



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services
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BEFORE THE STATE OF OREGON
DEPARTMENT OF HUMAN SERVICES
OFFICE OF ENVIRONMENTAL PUBLIC HEALTH

In the Matter of

Oregon District Assemblies of God,
PWS OR4100151

BILATERAL COMPLIANCE
AGREEMENT

Oregon District Assemblies of God is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(194).

Oregon District Assemblies of God, as a water supplier, has specific responsibilities that are specified in OAR 333-061-0025.

Oregon District Assemblies of God has at all times mentioned herein operated and continues to operate a community public water system, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0295.

Pursuant to its authority under ORS 448.150, the Oregon Department of Human Services, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Agency) has conducted a review of the operation of the water system operated by Oregon District Assemblies of God.

This agreement is entered into between the Agency and Oregon District Assemblies of God for the purpose of acknowledging that sample results for water provided by Oregon District Assemblies of God exceeds the maximum contaminant level (MCL) for arsenic as specified in OAR 333-061-0030(1). The purpose of this agreement is also to establish a commitment to reduce the arsenic concentration in drinking water provided by Oregon District Assemblies of God below the MCL.

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FINDINGS OF FACT

- In 2006 the MCL for arsenic was reduced from 0.050 to 0.010 mg/L. Arsenic samples collected by Oregon District Assemblies of God since the year 2006, after the new MCL went into effect, show that drinking water produced by the well serving as the primary water source for the water system has an average arsenic concentration of 0.0134 mg/L.
- Arsenic sampling results for Oregon District Assemblies of God, since 2006, have remained consistent, and the system has conducted quarterly sampling for arsenic while investigating corrective action.
- Oregon District Assemblies of God has issued public notice as required for exceeding the MCL for arsenic.
- Oregon District Assemblies of God is in the process of determining the most effective manner by which to comply with the MCL for arsenic. Oregon District Assemblies of God is also in the process of obtaining a source of funding for the expected project.

AGREEMENT

Upon completion of the activities described below, if taken within the time specified in this Agreement, Oregon District Assemblies of God will be considered to be in compliance with the MCL for arsenic, and will have fully satisfied the items in this agreement.

- Agreement Activity No. 1: Oregon District Assemblies of God will continue to collect arsenic samples every calendar quarterly, and report the sample results within 10 days of the end of the monitoring period.
- Agreement Activity No. 2: Oregon District Assemblies of God will submit construction plans that clearly indicate which of the following three options will be selected to meet the MCL for arsenic. The construction plans will be submitted no later than July 31, 2010. These three options are:
 - Option No. 1: Install an approved treatment system that meets the construction standards listed in OAR 333-061-0050(4);

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- Option No. 2: Develop a new water source that meets all applicable requirements in OAR 333-061-0050; or
- Option No. 3: Connect to, and receive water from, another public water system.
- Agreement Activity No. 3: Oregon District Assemblies of God will complete construction of the approved project no later than December 31, 2010.
- Agreement Activity No. 4: Oregon District Assemblies of God will provide drinking water that consistently meets all applicable state and federal drinking water laws and rules no later than March 31, 2011.
- Agreement Activity No. 5: Oregon District Assemblies of God, per OAR 333-061-0042(2)(b), will continue to issue a public notice every calendar quarter for exceeding the MCL for arsenic until all corrections are made, and all system users receive drinking water that meets all applicable state and federal drinking water laws and rules (OAR 333-061-025 and OAR 333-061-0042(3)(b)(C)).
 - Please submit the quarterly public notice to: DHS – Drinking Water Program, PO Box 14350, Portland, OR 97293-0350. Submit an additional copy of the quarterly notification to Greg DeBlase, Marion County Health Department, 3180 Center Street NE #2274, Salem, OR 97303-6621.

GENERAL PROVISIONS

This Agreement does not constitute a waiver, suspension or modification of the requirements of the Oregon Drinking Water Quality Act; ORS 448.115 to 448.285 and administrative rules OAR 333-061-0050 to 333-061-0295, which remain in full force and effect.

This Agreement does not relieve the Oregon District Assemblies of God of any responsibilities or liabilities established pursuant to any applicable federal, state, or local law or regulation.

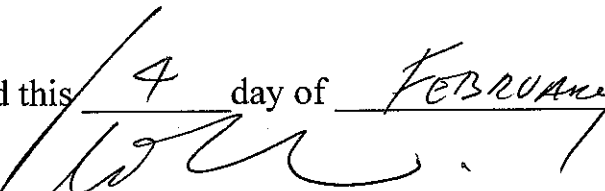
Signing of this Agreement is not an election by the Agency to forgo any civil actions authorized under the Oregon Drinking Water Quality Act.

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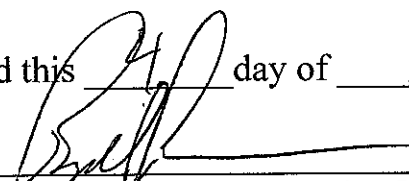
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The Agency has determined that additional enforcement action is not warranted at this time, and so long as Oregon District Assemblies of God meets all of the requirements and deadlines specified in this Agreement, the Agency will forgo additional enforcement action which could include the assessment of civil penalties as prescribed by OAR 333-061-0090.


Dated this 4 day of FEBRUARY, 2010.


~~Bill Gilchrist~~ William W. Wilson
President Lead Pastor, Superintendent
Oregon District Assemblies of God

Dated this 4 day of February, 2010.


~~Mike Geflicher~~ Boyd S. POWERS
Director of Finance SECRETARY - TREASURER
Oregon District Assemblies of God

Dated this 11 day of FEBRUARY, 2010.


David Leland
Program Manager
Oregon Department of Human Services, Drinking Water Program

cc: Gregg Baird, DHS-DWP
Greg DeBlase, Marion County Health Department
Harold Rogers, USEPA