



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 31, 2016

Mr. Piotr Majewski
Board President
Loma Mar Mutual Water Company
P.O. Box 1
Loma Mar, CA 94021

Dear Mr. Majewski:

CITATION NO. 02-17-16C-027
SURFACE WATER TREATMENT RULE DISINFECTION VIOLATION
Loma Mar Mutual Water and Improvement Company, Water System No. 4100512

Enclosed is a citation issued to the Loma Mar Mutual Water and Improvement Company (LMMWIC) for failure to comply with Section 64654 (b)(1), Chapter 17, Title 22 of the California Code of Regulations. Specifically, LMMWIC delivered treated surface water into the distribution system that contained a disinfectant residual of less than 0.2 mg/L for more than four hours on August 13, 2016.

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

Sincerely,

A handwritten signature in black 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

Ms. Wendy Hartman-Carr (LMMWIC – via email)

Mr. Chris Beebe (BWS – via email)

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Loma Mar Mutual Water and Improvement Company
P.O. Box 1
Loma Mar, CA 94021

Attn: Mr. Piotr Majewski
Board President

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64654 (b) (1)
WATER SYSTEM NO. 4100512
CITATION NO. 02-17-16C-027
Issued on August 31, 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 Loma Mar Mutual Water and Improvement Company (hereinafter, "Company" or "Water

1 System”) (P.O. Box 1, Loma Mar, CA 94021) for violating California Code of
2 Regulations (CCR), Title 22, Section 64654 (b) (1).

3
4 **APPLICABLE AUTHORITIES**

5
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.

26
27



1 California Code of Regulations, Title 22, Section 64654, subsection (b) (1)
2 provides in relevant part:

3
4 (b) (1) To ensure sufficient inactivation of *Giardia lamblia* cysts and viruses, all
5 approved treated surface water delivered into the distribution system shall not
6 contain a disinfectant residual of less than 0.2 mg/L for more than four hours in
7 any 24 hour period.

8
9 **STATEMENT OF FACTS**

10
11 Loma Mar Mutual Water and Improvement Company is a community water system
12 serving a population of approximately 65 through 34 service connections. Source
13 water for the Company is pumped from Pescadero Creek and treated through a
14 pressure adsorption contact clarifier followed by a pressure multi-media filter and
15 sodium hypochlorite disinfection. Disinfection contact time is achieved within a 3,000
16 gallon contact tank, a 2-inch diameter dedicated pipeline and a 40,000 gallon storage
17 tank before entering the distribution system.

18
19 CCR, Title 22, Section 64654 specifies that all approved surface water utilized by a
20 supplier shall be provided with continuous disinfection treatment sufficient to insure
21 that the total treatment process provides inactivation of *Giardia lamblia* cysts and
22 viruses, in conjunction with the removals obtained through filtration, to meet the
23 reduction requirements specified within section 64652 (a). The water delivered to the
24 distribution system shall not contain a disinfectant residual of less than 0.2 mg/L for
25 more than four hours in any 24 hour period.



1 The disinfectant residual entering the distribution system from the 40,000 gallon
2 storage tank was approximately 0.1 mg/L for five hours and fifteen minutes from
3 August 13, 2016 at 9:45 pm to August 14, 2016 at 3:00 am.

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5 **DETERMINATION**
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7 The Division has determined that Loma Mar Mutual Water and Improvement
8 Company failed to comply with the California Code of Regulations, Title 22, Section
9 64654 (b) (1). Specifically, water delivered to the distribution system contained a
10 disinfectant residual of less than 0.2 mg/L for more than four hours from August 13,
11 2016 at 9:45 pm to August 14, 2016 at 3:00 am.

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13 **DIRECTIVES**
14

15 Loma Mar Mutual Water and Improvement Company is hereby directed to take the
16 following actions:

- 17
- 18 1. Forthwith, Company shall cease and desist from failing to comply with the CCR,
19 Title 22, Section 64654 (b) (1).
 - 20
 - 21 2. Within 30 days of receipt of this Citation, Company shall produce and provide to
22 the Division a Corrective Action Plan (CAP). The CAP shall include an evaluation
23 of the cause(s) of the decrease in disinfectant residual and the preventative
24 measures to be taken to reduce the possibility of disinfection failures in the future.
 - 25
 - 26 3. Within 30 days of receipt of this Citation, Company shall conduct public notification
27 for the disinfection violation in conformance with CCR, Title 22, Chapter 15,



1 Section 64463.4. The notification shall be completed in accordance with the
2 following methods:

3
4 a. Mail or direct delivery to each customer receiving a bill including those that
5 may not have received this notice directly, such as people in apartments.

6
7 b. Posting in conspicuous locations through the area served by the water
8 system. The notices shall remain posted until the Company complies with
9 all directives within this citation.

10
11 4. Within 40 days of receipt of this Citation, Company shall provide to the Division
12 certification of public notification using the enclosed form (Attachment No. 1). A
13 copy of the notice shall be attached to the certification form.

14
15 5. Within 10 days of receipt of this Citation, Company shall agree in writing to comply
16 with all directives of this Citation.

17
18 The Division reserves the right to make such modifications to this Citation as it may
19 deem necessary to protect public health and safety. Such modifications may be
20 issued as amendments to this Citation, and shall be deemed effective upon issuance.

21
22 Nothing in this Citation relieves Loma Mar Mutual Water and Improvement Company
23 of its obligation to meet the requirements of the California Safe Drinking Water Act, or
24 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:

3
4 Eric Lacy, P.E.
5 District Engineer
6 State Water Resources Control Board
7 Division of Drinking Water
8 850 Marina Bay Parkway
9 Building P, 2nd Floor
10 Richmond, CA 94804

11
12
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14
15 **PARTIES BOUND**

16 This Citation shall apply to and be binding upon Loma Mar Mutual Water and
17 Improvement Company, its officers, directors, shareholders, agents, employees,
18 contractors, successors, and assignees.
19

20
21 **SEVERABILITY**

22 The Directives of this Citation are severable, and Loma Mar Mutual Water and
23 Improvement Company shall comply with each and every provision thereof,
24 notwithstanding the effectiveness of any other provision.
25

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27 **FURTHER ENFORCEMENT ACTION**

28 The California SDWA authorizes the Board to: issue citation with assessment of
29 administrative penalties to a public water system for violation or continued violation of
30 the requirements of the California SDWA or any permit, regulation, permit or order
31 issued or adopted thereunder including, but not limited to, failure to correct a violation
32



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

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August 31, 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 # 7015 1730 0000 9907 7411

ATTACHMENT 1

PROOF OF COMPLIANCE
Citation Number 02-17-16C-027
Loma Mar Mutual Water and Improvement Company
System Number: 4100512

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Loma Mar Mutual Water and Improvement Company, of the disinfection violation of Section 64654 (b) (1), Chapter 17, Title 22, California Code of Regulations, for the compliance period of August 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

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.

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.

Loma Mar Mutual Water and Improvement Company Did Not Meet Treatment Requirement (Disinfection)

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.

On August 13, 2016, disinfectant levels dropped below 0.2 milligrams per liter (mg/L) for five hours and fifteen minutes. The standard is that levels may not drop below 0.2 mg/L for more than four hours.

What should I do?

- **You do not need to boil your water or take other actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Tests taken during this same time period did not indicate the presence of bacteria in the water.
- *Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.*
- 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 with your doctor.

What happened? What is being done?

[Describe corrective action]. [Disinfectant residual levels/contact times] so far this month have met all requirements.

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 Loma Mar Mutual Water and Improvement Company

State Water System ID#: 4100512 . Date distributed: _____