CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Gazos Creek Beach House
System No. 4100560
ATTN: Mr. Keet Nerhan
P.O. Box 158
Half Moon Bay, CA 94019

COMPLIANCE ORDER NO. 02_17_16R_003
FOR VIOLATIONS OF
CALIFORNIA HEALTH & SAFETY CODE, SECTION 116555(a)(3)
&
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64652
Dated October 14, 2016

Section 116655 of the California Health and Safety Code (hereinafter "CHSC") authorizes the issuance of a compliance order to a public water system for violations of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, (commencing with Section 116270)) (hereinafter "California SDWA"), or any permit, regulation, or standard 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 this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to Gazos Creek Beach House (hereinafter "the System") for violations of the California Health & Safety Code, Section 116555 (a)(3) and California Code of Regulations, Title 22, Section 64652.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

APPLICABLE AUTHORITIES

CHSC, Section 116555(a)(3) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does the following:

(3) Provides a reliable and adequate supply of pure, wholesome, healthful and potable water.

CHSC, Section 116655 states in relevant part:

(a) Whenever the Division determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the department.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

California Code of Regulations, Title 22, Section 64652, provides, in relevant part:

(a) A supplier using an approved surface water shall provide multibarrier treatment that meets the requirements of this chapter and reliably ensures at least, between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer:

(1) A total of 99.9 percent reduction of *Giardia lamblia* cysts through filtration and disinfection;

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

(2) A total of 99.99 percent reduction of viruses through filtration and disinfection; and
(3) A total of 99 percent removal of *Cryptosporidium* through filtration.

California Code of Regulations, Title 22, Section 64651.10 defines approved surface water as:

"Approved surface water" means a surface water or groundwater under the direct influence of surface water that has received permit approval from the State Board.

STATEMENT OF FACTS

The System is a transient noncommunity public water system serving a population of approximately 25 through 2 service connections: a gas station and a restaurant. The System is a transient noncommunity public water system as defined in CHSC, Section 116275.

The System utilizes Well 01 as its source of domestic water. According to the Water Well Drillers Report, Well 01 was drilled in 1978 to a depth of 45 feet below ground surface. The well is equipped with an annular seal that extends 10 feet below ground surface. The well site is located approximately 150 feet from Gazos Creek in San Mateo County. Water pumped from Well 01 is disinfected but not filtered prior to storage and delivery.

Due to the substandard construction of Well 01 and proximity to the Gazos Creek, Well 01 is considered susceptible to surface contamination and presents an imminent and substantial danger to the health of the users of the system.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that the System has violated, and continues to violate, CHSC, Section 116555 (a)(3) in that the System does not provide water to the public that is pure, wholesome, healthful and potable. The System has also violated CCR, Title 22, Section 64652 which requires water systems to provide multibarrier treatment that includes filtration and disinfection to a groundwater source that is under the direct influence of surface water.

DIRECTIVES

The System is hereby directed to take the following actions:

1. On or before October 1, 2017, comply with Health and Safety Code, Section 116555(a)(3) and remain in compliance.

2. On or before October 1, 2017, comply with California Code of Regulations, Title 22, Section 64652, or utilize an alternate supply of water that complies with all applicable regulatory standard, and remain in compliance.

3. On or before October 24, 2016, submit a written response to the Division indicating its agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

4. On or before November 15, 2016, prepare and submit for Division approval a Corrective Action Plan identifying improvements to the System. The plan shall include the milestones and time schedule for returning to compliance. The schedule shall include, but not be limited to, specifying from the date of this compliance order, in no more than 60 days identifying the preferred alternative, in no more than 90 days obtaining an estimate for the preferred alternative from appropriate consultants, in no more than 120 days submitting complete plans and specifications to the Division for review and approval, and by October 1, 2017 completing all actions, including permitting, required to bring the preferred alternative into use.

5. Comply with the Division-approved Corrective Action Plan and each and every element of said plan according to the time schedule set forth therein.

6. On or before December 30, 2016 and every month thereafter, submit a report to the Division showing actions taken during the month to comply with the Corrective Action Plan.

7. Within 30 days of receipt of this Order, conduct continuous public notification for failure to provide water that complies with the surface water treatment standards in conformance with California Code of Regulations, Title 22, Section 64463.4. Specifically, notify all customers that the System is failing to provide multibarrier treatment that includes filtration and disinfection to a

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

groundwater source that is under the direct influence of surface water. The notification shall be completed in accordance with the following method:

a. Posting in conspicuous locations throughout the area served by the water system. The notices shall remain posted until the System complies with all directives within this compliance order.

The public notification shall include the following health effects language:

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.

A public notification template is enclosed in Appendix A of this Order. The notice must be approved by the Division prior to distribution. Proof of notification must be provided to the Division. This can be met by submitting a completed Proof of Notification form (Appendix B) and a copy of the notice issued within 14 days of completing the notification.

8. Notify the Division in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if the System anticipates it will not meet the performance deadline.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

All submittals required by this Order shall be addressed to:

Mr. Eric Lacy, P.E.
Santa Clara District Engineer
State Water Resources Control Board
Division of Drinking Water
850 Marina Bay Parkway
Building P, 2nd Floor
Richmond, CA 94804-6403

As used in this Order, the date of issuance shall be the date of this Order; and the date of service shall be the date of service of this Order, personal or by certified mail, on the System.

The Division reserves the right to make such modifications to this Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves the System of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

This Order shall apply to and be binding upon the System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

SEVERABILITY

The Directives of this Order are severable, and the System shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a 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 regulation, permit, standard, citation, 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 public water 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 an order of the Board. The Board does not waive any further enforcement action by issuance of this Order.

Stefan Cajina, P.E., Chief
North Coastal Section
State Water Resources Control Board
Division of Drinking Water

Oct. 14/2016
Date

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

Certified Mail No. 7015 1730 0000 9907 7480

Appendix A: Public Notification Template

Appendix B: Proof of Notification Certificate

cc: San Mateo County Environmental Health

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 05 90192

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.

Gazos Creek Beach House
Does Not Meet Treatment Requirement (Filtration)

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 October 14, 2016, the State Water Resources Control Board, Division of Drinking Water (DDW) ordered us to filter the water in addition to disinfecting. We are required to install this filtration because we do not have an adequate watershed control program in place. However, we have not yet installed a filtration system.

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. We do not know of any cases of contamination. However, until improvements are made, there is an increased chance that disease-causing organisms could contaminate the water supply.
- *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. If you experience any of these symptoms and they persist, you may want to seek medical advice.
- A home filter will not necessarily solve the problem, because not all home filters protect against parasites. For information on appropriate filters, call NSF International at 1(800) 673-6275, the Water Quality Association at (630) 505-0160, or the State Water Resources Control Board's, Residential Water Treatment Device Registration Unit at (916) 449-5600 or visit the State Board's website atwww.swrcb.ca.gov.
- 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 the water, you may wish to consult your doctor.

What happened? What is being done?

Filtration is the best method for removing these organisms. [Describe corrective action]. We anticipate resolving the problem within [estimated time frame]. Until filtration is installed, you will receive a notice similar to this every three months.

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 Gazos Creek Beach House

State Water System ID#: 4100560. Date distributed: _____.

Appendix B

PROOF OF COMPLIANCE
Compliance Order No. 02_17_16R_003
Gazos Creek Beach House
System Number: 4100560

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by Gazos Creek Beach House, of the failure to provide multibarrier treatment that consists of filtration and disinfection to a groundwater source that is under the direct influence of surface water, Well 01, to meet the requirements of the California Code of Regulations, Title 22, Chapter 17 (Surface Water Treatment Rule).

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

Required Action	*Date Completed*
1. Public notification	
a. 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.*