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May 2, 2018

Bea Brown  
13214 NE 2<sup>nd</sup> Court  
Vancouver, WA 98685

Scooby Properties, LLC  
3930 SE Glenwood Street  
Portland, OR 97202

RE: Warning letter for nitrate exceeding the MCL at the Pinewood Mobile Manor  
public water system

Agency records indicate that Bea Brown and Scooby Properties, LLC own and operate the Pinewood Mobile Manor water system located at 4405 Highway 30W in The Dalles, Oregon. Bea Brown and Scooby Properties, LLC (hereinafter "Brown and the Company") are therefore water suppliers as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020 and have specific responsibilities as defined in OAR 333-061-0025.

The Pinewood Mobile Manor (Pinewood) water system is a community public water system identified by public water system ID OR41-00872, serves approximately 130 people, and is subject to regulation according to ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0272.

The Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (DWS) has reviewed the operation of the Pinewood water system. This review has found that Brown and the Company are not in compliance with the following Oregon Administrative Rules and therefore not meeting their responsibilities as water suppliers as prescribed by the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and rules.

#### DESCRIPTION OF RULE VIOLATIONS

1. OAR 333-061-0025 requires water suppliers to take all reasonable actions to assure that the water delivered to water users does not exceed maximum contaminant levels, that water system facilities are free of public health hazards and that water system operation and maintenance are performed as required by these rules. Water samples collected at the Pinewood water system indicate that nitrate in drinking water provided

by the system exceeds the maximum contaminant level (MCL) as specified in OAR 333-061-0030(1). Brown and the Company were officially notified about the violation on June 28, 2017 and directed to submit a plan identifying action intended to ensure that drinking water at the Pinewood water system has concentrations of nitrate below the MCL. Brown and the Company did not submit a plan for obtaining an alternate water source, installing a water treatment system or taking some other reasonable action and therefore failed to demonstrate that they have taken all the reasonable actions to ensure that nitrate does not exceed the MCL. This constitutes a violation of OAR 333-061-0025.

2. OAR 333-061-0030(1) specifies that the MCL for nitrate in drinking water is 10 mg/L. The concentration of nitrate in water samples collected at the Pinewood water system exceeded 10 mg/L in March, May and July 2017 and again in April 2018. This constitutes a violation of OAR 333-061-0030(1).

Infants below the age of 6 months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome. OAR 333-061-0097

#### ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the rule violations identified above, Brown and the Company are required to complete the following actions:

1. Brown and the Company must submit construction plans to DWS within thirty (30) days of the date of this letter that clearly identify the corrective action to be completed at the Pinewood water system.
  - The construction plans must be approved by DWS prior to any construction or installation taking place and construction must be completed according to the plans approved by DWS.
2. Brown and the Company must ensure construction or installation of the project identified in the plans, submitted according to action number 1 above, is completed within ninety (90) days of the date of this letter.
  - Construction of all improvements or modifications at the Pinewood water system must meet the applicable construction standards specified in OAR 333-061-0050.

3. Brown and the Company must issue public notice for exceeding the MCL for nitrate. The notice must be delivered to customers at the Pinewood water system within thirty (30) days of the date of this letter and must meet all the applicable requirements of OAR 333-061-0042(4).
  - A copy of the notice must be submitted to DWS within ten days of distributing the notice to customers. This notice must also be re-issued every three months until the contamination has been resolved.

If Brown and the Company do not comply with the deadlines specified in this letter, the continued non-compliance may result in additional enforcement action and may include the assessment of civil penalties as prescribed by OAR 333-061-0090. Please contact me at 971-673-0405 to discuss the actions required in this letter.

Thank you for your cooperation.

Respectfully,



Brad K. Daniels

Compliance Specialist

Oregon Health Authority, Drinking Water Services

cc: Michelle Byrd, Oregon Health Authority, Drinking Water Services  
Jane Ranslam, Pinewood Mobile Manor  
John Zalaznik, North Central Public Health District