



Oregon

Theodore R. Kulongoski, Governor

file

Department of Human Services
Public Health Division
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May 7, 2009

Robert Cooper
Woodburn Mobile Estates
7007 SW Cardinal Lane #185
Portland, OR 97224

RE: Notice of Violation for Woodburn Mobile Estates Public Water System, PWS
OR4100964

Dear Mr. Cooper,

Woodburn Mobile Estates is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(175), and has specific responsibilities as defined in OAR 333-061-0025.

Woodburn Mobile Estates operates a community public water system, which serves between 10 and 100 people, 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, Office of Environmental Public Health, Drinking Water Program (Agency) has conducted an investigation of the water system operated by Woodburn Mobile Estates. This investigation has found that Woodburn Mobile Estates is not meeting its responsibilities as a water supplier due to the following violations of the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and rules.

- Violation No. 1: Woodburn Mobile Estates is required to conduct sampling of its water system to determine compliance with the Maximum Contaminant Level (MCL) for arsenic. Woodburn Mobile Estates exceeded the MCL for arsenic, based upon the available samples and determined by running annual average for the 2nd quarter 2009 monitoring period (OAR 333-061-0030(1)).



ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

In order for Woodburn Mobile Estates to return to compliance with the rule(s) allegedly violated, the following actions must be completed:

- Compliance Action No. 1: Woodburn Mobile Estates has the following options to comply with the MCL for Arsenic:
 - Option No. 1: Install an approved treatment system that meets the construction standards listed in OAR 333-061-0050(4).
 - Option No. 2: Develop a new water source that meets all applicable requirements in OAR 333-061-0050.
 - Option No. 3: Connect to, and receive water from, another public water system.

Woodburn Mobile Estates must comply with the following requirements for plan review and construction. All plans for additions or alterations to the water system must be approved by the Agency in advance, before installation (OAR 333-061-0060(1)(a)).

- Plans shall have sufficient detail to completely and clearly illustrate what will be constructed and how the water system will meet construction standards (OAR 333-0061-0060(1))
- Woodburn Mobile Estates must submit construction plans no later than August 30, 2009. These construction plans must clearly indicate which of the three options specified above was selected to meet the MCL for arsenic.
- Construction must be completed no later than November 30, 2009.
- Woodburn Mobile Estates shall demonstrate that all system users receive drinking water that consistently meets all applicable state and federal drinking water laws and rules no later than December 31, 2009.

Please submit any plans and the plan review fee to: Marsha Fox, DHS – Drinking Water Program, PO Box 14450, Portland, OR 97293-0450. Please contact the Agency for the plan review fee amount. Please make the check out DHS Health Services.

- Compliance Action No. 2: Woodburn Mobile Estates, per OAR 333-061-0042(2)(b), must issue a Tier 2 public notice for exceeding the MCL for arsenic. The public notice must be issued quarterly, 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)). A copy must be submitted to the Agency no later than 10 days after completing the public notification per OAR 333-061-0040(1)(i). The notice must be delivered in the manner most appropriate to reach all persons served by the system. For example, post the notice in conspicuous locations throughout the area served by the water system, hand deliver the notice to persons served by the water system, or use any other appropriate means of delivery.

If Woodburn Mobile Estates does not comply with the deadlines specified in this letter, the continued non-compliance may result in additional enforcement action including the assessment of civil penalties. Please contact Greg DeBlase of Marion County Environmental Health at (503) 588-5407 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Sincerely,



Brad K. Daniels
Enforcement Coordinator
DHS - Drinking Water Program

cc: Gregg Baird, DHS DWP
Greg DeBlase, Marion County Environmental Health

