March 20, 2019

System No. 4300922

Mr. Bryan E. Blazek
Vice President of Operations
Simonsen Laboratories, Inc.
1180-C Day Road
Gilroy, CA 95020

CITATION NO. 02_17_19C_010
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION FOR MARCH 2019
SIMONSEN LABORATORIES, INC., WATER SYSTEM NO. 4300922

Enclosed is Citation No. 02_17_19C_010 (hereinafter "Citation"), issued to the Simonsen Laboratories, Inc. (hereinafter "SLI") public water system. Please note that there are legally enforceable deadlines associated with this Citation.

SLI will be billed at the State Water Resources Control Board’s (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately eight (8) hour on enforcement activities associated with this violation.

SLI will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on SLI for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date

FELICIA MARCUS, CHAIR | EILEEN SOROCK, EXECUTIVE DIRECTOR
860 Marina Bay Parkway, Bldg. P, 2nd Floor, Richmond, CA 94804-6403 | www.waterboards.ca.gov
when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Jose P. Lozano IV of my staff at (510) 620-3459 or me at (510) 620-3453.

Sincerely,

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

Enclosures

Certified Mail No. 7018 1130 0001 8433 5108
STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Simonsen Laboratories, Inc.
Water System No: 4300922

Attention: Mr. Bryan E. Blazek
1180-C Day Road
Gilroy, CA 94020

Issued: March 20, 2019

CITATION FOR NONCOMPLIANCE
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1
MARCH 2019

The California Health and Safety Code (hereinafter “CHSC”), Section 116650 authorizes the State Water Resources Control Board (hereinafter “State Board”) to issue a citation to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter “California SDWA”), (CHSC,
Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Board, acting by and through its Division of Drinking Water (hereinafter “Division”) and the Deputy Director for the Division, hereby issues this citation pursuant to Section 116650 of the CHSC to the Simonsen Laboratories, Inc. (hereinafter SLI) for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter “CCR”), Title 22, Section 64426.1.

A copy of the applicable statutes and regulations are included in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

SLI is classified as a non-transient non-community (NTNC) water system with a population of 28, serving twelve connections (2017 Annual Report to the Drinking Water Program). SLI’s March 2019 monthly bacteriological routine sample collected at the Office Sink in the Office Building on March 5, 2019 yielded a total coliform-positive and E.coli-negative result. Four repeat samples were collected in accordance with the Division-approved bacteriological sample siting plan (BSSP) on March 6, 2019. The Office Sink was again total coliform-positive and E.coli-negative. Two additional samples collected at the Office Sink and the Office Kitchen Sink were total coliform-positive and E.coli-positive and total coliform-positive and E.coli-negative, respectively.

DETERMINATION

CCR, Title 22, Section 64426.1, Total Coliform Maximum Contaminant Level (MCL) states that a public water system is in violation of the total coliform MCL
if it collects fewer than 40 bacteriological samples per month and if more than one sample collected during any month is total coliform-positive.

SLI took fewer than 40 bacteriological samples during March 2019. The results of one monthly routine sample and one of four (4) repeat samples collected in March 2019 were total coliform positive. Therefore, the Division has determined that the SLI violated CCR, Title 22, Section 64426.1 during March 2019.

SLI notified the Division via telephone on March 7, 2019 that it exceeded the total coliform MCL in March 2019 by having the results of the bacteriological routine sample and one of the four repeat samples positive for total coliform.

SLI e-mailed its proposed Boil Water Notice (BWN) to the Division on March 8, 2019, which, after revisions, the Division approved on March 11, 2019. SLI performed public notification by notifying its employees by posting near all bathrooms, toilets and sinks served with potable water and by e-mail.

Due to the severity of the bacteriological contamination problem with the collection of a total coliform- and E.coli-positive sample at the Office Sink, the Division determined to perform a Level 2 Assessment. In addition, the Division directed SLI to put the installed chlorination treatment system online. The chlorination treatment system started operations on March 12, 2019.

The Division inspected the SLI facility and performed a Level 2 assessment on March 14, 2019. SLI reported to the Division that it shut down its distribution system on March 4, 2019 to repair a leaking valve in the Office
Building attic. The water system experienced a loss in distribution system pressure as a result of the shutdown. SLI also indicated that there was a leak in the underground pipeline supplying potable water to the Office Building, which was confirmed by pressure tests conducted on the line on March 12 and 13, 2019. Most likely, contaminants entered the system through the line break and may have caused the positive total coliform samples and the \textit{E. coli} sample in the distribution system.

During the level 2 assessment, the five sample sites in the Division-approved BSSP dated March 23, 2017, together with the Kitchen Sink faucet and a faucet in Mr. Daniel Leonardo's office toilet, were sampled for bacteriological quality and analyzed by the Division. All seven bacteriological samples produced clean results. In addition, the Division measured the free chlorine residuals at five locations. The results of the chlorine residual sampling indicated that the all areas of water system were adequately disinfected. The seven clean samples and detectable chlorine residuals collected on March 14, 2018 were an indication that the bacteriological contamination problem has likely been resolved.

SLI will still need to collect another clean round of bacteriological samples in order for the Division to rescind the BWN. SLI also needs to complete the amended permit application requirements for the installation and operation of the chlorination treatment system for the Division to process its application. The following permit application requirements will still need to be submitted to the Division: 1) Engineering Report, Design drawings, plans and specifications for chlorine treatment system; 2) Completed Chlorination Data Sheet; 3) Completed chlorination operation requirements and 4) Final version of the disinfection operations plan. As a condition of the amended permit, SLI
will need to designate a water system operator with at least either a
distribution system operator D1 state certification or a treatment operator T1
state certification to operate the proposed chlorination system.

DIRECTIVES

SLI is hereby directed to take the following actions:

1. Comply with CCR, Title 22, Section 64426.1, in all future monitoring
   periods.

2. Complete Appendix 3: Compliance Certification Form. Submit it
   together with a copy of the public notification to the Division on or
   before April 19, 2019.

3. Prepare a written Corrective Action Plan (CAP), based on your findings
   of the investigation of the bacteriological contamination problem. The
   plan must include an evaluation of the causes of the bacteriological
   event, the follow-up actions taken to correct the bacteriological
   problem, and the preventive measures to be taken to reduce the
   possibility of bacteriological contamination in the future. The CAP shall
   be submitted to the Department by April 19, 2019.

All submittals required by this Citation must be electronically submitted to the
Division at the following address. The subject line for all electronic submittals
corresponding to this citation must include the following information: Water
System name and number, citation number and title of the document being
submitted.
Eric Lacy, P. E.
District Engineer, Santa Clara District
Division of Drinking Water
State Water Resources Control Board
Eric.Lacy@waterboards.ca.gov
Dwpdist17@waterboards.ca.gov

The State Board 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 effective upon issuance.

Nothing in this Citation relieves SLI of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

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

SEVERABILITY
The directives of this Citation are severable, and SLI shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.
FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to issue a citation or order 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 State 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 State 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 State Board. The State Board does not waive any further enforcement action by issuance of this Citation.

[Signature]
March 20, 2019
Date

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

Appendices (2):

1. Applicable Statutes and Regulations
2. Compliance Certification Form

Certified Mail No. 7018 1130 0001 8433 5108
APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR
CITATION NO. 02_17_19C_010

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California’s representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 states in relevant part:
(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:
(1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
(2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
(3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
(4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
(5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
(6) Chapter 7 (commencing with Section 116975).
(7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
(8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
(9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
(10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
(11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
(12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).
(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to “department,” “state department,” or “director” regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county’s election not to enforce this chapter, as provided in Section 116500...
(k) (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
(2) The deputy director is delegated the State Water Resources Control Board’s authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board’s authority to delegate any other powers and duties.

Section 116555 states in relevant part:
(a) Any person who owns a public water system shall ensure that the system does all of the following:
(1) Complies with primary and secondary drinking water standards.
(2) Will not be subject to backflow under normal operating conditions.
(3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.
Section 116650 states in relevant part:
(a) If the state board 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 state board 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 state board 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 and shall be in addition to any liability or penalty imposed under any other law.

California Code of Regulations, Title 22 (CCR):

Section 64421 (General Requirements) states:
(a) Each water supplier shall:
   (1) Develop a routine sample siting plan as required in section 64422;
   (2) Collect routine, repeat and replacement samples as required in Sections 64423, 64424, and 64425;
   (3) Have all samples analyzed by laboratories approved to perform those analyses by the State Board and report results as required in section 64423.1;
   (4) Notify the State Board when there is an increase in coliform bacteria in bacteriological samples as required in section 64426; and
   (5) Comply with the Maximum Contaminant Level as required in section 64426.1.
(b) Water suppliers shall perform additional bacteriological monitoring as follows:
   (1) After construction or repair of wells;
   (2) After main installation or repair;
   (3) After construction, repair, or maintenance of storage facilities; and
   (4) After any system pressure loss to less than five psi. Samples collected shall represent the water quality in the affected portions of the system.

Section 64422 (Routine Sample Siting Plan) states:
(a) By September 1, 1992, each water supplier shall develop and submit to the State Board a siting plan for the routine collection of samples for total coliform analysis, subject to the following:
   (1) The sample sites chosen shall be representative of water throughout the distribution system including all pressure zones, and areas supplied by each water source and distribution reservoir.
   (2) The water supplier may rotate sampling among the sample sites if the total number of sites needed to comply with (a)(1) above exceeds the number of samples required according to Table 64423-A. The rotation plan shall be described in the sample siting plan.
(b) If personnel other than certified operators will be performing field tests and/or collecting samples, the sample siting plan shall include a declaration that such personnel have been trained, pursuant to §64415 (b).
(c) The supplier shall submit an updated plan to the State Board at least once every ten years and at any time the plan no longer ensures representative monitoring of the system.

Section 64423 (Routine Sampling) states:
(a) Each water supplier shall collect routine bacteriological water samples as follows:
   (1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A. A community water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency. The minimum reduced frequency shall not be less than one sample per quarter.
   (2) The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A during those months when the system is operating. A nontransient-noncommunity water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.
   (3) The minimum number of samples for transient-noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.
   (4) The minimum number of samples for transient-noncommunity water systems using groundwater and serving more than 1000 persons during any month shall be based on the known population served as shown in Table 64423-A, except that the water supplier may request from the State Board a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.
for any month the system serves 1000 persons or fewer. The minimum reduced frequency shall not be less than one sample in each calendar quarter during which the system provides water to the public.

(5) The minimum number of samples for transient-noncommunity water systems using approved surface water shall be based on the population served as shown in Table 64423-A. A system using groundwater under the direct influence of surface water shall begin monitoring at this frequency by the end of the sixth month after the State Board has designated the source to be approved surface water.

(6) A public water system shall collect samples at regular time intervals throughout the month, except that a system using groundwater which serves 4,900 persons or fewer may collect all required samples on a single day if they are taken from different sites.

(b) In addition to the minimum sampling requirements, all water suppliers using approved surface water which do not practice treatment in compliance with Sections 64650 through 64666, shall collect a minimum of one sample before or at the first service connection each day during which the turbidity level of the water delivered to the system exceeds 1 NTU. The sample shall be collected within 24 hours of the exceedance and shall be analyzed for total coliforms. If the water supplier is unable to collect and/or analyze the sample within the 24-hour time period because of extenuating circumstances beyond its control, the supplier shall notify the State Board within the 24-hour time period and may request an extension. Sample results shall be included in determining compliance with the MCL for total coliforms in Section 64426.1.

(c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 64426 and 64426.1.

Table 64423-A

<table>
<thead>
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<th>Monthly Population Served</th>
<th>Service Connections</th>
<th>Minimum Number of Samples</th>
</tr>
</thead>
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<td>25 to 1000</td>
<td>15 to 400</td>
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</tr>
<tr>
<td>1,001 to 2,500</td>
<td>401 to 890</td>
<td>2 per month</td>
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<tr>
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<td>1,461 to 1,750</td>
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</tr>
<tr>
<td>4,901 to 5,800</td>
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</tr>
<tr>
<td>5,801 to 6,700</td>
<td>2,101 to 2,400</td>
<td>7 per month</td>
</tr>
<tr>
<td>6,701 to 7,600</td>
<td>2,401 to 2,700</td>
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<tr>
<td>7,601 to 12,900</td>
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<td>110 per week</td>
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<tr>
<td>3,960,001 or more</td>
<td>1,414,301 or more</td>
<td>120 per week</td>
</tr>
</tbody>
</table>

Section 64423.1 (Sample Analysis and Reporting of Results) states:

(a) The water supplier shall designate (label) each sample as routine, repeat, replacement, or "other" pursuant to Section 64421(b), and have each sample analyzed for total coliforms. The supplier also shall require the laboratory to analyze the same sample for fecal coliforms or Escherichia coli (E. coli) whenever the presence of total coliforms is indicated. As a minimum, the analytical results shall be reported in terms of the presence or absence of total or fecal coliforms, or E. coli in the sample, whichever is appropriate.
(b) The water supplier shall require the laboratory to notify the supplier within 24 hours, whenever the presence of total coliforms, fecal coliforms or E. coli is demonstrated in a sample or a sample is invalidated due to interference problems, pursuant to Section 64425(b), and shall ensure that a contact person is available to receive these analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Board of any positive bacteriological results if the laboratory cannot make direct contact with the designated contact person within 24 hours.

(c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the State Board not later than the tenth day of the following month, as follows:

1. The water supplier shall submit a monthly summary of the bacteriological monitoring results to the State Board.
2. For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the State Board.
3. For systems serving more than 10,000 service connections, or 33,000 persons, the water supplier shall require the laboratory to submit copies of bacteriological monitoring results for all positive routine samples and all repeat samples directly to the State Board.

(d) Laboratory reports shall be retained by the water supplier for a period of at least five years and shall be made available to the State Board upon request.

Section 64424 (Repeat Sampling) states in relevant part:

(a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the State Board allow the collection of the repeat sample set over a four-day period.

1. For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.
2. If the water supplier is unable to collect the samples within the 24-hour time period specified in subsection (a) or deliver the samples to the laboratory within 24 hours after collection because of circumstances beyond its control, the water supplier shall notify the State Board within 24 hours. The State Board will then determine how much time the supplier will have to collect the repeat samples.

(b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.

(c) If one or more samples in the repeat sample set is total coliform-positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in Section 64426.1 has been exceeded and notifies the State Board.

(d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. If the supplier stops supplying water during the month after the total coliform-positive(s), at least five samples shall be collected during the first month the system resumes operation. A water supplier may request the State Board waive the requirement to collect at least five routine samples the following month, but a waiver will not be granted solely on the basis that all repeat samples are total coliform-negative. To request a waiver, one of the following conditions shall be met:

1. The State Board conducts a site visit before the end of the next month the system provides water to the public to determine whether additional monitoring and/or corrective action is necessary to protect public health.
2. The State Board determines why the sample was total coliform-positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. If a waiver is granted, a system shall collect at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with Section 64426.1.

Section 64425 (Sample Invalidation) states:

(a) A water supplier may request the Department to invalidate a sample for which a total coliform-positive result has been reported if the supplier demonstrates:

1. All repeat sample(s) collected at the same tap as the original total coliform-positive sample also are total coliform-positive and all repeat samples collected within five service connections of the original tap are not total coliform-positive; or
2. The laboratory did not follow the prescribed analytical methods pursuant to §64415(a), based on a review of laboratory documentation by the Department. The supplier shall submit to the Department a written request for invalidation along with the laboratory documentation, the supplier's sample collection records and any observations noted during sample collection and delivery. The water supplier shall require the laboratory to provide the supplier with documentation which shall include, but not be limited to:
(A) A letter from the director of the laboratory having generated the data, confirming the invalidation request by reason of laboratory accident or error;

(B) Complete sample identification, laboratory sample log number (if used), date and time of collection, date and time of receipt by the laboratory, date and time of analysis for the sample(s) in question;

(C) Complete description of the accident or error alleged to have invalidated the result(s);

(D) Copies of all analytical, operating, and quality assurance records pertaining to the incident in question; and

(E) Any observations noted by laboratory personnel when receiving and analyzing the sample(s) in question.

(b) Whenever any total coliform sample result indicative of the absence of total coliforms has been declared invalid by the laboratory due to interference problems as specified at 40 Code Federal Regulations, Section 141.2100(c)(2), the supplier shall collect a replacement sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the presence of total coliforms. The supplier shall continue to re-sample at the original site within 24 hours and have the samples analyzed until a valid result is obtained.

Section 64426 (Significant Rise in Bacterial Count) states in relevant part:

(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:

1. A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;
2. A system has a sample which is positive for fecal coliform or E. coli; or
3. A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.

(b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:

1. Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and
2. Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:

   A. Current operating procedures that are or could potentially be related to the increase in bacterial count;
   B. Any interruptions in the treatment process;
   C. System pressure loss to less than 5 psi;
   D. Vandalism and/or unauthorized access to facilities;
   E. Physical evidence indicating bacteriological contamination of facilities;
   F. Analytical results of any additional samples collected, including source samples;
   G. Community illness suspected of being waterborne; and
   H. Records of the investigation and any action taken.

Section 64426.1 (Total Coliform Maximum Contaminant Level (MCL)) states in relevant part:

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

1. For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
2. For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
3. Any repeat sample is fecal coliform-positive or E. coli-positive; or
4. Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraph (b)(1) or (2), pursuant to section 64463.1. A Tier 1 Public Notice shall be given for violations of paragraph (b)(3) or (4), pursuant to section 64463.1.

Section 64463.1 (Tier 1 Public Notice) states in relevant part:

(a) A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:

1. Violation of the total coliform MCL when:
   A. Fecal coliform or E. coli are present in the distribution system; or
   B. When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or E. coli in the repeat sample;...

(b) As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the State Board that it has determined there is a potential for adverse effects on human health [pursuant to paragraph (a)(4), (5), or (6)], the water system shall:
(1) Give public notice pursuant to this section;
(2) Initiate consultation with the State Board within the same timeframe; and
(3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.

(c) A water system shall deliver the public notice in a manner designed to reach residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms:

(1) Radio or television;
(2) Posting in conspicuous locations throughout the area served by the water system;
(3) Hand delivery to persons served by the water system; or
(4) Other method approved by the State Board, based on the method's ability to inform water system users.

Section 64463.4 (Tier 2 Public Notice) states:

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
   (A) Where a Tier 1 public notice is required under section 64463.1; or
   (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board’s written approval based on the violation or occurrence having been resolved and the State Board’s determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board’s written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
(3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
   (A) 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 water system; and
   (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
      1. Publication in a local newspaper;
      2. Posting in conspicuous public places served by the water system, or on the Internet; or
      3. Delivery to community organizations.

(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

   (A) Posting in conspicuous locations throughout the area served by the water system; and
   (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
      1. Publication in a local newspaper or newsletter distributed to customers;
      2. E-mail message to employees or students;
      3. Posting on the Internet or Intranet; or
      4. Direct delivery to each customer.
Section 64465 (Public Notice Content and Format) states in relevant part:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

1. A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
2. The date(s) of the violation or occurrence;
3. Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
4. The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
5. Whether alternative water supplies should be used;
6. What actions consumers should take, including when they should seek medical help, if known;
7. What the water system is doing to correct the violation or occurrence;
8. When the water system expects to return to compliance or resolve the occurrence;
9. The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
10. A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public 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; and
11. For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we [did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time."

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

2. For a Tier 2 or Tier 3 public notice:
   A. The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
   B. When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
      1. Information in the appropriate language(s) regarding the importance of the notice; or
      2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
3. For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

1. Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
2. Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
3. Not contain language that minimizes or contradicts the information being given in the public notice.


<table>
<thead>
<tr>
<th>Contaminant</th>
<th>Health Effects Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Coliform</td>
<td>Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.</td>
</tr>
<tr>
<td>Fecal coliform/E. coli</td>
<td>Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.</td>
</tr>
<tr>
<td>Turbidity</td>
<td>Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.</td>
</tr>
</tbody>
</table>
Section 64469 (Reporting Requirements) states in relevant part:
(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

Section 64481 (Content of the Consumer Confidence Report) states in relevant part:
(g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.
   (1) Monitoring and reporting of compliance data.

Section 64424(d) (Five routine samples the following month) states:
APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 02_17_19C_010
Name of Water System: Simonsen Laboratories, Inc.
System Number: 4300922

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological violation of California Code of Regulations, Title 22, Section 64426.1 for the compliance period of March 2019 and the required actions listed below were completed.

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Date Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Notification</td>
<td></td>
</tr>
<tr>
<td>Method(s) Used:</td>
<td></td>
</tr>
<tr>
<td>Submit Corrective Action Plan</td>
<td></td>
</tr>
</tbody>
</table>

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system’s customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE BOARD, DIVISION OF DRINKING WATER, NO LATER THAN MAY 1, 2017

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars ($5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than $25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.