



**DEPARTMENT OF ENVIRONMENTAL RESOURCES**

3800 Cornucopia Way, Suite C, Modesto, CA 95358-9494  
Phone: 209.525.6700 Fax: 209.525.6774



March 15, 2017

Turlock Union School District  
C/O Scott Richardson  
PO Box 819013  
Turlock, CA 95381

**TRANSMITTAL OF COMPLIANCE ORDER NO. DER-17CO-003 FOR URANIUM MCL FAILURE**

The Roselawn High School Water System violated the Maximum Contamination Level (MCL) for uranium in March of 2017, as specified in the Domestic Water Quality a Monitoring Regulation, Chapter 15, Title 22, California Code of Regulations. The Stanislaus County Department of Environmental Resources has issued Compliance Order No. DER-17CO-003 in response to this violation. The compliance order is being transmitted to the Roselawn High School Water System under cover of this letter. Please respond to each item of the Directives by the deadlines established in the compliance order.

Stanislaus County Ordinance provides that fees must be charged for staff time in responding to MCL violations. The fee charged is the Department's weighted labor rate of \$106.00 per hour, with a one-hour minimum. To date, 2.0 hours have been spent responding to the MCL violation. This Department will invoice you.

If you have any questions regarding this matter, please contact Rachel Riess at (209) 525-6720.

Sincerely,

Rachel Riess, REHS  
Senior Registered Environmental Health Specialist

Enclosure (1)

**STANISLAUS COUNTY**  
**DEPARTMENT OF ENVIRONMENTAL RESOURCES**  
**DIVISION OF ENVIRONMENTAL HEALTH**

**TO:** Roselawn High School  
312 South Roselawn Avenue  
Turlock, CA 95380

**Attn:** Scott Richardson  
Turlock Union School District

**COMPLIANCE ORDER NO. DER-17CO-003**

**FOR**

**VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a) (1)**

**AND THE PRIMARY DRINKING WATER STANDARD FOR URANIUM**

**WATER SYSTEM NO. 5000116**

**Issued on March 15, 2017**

The Department of Environmental Resources (hereinafter "Department"), acting by and through its Division of Environmental Health (hereinafter "Division") and the Manager for the Division (hereinafter "Manager"), hereby issues this Compliance Order (hereinafter "Order") pursuant to Sections 116330 (f) and 116650 of the California Health and Safety Code (hereinafter "CHSC") to the Roselawn High School Water System (hereinafter, "Roselawn") for violation of the CHSC Section

1 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"),  
2 Section 64431.

3  
4 **APPLICABLE AUTHORITIES**

5 **Section 116555(a) (1) of the CHSC states in relevant part:**

6 (a) Any person who owns a public water system shall ensure that the system does  
7 all of the following:

8 (1) Complies with primary and secondary drinking water standards.

9 **Section 116655 of the CHSC states in relevant part:**

10 (a) Whenever the Department determines that any person has violated or is  
11 violating this chapter, or any permit, regulation, or standard issued or adopted  
12 pursuant to this chapter, the director may issue an Order doing any of the following:

13 (1) Directing compliance forthwith.

14 (2) Directing compliance in accordance with a time schedule set by the  
15 department.

16 (3) Directing that appropriate preventive action be taken in the case of a  
17 threatened violation.

18 (b) An Order issued pursuant to this section may include, but shall not be limited  
19 to, any or all of the following requirements:

20 (1) That the existing plant, works, or system be repaired, altered, or added to.

21 (2) That purification or treatment works be installed.

22 (3) That the source of the water supply be changed.

23 (4) That no additional service connection be made to the system.



(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the Department.

**CCR, Title 22, Section 64442 (a), states in relevant part:**

(a) Each community and nontransient-noncommunity water system (system) shall comply with the primary MCL's in Table 64442 in the drinking water supplied to the public.

**Table 64442  
Radionuclide Maximum Contaminant Levels (MCLs)  
And Detection Levels for Purposes of Reporting (DLRs)**

<i>Radionuclide</i>	<i>MCL</i>	<i>DLR</i>
Radium-226	5 pCi/L (combined radium-226 & -228)	1 pCi/L
Radium-228		1 pCi/L
Gross Alpha particle activity (excluding radon and uranium)	15 pCi/L	3 pCi/L
Uranium	20 pCi/L	1 pCi/L

**CCR Title 22, Section 64442, states in relevant part:**

(g) If any sample result is greater than an MCL:

(1) For a system monitoring less than quarterly, quarterly samples shall be collected and analyzed to determine compliance, pursuant to subsection (h);

(2) For a system that already has four consecutive quarterly results, compliance shall be determined pursuant to subsection (h).

(3) The system shall monitor quarterly until the results of four consecutive quarterly sample results do not exceed the MCL.

(h) A system with one or more sample results greater than an MCL shall determine compliance with the MCL as follows:



1 (1) At each sampling site, based on the analytical results for that site. Any  
2 confirmation sample result shall be averaged with the initial result.

3 (2) Using all monitoring results collected under this section during the previous  
4 12 months, even if more than the minimum required number of samples was  
5 collected.

6 (3) By a running annual average of four consecutive quarters of sampling  
7 results. Averages shall be rounded to the same number of significant figures as the  
8 MCL for which compliance is being determined.

9 (A) If any sample result will cause the annual average at any sample site to  
10 exceed the MCL, the system shall be out of compliance immediately upon receiving  
11 the result;

12 (B) If a system has not analyzed the required number of samples,  
13 compliance shall be determined by the average of the samples collected at the site  
14 during the most recent 12 months; and

15 (C) If a sample result is less than the DLR in table 64442, zero shall be  
16 used to calculate the annual average, unless a gross alpha particle activity is being  
17 used in lieu of radium-226, total radium, and/or uranium. In that case, if the gross  
18 alpha particle activity result is less than the DLR,  $\frac{1}{2}$  the DLR shall be used to calculate  
19 the annual average.

20 (4) If compositing is allowed at a sampling site, by the results of a composite of  
21 four consecutive quarterly samples.



1 (5) If the system can provide documentation that a sample was subject to  
2 sampling or analytical errors, the State Board may invalidate the result based on its  
3 review of the documentation, the sampling result, and the historical sampling data.  
4

#### 5 **STATEMENT OF FACTS**

6 Roselawn is operated under Water Supply Permit No. 2016-09-016, which was issued  
7 on October 13, 2016.  
8

9 The Roselawn water system is located in Stanislaus County along East Avenue,  
10 adjacent to of the City of Turlock. Roselawn's service area is approximately 2.7 acres  
11 in size.  
12

13 The Roselawn water system is classified as a nontransient noncommunity water  
14 system that serves the students, employees, and visitors of the high school.  
15 According to the 2015 Annual Report to the Division and Division records, Roselawn  
16 serves approximately 225 people through five service connections. All service  
17 connections are un-metered. The water system obtains its water supply from one  
18 active well located on Roselawn property.  
19

20 The well was installed in June 27, 1975, and is equipped with a 7½ HP submersible  
21 pump that discharges at 45 gpm to an approximately 900-gallon raw water pressure  
22 tank. The water from this tank supplies two independent systems (1) to a nitrate



1 treatment facility for the school's domestic use, (2) to field irrigation. These two lines  
2 are separated by a backflow prevention device.

3  
4 The nitrate treatment train consists of two sets of three ion exchange media vessels,  
5 which are plumbed in parallel. From the nitrate train, a small stream of water is  
6 diverted to an inline nitrate analyzer, and the remaining treated water passes a  
7 chlorine injection point just before entering an approximately 900-gallon finished water  
8 pressure tank. Both the raw water and finished water pressure tanks are galvanized  
9 non-bladder tanks, which have their air levels controlled by air compressors. From  
10 the finished water pressure tank, domestic water is sent to the water system's  
11 distribution system.

12  
13 Spent ion exchange media vessels are regenerated by a third party contractor off-site.  
14 The vessels are regenerated with a chloride solution just before being transported  
15 back to and installed at Roselawn. The ion exchange media vessels are exchanged  
16 monthly.

17  
18 Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water  
19 standards and monitoring and reporting requirements for radionuclide constituents.  
20 Nontransient noncommunity water systems must comply with the maximum  
21 contaminant level for uranium of 20 pCi/L, as established in Title 22 CCR Section  
22 64442.



Samples collected in June 2016 showed uranium concentrations over the MCL in water produced by Well 01 (PS Code 5000116-001) as noted in **Table 1** below. Therefore, in accordance with Section 64442 (g), Roselawn was required to begin quarterly uranium monitoring of each non-compliant well, unless it chose to submit an additional sample (which it did not). Section 64442 (h)(3) provides that compliance with the uranium MCL is based on a "running annual average" (RAA) of the quarterly monitoring samples, computed each quarter. Furthermore, Section 64442 (h)(3)(A) states: "If any sample result will cause the annual average at any sample site to exceed the MCL, the system shall be out of compliance immediately upon receiving the result." A summary of the wells that produce water with uranium above the MCL is presented in the table below. All results are as reported to the Division by the laboratory that performed the analysis.

**Table 1: Uranium Monitoring Results (in pCi/L)**

Sample Quarter	2nd Quarter 2016	3rd Quarter 2016	4th Quarter 2016	1st Quarter 2017	Running Annual Average
Well 01	29	28	28	32	29

#### **DETERMINATION**

Based on the above Statement of Facts, the Division has determined that the water system has violated the California Health and Safety Code, Section 116555 and Section 64442, Title 22, CCR, since the water produced by Well 01 during the 1<sup>st</sup> quarter of 2017 exceeded the uranium MCL, as shown in **Table 1** above, and continues to be in violation through the date of this Order.

#### **DIRECTIVES**



1 Roselawn is hereby directed to take the following actions:

- 2 1. On or before April 17, 2017, submit a written response to the Division indicating  
3 its agreement to comply with the directives of this Order and with the  
4 Corrective Action Plan addressed herein.  
5
- 6 2. Commencing on the date of service of this Order, provide quarterly public  
7 notification, in accordance with **Enclosure No. 1**, of Roselawn's failure to meet  
8 the uranium MCL during any calendar quarter that RAA exceeds the MCL.  
9
- 10 3. Commencing on the date of service of this Order, submit proof of each public  
11 notification conducted in compliance with **Directive No. 2**, herein above, within  
12 10 days following each such notification, using the form provided as **Enclosure**  
13 **No. 2**.  
14
- 15 4. Commencing on the date of service of this Order collect quarterly samples for  
16 uranium from each well, as required by Section 64442(g), and ensure that the  
17 analytical results are reported to the Division electronically by the analyzing  
18 laboratory no later than the 10<sup>th</sup> day following the month in which the analysis  
19 was completed, but no later than the last business day of the month following  
20 the close of the calendar quarter.  
21
- 22 5. Prepare for Division review and approval, and prior to implementation, a  
23 Corrective Action Plan identifying improvements to the water system designed



1 to correct the water quality problem (violation of the uranium MCL) and ensure  
2 that Roselawn delivers water to consumers that meets primary drinking water  
3 standards. The plan shall include a time schedule for completion of each of the  
4 phases of the project, such as design, construction, and startup, and a date as  
5 of which Roselawn will be in compliance with the Uranium MCL.

6  
7 6. On or before July 17, 2017, present the Corrective Action Plan required under  
8 **Directive No. 5**, herein above, to the Division in person at the Division's office  
9 located at 3800 Cornucopia Way, Suite C, Modesto, CA 95358.

10  
11 7. Perform each and every element of the Division's approved Corrective Action  
12 Plan according to its time schedule.

13  
14 8. On or before October 17, 2017, and every three months thereafter, submit a  
15 report to the Division using the form provided as **Enclosure No. 3** (enclosed)  
16 showing actions taken to comply with the Corrective Action Plan during the  
17 previous three months.

18  
19 9. By no later than September 17, 2019, Roselawn shall achieve compliance with  
20 the uranium maximum contaminant level, with the completion of a project and  
21 demonstration that the running annual average is reliably less than the MCL.  
22 Roselawn shall provide written notification of the date that compliance is  
23 achieved, no later than ten days following receipt of the laboratory sampling



1 results. Not later than ten (10) days following the date of compliance with the  
2 uranium MCL, demonstrate to the Division that the water delivered by  
3 Roselawn complies with the uranium MCL.

4  
5 10. Notify the Division in writing no later than five (5) days prior to the deadline for  
6 performance of each **Directive**, set forth herein, if Roselawn anticipates it will  
7 not timely meet such performance deadline.

8  
9 All submittals required by this Order shall be addressed to:

10 Rachel Riess, REHS  
11 Department of Environmental Resources  
12 3800 Cornucopia Way, Suite C  
13 Modesto, CA 95358

14 As used in this Order, the "date of issuance" shall be the date of this Order; and the  
15 "date of service" shall be the date this Order was served, personally or by certified  
16 mail, to Roselawn.

17  
18 The Division reserves the right to make modifications to this Order and/or to issue  
19 further Order(s) as it may deem necessary to protect public health and safety.  
20 Modifications may be issued as amendments to this Order and shall become effective  
21 upon issuance.

22  
23 Nothing in this Order relieves Roselawn of its obligation to meet the requirements of  
24 the California SDWA, or any regulation, standard, permit or Order issued thereunder.



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**PARTIES BOUND**

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

**SEVERABILITY**

The Directives of this Order are severable, and Roselawn shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Department 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 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 Department 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 Department; 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 Department. The Board does not waive any further enforcement action by issuance of this Order.

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Rachel Riess

3/15/17

Rachel Riess, REHS  
Senior Environmental Health Specialist  
Division of Environmental Health  
Department of Environmental Resources  
Stanislaus County

Date

Certified Mail No. 7014 3490 0001 6851 3178

Enclosures: (1) Public Notification Template w/ Instructions  
(2) Proof of Public Notification Form  
(3) Quarterly Progress Report



## Instructions for Tier 2 Chemical or Radiological MCLs Notice Template

### Template Attached

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. **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 [64463(b)].**

### 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.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery <sup>(a)</sup>	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet <sup>(b)</sup>
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system <sup>(b)</sup>	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet <sup>(b)</sup>
		Direct delivery to each customer

(a) Notice must be distributed 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.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. 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 health effects and notification language in italics unchanged. This language is mandatory [64465].

### Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water



## **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

### **[System] Has Levels of [Contaminant] Above the Drinking Water Standard**

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results received on [date] showed [name of contaminant] levels of [level and units]. This is above the standard, or maximum contaminant level (MCL), of [standard and units].

#### **What should I do?**

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an immediate risk. If it had been, you would have been notified immediately. However, [Insert relevant health effects language from section 64465 appendix].
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

#### **What happened? What is being done?**

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

*Please share this information with all the other people who drink this water, especially those who may not have received this 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.*

#### **Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:



DEPARTMENT OF ENVIRONMENTAL RESOURCES

3800 Cornucopia Way, Suite C, Modesto, CA 95358-9494  
Phone: 209.525.6700 Fax: 209.525.6774

**Drinking Water Notification to Consumers  
PROOF OF NOTIFICATION**

Name of System: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

**Consumers Notified** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No (if no explain)**

\_\_\_\_\_  
\_\_\_\_\_

**Date of Notification:** \_\_\_\_\_

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.

\_\_\_\_\_ Newspaper (if the problem has been corrected).

\_\_\_\_\_ Personally hand-delivering a copy to each of the consumers.

\_\_\_\_\_ Posting on a public bulletin board that will be seen by each of the consumers (for small non-community water systems with permission from the Environmental Resources Department)

\_\_\_\_\_ Other Approved Method: \_\_\_\_\_

\_\_\_\_\_

**I hereby declare the foregoing to be true and correct.**

Dated: \_\_\_\_\_

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

**Notice:** Complete this Proof of Notification and return it, along with a copy of the water user notification, to the Department of Environmental Resources, 3800 Cornucopia Way Suite C, Modesto, CA 95358, within **7 Days** after notifying water users.

Enclosure #2

# Quarterly Progress Report

Water System:	<b>Roselawn High School</b>	Water System No.:	<b>5000116</b>
Compliance Order No.:	<b>DER-17CO-003</b>	Violation:	<b>Uranium</b>
Calendar Quarter:	Date Prepared:		

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Stanislaus County Department of Environmental Resources – 3800 Cornucopia Way, Suite C, Modesto CA 95358.

**Summary of Compliance Plan:**

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**Tasks completed in the reporting quarter:**

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**Tasks remaining to complete:**

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**Anticipate compliance date:**

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**Name**

--

**Signature**

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**Title**

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**Date**