

March 30, 2020

J Michael Johnston
Carver MHC, LLC
1700 Adams Avenue, Suite 212
Costa Mesa, CA 92626

RE: Notice of failure to address lead in drinking water at the Carver Mobile Ranch public water system

Agency records indicate that Carver MHC, LLC owns the Carver Mobile Ranch public water system (hereinafter "Water System") located at 16300 SE Highway 224 in Damascus, Oregon. The Water System is a community public water system identified by ID# OR4100189 that serves approximately 110 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 through OAR 333-061-0272. Carver MHC, LLC (hereinafter "Water Supplier") is therefore a water supplier as defined in ORS 448.115(12) and OAR 333-061-0020(150) and has specific responsibilities as defined in OAR 333-061-0025.

The Oregon Health Authority, Drinking Water Services (DWS) has reviewed the operation of the Water System. This review has found that Water Supplier is not in compliance with OAR 333-061-0030(1) or OAR 333-061-0034 and therefore not meeting its responsibilities as a water supplier.

DESCRIPTION OF RULE VIOLATIONS

1. OAR 333-061-0030(1) specifies, in part, that the action level (AL) for lead in drinking water is 0.015 mg/L and that the AL is exceeded if the concentration of lead is greater than 0.015 mg/L in more than 10 percent of tap water samples collected during any monitoring period. The concentration of lead exceeded 0.015 mg/L in one of five samples collected on September 10, 2018. This exceeds the AL of 0.015 mg/L and constitutes a violation of OAR 333-061-0030(1).

2. OAR 333-061-0034(2)(b) requires, in part, water suppliers to complete applicable corrosion control steps when the AL for lead or copper is exceeded at community public water systems. Samples collected at the Water System on September 10, 2018 and reported to DWS on September 28, 2018, indicated that the AL for lead, as specified in OAR 333-061-0030(1), was exceeded in drinking water delivered by the system. Due to exceeding the AL for lead, Water Supplier was required to submit a recommendation for corrosion control treatment to be installed at the Water System no later than June 30, 2019; however, Water Supplier has yet to submit this recommendation. The failure to submit the recommendation for corrosion control treatment by the due date following the exceedance of the AL for lead is a violation of OAR 333-061-0034(2)(b).
3. OAR 333-061-0034(5) requires, in part, water suppliers to deliver public education materials when the AL for lead or copper is exceeded at community public water systems. Sample results reported for the water system on September 28, 2018 indicated that the AL for lead was exceeded in drinking water delivered by the water system. Due to exceeding the action level for lead, Water Supplier was required to deliver public education materials and submit a copy of the materials to DWS no later than March 10, 2019; however, Water Supplier has yet to submit the required public education materials. The failure to deliver the required public education materials is a violation of OAR 333-061-0034(5), or a violation of OAR 333-061-0040(1) if the public education materials were delivered to water users but not submitted to DWS.

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

1. Water Supplier must deliver public education materials, according to OAR 333-061-0034(5), to every user at the Water System no later than April 30, 2020 and submit a copy of the public education materials to DWS within 10 days of completing delivery.
2. Water Supplier must submit to DWS, a recommendation for corrosion control treatment to be installed at the Water System according to OAR 333-061-0034, no later than June 30, 2020.
3. Water Supplier must thereafter complete the applicable corrosion control steps at the Water System according to the deadlines identified in the letter mailed by DWS on October 15, 2018.

If Water Supplier does not comply with the deadlines specified in this letter, the continued non-compliance may result in additional enforcement action, which could include the assessment of civil penalties in the amount of \$100 for every distinct rule violation and for every day the 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,

A handwritten signature in blue ink, appearing to read "BK Daniels", is placed over a light gray rectangular background.

Brad K. Daniels

Oregon Health Authority, Drinking Water Services

cc: Stephen Crook, Carver MHC, LLC
Richard Dechaine, Carver Mobile Ranch
Joel Ferguson, Clackamas County Environmental Health
James Nusrala, Oregon Health Authority, Drinking Water Services