CALIFORNIA
Water Boards

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SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

October 26, 2015

Ms. Amy Wooliever
Pescadero High School
360 Butano Cutoff
Pescadero, CA 94060

Dear Ms. Wooliever:

CITATION NO. 02-17-15C-027
MAXIMUM CONTAMINANT LEVEL – NITRATE
Pescadero High School, Water System No. 4100513

Enclosed is a citation issued to Pescadero High School (PHS) for failure to comply with Section 64431, Chapter 15, Title 22, California Code of Regulations. Specifically, PHS failed to comply with the maximum contaminant level for nitrate (as nitrogen) for samples collected in October 2015.

The attached citation consists of seven sections: Applicable Authorities, Statement of Facts, Determination, Directives, Parties Bound, Severity and Further Enforcement Action. 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
Division of Drinking Water

cc: San Mateo County Environmental Health

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Pescadero High School
360 Butano Cutoff
Pescadero, CA 94060

Attn: Ms. Amy Wooliever
Superintendent

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64431

WATER SYSTEM NO. 4100513

CITATION NO. 02-17-15C-027

Issued on October 26, 2015

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 (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Pescadero High School (hereinafter, "PHS" or "Water System") (360 Butano Cutoff,

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Pescadero, CA 94060) for violating California Code of Regulations (CCR), Title 22, Section 64431.

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the Division 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 Division 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 Division 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.

California Code of Regulations, Title 22, Section 64431 provides in relevant part:

> Public water systems shall comply with the primary maximum contaminant level for nitrate (as nitrogen) of 10. mg/L.

STATEMENT OF FACTS

Pescadero High School is a nontransient-noncommunity water system that provides potable water to 170 students and staff in grades 6 through 12. All of the potable water supply is produced from one active groundwater supply well, Well 01, (Primary Station Code 4100513-003). The system also consists of a 10,000 gallon horizontal cylindrical steel tank, a 1,000 gallon steel pressure tank, a separate domestic and fire booster system, a calcite treatment system and a distribution system.

CCR, Title 22, Section 64432.1 (a) (1) states that to determine compliance with the maximum contaminant level for nitrate (as nitrogen) of 10. mg/L, all public water systems shall monitor their groundwater source annually. Within 24 hours of notification by the laboratory of any acute nitrate maximum contaminant exceedance, the water supplier shall collect another sample and analyze the new sample.

Pescadero High School sampled Well 01 for nitrate on October 7, 2015. The Water System was notified by the laboratory of the nitrate exceedance value of 15 mg/L on October 9, 2015. Upon consultation with the Division, PHS immediately valved out all drinking water fountains and posted "Do Not Drink" notices throughout the school. A confirmation sample was collected on October 14, 2015 and the result was 11 mg/L.

DETERMINATION

The Division has determined that Pescadero High School failed to comply with the California Code of Regulations, Title 22, Section 64431. Specifically, PHS failed to comply with the maximum contaminant level for nitrate (as nitrogen) for samples collected during the month of October 2015.

DIRECTIVES

Pescadero High School is hereby directed to take the following actions:

1. Forthwith, PHS shall cease and desist from failing to comply with the California Code of Regulations, Title 22, Section 64431, which specifies that the maximum contaminant level for nitrate (as nitrogen) of 10. mg/L shall not be exceeded in the water supplied to the public.

2. Within 30 days of receipt of this Citation, PHS shall produce and provide to the Division a Corrective Action Plan (CAP). The CAP shall specify the method(s) and timeline to bring the Water System into compliance with the nitrate maximum contaminant level.

3. Within 30 days of receipt of this Citation, and every quarter thereafter, PHS shall conduct public notification for the nitrate maximum contaminant level exceedance in conformance with CCR, Title 22, Chapter 15, Section 64463.1. The notification shall be completed in accordance with the following methods:

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a. Mail or direct deliver to all staff and parents of students served by the water system.

b. Posting in conspicuous locations throughout the area served by the water system. The notices shall remain posted until the Water System is consistently and reliably in compliance with the nitrate maximum contaminant level.

4. Within 30 days of receipt of this Citation, and every quarter thereafter, PHS shall provide to the Division certification of public notification using the enclosed form (Attachment No. 1). A copy of the notice shall be attached to the certification form.

5. Beginning November 2015, PHS shall conduct monthly nitrate monitoring for Well 01. All monitoring results shall be submitted to the Division via Electronic Data Transfer by the tenth of the following month. PHS shall notify the Division within 24 hours of any acute nitrate maximum containment level exceedance.

6. Within 10 days of receipt of this Citation, PHS shall agree in writing to comply with all directives of this Citation.

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

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

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

Eric Lacy, P.E.
District Engineer
State Water Resources Control Board
Division of Drinking Water
850 Marina Bay Parkway
Building P, 2nd Floor
Richmond, CA 94804

PARTIES BOUND

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

SEVERABILITY

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

FURTHER ENFORCEMENT ACTION

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

October 26, 2015
Date

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

Attachment 1: Proof of Notification

cc: San Mateo County Environmental Health

certified mail # 7014 3490 0001 9031 0628

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ATTACHMENT 1

PROOF OF COMPLIANCE
Citation Number 02-17-15C-027
Pescadero High School
System Number: 4100513

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Pescadero High School, of the nitrate maximum contaminant level violation of Section 64431, Chapter 15, Title 22, California Code of Regulations, for the compliance period of October 2015.

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

Required Action	*Date Completed*
1. *Public notification*	
a. *Mail or direct delivery*	_____
b. *Posting in conspicuous places*	_____

_____ _____

Signature of Water System Representative *Date*

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT. A COPY OF THE DELIVERED OR MAILED 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.*