



DEPARTMENT OF ENVIRONMENTAL RESOURCES

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October 5, 2016

Turlock Unified School District
c/o Scott Richardson
PO Box 819013
Turlock, CA 95381

TRANSMITTAL OF COMPLIANCE ORDER NO. DER-16CO-010 FOR LEAD AND COPPER

The Roselawn High School Water System has monitoring and reporting violations for lead and copper, as specified in the Lead and Copper Regulation, Chapter 17.5, Title 22, California Code of Regulations. In response to these violations, Stanislaus County Department of Environmental Resources has issued Compliance Order No. DER-16CO-010 and revised the existing water supply permit. The Compliance Order and permit are being transmitted to the Roselawn High School Water System under cover of this letter.

Please respond to each item of the Directives by the deadlines established in the compliance order. If you have any questions regarding this matter, please contact Rachel Riess at (209) 525-6720.

Sincerely,

Rachel Riess, REHS
Registered Environmental Health Specialist

Enclosure (2)

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STANISLAUS COUNTY
DEPARTMENT OF ENVIRONMENTAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH

TO: Roselawn High School
312 South Roselawn Avenue
Turlock, CA 95380

Attn: Scott Richardson
Turlock Unified School District

COMPLIANCE ORDER NO. DER-16CO-010
FOR
VIOLATION OF CALIFORNIA CODE OF REGULATIONS CHAPTER 17.5
LEAD AND COPPER
WATER SYSTEM NO. 5000116
Issued on September 14, 2016

The Department of Environmental Resources (hereinafter "Department"), acting by and through its Division of Environmental Health (hereinafter "Division") and the Manager for the Division (hereinafter "Manager"), hereby issues this Compliance Order (hereinafter "Order") pursuant to Sections 116330 (f) and 116655 of the California Health and Safety Code (hereinafter "CHSC") to the Roselawn High School Water System (hereinafter, "Roselawn") for violation of the California Code of Regulations (hereinafter "CCR"), Title 22, Chapter 17.5.

1 APPLICABLE AUTHORITIES

2 **CHSC, Section 116655 states in relevant part:**

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

6 (1) Directing compliance forthwith.

7 (2) Directing compliance in accordance with a time schedule set by the
8 Division.

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

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

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

14 (2) That purification or treatment works be installed.

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

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

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

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

20 **Section 64673 (c) (d) of the CCR states in relevant part:**

21 (c) A small or medium-size system with an action level exceedance shall take
22 the following steps:

1 (1) Monitor WQPs [Water Quality Perimeters] beginning with the first
2 period after the exceedance, pursuant to section 64681 (Initial WQP Monitoring).

3 (d) A small or medium-size system with an action level exceedance for lead
4 shall:

5 (1) Complete a lead public education program, pursuant to article 7
6 (Public Education Program for Lead Action Level Exceedances) of this chapter.

7 **Section 64675 of the CCR states in relevant part:**

8 (a) During each period, each system conducting standard tap sampling by
9 collecting on sample from the number of sites based on the number of people served
10 specified in table 64675-A.

11 **Table 64675-A**
12 **Lead and Copper Tap Sampling Sites**

System Size (Number People Served)	Standard Tap Monitoring (Minimum Number of Sites)	Reduced Tap Monitoring (Minimum Number of Sites)
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
<101	5	5

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14 **Section 64678 of the CCR states in relevant part:**

15 (d) The lead action level is exceeded if the concentration of lead is more than
16 10 percent of the tap water samples collected during any period is greater than 0.015
17 mg/L (i.e., if the "90th Percentile" lead level is greater than 0.015 mg/L).

18 (e) The copper action level is exceeded if the concentration of copper is more
19 than 10 percent of the tap water samples collected during any period is greater than
20 1.3 mg/L (i.e., if the "90th Percentile" copper level is greater than 1.3 mg/L).

1 **Section 64680 of the CCR states in relevant part:**

2 (a) WQP tap monitoring shall be:

3 (1) Representative of water quality throughout the distribution system,
4 by considering the number of persons served, the different sources of water and
5 treatment methods employed, and seasonal variability;

6 (2) Not restricted to sites targeted for lead and copper; and

7 (3) Include two samples for each applicable WQP During each period,
8 from the standard number of sites, based on the number of persons served, specified
9 in table 64680-A.

10 **Table 64680-A**
11 **WQP Tap Monitoring Sites**

System Size (Number People Served)	Standard Tap Monitoring (Minimum Number of Sites)	Reduced Tap Monitoring
>100,000	25	10
10,001 to 100,000	10	7
3,301 to 10,000	3	3
501 to 3,300	2	2
101 to 500	1	1
<101	1	1

12
13 **Section 64681 of the CCR states in relevant part:**

14 For initial WQP monitoring, each system shall monitor for the following WQP's,
15 pursuant to section 64680 (General WQP Monitoring Requirements).

16 (a) pH;

17 (b) Alkalinity;

18 (c) Orthophosphate, when an inhibitor containing a phosphate compound is
19 used;

20 (d) Silica, when an inhibitor containing a silicate compound is used;

- 1 (e) Calcium;
2 (f) Conductivity; and
3 (g) Water temperature.

4 **Section 64687(a) of the CCR states in relevant part:**

5 (a) Each system with a lead action level exceedance shall conduct a lead
6 public education program that includes delivery of the following public education
7 materials pursuant to subsection (d). Within 10 days after the period during which the
8 program was required, the system shall submit a letter to the Department
9 demonstrating that it has delivered the public education materials as required and
10 include a list of all the newspapers, radio stations, television stations, facilities and
11 organizations to which the system delivered the materials during the previous year.

12 **Section 64687(d) of the CCR states in relevant part:**

13 (4) Within 60 days after it has a lead action level exceedance, unless it is
14 already conducting a lead public education program, a nontransient noncommunity
15 system shall deliver the public education materials in paragraphs (a)(1) or (a)(2) as
16 follows:

17 (A) Post informational posters on lead in drinking water in a public place
18 or common area in each of the buildings served by the system; and

19 (B) Distribute informational pamphlets and/or brochures on lead in
20 drinking water to each person served by the system. The Department may allow the
21 system to utilize electronic transmission in lieu of or combined with printed materials
22 as long as it achieves at least the same coverage.

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STATEMENT OF FACTS

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Roselawn was operating under Water Supply Permit No. 05-03-132, which was issued on August 16, 2005. Roselawn is currently operating under Water Supply Permit 2016-09-016.

Roselawn water system is located in Stanislaus County along East Avenue, adjacent to of the City of Turlock. Roselawn service area is approximately 2.7 acres in size.

Roselawn water system is classified as a nontransient noncommunity water system that serves the students, employees, and visitors of the high school. According to the 2015 Annual Report to the Division and Division records, Roselawn serves approximately 225 people through five (5) service connections. All service connections are un-metered. The water system obtains its water supply from one active well located on Roselawn property.

The well was installed in June 27, 1975, and is equipped with a 7½ HP submersible pump that discharges at 45 gpm to an approximately 900-gallon raw water pressure tank. The water from this tank supplies two (2) independent systems: (1) to a nitrate treatment facility for the school's domestic use, and (2) to field irrigation. These two lines are separated by a backflow prevention device.

The nitrate treatment train consists of two (2) sets of three (3) ion exchange media vessels, which are plumbed in parallel. From the nitrate train, a small stream of water



1 is diverted to an inline nitrate analyzer, and the remaining treated water passes a
2 chlorine injection point just before entering an approximately 900-gallon finished water
3 pressure tank. Both the raw water and finished water pressure tanks are galvanized
4 non-bladder tanks, which have their air levels controlled by air compressors. From
5 the finished water pressure tank, domestic water is sent to the water system's
6 distribution system.

7
8 Spent ion exchange media vessels are regenerated by a third party contractor off-site.
9 The vessels are regenerated with a chloride solution just before being transported
10 back to and installed at Roselawn. The ion exchange media vessels are exchanged
11 monthly.

12
13 During the initial design and review stages, a consultant with the Department of
14 Health Services issued a memorandum dated May 20, 2003, indicating that the water
15 from the Roselawn treatment plant was corrosive. The memorandum concludes that
16 corrosion control after treatment was necessary, and it was recommended that
17 Roselawn achieve this by utilizing either air stripping or limestone contact beds. On
18 September 26, 2003, an amendment to the Roselawn Water System Report was
19 submitted to this Division. This report revision indicated a calcite filter bed would be
20 used for corrosion control and the plan would be fully implemented by January of
21 2004. The water system anticipated a one year trial period followed by an evaluation
22 of efficiency.

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1 Email correspondence dated March 25, 2005, between this Division and the
2 Department of Health Services indicates that a March 25, 2005, review of the water
3 system's file and inquiry with the water system Treatment Plant Operator II found that
4 the water system was no longer utilizing the calcite filters for pH control. Instead the
5 water system opted to replace the existing water lines with PVC lines rated for
6 drinking.

7
8 Email correspondence dated January 28, 2008, between this Division and Turlock
9 Unified School District indicates that a lead and copper Standard Tap Sampling from
10 January 17, 2007, included an Action Level exceedance for a single lead sample
11 location, cafeteria wash sink, but did not result in a lead 90th Percentile Action Level
12 exceedance as designated in Section 64678. A summary of the lead results is
13 presented below in Table 1. All results are as reported to the Division by the
14 laboratory that preformed the analysis. Therefore, this Division recommended that
15 the corrosion control equipment be reinstalled per the original design requirements
16 and an application for amended water supply permit be submitted to this Division. An
17 email response from Turlock Unified School District dated February 1, 2008, indicates
18 that Turlock Unified School District rejected this recommendation and specified that
19 Turlock Unified School District would continue to replace the existing water lines.

20 **Table 1: Lead Monitoring Results January 17, 2007 (in mg/L)**

Sample Location	Sample Number	Sample Result	Over Action Level
Custodial Closet	1	<0.005	No
Room #3 – North Sink	2	<0.005	No
Room #7 – South Sink	3	0.008	No
Room #1 – East Sink	4	0.010	No
Room #7 – North Sink	5	0.012	No

Room #2 – Student Store	6	0.012	No
Room #3 – East Sink	7	0.014	No
Office Breakroom	8	0.014	No
Room #1 – West Sink	9	0.015	No – 90%
Cafeteria – Wash Sink	10	0.018	Yes

1
2 On September 20, 2011, Roselawn conducted a lead and copper Standard Tap
3 Sampling. Two (2) of the ten (10) sites exceeded the Action Level of 1.3 mg/L for
4 copper. Again, the sampling set included an Action Level exceedance for a single
5 lead sample location that did not result in a lead 90th Percentile Action Level
6 exceedance. A summary of the lead and copper results are presented below in
7 Tables 2a and 2b. All results are as reported to the Division by the laboratory that
8 preformed the analysis. Therefore, during the July 12, 2012, Sanitary Survey, this
9 Division required the water system to resample during the Roselawn High School
10 session the two individual copper sample sites that exceeded the Action Level for
11 copper. The resampling results would be utilized to determine the copper 90th
12 percentile. The water system was directed to not use these fixture sites until the lab
13 results determined the water met minimum drinking water standards.

14 **Table 2a: Lead Monitoring Results September 20, 2011 (in mg/L)**

Sample Location	Sample Number	Sample Result	Over Action Level
Room #3 – East Sink	1	<0.005	No
Office Breakroom	2	<0.005	No
Student Store	3	0.006	No
Room #3 – North Sink	4	0.009	No
Room #1 – East Sink	5	0.009	No
Custodial Sink	6	0.011	No
Room #7 – North Sink	7	0.012	No
Cafeteria Wash Sink	8	0.014	No
Room #1 – West Sink	9	0.014	No – 90 th %
Room #7 South Sink	10	1.160	Yes

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Table 2b: Copper Monitoring Results September 20, 2011 (in mg/L)

Sample Location	Sample Number	Sample Result	Over Action Level
Room #7 – North Sink	1	<0.050	No
Student Store	2	<0.050	No
Office Breakroom	3	0.059	No
Room #3 – East Sink	4	0.076	No
Room #3 – North Sink	5	0.081	No
Room #1 – West Sink	6	0.160	No
Custodial Sink	7	0.400	No
Room #1 – West Sink	8	0.920	No
Cafeteria Sink	9	2.270	Yes – 90 th %
Room #7 – South Sink	10	2.540	Yes

Roselawn failed to complete the resampling directed by this Division within the 2011-12 school year. The resampling was completed following the close of the school year on August 21, 2012, during the 2012-13 school year. Again, the lead result for the Room #7 sample was found to be above the copper Action Level. This site was again resampled in duplicate and found to be below the copper Action Level. A summary of the copper results are presented below in Tables 3a and 3b. All results are as reported to the Division by the laboratory that preformed the analysis.

Table 3a: Copper Monitoring Results August 21, 2012 (in mg/L)

Sample Location	Sample Number	Sample Result	Over Action Level
Cafeteria Sink	1	0.077	No
Room #7 – South Sink	2	1.450	Yes

Table 3b: Copper Monitoring Results October 30, 2012 (in mg/L)

Sample Location	Sample Number	Sample Result	Over Action Level
Room #7 – North Sink	1	0.079	No
Room #7 – North Sink	2	0.083	No

On October 2, 2014, a Sanitary Survey was conducted for Roselawn in which the water system was advised that lead and copper Standard Tap Sampling results had

1 not yet been provided to this Division. Roselawn was directed to provide testing
2 results to this Division by November 10, 2014. Testing results for a September 30,
3 2014 lead and copper Standard Tap Sampling were provided to this Division on
4 October 27, 2014. The Standard Tap Sampling results for lead indicated that three
5 (3) of the ten (10) sites exceeded the Action Level of 0.015 mg/L for lead and resulted
6 in a lead 90th Percentile Action Level exceedance. A summary of the lead results are
7 presented below in Tables 4. All results are as reported to the Division by the
8 laboratory that preformed the analysis.

9 **Table 4: Lead Monitoring Results September 30, 2014 (in mg/L)**

Sample Location	Sample Number	Sample Result	Over Action Level
Room #3 – East Sink	1	<0.005	No
Student Store	2	<0.005	No
Custodial Sink	3	<0.005	No
Office Breakroom	4	<0.005	No
Room #3 – North Sink	5	0.006	No
Room #7 – North Sink	6	0.012	No
Room #1 – West Sink	7	0.013	No
Room #7 South Sink	8	0.021	Yes
Cafeteria Wash Sink	9	0.030	Yes – 90 th %
Room #1 – East Sink	10	0.035	Yes

10
11 Email correspondence dated January 30, 2015, between this Division and Turlock
12 Unified School District indicates that this Division followed up with Roselawn to
13 determine if the actions prescribed in Section 64687(a) and (d) had been taken in
14 response to the September 30, 2014, lead Action Level exceedance. Roselawn had
15 not responded to the lead Action Level exceedance. In this correspondence,
16 Roselawn was directed to evaluate water pH, lead/copper in fixtures and to resample.
17 They were also directed that, if the resampling continued to show problems, full WQP
18 testing would be necessary.

1 On May 3, 2016, this Division again followed up with Turlock Unified School District to
2 determine why the required testing and sampling had not been provided to this
3 Division. Email correspondence date May 3, 2016, between this Division and Turlock
4 Unified School District directs the water system to immediately conduct a repeat
5 sampling for the lead and copper rule.

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DETERMINATION

8 Based on the above Statement of Facts, the Division has determined that the water
9 system has violated the California Code of Regulation, Title 22, Sections 64673 (d)
10 and 64687(d), since Roselawn failed to develop and distribute Lead Education by
11 November 30, 2014.

12

13 In addition, the Division has determined that the water system has violated CCR, Title
14 22, Section 64687(a), since Roselawn failed to provide this Division with a proof of
15 Lead Education by December 10, 2014.

16

17 Finally, the Division has determined that the water system has violated CCR, Title 22,
18 Section 64673(c), since Roselawn failed to complete WQP monitoring by June 30,
19 2015.

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DIRECTIVES

22 Roselawn water system is hereby directed to take the following actions:

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1. Install corrosion control treatment (CCT) by February 24, 2017. Roselawn shall comply with this section of the Directives by complying with the following schedule for tasks that constitute increments of progress toward final compliance:
 - a. On or before October 28, 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.
 - b. On or before November 28, 2016, provide to the Division in person at the Division's office located at 3800 Cornucopia Way, Suite C, Modesto, CA 95358, the final Corrective Action Plan. The Corrective Action Plan shall include a time schedule for completion of each of the phases of the project such as construction, startup, and a date when the water system will submit a corrosion control certification.
 - c. Perform each and every element of the Division's approved Corrective Action Plan according to its time schedule.
 - d. On or before February 24, 2017, complete all improvements and/or additions outline in Roselawn's Corrective Action Plan.

2. Commencing on the January 1, 2017 and every 6 months thereafter conduct WQP testing, as required by Section 64680. The WQP testing results are to be reported to the Division electronically by the analyzing laboratory no later than the 10th day following the month in which the analysis was completed.

- 1 3. Commencing on the January 1, 2017, and every 6 months thereafter conduct
2 Standard Tap Sampling for lead and copper, as required by 64675. Standard
3 Tap Sampling testing results are to be reported to the Division electronically by
4 the analyzing laboratory no later than the 10th day following the month in which
5 the analysis was completed.
6
- 7 4. On or before December 10, 2016, and every month thereafter, submit a report
8 to the Division using the form provided as **Enclosure No. 1** (enclosed) showing
9 actions taken to comply with the Corrective Action Plan during the previous
10 month.
11
- 12 5. No later than July 10, 2017, demonstrate to the Division that the water
13 delivered by the Roselawn complies with the CCR, Title 22, Chapter 17.5.
14
- 15 6. Notify the Division in writing no later than five (5) days prior to the deadline for
16 performance of each **Directive**, set forth herein, if the Roselawn anticipates it
17 will not timely meet such performance deadline.
18
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20 All submittals required by this Order shall be addressed to:

21 Rachel Riess, REHS
22 Department of Environmental Resources
23 3800 Cornucopia Way, Suite C
24 Modesto, CA 95358

1 As used in this Order, the "date of issuance" shall be the date of this Order; and the
2 "date of service" shall be the date this Order was served, personally or by certified
3 mail, to Roselawn.

4
5 The Division reserves the right to make modifications to this Order and/or to issue
6 further Order(s) as it may deem necessary to protect public health and safety.
7 Modifications may be issued as amendments to this Order and shall become effective
8 upon issuance.

9
10 Nothing in this Order relieves Roselawn of its obligation to meet the requirements of
11 the California SDWA, or any regulation, standard, permit, or Order issued thereunder.

12 13 PARTIES BOUND

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

16 17 SEVERABILITY

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

20 21 FURTHER ENFORCEMENT ACTION

22 The California SDWA authorizes the Department to: issue a Citation with assessment
23 of administrative penalties to a public water system for violation or continued violation

1 of the requirements of the California SDWA or any regulation, permit, standard,
2 Citation, or Order issued or adopted thereunder including, but not limited to, failure to
3 correct a violation identified in a Citation or Compliance Order. The California SDWA
4 also authorizes the Department to take action to suspend or revoke a permit that has
5 been issued to a public water system if the public water system has violated
6 applicable law or regulations or has failed to comply with an Order of the Department;
7 and to petition the superior court to take various enforcement measures against a
8 public water system that has failed to comply with an Order of the Department. The
9 Board does not waive any further enforcement action by issuance of this Order.

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Rachel Riess
Rachel Riess, REHS
Senior Environmental Health Specialist
Division of Environmental Health
Department of Environmental Resources
Stanislaus County

9/14/16
Date

Certified Mail No. 7014 3490 0001 2966

Enclosures: (1) Quarterly Progress Report

Monthly Progress Report

Water System:		Water System No.:	
Compliance Order No.:	DER-16CO-010	Violation:	Lead and Copper
Month:		Date Prepared:	

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The monthly progress report must be submitted by the 10th day of each subsequent month, to the Local Primacy Agency Office for Stanislaus County.

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

Tasks remaining to complete:

Anticipate compliance date:

Name

Signature

Title

Date