
State Water Resources Control Board

Division of Drinking Water

May 23, 2024

System No. 4110020

Niambi Lincoln, General Manager
Palo Alto Park Mutual Water Company
2190 Addison Avenue
East Palo Alto, CA 94303

CITATION AND COMPLIANCE ORDER NO. 02_17_24J_005 FAILURE TO HAVE ADEQUATE SOURCE AND STORAGE CAPACITY TO MEET MAXIMUM DAY DEMAND FOR 2024

Enclosed is Citation and Compliance Order No. 02_17_24J_005 (Enforcement Action) issued to the Palo Alto Park Mutual Water Company (PAPMWC) public water system. Please note that there are legally enforceable deadlines associated with this Enforcement Action.

PAPMWC will be billed at the State Water Resources Control Board's (State Water Board) hourly rate for the time spent issuing this Enforcement Action, as required by law. (Health & Saf. Code, § 116577, subd. (a).) PAPMWC will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for enforcement time spent on PAPMWC for the current fiscal year.

A process exists by which a public water system can petition the State Water Board for reconsideration of this Enforcement Action. Petitions sent to the State Water Board "shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order or decision was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition." (Health & Saf. Code, § 116701, subd. (b).)

Petitions must be received by the State Water Board within 30 days of the issuance of this Enforcement Action by the State Water Board. If the 30th day falls on a Saturday,

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

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:

Drinking Water Petitions for Reconsideration

https://www.waterboards.ca.gov/drinking_water/programs/petitions/instructions.html

If you have any questions regarding this matter, please contact me at (510) 620-3602 or
via email at Van.Tsang@waterboards.ca.gov.

Sincerely,

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

Enclosures

Certified Mail No. 7108 1130 0001 8433 6822

Citation and Compliance Order No. 02_17_24J_005

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

Name of Public Water System: Palo Alto Park Mutual Water Company

Water System No: 4110020

Attention: Niambi Lincoln, General Manager

2190 Addison Avenue

East Palo Alto, CA 94303

Issued: May 23, 2024

**CITATION AND COMPLIANCE ORDER FOR NONCOMPLIANCE
CALIFORNIA HEALTH AND SAFETY CODE SECTION 116555 AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64554**

**FAILURE TO HAVE ADEQUATE SOURCE AND STORAGE CAPACITY TO MEET
MAXIMUM DAY DEMAND**

2024

The State Water Resources Control Board (State Water Board) is authorized to issue a citation or compliance order to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (Health & Saf. Code, division 104, part 12, chapter 4, commencing

with section 116270) (California SDWA) or any regulation, standard, permit, or order issued or adopted under the Act. (Health & Saf. Code, §§ 116650, 116655.)

The State Water Board, acting by and through its Division of Drinking Water (Division) and the Deputy Director for the Division, and pursuant to Health and Safety Code¹ sections 116650 and 116655, hereby issues Citation and Compliance Order No. 02_17_24J_005 (Enforcement Action) to the Palo Alto Park Mutual Water Company (PAPMWC), for violation of California Health and Safety Code, section 16555 and California Code of Regulations, title 22, section 64554 (Section 64554).

STATEMENT OF FACTS

PAPMWC is classified as a community public water system with a population of 2,900, serving 692 connections. PAPMWC operates under Domestic Water Supply Permit No. 02-88-006 issued by the State Water Board on January 25, 1989. The water supply source for the public water system consists of three groundwater supply wells: Well 5 (Primary Station Code 4110020_004_004), Well 6 (Primary Station Code 4110020_005_005), and Well 7 (Primary Station Code 4110020_006_006).

The California SDWA requires all public water systems to comply with primary drinking water standards. (Health & Saf. Code, § 116555, subd. (a)(1).) “Primary drinking water standards” include maximum levels of contaminants, specific treatment techniques, and monitoring and reporting requirements as specified in regulations adopted by the State Water Board. (Health & Saf. Code, § 116275, subd. (c).)

The secondary maximum contaminant levels (sMCL) shown in Table 64449-A shall not be exceeded in the water supplied to the public by community water systems. The

¹ Unless otherwise indicated, all statutory citations are to the California Health and Safety Code.

sMCL for manganese is 0.05 mg/L. (Cal. Code Regs., tit. 22, § 64449.) Laboratory results for manganese samples collected from Well 7 beginning in 2013 showed manganese concentrations consistently above 0.05 mg/L. A summary of the manganese monitoring results since 2023 is presented in Appedix 1. Well 7 is currently not in operation due to the manganese exceedance.

At all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD). (Cal. Code Regs., tit. 22, § 64554, subd. (a).) For systems with less than 1,000 service connections, the system shall have storage capacity equal to or greater than MDD, unless the system can demonstrate that it has an additional source of supply or has an emergency source connection that can meet the MDD requirement. (Cal. Code Regs., tit. 22, § 64554, subd. (a)(2).)

According to the Source Capacity Planning Study (Study) prepared by PAPMWC, dated December 7, 2023, the MDD based on daily water usage data from January 2017 to July 2023 is 593,000 gallons. With Well 7 currently out of service, all water supplied to the community is provided by Wells 5 and 6. Wells 5 and 6 were drilled in 1950 and 1953, respectively. The pump or well casing failed for both wells in April 2023. The necessary repairs were made; however, the wells are now operated at reduced capacity to prevent further damage. Wells 5 and 6 currently operate at 90 gallons per minute (gpm) and 320 gpm, respectively. The combined maximum production from Wells 5 and 6 over a 24-hour period is 590,400 gallons, which is slightly less than the MDD of 593,000 gallons.

Water storage is provided by a 350,000-gallon tank and an 11,500-gallon tank. The combined water storage capacity is 361,500 gallons, which is significantly less than the MDD of 593,000 gallons. Other than Well 7, which exceeds the manganese sMCL,

PAPMWC does not have an additional source of supply or an emergency source connection that can meet the MDD requirement.

DETERMINATION

The State Water Board has determined that PAPMWC has failed to comply with California Code of Regulations, title 22, section 64554. Specifically, PAPMWC does not have adequate source or storage capacity to meet the system's maximum day demand.

DIRECTIVES

PAPMWC is hereby directed to take the following actions:

1. By **June 10, 2024**, complete and return to the State Water Board the "Notification of Receipt" form attached to this Enforcement Action as Appendix 2. Completion of this form confirms that PAPMWC has received this Enforcement Action and understands that it contains legally enforceable directive(s) with due dates.
2. By **June 30, 2024**, produce and provide to the Division a Corrective Action Plan (CAP). The CAP must specify the method(s) and timeline to bring the water system into compliance with the water source and storage capacity requirements to meet the system's maximum day demand. If Well 7 will be activated and utilized to meet the system's maximum day demand, the CAP must specify the method(s) and timeline to bring Well 7 into compliance with the secondary maximum contaminant level for manganese.
3. Notify the State Water Board in writing no later than five (5) business days prior to the deadline for performance of any directive(s) set forth herein if PAPMWC anticipates it will not meet the deadline.

All submittals required by this Enforcement Action, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Enforcement Action must include the following information: water system name and number, Citation and Compliance Order number, and title of the document being submitted.

Van Tsang, P.E.
District Engineer
Santa Clara District
Van.Tsang@waterboards.ca.gov
Dwpdist17@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Enforcement Action as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Enforcement Action and shall be effective upon issuance.

Nothing in this Enforcement Action relieves PAPMWC of its obligation to meet the requirements of the California SDWA or any regulation, standard, permit, or order issued or adopted thereunder.

PARTIES BOUND

This Enforcement Action shall apply to and be binding upon PAPMWC, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

If any provision of this Enforcement Action is held invalid or the application of that provision to any circumstance is held invalid, that invalidity shall not affect other provisions or applications of this Enforcement Action that can be given effect without the invalid provision or application, and to this end the provisions of this Enforcement Action are severable.

FURTHER ENFORCEMENT

The California SDWA authorizes the State Water Board to issue an order or 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 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 Water 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 Water 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 Water Board. The State Water Board does not waive any further enforcement by issuance of this Enforcement Action.

Stefan Cajina, P.E.
North Coastal Section Chief
Division of Drinking Water
State Water Resources Control Board

May 23, 2024

Date

Appendices:

1. Manganese Monitoring Results for Well 7
2. Notification of Receipt

Certified Mail No. 7108 1130 0001 8433 6822

Appendix 1

System: PALO ALTO PARK MUTUAL WATER COMPANY COUNTY: SAN MATEO
Sample Point: WELL 07 CLASS: CSGS SRC STATUS: A

PSCODE		GROUP/CONSTITUENT IDENTIFICATION		DATE	RESULT	LESS THAN	REPORTING LEVEL	COUNTING ERROR (±)	DQ	MCL	DLR	TRIG	UNIT	SAMPLE ID	LAB ID	LAB NAME	METHOD
CA4110020_006_006		4110020	PALO ALTO PARK MUTUAL WATER COMPANY				WELL 07										
	GP	SECONDARY/GP															
		1032	MANGANESE	3/7/2023	64.000		20.000			50	20	50	UG/L	2303430-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	5/1/2023	69.000		20.000			50	20	50	UG/L	2305102-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	5/9/2023	68.000		20.000			50	20	50	UG/L	2305608-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	5/16/2023	70.000		20.000			50	20	50	UG/L	2305A72-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	5/23/2023	70.000		20.000			50	20	50	UG/L	2305G36-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	5/30/2023	70.000		20.000			50	20	50	UG/L	2305K86-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	6/6/2023	29.000		20.000			50	20	50	UG/L	2306379-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	6/13/2023	43.000		20.000			50	20	50	UG/L	2306A23-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	6/20/2023	40.000		20.000			50	20	50	UG/L	2306F44-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	7/5/2023	32.000		20.000			50	20	50	UG/L	2307112-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	7/11/2023	40.000		20.000			50	20	50	UG/L	2307500-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	7/25/2023	52.000		20.000			50	20	50	UG/L	2307H47-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	8/1/2023	55.000		20.000			50	20	50	UG/L	2308037-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.8
		1032	MANGANESE	8/1/2023	56.000		20.000			50	20	50	UG/L	2308064-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	8/8/2023	64.000		20.000			50	20	50	UG/L	2308603-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032	MANGANESE	8/29/2023	60.000		20.000			50	20	50	UG/L	2308M27-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7

System:		COUNTY:		CLASS:		SRC STATUS: A										
Sample Point:																
PSCODE		GROUP/CONSTITUENT IDENTIFICATION	DATE	RESULT	LESS THAN	REPORTING LEVEL	COUNTING ERROR (±)	DQ	MCL	DLR	TRIG	UNIT	SAMPLE ID	LAB ID	LAB NAME	METHOD
CA4110020_006_006	GP	1032 MANGANESE	9/5/2023	59.000		20.000			50	20	50	UG/L	2309158-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	9/12/2023	62.000		20.000			50	20	50	UG/L	2309689-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	9/19/2023	61.000		20.000			50	20	50	UG/L	2309E03-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	10/10/2023	63.000		20.000			50	20	50	UG/L	2310698-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	12/5/2023	62.000		20.000			50	20	50	UG/L	2312235-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	12/12/2023	63.000		20.000			50	20	50	UG/L	2312801-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	12/19/2023	62.000		20.000			50	20	50	UG/L	2312D70-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	1/9/2024	33.000		20.000			50	20	50	UG/L	2401463-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	1/30/2024	57.000		20.000			50	20	50	UG/L	2401K22-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	2/6/2024	54.000		20.000			50	20	50	UG/L	2402367-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	2/20/2024	57.000		20.000			50	20	50	UG/L	2402C54-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	2/27/2024	57.000		20.000			50	20	50	UG/L	2402H99-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	3/5/2024	59.000		20.000			50	20	50	UG/L	2403249-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	4/9/2024	56.000		20.000			50	20	50	UG/L	2404706-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	4/16/2024	54.000		20.000			50	20	50	UG/L	2404C81-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	4/23/2024	57.000		20.000			50	20	50	UG/L	2404J27-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	4/30/2024	59.000		20.000			50	20	50	UG/L	2404P52-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7
		1032 MANGANESE	5/7/2024	63.000		20.000			50	20	50	UG/L	2405501-001A	1644	MCCAMPBELL ANALYTICAL, INC.	EPA 200.7

Appendix 2 – Notification of Receipt

Citation and Compliance Order Number: 02_17_24J_005

Name of Water System: Palo Alto Park Mutual Water Company

System Number: 4110020

Certification

I certify that I am an authorized representative of the Palo Alto Park Mutual Water Company and that Citation and Compliance Order No. 02_17_24J_005 was received on _____. I further certify that the Citation and Compliance Order has been reviewed by the appropriate management staff of the Palo Alto Park Mutual Water Company and that they clearly understand that the Citation and Compliance Order contains legally enforceable directives with specific due dates.

Signature of Water System Representative

Date

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN JUNE 10, 2024.</p>

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.