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**CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

**Rural Water Company  
P.O. Box 745  
Grover Beach, CA 93483**

**Attention: Mr. Charles Baker  
PRESIDENT**

**CITATION No: 04-06-13C-002**

**Issued to: Rural Water Company  
Public Water System No.: 4010040**

Section 116650 of Chapter 4, Part 12, Division 104 of the California Health and Safety Code (H&S Code), authorizes the issuance of a Citation for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit or order issued thereunder.

**VIOLATION**

The Division of Drinking Water and Environmental Management of the California Department of Public Health (hereinafter Department) hereby issues a Citation to the Rural Water Company for the following violation:

**Title 22, California Code of Regulations (CCR), Section 64431:** Specifically, during the month of January 2013, Rural Water Company failed the drinking water primary Maximum Contaminant Level (MCL) for Nitrate listed in Table 64431-A.

1 In accordance with Section 116650 (e) of the Health and Safety Code, the above violation  
2 is classified as a non-continuing violation.  
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4  
5 **BACKGROUND**

6 Rural Water Company (RWC) is a privately owned, public community water system.  
7 RWC operates it's public water system under authority of a California Department of  
8 Public Health (CDPH) domestic water supply permit dated August 21, 2001, and it's  
9 amendments dated January 30, 2006, August 16, 2006, and March 2, 2010. RWC's  
10 water supply permit is subject to special provisions, including; increased source nitrate  
11 monitoring frequencies in response to increasing nitrate concentrations and blending  
12 treatment and monitoring at Cypress Ridge Tanks for nitrate MCL compliance. RWC is  
13 also regulated by the California Public Utilities Commission (CPUC).  
14

15 RWC serves a population of approximately 1,989 through a total of 917 service  
16 connections; of which 873 are general & residential, 17 are commercial, 6 are  
17 industrial/schools, and 21 are irrigation type connections. RWC consists of two  
18 independently operated water distribution zones, the Rural Zone and the Cypress Zone,  
19 with an emergency intertie between them. The Rural Zone serves approximately 500  
20 residential connections and two schools (Lopez High School and Lopez Continuation High  
21 School), via 7 groundwater wells and 3 storage tanks. The Cypress Zone serves the  
22 Cypress Ridge Golf Course community of approximately 420 residential service  
23 connections and the Cypress Ridge club house via 4 wells and two storage tanks.  
24

25  
26 The routine sample collected on January 21<sup>st</sup>, 2013 from Rural Water Well 9, serving  
27 Rural Zone, detected a nitrate concentration of 75 mg/l as NO3 in the well water. Upon



1 notification of this high nitrate result by RWC's analyzing laboratory, on January 22<sup>nd</sup>,  
2 2013, RWC operators collected an additional confirmation sample and turned off Rural  
3 Water Well 9. The nitrate concentration in this confirmation sample was reported as 27  
4 mg/l as NO<sub>3</sub>. Since the average of the two source samples was 51 mg/l as NO<sub>3</sub> and  
5 greater than the MCL of 45 mg/l as NO<sub>3</sub>, RWC exceeded the nitrate primary MCL.  
6

7  
8 On January 23, 2013, RWC conducted public notification of the nitrate MCL exceedance,  
9 by hand delivering the public notices to consumers in the affected areas of Rural Zone  
10 that had received RW Well 9 water supply, i.e.; the Southern Portion of Rural Zone.  
11 RWC provided a distribution map of the affected areas to CDPH and Public Notices were  
12 delivered to approximately 36 homes and two high schools. RWC also tested distribution  
13 samples for nitrate concentrations from the affected areas on January 23<sup>rd</sup>, 2013, using  
14 it's field test kit at Brentwood Circle (12.3 mg/l), Northview (12.3 mg/l), Mesa Alta (11.4  
15 mg/l), and the high schools (27 mg/l); the nitrate levels were acceptable, indicating high  
16 nitrate waters had flushed out. RWC plans to keep Rural Well 9 out of service until a  
17 blending plan and/or treatment plan is developed. Proof of Public Notification was  
18 received by CDPH on February 1, 2013.  
19  
20

## 21 DIRECTIVES

22 RWC is hereby directed to take the following actions:  
23

- 24 1. RWC shall maintain Rural Well 9 out of service for domestic use until blending  
25 and/or treatment permitted by CDPH has been provided or lab results of follow-  
26 up investigate sampling conducted pursuant to CDPH consent indicates nitrate  
27 levels in the waters delivered to the distribution will be below the nitrate standard.



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2. If RWC wants to re-initiate using Rural Well 9 for domestic supply purposes, a proposal shall be submitted for CDPH consideration.

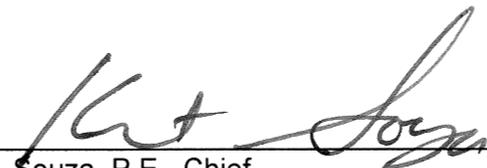
3. All responses required by this Citation shall be submitted to:

Kurt T. Souza, P.E., Chief,  
Southern California Region  
1180 Eugenia Place, Suite 200  
Carpinteria, CA 93013-2000

### CIVIL PENALTIES

Sections 116650 (d) and (e) of the H&S Code allow for the assessment of a civil penalty for failure to comply with the requirements of Chapter 4. Failure to comply with any provision of this Citation will result in the Department imposing an administrative penalty not to exceed \$1000 (one thousand dollars) per day as of the date of violation of any provision of this Citation.

2/11/2013  
Date Issued

  
Kurt T. Souza, P.E., Chief  
Southern California Region  
CDPH-DWFOB

cc: San Luis Obispo County Environmental Health  
Public Utilities Commission



**Drinking Water Notification to Consumers**

**PROOF OF NOTIFICATION**

Name of Water System: Rural Water Company

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it.

Rural Water Well #9 had a nitrate spike above the nitrate MCL. The well has been removed from service until a blending and/or treatment plan is developed.

**Consumers Notified**  **Yes**  **No**  
If not, Explain: \_\_\_\_\_

**Date of Notification:** January 23, 2013

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

\_\_\_\_\_ sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

\_\_\_\_\_ Newspaper (if the problem has been corrected). Attach copy of Notice.

personally hand-delivering a copy to each of the consumers. Attach copy of Notice.

\_\_\_\_\_ posted on a public bulletin board, that will be seen by each of the consumers (for small water non community water systems with permission from the Department). Attach copy of Notice.

**Notice and list of residents notified is attached.**

**I hereby declare the foregoing to be true and correct under penalty of perjury.**

Dated: 1/23/13

  
\_\_\_\_\_  
Signature of Person Serving Notice

**\*\*Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Department within 30 Days of receiving your notification order.

Disclosure: Be advised that 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 order 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.