

## State Water Resources Control Board

Division of Drinking Water

January 15, 2020

System No. 3710015

Mr. Eric A. Heidemann  
Director of Public Works for Utilities  
City of Poway  
14467 Lake Poway Road  
Poway, CA 92064

**CITATION NO. 05\_14\_20C\_001  
FOR NONCOMPLIANCE WITH CALIFORNIA CODE OF REGULATIONS TITLE 17,  
SECTION 7584; CALIFORNIA CODE OF REGULATIONS TITLE 22, SECTION 64585(a)(4);  
AND CALIFORNIA HEALTH AND SAFETY CODE, SECTIONS 116555(a)(2) AND  
116555(a)(3).**

Enclosed is Citation No. **05\_14\_20C\_001** (hereinafter "Citation"), issued to the City of Poway (hereinafter "Poway") public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The State Water Resources Control Board (hereinafter "State Water Board") has determined that Poway failed to protect its public water system from backflow contamination, failed to provide pure, wholesome, healthful and potable water by delivering untreated storm drain water to customers, and that the T10 Clearwell overflow drain is constructed in a manner that connects it directly to storm drains, creating a contamination hazard which allowed the entry of untreated storm drain water into the treated water T10 Clearwell. Untreated surface water can cause gastrointestinal illness potentially leading to other complications. It is imperative for Poway to adequately address the directives contained within the attached citation to ensure public health protection.

In any water quality emergency, clear and consistent communication to the public from all levels of a water system's organization is critical for protecting the public health of its customers throughout the incident until the safety of the water supplied can be confirmed. Statements during television interviews regarding the safety of the water appeared to question the need for the extended boil water notice. Water quality results confirming the cleaning and disinfection of the T10 clearwell on December 3, 2019 were first available on December 6, 2019. The State

Water Board approved the lifting of the boil water notice shortly thereafter. Until then, communications contradicting or minimizing the boil water notice risked confusing the public about the public health impacts of the contamination. The city should ensure that its public communications comply with the requirements of Section 64465 of Title 22 of the California Code of Regulations (hereinafter "CCR").

Poway will be billed at the State Water Board hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation.

Poway will receive a bill sent from the State Water Board around August 2020. This bill will contain fees for any enforcement time spent on Poway for the current fiscal year.

Any person who is aggrieved by a citation issued by the Division of Drinking Water under Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. 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:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Joseph Guzman of my staff at (619) 525-4772 or me at (619) 525-4922.

Sincerely,



Sean Sterchi, District Engineer

Enclosures: Citation No. 05\_14\_20C\_001

Certified Mail No. 7018 1830 0001 8694 9139