



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 23, 2016

Mr. B.J. Burns  
Bianchi Flowers, Inc.  
243 Butano Cutoff  
Pescadero, CA 94060

Dear Mr. Burns:

**CITATION NO. 02-17-16C-013**  
**MAXIMUM CONTAMINANT LEVEL – TOTAL COLIFORM BACTERIA**  
**Bianchi Flowers, Inc., Water System No. 4100583**

Enclosed is a citation issued to the Bianchi Flowers, Inc. for failure to comply with Sections 64424 (a) and 64426.1 (b) (2), Chapter 15, Title 22 of the California Code of Regulations. Specifically, Bianchi Flowers failed to comply with the maximum contaminant level for total coliform with six samples collected in March 2016 total coliform positive, E.coli negative.

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

Sincerely,

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

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

cc: San Mateo County Environmental Health

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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 64426.1 (b) (2) and SECTION 64424 (a)**  
**WATER SYSTEM NO. 4100583**  
**CITATION NO. 02-17-16C-013**  
**Issued on March 23, 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, Title 22, Sections  
2 64424 (a) and 64426.1 (b) (2).

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4 **APPLICABLE AUTHORITIES**

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

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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 64424, subsection (a) provides**  
2 **in relevant part:**

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4 (a) If a routine sample is total coliform positive, the water supplier shall collect a  
5 repeat sample set within 24 hours of being notified of the positive result. The repeat  
6 samples shall all be collected within the same 24 hour time period.

7  
8 **California Code of Regulations, Title 22, Section 64426.1, subsection (b) (2)**  
9 **provides in relevant part:**

10  
11 (b) (2) A public water system which collects fewer than 40 samples per month  
12 is in violation of the total coliform maximum contaminant level if more than one  
13 sample collected during any month is total coliform positive.

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15 **STATEMENT OF FACTS**

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

27



1 CCR, Title 22, Section 64423 (a) (1) specifies that community water systems shall  
2 collect routine bacteriological samples at sample sites that are representative of water  
3 throughout the distribution system including all pressure zones, and areas supplied by  
4 each water source and distribution reservoir. The minimum number of samples shall  
5 be based on the known population served or the total number of service connections,  
6 whichever results in the greater number of samples, as shown in Table 64423-A.

7

8 According to Table 64423-A and the Water System's Bacteriological Sample Siting  
9 Plan, the Water System is required to collect a minimum of one (1) routine  
10 bacteriological sample per month. If the routine sample is total coliform-positive, the  
11 Water System shall collect a repeat sample set of at least four samples within 24  
12 hours of being notified of the positive result.

13

14 Bianchi Flowers, Inc. collected one routine bacteriological sample on March 1, 2016.  
15 The sample was total coliform positive, E.coli negative. The Water System was  
16 notified by the contracted laboratory of the positive result on March 2, 2016. One  
17 repeat sample was collected at the routine bacteriological sample site and one  
18 sample was collected from Well 02 on March 9, 2016. The repeat sample collected at  
19 the routine site was total coliform positive, E.coli negative. Upon consultation with the  
20 Division, a second round of repeat samples was collected on March 15, 2016. Four of  
21 the five repeat samples were total coliform positive, E.coli negative. Bianchi Flowers,  
22 Inc. was directed to increase the sodium hypochlorite dosage and flush the  
23 distribution system until a free chlorine residual of 1.5 mg/L was detected throughout  
24 the system.

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**DETERMINATION**

The Division has determined that Bianchi Flowers, Inc. failed to comply with the California Code of Regulations, Title 22, Sections 64424 (a) and 64426.1 (b) (2). Specifically, Bianchi failed to collect the repeat bacteriological samples within 24 hours of notification of the positive result and failed to comply with the maximum contaminant level for total coliform with six samples collected in March that were total coliform positive, E.coli negative.

**DIRECTIVES**

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

1. Forthwith, Bianchi shall cease and desist from failing to comply with the California Code of Regulations, Title 22, Sections 64424 (a) and 64426.1 (b) (2).
  
2. Within 30 days of receipt of this Citation, Bianchi shall produce and provide to the Division a Corrective Action Plan (CAP). The CAP shall include an evaluation of the cause(s) of the bacteriological contamination and the preventative measures to be taken to reduce the possibility of bacteriological contamination in the future.
  
3. Within 30 days of receipt of this Citation, Bianchi shall conduct public notification for the total coliform maximum contaminant level and monitoring violation in conformance with CCR, Title 22, Chapter 15, Section 64463.4. The notification shall be completed in accordance with the following methods:
  - a. Mail or direct delivery to all staff and residents served by the water system.

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b. Posting in conspicuous locations throughout the area served by the water system. The notices shall be posted for a minimum of seven calendar days.

4. Within 30 days of receipt of this Citation, Bianchi 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. Within 10 days of receipt of this Citation, Bianchi 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 Bianchi 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.



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

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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, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

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

**FURTHER ENFORCEMENT ACTION**

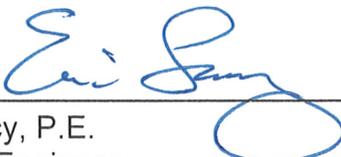
The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the

1 Board to take action to suspend or revoke a permit that has been issued to a public  
2 water system if the system has violated applicable law or regulations or has failed to  
3 comply with an order of the Board; and to petition the superior court to take various  
4 enforcement measures against a public water system that has failed to comply with  
5 violates an order of the Board. The Board does not waive any further enforcement  
6 action by issuance of this citation.

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March 23, 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 0987

ATTACHMENT 1

**PROOF OF COMPLIANCE**  
**Citation Number 02-17-16C-013**  
**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 bacteriological monitoring and maximum contaminant level violations of Sections 64424 (a) and 64426.1 (b)(2), Chapter 15, Title 22, California Code of Regulations, respectively, for the compliance period of March 2016.

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

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\_\_\_\_\_  
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.