



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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

May 24, 2016

Mr. David Casper  
Board President  
Chemeketa Park Mutual Water Company  
P.O. Box 588  
Redwood Estates, CA 95040

Dear Mr. Casper:

**CITATION NO. : 02\_17\_16C\_018**  
**TREATMENT TECHNIQUE VIOLATION**  
**PERMIT PROVISION VIOLATION**  
**Chemeketa Park Mutual Water Company, System No. 4300517**

Enclosed is a citation issued to Chemeketa Park Mutual Water Company (CPMWC). The citation is issued because the water system failed to comply with Section 64659(a)(1), Title 22, California Code of Regulations and permit provisions 2, 9b, 12, and 15c of the June 3, 2011 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)

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

**TO:** Chemeketa Park Mutual Water Company  
P.O. Box 588  
Redwood Estates, CA 95040

**Attn:** David Casper, Board President  
Chemeketa Park Mutual Water Company

**CITATION FOR VIOLATION CALIFORNIA CODE OF REGULATIONS, TITLE 22,  
SECTION 64659(a)(1) AND PROVISIONS 2, 9B, 12, AND 15C OF THE JUNE 3,  
2011 DOMESTIC WATER SUPPLY PERMIT - WATER SYSTEM NO. 4300517**

**C I T A T I O N   N O .   0 2 \_ 1 7 \_ 1 6 C \_ 0 1 8**

**Issued on May 24, 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 Chemeketa Park Mutual Water Company (hereinafter, CPMWC) (P.O. Box 588, Redwood Estates, CA 95040)



1  
2 for violation of California Code of Regulations (CCR), Title 22, Section 64659(a)(1)  
3 and permit provisions 2, 9b, 12, and 15.

4  
5 **APPLICABLE AUTHORITIES**

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

7  
8 (a) If the department determines that a public water system is in violation  
9 of this chapter or any regulation, permit, standard, citation, or order issued or adopted  
10 thereunder, the department may issue a citation to the public water system. The  
11 citation shall be served upon the public water system personally or by certified mail.  
12 Service shall be deemed effective as of the date of personal service or the date of  
13 receipt of the certified mail. If a person to whom a citation is directed refuses to accept  
14 delivery of the certified mail, the date of service shall be deemed to be the date of  
15 mailing.

16 (b) Each citation shall be in writing and shall describe the nature of the  
17 violation or violations, including a reference to the statutory provision, standard, order,  
18 citation, permit, or regulation alleged to have been violated.

19 (c) A citation may specify a date for elimination or correction of the  
20 condition constituting the violation.

21 (d) A citation may include the assessment of a penalty as specified in  
22 subdivision (e).

23 (e) The department may assess a penalty in an amount not to exceed  
24 one thousand dollars (\$1,000) per day for each day that a violation occurred, and for  
25 each day that a violation continues to occur. A separate penalty may be assessed for  
26 each violation.

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1  
2 **California Code of Regulations, Title 22, Section 64659 subsection (a)(1)**  
3 **provides, in relevant part:**

4  
5 (a) The following reliability features shall be included in the design and  
6 construction of all new and existing surface water treatment plants:

7 (1) Alarm devices to provide warning of coagulation, filtration, and  
8 disinfection failures. All devices shall warn a person designated by the supplier as  
9 responsible for taking corrective action, or have provisions to shut the plant down until  
10 corrective action can be taken.

11  
12 **Domestic Water Supply Permit Number 02-17-11P-4300517, Provision 2**  
13 **provides, in relevant part:**

14 Chemeketa Park Mutual Water Company shall serve water to its  
15 customers only from approved sources. No other sources shall be used without prior  
16 approval from the [Division]. Approved sources are as follows:

17 (a) Moody Gulch Stream (PS Code 4300517-002)

18 (b) Los Gatos Creek (PS Code 4300517-003)

19  
20 **Domestic Water Supply Permit Number 02-17-11P-4300517, Provision 9b**  
21 **provides, in relevant part:**

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

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



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**Domestic Water Supply Permit Number 02-17-11P-4300517, Provision 12 provides, in relevant part:**

Chemeketa Park Mutual Water Company shall measure and record the disinfectant residual concentration of the water being delivered to the treated water redwood tank 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 02-17-11P-4300517, Provision 15c provides, in relevant part:**

Chemeketa Park Mutual Water Company shall provide the following reliability features to the Microfloc WTP:

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

**STATEMENT OF FACTS**

The CPMWC water system is operated under Water Supply Permit No. 02-17-11P-4300517 issued on June 3, 2011.

CPMWC serves water to approximately 340 customers in an unincorporated area southwest of the town of Los Gatos, CA. CPMWC receives water from Moody Gulch and Los Gatos Creek. CPMWC has a surface water treatment plant with a chlorination facility, a clearwell, three finished water storage tanks, and a distribution system.



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During the sanitary survey conducted May 17, 2016, it was noted that the alarm devices that provide warning of coagulation, filtration, and disinfection failures at CPMWC's surface water treatment plant were not functioning at the time of the sanitary survey. This was evident since the disinfectant crock was empty, therefore chlorine was not being injected at the surface water treatment plant. However, the surface water treatment plant was still operational and had not shutdown as it should have if the alarm devices were functioning. An attempt to trigger the turbidity alarm and shutdown also verified it was not functioning. An investigation determined that the alarm devices had been manually disabled.

As a result of disabling the alarm devices, CPMWC failed to comply with Section 64659, Title 22, CCR.

During the sanitary survey conducted May 17, 2016, it was noted that CPMWC had an unapproved raw water connection from Raineri Mutual Water Company into CPMWC's treated water clearwell. The connection previously had been severed at the Division's direction in 2013 and had been re-connected. The connection allowed raw, untreated water to be served the CPMWC.

As a result of connecting an unapproved source of water, CPMWC failed to comply with Provision 2 of the Domestic Water Supply Permit Number 02-17-11P-4300517.

During the sanitary survey conducted May 17, 2016 it was noted that CPMWC 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.

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As a result of failure to develop and post an emergency plan, CPMWC failed to comply with Provision 9b of Domestic Water Supply Permit Number 02-17-11P-4300517.

During the sanitary survey conducted May 17, 2016, it was noted that the online chlorine analyzer did not have a recording unit. CPMWC is required to measure and record the disinfectant residual concentration of the water being delivered to the treated water redwood tank continuously. 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.

As a result of the failure to record the disinfectant residual concentration of the water being delivered to the treated water redwood tank, CPMWC failed to comply with Provision 12 of Domestic Water Supply Permit Number 02-17-11P-4300517.

During the sanitary survey conducted May 17, 2016, it was noted that CPMWC did not have a continuous turbidity recording unit on the filter effluent prior to clearwell storage. 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, CPMWC failed to comply with Provision 15c of Domestic Water Supply Permit Number 02-17-11P-4300517.

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**DETERMINATION**

The Division has determined the CPMWC has failed to comply with Section 64659, Title 22, CCR and Provisions 2, 9b, 12, and 15c of Domestic Water Supply Permit Number 02-17-11P-4300517.

**DIRECTIVES**

CPMWC is hereby directed to take the following actions:

1. Forthwith, CPMWC shall immediately cease and desist from failing to comply with Section 64659(a)(1), Title 22, CCR. Specifically, CPMWC shall have functioning alarm devices to provide warning of coagulation, filtration, and disinfection failures. All devices shall warn a person designated by the supplier as responsible for taking corrective action, or have provisions to shut the plant down until corrective action can be taken.
2. Forthwith, CPMWC shall immediately cease and desist from failing to comply with Provision 2 of Domestic Water Supply Permit Number 02-17-11P-4300517, which specifies that no unapproved sources of water shall be used.
3. Forthwith, CPWMC shall immediately cease and desist from failing to comply with Provision 9b of Domestic Water Supply Permit Number 02-17-11P-4300517, which specifies that 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.



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4. Forthwith, CPMWC shall immediately cease and desist from failure to comply with Provision 12 of Domestic Water Supply Permit Number 02-17-11P-4300517, which specifies CPMWC 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.

5. Forthwith, CPMWC shall cease and desist from failure to comply with Provision 15c of Domestic Water Supply Permit Number 02-17-11P-4300517, which specifies that CPMWC shall provide a continuous turbidity monitoring and recording unit on the filter effluent prior to the redwood tank.

6. CPMWC shall conduct public notification for the violations 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 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).

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- 7. Submit a proposed notice to the Division for review and approval prior to delivery.
  
- 8. Within 30 days of receipt of this Citation, CPMWC 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.
  
- 9. Within 30 days of receipt of this Citation, CPMWC shall provide a Corrective Action Plan (CAP) that describes the specific actions that will be taken to return to compliance. The plan shall include removal of all piping associated with the raw water connection from Raineri Mutual Water Company, an emergency plan in the event of a disinfection failure, obtaining and installing a continuous chlorine analyzer recorder, obtaining and installing a continuous turbidity recording unit, and a plan to avoid future such occurrences.
  
- 10. Within 30 days of receipt of this Citation, CPMWC 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 CPMWC 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.

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

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

**SEVERABILITY**

The Directives of this Citation are severable, and CPMWC 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 violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

May 24, 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 2165

**PROOF OF NOTIFICATION**

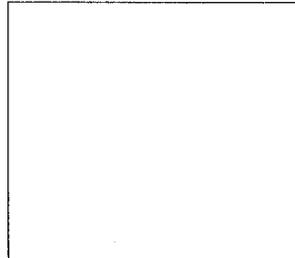
Water System Name: Chemeketa Park Mutual Water Company  
Water System Number: 4300517

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by Chemeketa Park Mutual Water Company of the treatment technique violation and 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 publication in a local newspaper, posting in public or internet, or delivery to community organizations.



\_\_\_\_\_  
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.