine sample contains coliform
18 bacteria. This sample is in addition to the repeat samples collected in compliance with the
19 Total Coliform Rule.

20
21 On June 16, 2014, the Water System collected two routine samples, which tested "present"
22 for total coliform and "absent" for *E. coli*. Three of four repeat samples, collected on June 18,
23 2014 tested "present" for total coliform and "absent" for *E. coli*. One of the June 18, 2014
24 repeat samples, which were collected from Well 01, was negative for coliforms.

25
26 The Water System disinfected the distribution system through the 10,000-gallon underground
27 storage tank and flushed the lines on June 23, 2014. Three coliform samples were then



1 collected on June 24, 2014 to determine if the disinfection process mitigated the
2 bacteriological contamination problem. Two of three repeat samples collected on June 24,
3 2014 tested "present" for total coliform and "absent" for *E. coli*.

4
5 The distribution system was again disinfected through the 10,000-gallon underground
6 storage tank and the lines flushed during the June 28, 2014 weekend. Six bacteriological
7 samples were then collected on June 30, 2014 to determine if the disinfection process
8 mitigated the bacteriological contamination problem. Two of six repeat samples collected on
9 June 30, 2014 tested "present" for total coliform and "absent" for *E. coli*.

10
11 The above-mentioned disinfection procedure was repeated during the week of July 1, 2014,
12 with five bacteriological samples collected on July 3, 2014 to see if the bacteriological
13 contamination problem was abated. The five bacteriological samples collected on July 3,
14 2014 were negative for coliforms. Overall, the Water System collected twenty (20) samples,
15 of which nine (9) samples tested "present" for total coliform, therefore the Water System
16 violated the total coliform MCL in June 2014.

17
18 The Water System continued to disinfect the distribution system through the 10,000-gallon
19 underground storage tank and flush the lines after disinfection each week after July 3, 2014.
20 To determine if the problem has been abated, SMP was directed by the DDW to collect the
21 five routine coliform samples for July 2014 – four from locations specified in the approved
22 sampling plan and one from the well – later in the month. Six routine coliform samples were
23 collected on July 21, 2014 and all of the six samples were negative for coliforms.
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1 During the time when the contamination problem was unresolved, SMP conducted public
2 notification for the total coliform MCL violation by posting signs advising visitors and facility
3 staff to use bottled water available on site.

4
5 SMP has not been able to determine the exact cause(s) of the bacteriological contamination
6 problem. The Water System has consequently indicated to the DDW that it will provide
7 continuous chlorination within the facility to help prevent the reoccurrence of such problems.
8 SMP will need to apply for an amended permit from the DDW for the installation and
9 operation of the permanent disinfection treatment facility. The DDW consequently provided
10 SMP an amended permit application packet (dated July 21, 2014) for the installation of the
11 chlorination system. As a condition of the amended permit, SMP needs to designate a water
12 system operator with at least either a distribution system operator D1 state certification or a
13 treatment operator T1 state certification to operate the proposed chlorination system.
14

15 The Water System needs to inform the park visitors and facility employees once the
16 bacteriological contamination problem has been resolved. Thus, SMP must still perform
17 public notification by posting a Total Coliform MCL- Resolved Notice in conspicuous places
18 served by the Water system and providing each employee a copy of the resolved notice.
19 The DDW provided SMP a sample notice in a July 24, 2014 e-mail. A copy of the sample
20 notice for notifying its users regarding the resolved bacteriological contamination problem is
21 also enclosed.
22

23
24 **DETERMINATION**

25 The Division has determined that SMP failed to comply with the Total Coliform MCL during
26 June 2014. During June 2014, the Water System collected 20 routine and repeat samples,
27

1 of which two routine sample tested total coliform-positive and *E. coli*-negative, and seven (7)
2 repeat samples tested total coliform-positive and *E. coli*-negative.

3
4 **DIRECTIVES**

5 SMP is hereby directed to take the following actions:

6
7 1) Forthwith, SMP shall cease and desist from failing to comply with Subsection 64426.1(b)
8 (2), Chapter 15, Title 22, CCR immediately.

9
10 2) SMP shall complete and return the enclosed Proof of Notification form by September 12,
11 2014. A copy of the notices used shall be attached to the Proof of Notification form.

12
13 3) SMP shall prepare a written Corrective Action Plan (CAP) based on the investigation
14 findings. The plan shall include an evaluation of the causes of the bacteriological event,
15 the follow-up actions taken to correct the bacteriological problem, and the preventive
16 measures to be taken to reduce the possibility of bacteriological contamination in the
17 future. As part of the CAP, the Water System shall perform the following:

18 a) Install a permanent chlorination facility.

19 b) Submit the completed amended permit application packet for the chlorination
20 facility.

21 c) Operate the chlorination facility in accordance with the conditions specified in the
22 amended permit to be issued by the DDW to the water system. Among the permit
23 conditions is the requirement for SMP to designate a certified water system
24 operator to operate the treatment facility.

25 The CAP shall be submitted to the Department by September 12, 2014.

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1 The Division reserves the right to make such modifications to this Citation as it may deem
2 necessary to protect public health and safety. Such modifications may be issued as
3 amendments to this Citation, and shall be deemed effective upon issuance.

4
5 Nothing in this Citation relieves SMP of its obligation to meet the requirements of the
6 California Safe Drinking Water Act, or of any regulation, permit, standard, or order issued or
7 adopted thereunder.

8
9 All submittals required by this Citation shall be submitted to the Division at the following
10 address:

11
12 Mr. Eric Lacy, P.E., District Engineer
13 Santa Clara District
14 Division of Drinking Water
15 State Water Resources Control Board
16 850 Marina Bay Parkway, Building P, Second Floor
17 Richmond, CA 94804

18 **PARTIES BOUND**

19 This Citation shall apply to and be binding upon SMP, its officers, directors, shareholders,
20 agents, employees, contractors, successors, and assignees.

21 **SEVERABILITY**

22 The Directives of this Citation are severable, and SMP shall comply with each and every
23 provision thereof, notwithstanding the effectiveness of any other provision.

24
25 **FURTHER ENFORCEMENT ACTION**

26 The California SDWA authorizes the Division to: issue citation with assessment of
27 administrative penalties to a public water system for violation or continued violation of the



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

10
11 August 4, 2014
12 Date

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12 Eric Lacy, P.E.
13 District Engineer
14 Santa Clara District
15 Division of Drinking Water
16 State Water Resources Control Board

16 Attachments

17 CERTIFIED MAIL # 7007 0220 0004 6904 0542

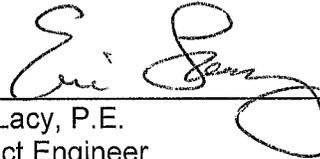
18 cc: San Mateo County Environmental Health Department (w/ attachments.)

19 Mr. Mitch Prather (w/ attachments)
20 C&M Backflow Testing and Repair
21 P.O. Box 901
22 Rocklin, CA 95677



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11 August 4, 2014
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12 Eric Lacy, P.E.
13 District Engineer
14 Santa Clara District
15 Division of Drinking Water
16 State Water Resources Control Board

16 Attachments

17 CERTIFIED MAIL # 7007 0220 0004 6904 0542

18 cc: San Mateo County Environmental Health Department (w/ attachments.)

19 Mr. Mitch Prather (w/ attachments)
20 C&M Backflow Testing and Repair
21 P.O. Box 901
22 Rocklin, CA 95677

23 bcc: File Server; 4100605\Enforcement\June 2014 TCR MCL citation; Enforcement File
24 Chron (all w/ attachments)
25 W4100605/140627.Cit
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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.

Skylawn Memorial Park (SMP) Had 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 did to correct this situation.

We routinely monitor for drinking water contaminants. We took fifteen (20) samples to test for the presence of coliform bacteria during June 2014. Nine (9) of our samples showed the presence of total coliform bacteria. The standard is that no more than 1 sample per month 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 system's 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, and further testing shows that this problem has been resolved.**
- 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 was done?

To resolve the bacteriological contamination problem, the Water System disinfected the distribution system from the 10,000-gallon storage tank and flushed the lines after disinfection every week since the beginning of July 2014. Five coliform samples – four from locations specified in the approved sampling plan and one from the well – were collected on July 21, 2014. All five samples yielded negative results.

SMP will continue flushing the distribution system, using the storage tank and flushing the lines after disinfection each week until a permanent chlorination treatment facility is installed and in operation. The treatment facility is expected to be installed by August 8, 2014.

For more information, please contact Brian Kestenblatt at (650) 376-5022.

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.

This notice is being sent to you by Skylawn Memorial Park.

State Water System ID#: 4100605. Date distributed: July 22, 2014.

PROOF OF NOTIFICATION

Citation Number 02-17-14C-010

Skylawn Memorial Park
System Number: 4100605

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Skylawn Memorial Park of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of June 2014. I complied with the directives of this citation as indicated below:

Required Action

Date
Completed

Conduct Public Notification – (Attach copy of the notices used.)

Submit Corrective Action Plan

Signature of Water System Representative

Date

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT. A COPY OF THE 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.