CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

March 25, 2016

System No: 0710300

Mr. Gary Gray
WSPS Grade 2
Mount Diablo State Park
96 Mitchell Canyon Road
Clayton, CA 94517-1500

CITATION NO: 02_04_16C_004
NITRATE MONITORING
MOUNT DIABLO STATE PARK

Dear Mr. Gray:

Enclosed is Citation No. 02_04_16C_004 for failure to comply with Title 22, CCR Section 64432.1.

In addition to this citation your water system is billed an hourly rate (approximately $126/hour) for time spent on enforcement action for non-compliance with state regulations. You should receive the separate hourly rate bill within the next few months.

If you have any questions, please contact Pamela Evans at (510) 620-3457 or by email to Pamela.evans@waterboards.ca.gov.

Sincerely,

Pamela R. Evans for

Robert Brownwood, P.E.
San Francisco District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachment: Citation No. 02_04_16C_004

cc: Contra Costa County Environmental Health Department

STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: Mount Diablo State Park
96 Mitchell Canyon Road
Clayton, CA 94517-1500

ATTN: Gary Gray

CITATION FOR NONCOMPLIANCE, TITLE 22, CALIFORNIA CODE OF REGULATIONS, (CCR) SECTION 64432.1 ANNUAL NITRATE MONITORING VIOLATION

CITATION NO: 02_04_16C_004

WATER SYSTEM NO: 0710300

ISSUE DATE: MARCH 25, 2016

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued thereunder.

The State of California Water Resources Control Board, Division of Drinking Water (Division) hereby issues a citation to Mt. Diablo State Park (Mt. Diablo) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64432.1.

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APPLICABLE AUTHORITIES

Section 116550 of the CHSC states in relevant part:

(a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued thereunder, the division may issue a citation to the public water system. The citation shall be served upon the public water system personally, or by certified mail.

(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 of 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 Division may assess a penalty in an amount not to exceed one thousand dollars ($1000) per day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 64432.1 of the CHSC states in relevant part:

(a) To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems using groundwater and transient-noncommunity systems using approved surface water shall monitor annually.....

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STATEMENT OF FACTS

Mount Diablo State Park is a transient-noncommunity water system, located in Clayton, CA, Contra Costa County. It is owned and operated by the California Department of Parks and Recreation. The water system is supplied by eight active groundwater spring sources. Mt. Diablo consists of two separate distribution systems. Mt. Diablo is required to sample for nitrate annually and nitrite once every three years. Pursuant to Title 22, CCR, Section 64432.1; Mount Diablo is required to sample all springs for nitrate each year. The State Park did not collect nitrate samples from the springs in 2015.

DETERMINATIONS

The Division has determined that Mt. Diablo violated Section 64432.1, Title 22, CCR.

DIRECTIVES

Mt. Diablo is hereby directed to take the following action:

> Mt. Diablo shall monitor the springs for nitrate per Section 64432.1, Title 22, of the CCR.

The Division 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 deemed effective upon issuance.

Nothing in this Citation relieves Mt. Diablo of its obligation to meet the requirements of the California Safe Drinking Water Act, or of any regulation, permit, standard, or order issued or adopted thereunder.

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PARTIES BOUND

This Citation shall apply to and be binding upon Mt. Diablo, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and Mt. Diablo shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTIONS

The California SDWA authorizes the Board to issue a 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 permit, regulation, or order issued thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

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MARCH 25, 2016
Date

Robert Brownwood, P.E.
San Francisco District Engineer
Division of Drinking Water
State Water Resources Control Board

Certified Mail No: 7014 3490 0001 7031 0994

cc: Contra Costa County Environmental Health Department

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