

**CALIFORNIA PUBLIC UTILITIES COMMISSION  
DIVISION OF WATER AND AUDITS**

**Advice Letter Cover Sheet**

**Utility Name:** San Jose Water Company

**Date Mailed to Service List:** 3/08/17

**District:** N/A

**CPUC Utility #:** U-168-W

**Protest Deadline (20<sup>th</sup> Day):** 2/14/17

**Advice Letter #:** 504A

**Review Deadline (30<sup>th</sup> Day):** 2/24/17

**Tier**    ☐ 1    ☒ 2    ☐ 3    ☐ Compliance

**Requested Effective Date:** 1/17/2017

**Authorization**

**Rate Impact:** N/A

**Description:** Request to establish the School Lead  
Testing Memorandum Account (SLTMA).  
Supplemental filing to revise Applicability  
section of tariff.

The protest or response deadline for this advice letter is 20 days from the date that this advice letter was mailed to the service list. Please see the "Response or Protest" section in the advice letter for more information.

**Utility Contact:** Palle Jensen

**Utility Contact:** Ann Lindahl

**Phone:** 408-279-7970

**Phone:** 408-279-7979

**Email:** palle.jensen@sjwater.com

**Email:** ann.lindahl@sjwater.com

**DWA Contact:** Tariff Unit

**Phone:** (415) 703-1133

**Email:** [Water.Division@cpuc.ca.gov](mailto:Water.Division@cpuc.ca.gov)

**DWA USE ONLY**

**DATE**

**STAFF**

**COMMENTS**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ APPROVED

☐ WITHDRAWN

☐ REJECTED

**Signature:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_



**San Jose  
Water  
Company**

110 W. Taylor Street  
San Jose, CA 95110-2131

March 8, 2017

Public Utilities Commission  
of the State of California  
505 Van Ness Avenue  
San Francisco, CA 94102

Advice Letter No. 504A

San Jose Water Company (U-168-W) (SJWC) hereby transmits for filing Supplemental Advice Letter 504A the following changes in tariff schedules applicable to its service area and which are attached hereto :

<u>Cal. P.U.C. Sheet No.</u>	<u>Title of Sheet</u>	<u>Canceling Cal.P.U.C. Sheet No.</u>
1818-W	Preliminary Statement (continued)	1800-W
1819-W	Table of Contents	1817-W

#### Supplement

On the directive of the California Public Utilities Commission's (CPUC) Division of Water and Audits (DWA), SJWC hereby provides a supplement to the previously filed advice letter (AL) 506. SJWC has made minor revisions in the Applicability section of the proposed School Lead Testing Memorandum Account. This supplemental filing replaces AL 506 in its entirety.

#### Purpose

SJWC requests authority to establish a School Lead Testing Memorandum Account (SLTMA). SJWC's request is in response to the State Water Resources Control Board (SWRCB) Division of Drinking Water's (DDW) issuance of Amendment to the Domestic Water Supply permits issue to SJWC on January 17, 2017. The permit establishes the requirements for lead monitoring and lead sample result interpretation at any kindergarten through 12<sup>th</sup> grade school (K-12) within SJWC's water service territory. Any school seeking lead testing must submit a written request. The SLTMA will track all incremental expenses associated with conducting lead testing at any K-12 school within SJWC's service territory that requests this service.

Per the direction of the California Public Utilities Commission's Water Division this advice letter is filed pursuant General Order 96B – Water Industry Rule 7.3.2(7) and 8.2 (Request for

Similar Treatment). SJWC is requesting similar treatment as requested by Golden State Water Company (GSWC) in that company's Advice Letter 1677-W filed on January 19, 2017.

### Background

On January 17, 2017 the SWRCB issued Permit Amendment 2017PA\_Schools – Requirements for Lead Sampling at K-12 Schools ("Permit Amendment" included as Attachment A). The Permit Amendment establishes requirements for lead monitoring and lead sample result interpretation at K-12 schools served by SJWC that have submitted a written request for lead sampling related assistance.

CPUC Standard Practice U-27-W provides that each advice letter requesting a new memo account must address a set of four parameters. These parameters are addressed below:

- a. The expense is caused by an event of an exceptional nature that is not under the utility's control.**

The SWRCB issued the Permit Amendment. Prior to this Permit Amendment there was no similar requirement for SJWC to sample for lead contamination on school property. Therefore, the change was of an exceptional nature. Additionally, the SWRCB is not under the SJWC's control. Therefore, the change is caused by an event of an exceptional nature that is not under the utility's control.

- b. The expense cannot have been reasonably foreseen in the utility's last general rate case and will occur before the utility's next scheduled rate case.**

SJWC submitted the draft application for the most recent GRC in November of 2014 and filed the final Application (A.15-01-002) in January of 2015. The record in the proceeding was closed in June of 2015. The Permit Amendment was received on January 17, 2017. SJWC's next GRC application will not be filed until January of 2018. Clearly, the expense cannot have been reasonably foreseen in the utility's last general rate case and will occur before the next scheduled rate case.

- c. The expense is of a substantial nature as to the amount of money involved when any offsetting cost decreases are taken into account.**

SJWC's most recent GRC Decision (D.16-06-004) did not include authorization for any K-12 school lead sampling and monitoring. SJWC estimates at least 250 K-12 schools within SJWC's service territory that may require lead sampling. SJWC anticipates program expenses for the lead sampling will be at a minimum \$125,000.

- d. The ratepayers will benefit by the memo account treatment.**

As noted in the Permit Amendment – “Protecting children from exposure to lead is important to lifelong good health. Children who are exposed to lead could experience long-term problems with physical and mental growth and development. Effects of lead exposure can be managed, but they cannot be remedied.” This program will help limit the consumption of lead in drinking water by children, which could provide a substantial benefit to ratepayers.

In the SLTMA SJWC will track the incremental expenses associated with conducting lead monitoring and lead sample results interpretation at any K-12 school within SJWC’s service territory that requests this service. Additionally, interest shall accrue on a monthly basis by applying a rate equal to one-twelfth of the 3-month non-financial commercial paper rate, as reported in the Federal Reserve Statistical Release, to the average of the beginning-of-month and the end-of-month balances.

If the accumulated balance of the of the SLTMA exceeds 2% of the total authorized revenue requirement for the prior calendar year SJWC will file an advice letter to amortize the balance. Prior to recovery, charges made to the SLTMA are subject to a reasonableness review in a General Rate Case proceeding or in an appropriate advice letter filing.

The SLTMA will sunset with new rates incorporating the revised methodology as anticipated in the next GRC decision. Per the Rate Case Plan, SJWC’s next GRC decision should become effective in January of 2019.

#### Protests and Responses

Anyone may respond to or protest this advice letter. A response does not oppose the filing but presents information that may prove useful to the Commission in evaluating the advice letter. A protest objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds may include the following:

- (1) The utility did not properly serve or give notice of the advice letter;
- (2) The relief requested in the advice letter would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
- (3) The analysis, calculations, or data in the advice letter contain material error or omissions;
- (4) The relief requested in the advice letter is pending before the Commission in a formal proceeding;
- (5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or
- (6) The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require relitigating a prior order of the Commission).

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ADVICE LETTER NO. 504A

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A response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

Tariff Unit, Water Division, 3<sup>rd</sup> floor  
California Public Utilities Commission,  
505 Van Ness Avenue  
San Francisco, CA 94102  
water\_division@cpuc.ca.gov

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy of the protest by mail to us, addressed to:

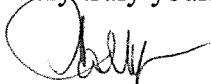
Regulatory Affairs  
San Jose Water Company  
110 West Taylor Street  
San Jose, California 95110  
Fax 408.279.7934  
regulatoryaffairs@sjwater.com.

The advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period.

In compliance with Paragraph 4.3 of General Order 96-B, a copy of this advice letter has been mailed to all interested and affected parties as detailed in Attachment B.

This filing will not cause the withdrawal of service, increase any rate nor conflict with other schedules or rules.

Very truly yours,



PALLE JENSEN  
Senior Vice President  
Regulatory Affairs  
Enclosures

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 504A

ATTACHMENT A

State Water Resources Control Board  
Issuance of Permit Amendment 2017PA\_Schools  
Requirements for Lead Sampling at K-12 Schools



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

January 17, 2017

Mr. Francois Rodigari  
San Jose Water Company, System No. 4310011  
1221 A South Bascom Avenue  
San Jose, CA 95128

Dear Mr. Rodigari:

**ISSUANCE OF PERMIT AMENDMENT 2017PA\_SCHOOLS**  
**REQUIREMENTS FOR LEAD SAMPLING AT K-12 SCHOOLS**

The State Water Resource Control Board, Division of Drinking Water (Division) has issued a permit amendment to the San Jose Water Company water supply permit. The enclosed permit amendment establishes requirements for lead monitoring and lead sample result interpretation at Kindergarten to 12<sup>th</sup> grade (K-12) schools served by your water system that have submitted a written request for lead sampling related assistance. Full details of the new requirements for K-12 school lead sampling and lead sample result interpretation are included in the enclosed permit amendment.

If your water system does not serve potable water to at least one K-12 school, this permit amendment does not apply to your water system.

The Water System to whom a permit amendment is issued may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the decision to issue the permit amendment. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the permit amendment. The date of issuance is the earlier of the date when the permit amendment is mailed or served. If the 30th day falls on a Saturday, Sunday or state holiday, the petition is due the following business day. Petitions must be received by 5 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)

Please visit the Division's school lead sampling webpage at:  
[http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/leadsamplinginschools.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/leadsamplinginschools.shtml)  
for additional information including frequently asked questions and other important guidance.

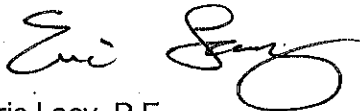
FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

850 Marina Bay Parkway, Bldg. P, 2nd Floor, Richmond, CA 94804-6403 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

January 17, 2017

If you have any questions, please contact the Lead Sampling for Schools Specialist at (916) 449-5577 or email your question to [DDW-PLU@waterboards.ca.gov](mailto:DDW-PLU@waterboards.ca.gov)

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Lacy", with a large, stylized loop at the end.

Eric Lacy, P.E.  
District Engineer  
Santa Clara District  
Drinking Water Field Operations Branch  
Division of Drinking Water

Enclosure: 2017PA\_Schools

cc: Santa Clara County Environmental Health Department (email)

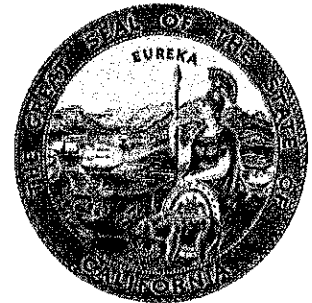


**STATE OF CALIFORNIA**  
**AMENDMENT TO THE**  
**DOMESTIC WATER SUPPLY PERMIT ISSUED TO**

*San Jose Water Company*  
(Public Water System No. 4310011)

By The

**State Water Resources Control Board**  
**Division of Drinking Water**



PERMIT AMENDMENT NO. 2017PA-SCHOOLS

EFFECTIVE DATE: January 17, 2017

**WHEREAS:**

1. The State Water Resources Control Board (SWRCB) "may renew, reissue, revise, or amend any domestic water supply permit whenever the ... [SWRCB] deems it to be necessary for the protection of public health whether or not an application has been filed." (California Health and Safety Code (CHSC), Section 116525 (c))
2. "Every resident of California has the right to pure and safe drinking water." (CHSC, Section 116270 (a))
3. "It is the policy of the state to reduce to the lowest level feasible all concentrations of toxic chemicals that, when present in drinking water, may cause cancer, birth defects, and other chronic diseases." (CHSC, Section 116270 (d))
4. The Safe Drinking Water Act is "intended to ensure that the water delivered by public water systems of this state shall at all times be pure, wholesome, and potable." (CHSC, Section 116270 (e))
5. Protecting children from exposure to lead is important to lifelong good health. Children who are exposed to lead could experience long-term problems with physical and mental growth and development. Effects of lead exposure can be managed, but they cannot be remedied.

6. Recent events in the United States have shown that lead in drinking water remains an ongoing public health challenge and important concern for children's health. The SWRCB is encouraging schools that serve one or more of grades Kindergarten through 12<sup>th</sup> grade to test for lead in water from taps regularly used for drinking or cooking. The school can request assistance from their public water system.
7. Lead exposure in children typically results from a combination of environmental and man-made lead from sources such as paint, air, soil, industry, consumer products, food, and drinking water.

Normally, the exposure from drinking water would be a very low component of this exposure. Children consume drinking water at home, at school and at various other locations. High levels of lead in drinking water are a concern at any of these locations. Lead in drinking water is typically found at the highest levels on "first draw" samples after the water has stagnated in the water pipes for several hours (such as overnight). If the lead levels are found to be below the action level after stagnation, that is a strong indication that there is an insignificant exposure to lead at that particular sampling location. Individual plumbing fixtures can contribute to high levels in these "first draw" samples.

8. In California, the SWRCB oversees public water systems to ensure the water they provide is tested and safe per the requirements of the State and Federal Safe Drinking Water Acts, and regulations adopted pursuant to those Acts, which includes the Lead and Copper Rule (LCR), a regulation adopted by the United States Environmental Protection Agency (USEPA) and the SWRCB to control lead and copper in drinking water.

Under the LCR, public water systems are required to test water for lead at a set number of service connections (depending on the number of customers served by the system) that are at a higher risk for lead in the tap water due to their plumbing characteristics. Water suppliers are not required to test every customer's tap. Schools that are served by community water systems are generally not included in the LCR testing; only residential connections are included.

**THEREFORE:** The State Water Resources Control Board hereby determines that it is necessary for the protection of public health for this amendment to be issued, and hereby issues this permit amendment subject to the following provisions:

1. This permit amendment applies to each public water system that serves drinking water to at least one or more of grades Kindergarten through 12<sup>th</sup> grade school for which a request for lead sampling has been made prior to **November 1, 2019**, as provided for in Provision 3.
2. Each water system shall submit to the SWRCB's Division of Drinking Water (DDW) a comprehensive list of the names and addresses of all Kindergarten through 12<sup>th</sup> grade schools that are served water through a utility meter by **July 1, 2017**. The list shall be in the format and method posted on the DDW Lead Sampling in California Schools website.
3. If an authorized school representative, (the superintendent or designee of a school, governing board or designee of a charter school, or administrator or designee of a

private school) of a school served by the water system requests one-time assistance with lead sampling in writing, the water system shall:

- a. Respond in writing within 60 days of receiving the school's lead sampling request and schedule a meeting with school officials, including at least one staff member familiar with the school's water infrastructure, to develop a sampling plan. An example school lead sampling plan is located on the DDW Lead Sampling in California Schools website. The sampling plan may use the USEPAs "3Ts for Reducing Lead in Drinking Water in Schools" as general guidance. The 3T document can be found online at:

[https://www.epa.gov/sites/production/files/2015-09/documents/toolkit\\_leadschools\\_guide\\_3ts\\_leadschools.pdf](https://www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf)

- b. Finalize a sampling plan and complete the initial sampling within 90 days of receiving the lead sampling request, except that if the water system cannot complete the sampling plan and the lead sampling in that time period, the water system shall develop and comply with a time schedule to complete the sampling plan and initial lead sampling that has been approved by DDW.
- c. Collect from one to five samples at each school from regularly used drinking fountains, cafeteria/food preparation areas, or reusable bottle water filling stations selected according to the lead sampling plan described in Provision 3 (b) using the sampling guidance located in **Appendix A (Sampling Guidance)** which is attached. Sample sites may be either treated or untreated.
- d. Collect lead samples during the school year, on a Tuesday, Wednesday, Thursday or Friday during a day school is in session and has been in session for at least one school day prior to the date of sampling.
- e. Ensure that samples are collected by a water system representative that is adequately trained to collect lead and copper samples.
- f. Submit the samples to an ELAP certified laboratory for analysis of lead.
- g. Require the laboratory to submit the data electronically to DDW in accordance with the electronic submittal guidance which is located on the DDW Lead Sampling in California Schools website.
- h. Provide a copy of the results to the requesting authorized school representative.
- i. Within two school business days of receipt of a laboratory result that shows an exceedance of 15 parts per billion (ppb) at a sample site, notify the school of the sample result.
- j. If an initial lead sample result shows an exceedance of 15 parts per billion (ppb) at a sample site,
  - i. Collect an additional sample (resample) within 10 business days of receipt of the laboratory result above 15 ppb if the sample site remains in service.
  - ii. Collect a third sample within 10 business days after notification that a resample result described above is less than or equal to 15 ppb.

- iii. If the sample site is removed from service by the school, do not collect the repeat samples unless the school has completed corrective actions.
    - iv. Collect at least one more lead sample at a sample site where the school has completed some corrective action following an initial lead sample result over 15 ppb (examples of corrective action are replacing interior piping, replacing faucet, installing filters, etc.)
  - k. Ensure that it receives the results of the repeat lead samples required in Provision 3 (j) from the laboratory no more than 10 business days after the date of sample collection.
  - l. Not release the lead sampling data to the public for 60 days following the receipt of the initial lead sampling results unless the water system releases the data in compliance with a Public Records Act (PRA) request for the specific results.
  - m. Discuss the lead sample results with the school prior to releasing the sample results to the public. The water system shall discuss all lead sampling results with the school within 10 business days of receiving the results from the laboratory.
4. The water system may stop lead sampling at a school if:
- a. All initial samples are less than or equal to 15 ppb; or
  - b. Repeat sampling has been analyzed for each sample location with an initial lead sample greater than 15 ppb in accordance with Provision 3, and either:
    - i. If lead is confirmed over 15 ppb and the sample location has subsequently been physically removed from service, or
    - ii. If the sample location remains in service, and
      - a. If lead is confirmed over 15 ppb and the school has taken some corrective actions at the sample location and the water system has collected at least one additional lead sample after the corrective actions and the result is less than or equal to 15 ppb, or
      - b. If lead is less than or equal to 15 ppb in both the first repeat sample and second repeat sample described in Provision 3(j).
  - c. A written request from the water system to terminate lead sampling assistance has been approved by DDW.
  - d. If requested in writing by the school's authorized school representative.
5. The water system is responsible for the following costs:
- a. Laboratory fees for all lead samples and reporting of the results to DDW and the school, and all laboratory coordination and instruction.
  - b. All water system staff time dedicated to the tasks required by the provisions in this permit amendment.

6. The water system may not use any lead samples collected as part of these special school samples to satisfy federal or state Lead and Copper Rule requirements.
7. The water system shall communicate with the school after lead sampling and assist the school with the interpretation of laboratory results and provide information regarding potential corrective actions if a school has confirmed lead levels above 15 ppb. The water system is not responsible to pay for any maintenance or corrections needed at the school if elevated lead levels are found in the drinking water. The water system is not responsible for determining any corrective actions needed at the school.
8. The water system shall keep records of all written requests from a school for lead related assistance and provide the records to DDW, upon request. Records shall include, at a minimum, the following information:
  - a. The name of the school. If a school district makes a request, the school district's name shall be recorded along with each individual school served by the water system that is requesting sampling;
  - b. The date of the request;
  - c. The date of the initial meeting;
  - d. The date of the sampling plan along with a copy of each sampling plan; and
  - e. The date of initial lead sampling and all repeat samples.
9. The water system's annual Consumer Confidence Report shall include a statement summarizing the number of schools requesting lead sampling.


This permit amendment shall be appended to and shall be considered to be an integral part of the existing Domestic Water Supply Permit previously issued to the water system.

This permit amendment shall be effective as of the date shown below.

**FOR THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

**Dated:**

January 17, 2017

  
Eric Lacy, P.E.  
Santa Clara District  
SWRCB-DDW

**APPENDIX A**  
**SAMPLING GUIDANCE**  
**Collecting Drinking Water Samples**  
**for Lead Testing At K-12 Schools**

This Sampling Guidance is provided by the State Water Resources Control Board (SWRCB) Division of Drinking Water for use by schools and water system staff who will be participating in the collection of samples for the determination of lead in drinking water at K-12 schools. Sampling and testing will be used to help reduce students and staff exposure to lead in the drinking water provided at the school.

This guidance and the instructions for sampling are taken from the US Environmental Protection Agency's 3Ts (Testing, Training, and Telling) for Reducing Lead in Drinking Water in Schools program for measuring and reducing lead at school drinking water locations; however, there are differences between the EPA and SWRCB sampling procedures. The SWRCB procedures used for this testing includes initial sampling to determine the combined lead concentration from the outlet device (bubbler, sink faucet, fountain, etc.) and from the internal plumbing, and repeat sampling to confirm initial sampling test results or to determine the lead concentration after routine, interim, and permanent corrective actions to reduce lead from an outlet device have been completed.

To ensure accurate test results the samples should be collected by following the instructions below for preparation, initial sampling, and repeat sampling.

**Preparation**

1. At least one school employee should be designated to assist the water system trained sampler during the collection of initial, repeat, confirmation, and check samples and to provide any additional help as necessary to complete the sampling.
2. Select up to five of the busiest locations used for drinking and cooking to be sampled and tested. These locations can be selected by observing students and staff during the morning, break, and lunch periods over as many days as needed until the busiest locations have been identified.
3. All faucets, fountains, coolers, bubblers, bottle filling stations, and filtered water dispensers located on the exterior and interior of buildings, including those located in hallways, playgrounds, classrooms, and cafeterias, should be evaluated to assure that all locations have been considered for selection. Large industrial sinks designed for washing and not intended to be used as a source of water for drinking and cooking should not be included.
4. Do not omit from the evaluation and selection process drinking water locations that are served by a point of use filter (a filter attached to the faucet or under the sink) or drinking water locations in buildings or school ground areas that are served by a water softening, conditioning, or filtration treatment system.
5. Each location selected for testing should be assigned a Sample ID. Each Sample ID should use the following format: <Water System No.>-<School ID>-<Sample ID> i.e. 1710001-005-001.
6. A Lead Sampling Plan should be prepared that includes the five sample locations and Sample IDs identified on a map of the school grounds. Only water system staff trained in sampling should be collecting the samples.
7. All samples should be collected on a Tuesday, Wednesday, Thursday or Friday morning during periods of normal school operations (school is in session) and not during summer school, summer or winter breaks, or other extended breaks. Do not collect the samples on the first day back to school following a vacation, holidays, or weekends.

8. Record the location description, date and time last used, and date and time collected in the Lead Sampling Plan.
9. All samples must be "first draw samples" meaning that at the time of sampling the drinking water locations must not have been used during the previous 6 hours. To ensure this period of inactivity it may be necessary to protect the sample locations overnight prior to collecting the samples early in the morning before students and staff arrive.
10. Do not flush a sample site for any length of time prior to the 6 hour period of inactivity and do not flush a sample site at the outlet before collection of the sample.
11. Leave all angle stops, shutoff valves, and similar devices on the sample line providing water to the drinking water location in a normal state of operation prior to sampling. Do not modify, open, or close any devices located on the sample line in preparation for collecting a sample. Doing so may cause sample results that are not representative of normal operating conditions.
12. Do not remove any filters, aerators, or screens at any sample outlet prior to collecting the samples.
13. All sample bottles must be labeled with the Sample IDs for each sample location. All samples must be collected in 1 liter wide mouth plastic bottles and all bottles must be completely filled. Make sure your laboratory provides 1 liter (not 250 mL) wide mouth sample bottles.
14. If a bottle does not fit at the sample site and cannot be completely filled, a spare 1 liter laboratory bottle may be used to partially fill and transfer the drinking water until the sample bottle is full.
15. It should be requested to the laboratory to provide unpreserved sample bottles. All samples must be delivered to the testing laboratory within 14 days of collection for preservation.
16. Cold water must be collected for all samples. If sampling from a drinking water outlet that provides cold and hot water, the cold water handle must be used for sample collection.

### **Initial Sampling**

Initial sampling is used to determine if a drinking water outlet has a lead level that is above or below the Action Level of 15 ppb. Drinking water outlets with a test result of equal to or less than 15 ppb do not need additional testing and a water system is not required to collect additional samples when the initial sample results is less than or equal to 15 ppb.. Drinking water outlets with an initial sampling test result of greater than 15 ppb exceed the Action Level and should undergo repeat sampling. Water system staff should provide the initial test results to the school contact person and meet with the school to discuss the results within 10 days of receipt from the laboratory. In the case of an Action Level exceedance water system staff should provide the results to the school within two school business days. Following a review of the initial test results the school should document how it will proceed with each individual drinking water outlet.

1. After completing the preparation steps above, the trained sampler collects initial samples using the Initial Sampling Instructions as guidance.
2. Upon delivery of the samples to the laboratory, the standard laboratory turn-around-time for receiving results is acceptable.
3. All initial sample locations with a test result of less than or equal to 15 ppb have lead levels less than the Action Level, the location is suitable for consumption, and no further testing is needed.
4. All initial sample locations with a test result of greater than 15 ppb have a lead level that exceeds the Action Level and should be tested again by collecting a repeat sample.

5. Drinking water locations with an initial Action Level exceedance should remain in service and repeat samples collected within 10 days of receiving the initial sample results from the water system and by using the Repeat Sampling Instructions as guidance.
6. Alternatively, drinking water locations with an initial Action Level exceedance can be removed from service permanently or until addressed using the EPA 3Ts recommendations for routine, interim, and permanent corrective actions.
7. The water system cannot release the initial lead sampling data to the public for 60 days following the receipt of the initial sampling results in accordance with the permit amendment.

### **Repeat and Confirmation Sampling**

Repeat sampling is used to confirm an initial sampling result indicating that a drinking water outlet has a lead level that is greater than 15 ppb and exceeds the lead Action Level. Confirmation sampling is used to confirm the lead concentration at a drinking water location following an initial sampling lead result greater than 15 ppb and a repeat sampling lead result less than or equal to 15 ppb. Repeat sampling should be performed within 10 days of receiving the initial sample results and, if necessary, confirmation repeat sampling should be performed within 10 days of receiving the repeat sample results. Drinking water outlets with a repeat Action Level exceedance that confirms an initial sample result should be removed from service until corrective actions and check sampling have been performed with test results that indicate the water outlet has a lead level of less than 15 ppb. Water system staff should provide the repeat test results to the school contact person and meet with the school to discuss the results within 10 days of receipt from the laboratory and in the case of an Action Level exceedance provide the results to the school within two school business days. Following a review of the repeat test results the school should document how it will proceed with each individual drinking water outlet.

1. After completing the preparation steps above, the trained sampler collects repeat samples using the Repeat Sampling Instructions as guidance.
2. Upon delivery of the samples to the laboratory it shall be requested that results are reported by the laboratory within 10 business days.
3. All repeat sample locations with a test result of greater than 15 ppb have a lead level that exceeds the Action Level and should be removed from service permanently or addressed using the EPA 3Ts recommendations for routine, interim, and permanent corrective actions to minimize students and staff exposure to lead in drinking water.
4. All repeat sample locations with a test result of less than or equal to 15 ppb should be tested again by collecting a confirmation repeat sample to confirm the lead concentration at the drinking water outlet.
5. If the confirmation repeat sample has a test result of greater than 15 ppb the outlet has a lead level that exceeds the Action Level and should be removed from service permanently or addressed using the EPA 3Ts recommendations for routine, interim, and permanent corrective actions and check sampling.
5. If the confirmation repeat sample has a test result of less than or equal to 15 ppb the lead level is less than the Action Level, the location is suitable for consumption, and no further testing is needed.
6. The water system is not required to collect any additional samples when the repeat result and confirmation repeat result are less than or equal to 15 ppb.
7. All repeat sample locations with an Action Level exceedance should remain out of service until the school has completed the corrective actions and the water system has completed check sampling identified in the Corrective Action Plan described below in the Laboratory Results section of this guidance document.



## **Corrective Action Check Sampling**

Following the implementation of any corrective action at a drinking water outlet, check sampling should be performed to determine if the corrective action was successful in reducing the lead level to less than 15 ppb. Corrective actions are performed to reduce the lead concentration at a specific outlet; however, it is possible for a corrective action to have no effect or to increase the lead concentration at an outlet. If any check sample has a lead result of greater than the Action Level, additional corrective actions should be performed until the check sample indicates that the drinking water outlet has a lead level of less than 15 ppb. Water system staff should provide the corrective action test results to the school contact person and meet with the school to discuss the results within 10 days of receipt from the laboratory and in the case of an Action Level exceedance provide the results to the school within two school business days. The drinking water outlet should remain out of service during check sampling and until a lead level of less than 15 ppb is obtained for the test result. The water system is not required to collect additional samples when the corrective action sample result is less than or equal to 15 ppb. If successive corrective actions indicate that the lead level at a drinking water outlet cannot be reduced to equal to or less than the Action Level, the school may choose to permanently remove the outlet from service. Water system staff should provide all laboratory test results to the school contact person upon receipt and in the case of an Action Level exceedance should provide the results within two school business days. Following a review of the check sampling test results the school should document how it will proceed with each individual drinking water outlet.

1. After completing the preparation steps above, the trained sampler collects check samples using the Corrective Action Check Sampling Instructions as guidance.
2. Upon delivery of the samples to the laboratory it shall be requested that results are reported by the laboratory within 10 business days.
3. All check samples with a test result of less than or equal to 15 ppb have lead levels less than the Action Level, no further testing at the drinking water outlet is needed, and the drinking water outlet can be placed back into service.
4. The water system is not required to collect additional samples when the corrective action sample result is less than or equal to 15 ppb.
5. All check samples with a test result of greater than 15 ppb have lead levels greater than the Action Level and additional corrective actions should be implemented at the drinking water outlet.
6. Following each corrective action, collect a check sample for testing to determine if the corrective action was successful in reducing the lead level at the drinking water outlet to less than 15 ppb.
7. Complete the necessary corrective actions and check sampling until a lead level of less than 15 ppb is obtained at which time the drinking water outlet can be placed back into service.

## **Laboratory Concentrations**

The testing laboratory may report the results of the initial and repeat samples in several different formats or units. If the report includes the units of ppb (parts per billion) or ug/L (micrograms per liter) these two are essentially the same and the values in the report can be directly compared to the lead Action Level. If the report includes the units of ppm (parts per million) or mg/L (milligrams per liter) the values in the report must be converted to ppb or ug/L before comparison to the lead Action Level. To convert between units use the following conversion factors:

Convert from ppm to ppb: 1 ppm = 1,000 ppb  
Convert from mg/L to ug/L: 1 mg/L = 1,000 ug/L

For example, if the laboratory reports an initial sample result of 0.007 ppm, the conversion would be  $0.007 \text{ ppm} \times 1,000 = 7 \text{ ppb}$ . The drinking water outlet has a lead concentration below the Action Level of 15 ppb and no further testing is needed.

If the laboratory reports an initial sample result of 0.021 mg/L, the conversion would be  $0.021 \text{ mg/L} \times 1,000 = 21 \text{ ug/L}$ . Since the units of ug/L and ppb are essentially the same, the drinking water outlet has a lead concentration above the Action Level of 15 ppb and needs testing again using the Repeat Sampling Instructions.

### **Laboratory Results**

Test results should be reviewed by both the water system and the school prior to making any decisions on Action Level exceedances, repeat, confirmation, and check sampling, corrective actions, and release of the results and testing information to the students, staff, and water system customers.

Under most conditions laboratory results are very accurate and considered final; however, under rare circumstances errors can occur during sampling or in the laboratory and test results may not reflect the true concentration of the drinking water outlet. If you feel this has happened, contact the water system staff who performed the sampling and let them know. Water system staff should contact the local SWRCB DDW office for instructions on how to proceed.

Following the review of initial test results by both the water system and the school, both parties should document which drinking water locations are below the Action Level and need no additional testing, and which drinking water locations are above the Action Level and need repeat testing.

Following review of repeat test results by both the water system and the school, both parties should document which drinking water locations have Action Level exceedances and require corrective actions.

### **Corrective Action Plan**

It is recommended that the school prepare a Corrective Action Plan if initial sample test results exceed the Action Level. The water system may be able to assist. The Corrective Action Plan identifies all drinking water outlets that need corrective actions to bring lead levels to less than or equal to 15 ppb and check sampling to return the drinking water outlets to service. The Corrective Action Plan lists all corrective actions found to be appropriate for each individual drinking water location with an Action Level exceedance. Corrective actions such as an aerator/screen cleaning and maintenance program may be suitable for one drinking outlet while the complete replacement of the outlet may be suitable for another location. Schools should refer to the EPA 3Ts references for detailed information on corrective actions. The Corrective Action Plan should be completed before releasing the results and testing information to the students, staff, and water system customers as it will help answer questions about Action Level Exceedances and what plans the school has to address the lead contamination issues. The Corrective Action Plan should be updated with the dates that corrective actions are made, the dates check sampling is performed, and the dates each drinking water outlet is returned to service, so that a record is maintained of each drinking water outlet initially having an Action Level exceedance.

## Differences Between SWRCB and EPA Sample Collection

Schools are encouraged to read the EPA 3Ts references listed in the SWRCB *Frequently Asked Questions about Lead Sampling of Drinking Water in California Schools* document. SWRCB has prepared the lead testing at schools program using the EPA 3Ts documents, however, there are differences between the two sampling procedures. The table below lists the major differences and highlights the SWRCB procedures that should be followed.

Differences Between SWRCB and EPA Sample Collection				
Sampling Step	SWRCB Sampling Use These Procedures		EPA 3Ts Sampling (Not Used)	
Lead Action Level	15 ppb	If Initial Sample greater than 15 ppb should do repeat sample	20 ppb	If Initial Sample greater than 20 ppb should do follow-up sample
Initial Sample	1 liter	Tests for lead in the sample outlet and internal plumbing	250 mL	Tests for lead in the sample outlet
Repeat Sample	1 liter	Confirms Initial Sample Result	Not used	
Confirmation Repeat Sample	1 liter	Confirms Repeat Sample Result	Not used	
Corrective Action Check Sample	1 liter	Test lead level after implementation of corrective actions	Not used	
Follow-up Sample with 30-second flush	Not used		250 mL	Test for lead in the internal plumbing
Two-step sampling process	Not used		Determines if source of lead is from sample outlet or internal plumbing	
Lead Sampling Plan and Corrective Action Plan	Record water system and school information; record sample collection information noting any important observations during sampling; complete sample location map for all samples; document all routine, interim, and permanent corrective actions implemented		Not used	
Plumbing Profile and Sampling Plan	Not used		Prepare building and plumbing details; Select sites to be tested	
Drinking Outlet Inactivity	6 hours	Sample outlet unused for at least 6 hrs prior to sampling	8-18 hours	Sample outlet unused for at least 6 hrs but no more than 18 hrs prior to sampling

SAN JOSE WATER COMPANY

ADVICE LETTER NO. 504A

ATTACHMENT B

Service List

A copy of Advice Letter No. 504A has been sent to the following municipalities, water companies and interested parties:

City of San Jose  
Municipal Water Dept.  
Attn: Mansour Nasser  
3025 Tuers Road  
San Jose, CA 95121

California Water Service Co.  
Attn: Regulatory Affairs  
1720 North First Street  
San Jose, CA 95112

City of Cupertino  
10300 Torre Avenue  
Cupertino, CA 95014

City of Campbell  
70 North First Street  
Campbell, CA 95008

City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Great Oaks Water Company  
P.O. Box 23490  
San Jose, CA 95153

City of Milpitas  
Attn: Utilities Engineering  
455 East Calaveras Blvd.  
Milpitas, CA 95035

Santa Clara Valley Water  
District  
5750 Almaden Expressway  
San Jose, CA 95118

San Jose Mercury News  
Attn: Paul Rogers  
4 N. Second Street, Suite 800  
San Jose, CA 95113

Town of Los Gatos  
Attn: Director of Public Works  
110 E. Main Street  
Los Gatos, CA 95032

City of Monte Sereno  
Attn: Director of Public Works  
18014 Saratoga-Los Gatos Road  
Monte Sereno, CA 95030

City of Saratoga  
Attn: Director of Public Works  
13777 Fruitvale Avenue  
Saratoga, CA 95070

County of Santa Clara  
70 W. Hedding Street  
San Jose, CA 95110

Department of Water Resources  
Safe Drinking Water Office,  
Room 804  
1416 9<sup>TH</sup> Street  
Sacramento, CA 95814

James M. Fiedler P.E., D.WRE  
Chief Operating Officer  
Water Utility Enterprises  
Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118

Gillette Mutual Water Company  
21976 Gillette Drive  
Los Gatos, CA 95033

Stagecoach Mutual Water Co  
21825 Stagecoach Road  
Los Gatos, CA 95033

Bob Burke  
Regulatory Liaison For The Six  
Mutual Water Companies  
420 Alberto Way, Unit 49  
Los Gatos, Ca 95032

Summit Mutual Water Co  
P.O. Box 3416  
Saratoga, CA 95070

Mountain Springs Mutual Water Co.  
17956 Greenwood Road  
Los Gatos, CA 95033

Brush & Old Well Mutual  
Water Company  
21105 Brush Road  
Los Gatos, CA 95033

Raineri Mutual Water Company  
P.O. Box 11  
Los Gatos, CA 95031

Oakmount Mutual Water Company  
P.O. Box 31536  
Stockton, CA 95213

James Hunter  
6475 Dwyer Street  
San Jose, CA 95120

Summitt West Mutual Water Company  
P.O. Box 974  
Los Gatos, CA 95031

Saratoga Heights Mutual Water Company  
P.O. Box 337  
Saratoga, CA 95071

Ridge Mutual Water Company  
22316 Citation Drive  
Los Gatos, CA 95033

Villa Del Monte Mutual Water Company  
P.O. Box 862  
Los Gatos, CA 95031

Big Redwood Park Water  
& Improvement Assoc.  
18522 Mt. View Avenue  
Los Gatos, CA 95033

Redwood Estates Services Association  
PO Box 591  
Redwood Estates, CA 95044-0591

**PRELIMINARY STATEMENT**  
**(Continued)**

**V. Drinking Water Fees Memorandum Account ( Continued)**

3. Disposition

If the accumulated balance for the DWFMA exceeds 2% of the total authorized revenue requirement for the prior calendar year, the Company will file an advice letter to amortize the balance. Prior to recovery, charges made to the DWFMA are subject to a reasonableness review in the Company's next General Rate Case or in an appropriate advice letter filing. The recovery of over or under-collections will be passed on to the customers through volumetric surcredits or surcharges.

4. Effective Date

The DWFMA shall go into effect on the effective date of Advice Letter No. 497. The DWFMA will sunset with the effective date of SJWC's next General Rate Case Decision..

**W. School Lead Testing Memorandum Account**

(N)

1. Purpose

The purpose of the School Lead Testing Memorandum Account (SLTMA) is to track incremental expenses associated with conducting lead monitoring and lead sample results interpretations at any Kindergarten to 12<sup>th</sup> grade (K-12) schools within SJWC's service territory, that requests this service. The SLTMA is being established pursuant to the Amendment to the Domestic Water Supply permit issued by the State Water Resources Control Board Division of Drinking Water to SJWC on January 17, 2017.

2. Applicability

The SLTMA will track the incremental operating and administrative costs incurred in developing and implementing Lead testing at K-12 schools and shall include, but is not limited to:

- a. Incremental and necessary labor costs associated with the planning and coordination with K-12 schools to develop individual sampling plans, collecting and submitting of samples to laboratories, and administering program requirements including assisting the school with interpretation of laboratory results, and contracted labor;
- b. Laboratory fees for all Lead sampling and reporting of the results to the Division of Drinking Water and the school, and all laboratory coordination and instruction;
- c. Incremental customer outreach costs that are necessary in coordination with the local school districts, local communities and local officials in compliance with the the Division of Drinking Water's Lead Testing Program;
- d. A debit entry shall be made to the SLTMA at the end of each month to record the expensed as discussed above.
- e. Interest shall accrue on a monthly basis by applying a rate equal to one-twelfth of the 3-month non-financial Commercial Paper, as reported in the Federal Reserve Statistical Release, to the average of the beginning-of-month and the end-of-month balances.

3. Disposition

If the accumulated balance for the SLTMA exceeds 2% of the total authorized revenue requirement for the prior calendar year, the Company will file an advice letter to amortize the balance. Prior to recovery, charges made to the SLTMA are subject to a reasonableness review in the Company's next General Rate Case or in an appropriate advice letter filing or regulatory proceeding. The recovery of over or under-collections will be passed on to the customers through volumetric surcredits or surcharges.

4. Effective Date

The SLTMA shall go into effect on January 17, 2017.

5. Sunset Date

The SLTMA will remain in effect until new rates incorporating the requirements for School Lead Testing are placed into effect under the Company's next General Rate Case decision.

(N)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice No. 504A

PALLE JENSEN

Date Filed \_\_\_\_\_

Dec. No. \_\_\_\_\_

Senior Vice President,  
Regulatory Affairs

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_

TITLE

TABLE OF CONTENTS

The following listed tariff sheets contain all effective rates, rules and regulations affecting the rates and service of the Utility, together with information relating thereto:

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Schedule No. 4, Private Fire Service	1805-W and 1621-W	
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No. 9 - Rendering and Payment of Bills	996-W, 997-W and 1146-W	

(Continued)

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