



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

---

**State Water Resources Control Board**  
Division of Drinking Water

May 3, 2016

Ms. Celia Francis  
Board President  
Aldercroft Heights County Water District  
20870 Panorama Drive  
Los Gatos, CA 95033

Dear Ms. Francis:

**CITATION NO. : 02\_17\_16C\_016**  
**PERMIT PROVISION VIOLATION**  
**Aldercroft Heights County Water District, System No. 4300516**

Enclosed is a citation issued to Aldercroft Heights County Water District (AHCWD). The citation is issued because the water system failed to comply with permit provisions 9b, 12, and 15c of the December 9, 2009 Domestic Water Supply Permit.

If you have any questions regarding this matter, please contact Karen Nishimoto at (510) 620-3461.

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

Attachment: Proof of Notification Form

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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

**TO:** Aldercroft Heights County Water District  
20870 Panorama Drive  
Los Gatos, CA 95033

**Attn:** Celia Francis, Board President  
Aldercroft Heights County Water District

**CITATION FOR VIOLATION PROVISIONS 9B, 12, AND 15C OF THE DECEMBER  
9, 2009 DOMESTIC WATER SUPPLY PERMIT - WATER SYSTEM NO. 4300516**  
**C I T A T I O N   N O .   0 2 \_ 1 7 \_ 1 6 C \_ 0 1 6**  
**Issued on May 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 Aldercroft Heights County Water District (hereinafter, AHCWD) (20870 Panorama Drive, Los Gatos, CA 95033) for violation of permit provisions 9b, 12, and 15.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**Domestic Water Supply Permit Number 02\_17\_09P\_4300516, Provision 9b provides, in relevant part:**

Disinfection facilities shall be operated in accordance with the following requirements:

(b) An emergency plan shall be developed as part of the operations plan and implemented in the event of disinfection failure to prevent delivery to the distribution system of any undisinfected or inadequately disinfected water. The plan shall be posted in the treatment plant or other place readily accessible to the plant operator.

**Domestic Water Supply Permit Number 02\_17\_09P\_4300516, Provision 12 provides, in relevant part:**

Aldercroft Heights County Water District shall measure and record the disinfectant residual concentration of the water being delivered to the distribution system continuously. If there is a failure of continuous disinfection residual monitoring equipment, grab sampling every four hours may be conducted in lieu of continuous monitoring, but for no more than five working days following the failure of the equipment.

**Domestic Water Supply Permit Number 02\_17\_09P\_4300516, Provision 15c provides, in relevant part:**

Aldercroft Heights County Water District shall provide the following reliability features to the Trimite WTP:

(c) A continuous turbidity monitoring and recording unit on the filter effluent prior to clearwell storage.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**STATEMENT OF FACTS**

The AHCWD water system is operated under Water Supply Permit No. 02\_17\_09P\_4300516 issued on December 9, 2009.

AHCWD serves water to approximately 338 customers in an unincorporated area southwest of the town of Los Gatos, CA. AHCWD receives water from Los Gatos Creek and has two standby springs. AHCWD has two raw water storage tanks, a surface water treatment plant with a chlorination facility, four finished water storage tanks, and a distribution system.

During the sanitary survey conducted April 19, 2016 it was noted that AHCWD did not have an emergency plan in the event of disinfection failure to prevent delivery to the distribution system of any disinfection of inadequately disinfected water. This plan was required to be developed and posted in the treatment plan or other place readily accessible to the plant operator.

As a result of failure to develop and post an emergency plan, AHCWD failed to comply with Provision 9b of Domestic Water Supply Permit Number 02\_17\_09P\_4300516.

During the sanitary survey conducted April 19, 2016 it was noted that the online chlorine analyzer was not functioning. The operator stated that the chlorine analyzer had been broken for several weeks and daily grab samples had been taken in the interim. The chlorine residual is required to be monitoring continuously, and if there is a failure, grab sampling must be performed every four hours in lieu of continuous monitoring, but for no more than five working days following the failure of the equipment.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

As a result of failure to collect grab samples every four hours following the equipment failure, and failure to repair the equipment within five working days, AHCWD failed to comply with Provision 12 of Domestic Water Supply Permit Number 02\_17\_09P\_4300516.

During the sanitary survey conducted April 19, 2016, it was noted that the continuous turbidity recording unit on the filter effluent prior to clearwell storage was not functioning. The most recent record that could be found was dated 2013. The turbidity from the filter effluent prior to the clearwell storage is required to be monitored and recorded continuously.

As a result of failure to record filter effluent turbidity results, AHCWD failed to comply with Provision 15c of Domestic Water Supply Permit Number 02\_17\_09\_4300516.

**DETERMINATION**

The Division has determined the AHCWD has failed to comply with Provisions 9b, 12, and 15c of Domestic Water Supply Permit Number 02\_17\_09\_4300516.

**DIRECTIVES**

AHCWD is hereby directed to take the following actions:

1. Forthwith, AHCWD shall immediately cease and desist from failing to comply with Provision 9b of Domestic Water Supply Permit Number 02\_17\_09P\_4300516, which specifies that an emergency plan shall be developed as part of the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

operations plan and implemented in the event of disinfection failure to prevent delivery to the distribution system of any undisinfected or inadequately disinfected water. The plan shall be posted in the treatment plant or other place readily accessible to the plant operator.

2. Forthwith, AHCWD shall immediately cease and desist from failure to comply with Provision 12 of Domestic Water Supply Permit Number 02\_17\_09P\_4300516, which specifies AHCWD shall measure and record the disinfectant residual concentration of the water being delivered to the distribution system continuously. If there is a failure of continuous disinfection residual monitoring equipment, grab sampling every four hours may be conducted in lieu of continuous monitoring, but for no more than five working days following the failure of the equipment.

3. Forthwith, AHCWD shall cease and desist from failure to comply with Provision 15c of Domestic Water Supply Permit Number 02\_17\_09\_4300516, which specifies that AHCWD shall provide a continuous turbidity monitoring and recording unit on the filter effluent prior to clearwell storage.

4. AHCWD shall conduct public notification for the permit provision violation in conformance with Section 64463.4, Chapter 15, Title 22, CCR. The notification shall be completed in accordance with the following within 30 days:

Mail or direct delivery 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 system AND public notification in a local newspaper, posting in conspicuous public places

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

served by the water system or on the internet, or delivery to community organizations to reach persons not likely to be reached by mailing or direct delivery (renters, community center users, etc).

5. Submit a proposed notice to the Division for review and approval prior to delivery.
6. Within 30 days of receipt of this Citation, AHCWD shall provide to the Division certification of public notification using the enclosed form (Attachment A). The certification of notification must identify the methods of public notification.
7. Within 30 days of receipt of this Citation, AHCWD shall provide a Corrective Action Plan (CAP) that describes the specific actions that will be taken to return to compliance. The plan shall include an emergency plan in the event of a disinfection failure, documentation of repairs to the continuous chlorine analyzer, documentation of repairs to the continuous turbidity recording unit, and a plan to avoid future such occurrences.
8. Within 30 days of receipt of this Citation, AHCWD shall submit a written response to the Division indicating its willingness to comply with 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 AHCWD 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  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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

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

**PARTIES BOUND**

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

**SEVERABILITY**

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

**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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

May 3, 2016  
Date

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

Attachments:

A. Proof of Notification Form

CERTIFIED MAIL # 7014 3490 0001 7031 2134

## PROOF OF NOTIFICATION

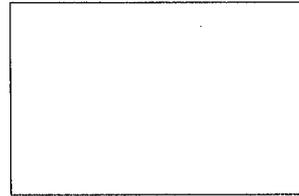
Water System Name: Aldercroft Heights County Water District  
Water System Number: 4300516

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by Aldercroft Heights County Water District of the permit provision violations. I complied with the directives of the Division of Drinking Water as indicated below:

Required Action

Date Completed

Public Notification by mail or direct delivery AND  
posting in public.



\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT.  
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.