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**STATE OF CALIFORNIA**  
**WATER RESOURCES CONTROL BOARD**  
**DIVISION OF DRINKING WATER**

**TO:** Bianchi Flowers, Inc.  
243 Butano Cutoff  
Pescadero, CA 94060

**Attn:** Mr. B.J. Burns  
Owner

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,**  
**TITLE 22, SECTION 64431**  
**WATER SYSTEM NO. 4100583**  
**CITATION NO. 02-17-16C-005**  
**Issued on February 9, 2016**

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 Bianchi Flowers, Inc. (hereinafter, "Bianchi" or "Water System") (243 Butano Cutoff,

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

3  
4 **APPLICABLE AUTHORITIES**

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6 **Section 116650 of California Health and Safety Code provides:**

7  
8 (a) If the Division determines that a public water system is in violation of  
9 this chapter or any regulation, permit, standard, citation, or order issued or adopted  
10 thereunder, the Division may issue a citation to the public water system. The citation  
11 shall be served upon the public water system personally or by certified mail. Service  
12 shall be deemed effective as of the date of personal service or the date of receipt of  
13 the certified mail. If a person to whom a citation is directed refuses to accept delivery  
14 of the certified mail, the date of service shall be deemed to be the date of mailing.

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

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

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

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

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

2  
3 Public water systems shall comply with the primary maximum contaminant  
4 level for nitrite (as nitrogen) of 1. mg/L.

5  
6 **STATEMENT OF FACTS**

7  
8 Bianchi Flowers, Inc. is a community water system that provides domestic water  
9 service to 11 service connections with an approximate population of 45 year-long  
10 resident employees and their families and approximately 10 employees who are  
11 onsite at least six months out of the year but less than 12 months. All of the potable  
12 water supply is provided by one groundwater supply well, Well 02 (Primary Station  
13 Code 4100583-002). The water system also consists of a 25,000 gallon redwood tank  
14 for domestic use and a 5,000 gallon polyethylene storage tank and two 10,000 gallon  
15 polyethylene storage tanks for fire protection. The distribution system consists of two  
16 pressure zones. The majority of the water mains are 1-½ inch PVC except for a four  
17 inch water main that serves a warehouse.

18  
19 CCR, Title 22, Section 64432.1(b) states that to determine compliance with the  
20 maximum contaminant level for nitrite (as nitrogen) of 1. mg/L, all public water  
21 systems shall monitor their groundwater source once every three (3) years. Within 24  
22 hours of notification by the laboratory of any acute nitrite maximum contaminant  
23 exceedance, the water supplier shall collect another sample and analyze the new  
24 sample.

25  
26 Bianchi Flowers, Inc. sampled Well 02 for nitrite on December 1, 2015. The Water  
27 System was notified by the Division of the nitrite exceedance value of 1.37 mg/L on



1 December 10, 2015. Upon consultation with the Division, Bianchi immediately issued  
2 "Do Not Drink" notices to all residents and employees. A confirmation sample was  
3 collected on December 14, 2015 and the result was 1.54 mg/L.  
4

5 **DETERMINATION**  
6

7 The Division has determined that Bianchi Flowers, Inc. failed to comply with the  
8 California Code of Regulations, Title 22, Section 64431. Specifically, Bianchi failed to  
9 comply with the maximum contaminant level for nitrite (as nitrogen) for samples  
10 collected during the month of December 2015.  
11

12 **DIRECTIVES**  
13

14 Bianchi Flowers, Inc. is hereby directed to take the following actions:  
15

- 16 1. Forthwith, Bianchi Flowers, Inc. shall cease and desist from failing to comply with  
17 the California Code of Regulations, Title 22, Section 64431, which specifies that  
18 the maximum contaminant level for nitrite (as nitrogen) of 1. mg/L shall not be  
19 exceeded in the water supplied to the public.  
20
- 21 2. Within 30 days of receipt of this Citation, Bianchi Flowers, Inc. shall produce and  
22 provide to the Division a Corrective Action Plan (CAP). The CAP shall specify the  
23 method(s) and timeline to bring the Water System into compliance with the nitrite  
24 maximum contaminant level.  
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26  
27



1 3. Conduct public notification for the nitrite maximum contaminant level exceedance  
2 as soon as possible and within 24 hours after learning of the nitrite violation. The  
3 notification shall be completed in accordance with the following methods:

- 4
- 5 a. Direct delivery to all residents and employees.
- 6
- 7 b. Posting in conspicuous locations throughout the area served by the
- 8 water system. The notices shall remain posted until the Water
- 9 System is consistently and reliably in compliance with the nitrite
- 10 maximum contaminant level.
- 11

12 The Water System was notified by the Division of the nitrite exceedance and was  
13 directed to immediately conduct public notification on December 10, 2015. The  
14 Water System has not confirmed completion of the notification.

15

16 4. Within 10 days of receipt of this Citation, Bianchi Flowers, Inc. shall provide to the  
17 Division certification of public notification using the enclosed form (Attachment No.  
18 1). A copy of the notice shall be attached to the certification form.

19

20 5. Beginning February 2016, Bianchi Flowers, Inc. shall conduct monthly nitrite  
21 monitoring for Well 02. All monitoring results shall be submitted to the Division via  
22 Electronic Data Transfer by the tenth of the following month. Bianchi Flowers, Inc.  
23 shall notify the Division within 24 hours of any acute nitrite maximum contaminant  
24 level exceedance.

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26 6. Within 10 days of receipt of this Citation, Bianchi Flowers, Inc. shall agree in  
27 writing to comply with all directives of this Citation.

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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 Bianchi Flowers, Inc. 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.

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, 2<sup>nd</sup> Floor  
Richmond, CA 94804

**PARTIES BOUND**

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

**SEVERABILITY**

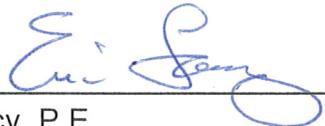
The Directives of this Citation are severable, and Bianchi Flowers, Inc. shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

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**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.

February 9, 2016  
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 7031 0840

**ATTACHMENT 1**

**PROOF OF COMPLIANCE**  
**Citation Number 02-17-16C-005**  
**Bianchi Flowers, Inc.**  
**System Number: 4100583**

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Bianchi Flowers, Inc., of the nitrite maximum contaminant level violation of Section 64431, Chapter 15, Title 22, California Code of Regulations, for the compliance period of December 2015.

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

Required Action

Date Completed

1. Public notification

- a. Direct delivery to all residents & employees \_\_\_\_\_
- 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.