



State Water Resources Control Board
Division of Drinking Water

February 6, 2025

System No. CA5510008

Dave Savidge, Manager
Lake Don Pedro CSD
9751 Merced Falls Road
La Grange, CA 95329
dave@ldpcsd.org

**CITATION AND COMPLIANCE ORDER NO. 03-28-25J-003
NITRATE MONITORING VIOLATION – ROUTINE MONITORING
FOR 2024**

Enclosed is Citation and Compliance Order No. 03-28-25J-003 (Enforcement Action) issued to the Lake Don Pedro CSD (System) public water system. Please note that there are legally enforceable deadlines associated with this Enforcement Action.

System 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).) The System 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 the System 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).)

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

265 West Bullard Avenue, Suite 101, Fresno, CA 93704 | www.waterboards.ca.gov

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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, 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 Austin Ferreria of my staff at (559)447-3399 or me at (559)447-3300. You may also contact us via email at dwpdist28@waterboards.ca.gov.

Sincerely,

Ofelia Romero-Maraccini

Digitally signed by Ofelia Romero-Maraccini

Date: 2025.02.06 12:07:23 -08'00'

Ofelia Romero-Maraccini, Ph.D., P.E.
Yosemite District Engineer
Division of Drinking Water
State Water Resources Control Board

Enclosure
ORM/lm

Certified Mail No. 9589-0710-5270-0293-9523-42

cc: Tuolumne County EHD (email)
Randy Gilgo, Chief Operator (email)

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

Name of Public Water System: Lake Don Pedro CSD

Water System No: CA5510008

Attention: Dave Savidge, Manager
9751 Merced Falls Road
La Grange, CA 95329

Issued: February 6, 2025

**CITATION AND COMPLIANCE ORDER FOR NONCOMPLIANCE
CALIFORNIA HEALTH AND SAFETY CODE SECTION 116555 AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64432.1,
SUBDIVISION (a)**

NITRATE MONITORING VIOLATION

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

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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. 03-28-25J-003 (Enforcement Action) to the Lake Don Pedro CSD (System), for violation of section 116555 and California Code of Regulations, title 22, section 64432.1, subdivision (a).

STATEMENT OF FACTS

The System is classified as a community public water system with a population of 3,240, serving 1,534 connections. The System is using combined treated surface water source and groundwater sources to supply potable water to the distribution system.

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).)

To determine compliance with the maximum contaminant level for nitrate, all public water systems using groundwater and transient-noncommunity systems using approved surface water must monitor annually, and all community and nontransient noncommunity systems using approved surface water must monitor annually. (Cal.

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

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Code Regs., tit. 22, § 64432.1, subd. (a).) Samples must be collected from each water source. (Cal. Code Regs., tit. 22, § 64432, subd. (e).)

Pursuant to California Code of Regulations, title 22, section 64432.1, subdivision (a), the System was required to collect one sample during 2024 for nitrate testing from each source.

During 2024, the System failed to collect nitrate samples from the raw water sources listed in the table below:

Source Name	Primary Station Code
Lake McClure - Raw	CA5510008 001 001
Ranchito Well No. 1	CA5510008 002 002
Medina Well No. 1	CA5510008 004 004
Ranchito Well No. 2	CA5510008 005 005
Medina Well No. 2	CA5510008 008 008

DETERMINATION

The State Water Board has determined that the System has failed to comply with primary drinking water standards pursuant to Health and Safety Code section 116555 and nitrate monitoring requirements pursuant to California Code of Regulations, title 22, section 64432.1, subdivision (a) during 2024.

DIRECTIVES

The System is hereby directed to take the following actions:

1. The System must ensure that each active source is monitored for nitrate in accordance with the California Code of Regulations, title 22, section 64432.1,

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subdivision (a) and that the laboratory that conducts the analysis submits the analytical results electronically by a State Water Board approved method no later than the 10th day of the month following completion of the analyses. If the sample result exceeds the MCL of 10 mg/L as N, additional sampling and notification requirements apply. (Cal. Code Regs., tit. 22, § 64432.1, subd. (a).)

2. The System must collect and report nitrate samples as listed in the table below, to satisfy the annual monitoring requirement described by Directive 1.

Source Name	Primary Station Code	Due Date
Lake McClure - Raw	CA5510008 001 001	March 15, 2025
Ranchito Well No. 1	CA5510008 002 002	March 15, 2025
Medina Well No. 1	CA5510008 004 004	March 15, 2025
Ranchito Well No. 2	CA5510008 005 005	March 15, 2025
Medina Well No. 2	CA5510008 008 008	March 15, 2025

3. By **March 15, 2025**, notify all persons served by the System of the violation of California Code of Regulations, title 22, section 64432.1, subdivision (a), in conformance with California Code of Regulations, title 22, sections 64463, 64465, and 64463.7 (Tier 3). Appendix 1 – Notification Template must be used to fulfill this Directive, unless otherwise approved by the State Water Board. The contents of the public notice must be approved by the State Water Board prior to issuance. **The System must edit the wording of the public notice as necessary.**

The public notice must be delivered in accordance with the following:

- By mail or direct delivery of the public notice to each customer served by the water system and;

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- By one or more of the following secondary methods to reach persons not likely to be reached by mail or direct delivery:

- By publication in a local newspaper
- By delivery to community organizations
- By posting in conspicuous public places served by the System or on the internet

If the System opts to post the notice in conspicuous public places or on the internet, the public notice must remain posted for a minimum of seven (7) consecutive days.

4. Include this violation, any potential health effects, and steps taken to correct the violation in the 2024 Consumer Confidence Report in accordance with California Code of Regulations, title 22, section 64481, subdivision (g).

5. By **March 15, 2025**, complete Appendix 2 – Compliance Certification form. Submit it together with a copy of the public notice required by Directive 3 to the State Water Board within 10 days following each public notification.

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.

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Ofelia Romero-Maraccini, Ph.D., P.E.
Yosemite District Engineer

dwpdist28@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 the System 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 the System, 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,

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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.

 Digitally signed by Ofelia Romero-Maraccini
Date: 2025.02.06 12:06:42 -08'00'

Ofelia Romero-Maraccini, Ph.D., P.E.
Yosemite District Engineer
Division of Drinking Water
State Water Resources Control Board

February 6, 2025

Date

Appendices:

1. Notification Template
2. Compliance Certification

Certified Mail No. 9589-0710-5270-0293-9523-42

Appendix 1 – Notification Template

Instructions for Tier 3 Monitoring Violations Annual Notice Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW per the California Code of Regulations, Title 22, Section 64463b.

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

If you are a **community water system** per Title 22 Section 64463.7c part 1, you must notify consumers by mail or direct delivery and by one or more of the following methods to reach persons not likely to be reached by the previous method:

1. Publication in a local newspaper
2. Posting in conspicuous public places served by the water system or on the internet
3. Delivery to community organizations

If you are a **noncommunity water system** per Title 22 Section 64463.7c part 2, you must notify consumers by posting in conspicuous locations throughout the area served by the water system and by one or more of the following methods to reach persons not likely to be reached by the previous method:

1. Publication in a local newspaper or newsletter distributed to customers
2. Email message to employees or students
3. Posting on the internet or intranet
4. Direct delivery to each customer

Please note that the notice must be distributed to each customer receiving a bill including those that provide their drinking water to others, for example, to schools or school systems, apartment building owners, or large private employers and other service connections to which water is delivered by the water system. Additionally, the notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days. The template included here is appropriate for the methods described above, insertion in an annual notice, or included in the annual Consumer Confidence Report as long as public notification timing, content and delivery requirements are met per Title 22 Section 64463.7 d. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing procedure violations and

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