

February 9, 2017

Bill Smith  
Commonwealth Real Estate  
18150 SW Boones Ferry Rd.  
Portland, OR 97224

RE: Notice of Non-Compliance Regarding the Barlow Trail Estates Public Water System

Records indicate you own and operate the Barlow Trail Estates water system located at 35440 SE Highway 211 in Boring, Oregon. The Barlow Trail Estates water system is a community public water system identified by ID# OR4100140 that serves approximately 180 people and is subject to regulation according to the Oregon Drinking Water Quality Act (Oregon Revised Statutes 448.115 to 448.290) and Oregon Administrative Rule (OAR) 333-061-0005 to OAR 333-061-0272. You are therefore a water supplier as defined in ORS 448.115(12) and OAR 333-061-0020(211) and have specific responsibilities as defined in OAR 333-061-0025.

The Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (Authority) has reviewed the operation of the Barlow Trail Estates water system. This review has found that you are not in compliance with OAR 333-061-0036(2)(c) and therefore not meeting your responsibilities as a water supplier.

#### DESCRIPTION OF RULE VIOLATIONS

OAR 333-061-0036(2)(c) requires monitoring for lead and copper in tap water at all community water systems. Monitoring should have been conducted during the 2015 calendar year at the Barlow Trail Estates water system, three years after the previous round of monitoring, but the required monitoring was not reported as required. Additionally, the Authority mailed a letter to you on June 6, 2016, requiring lead and copper monitoring be reported no later than October 10, 2016. This date has passed however and the required monitoring was not reported for a second consecutive year. This constitutes a violation of OAR 333-061-0036(2)(c).

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the rule violations identified above, you must report to the Authority, lead and copper monitoring conducted during the month of June or July 2017 at the Barlow Trail Estates water system and according to all the applicable provisions of OAR 333-061-0036(2)(c).

- The monitoring must be reported to the Authority no later than August 10, 2017.

If you do not comply with the deadlines specified in this letter, the continued non-compliance may result in the assessment of civil penalties in the amount of \$100 for every distinct rule violation and for every day the Barlow Trail Estates water system is in violation of a rule as prescribed by OAR 333-061-0090. Please contact me at (971) 673-0407 if you have any questions about the compliance action specified in this letter.

Respectfully,



Brad K. Daniels

Compliance Specialist

Oregon Health Authority, Drinking Water Services

cc: Pete Farrelly, Oregon Health Authority, Drinking Water Services  
Joel Ferguson, Clackamas County Environmental Health