



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services
Public Health Division
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November 3, 2010

David Kinyon
Mountain Terrace Mobile Home Park
PO Box 233
Medford, OR 97501

RE: Violation of the Notice of Non-Compliance issued on March 24, 2010 and possible civil penalties.

The Oregon Department of Human Services, Office of Environmental Public Health, Drinking Water Program (Agency) issued a Notice of Non-Compliance (Notice) to you on March 24, 2010. The Notice required you to complete corrective action at the Mountain Terrace Mobile Home Park (Mt. Terrace) according to a specific schedule identified in the Notice.

Specifically, the Notice required you to correct the significant deficiencies identified in the sanitary survey conducted on April 29, 2008; to collect untreated source water samples at both wells serving the water system every month between April 2010 and March 2011; and to designate a certified operator to be in direct responsible charge of the Mt. Terrace water system no later than April 30, 2010. None of these actions have been completed as of the date of this letter.

Also, as the owner of the Mt. Terrace public water system, you are considered a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211), and have specific responsibilities that are identified in OAR 333-061-0025.

Your failure to correct the significant deficiencies identified in the sanitary survey conducted on April 29, 2008, specifically to document that an adequate chlorine residual is maintained at the Mt. Terrace water system, constitutes a violation of OAR 333-061-0076(6)(b).

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Your failure to collect and submit any untreated source water sampling results since April 2010 constitutes a violation of OAR333-061-0036(1)(g). It is also a violation OAR 333-061-0025(1) which requires water suppliers to collect and submit water samples for analysis at the frequencies prescribed by OAR 333-061-0036.

Your failure to designate a certified operator to be in direct responsible charge of the Mt. Terrace water system constitutes a violation of OAR 333-061-0225(1).

If you do not take immediate action to fulfill your responsibilities as a water supplier and to correct the violations specified above, The Agency will take action against you, which could include the assessment of civil penalties in the amount of \$50 per day for each violation of OAR 333-061-0005 to 333-061-0290.

Respectfully,



Brad K. Daniels

Enforcement Coordinator

DHS - Drinking Water Program

cc: Rick Hallmark, Coos County Environmental Health
Karen Kelley, DHS DWP
Jay MacPherson, DHS DWP

By certified and first-class mail