



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

February 3, 2016

Mr. Jim Allen, Owner
Oak Dell Park
14721 6th Street
Saratoga, CA 95070

Dear Mr. Allen:

CITATION NO. : 02-17-16C-004
SECONDARY MAXIMUM CONTAMINANT LEVELS VIOLATION
OAK DELL PARK, SYSTEM NO. 4300603

Enclosed is a citation issued to Oak Dell Park. The secondary maximum contaminant levels were not met during the 2015 compliance period.

If you have any questions regarding this matter, please contact Samantha Mak at (510) 620- 2988.

Sincerely,

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

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

Attachments: (1) Proof of Notification Template
 (2) Proof of Notification Form

Cc: Santa Clara County Environmental Health Department (w/o attachment)

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Oak Dell Park
14721 6th Street
Saratoga, CA 95070

Attn: Jim Allen, Owner
Oak Dell Park

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, SECTION 64449(c)(3)
WATER SYSTEM NO. 4300603
CITATION NO. 02-17-16C-004
Issued on February 3, 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, 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 Oak Dell Park (mailing address 14721 6th Street, Saratoga, CA 95070) for violation of California Code of Regulations (CCR), Title 22, Section 64449 subsection (c)(3).



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APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the department 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 department 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 department 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.

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Violations

California Code of Regulations, Title 22, Section 64449, subsection (c)(3) provides, in relevant part:

(c) If the level of any constituent in Table 64449-A exceeds a MCL, the community water system shall proceed as follows:

(3) If a violation has occurred (average of four consecutive quarterly samples exceeds an MCL), inform the Department when reporting pursuant to Section 64469;

STATEMENT OF FACTS

Oak Dell Park was granted a domestic water permit on November 8, 1995. Oak Dell Park supplies domestic water to a mobile home park with 60 service connections and a current population of 100 residents. The water system consist of one active well, Well 02, a 30,000 gallon steel tank, and a pipeline network of 1-1/2 to 2-inch galvanized PVC pipes.

On March 26, 2014, Well 02 exceeded the Secondary Maximum Contaminant Levels (SMCL) for iron and color with results of 1,100 µg/L and 25 units, respectively. The SMCL for iron and color are 300 µg/L and 15 units, respectively. Oak Dell Park was required to complete quarterly monitoring for both constituents. Quarterly compliance monitoring began during the first quarter of 2015 and ended in the fourth quarter with an average of 23.75 units for color and 1,225 µg/L for iron. Oak Dell Park has violated the SMCL for both iron and color constituents.

DETERMINATION

After quarterly monitoring conducted at Well 02 in 2015 for iron and color, the Division has determined that Oak Dell Park has failed to comply with the Secondary Maximum Contaminant Levels. Oak Dell Park is hereby required to evaluate its options and

1
2 implement a solution that will return the water supplied to its customers in compliance
3 with both drinking water standards.

4 **DIRECTIVES**

5 Oak Dell Park is hereby directed to take the following actions:

6
7 1. Forthwith, Oak Dell Park shall cease and desist from failing to comply with
8 Subsection 64449(c)(3), Chapter 15, Title 22, CCR, immediately.

9
10 2. Conduct public notification for the Secondary Maximum Contaminant Levels
11 violation in conformance with Section 64449(c)(3), Chapter 15, Title 22, CCR. A
12 notification template is enclosed and must be approved by the Division prior to
13 distribution. The notification posting shall be completed by February 29, 2016 in
14 accordance with the following:

15 a) Mail or direct delivery to each customer receiving a bill including
16 those providing drinking water to others. This notification method
17 must be performed every three months until the water system has
18 returned to compliance.

19 b) Posting in conspicuous locations throughout the area served by the
20 water system.

21
22 Proof of notification must be provided to the Division. This can be met by
23 submitting a completed Proof of Notification form (Attachment enclosed) and a
24 copy of the notice issued within 14 days of completing the notification.

25
26 3. Prepare a written Corrective Action Plan (CAP) to evaluate the cause of the high
27 iron and color in the water supply and preventative measures that will be taken to



1
2 ensure that the drinking water will comply with the Secondary Maximum
3 Contaminant Levels. The CAP shall be submitted to the Division by March 15,
4 2016.

5
6 The Division reserves the right to make such modifications to this Citation as it may
7 deem necessary to protect public health and safety. Such modifications may be
8 issued as amendments to this Citation, and shall be deemed effective upon issuance.

9
10 Nothing in this Citation relieves Oak Dell Park of its obligation to meet the
11 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
12 standard, or order issued or adopted thereunder.

13
14 All submittals required by this Citation shall be submitted to the Division at the
15 following address:

16 Mr. Eric Lacy, P.E.
17 District Engineer, Santa Clara District
18 Division of Drinking Water
19 State Water Resources Control Board
20 850 Marina Bay Parkway
21 Building P, 2nd Floor
22 Richmond, CA 94804-6403

23
24 **PARTIES BOUND**

25 This Citation shall apply to and be binding upon Oak Dell Park, its officers, directors,
26 shareholders, agents, employees, contractors, successors, and assignees.

27 **SEVERABILITY**

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

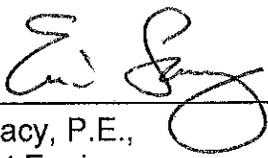


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FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division 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 Division 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 Division; 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 Division. The Division does not waive any further enforcement action by issuance of this citation.

February 3, 2016
Date


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

cc: Santa Clara County Environmental Health Department
bcc: Chron; system enforcement file
File Server – 4300603
Certified Mail # 70143490000170310871



Instructions for Tier 2 Chemical or Radiological MCLs Notice Template

Template Attached

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

This notification template can be found at the link below under Specific Tier 2 Notices, Chemical or Radiological MCL Exceedance:

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Notices.shtml

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove [contaminant] or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for [contaminant]."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

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.

[System] Has Levels of [Contaminant] Above the Drinking Water Standard

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.

We routinely monitor for the presence of drinking water contaminants. Water sample results received on [date] showed [name of contaminant] levels of [level and units]. This is above the standard, or maximum contaminant level (MCL), of [standard and units].

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

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 [system].

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

PROOF OF NOTIFICATION

Water System Name: Oak Dell Park
Water System Number: 4300603

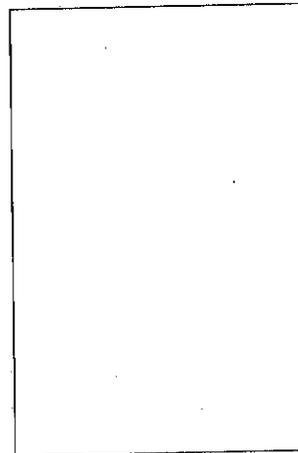
As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by Oak Dell Park of the secondary maximum contaminant levels violation. I complied with the directives of the State Water Resources Control Board Division of Drinking Water as indicated below:

Required Action

Date Completed

Public Notification

- (a) Posting in conspicuous locations throughout the area served by the water system
- (b) Mail or direct delivery to each customer receiving a bill including those providing drinking water to others.



Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION.
A COPY OF THE PUBLISHED NOTICE, DELIVERED NOTICE, AND POSTED 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.