

February 13, 2019

Tonya Alix McGinley
Weiss Estates Water System Company, Inc.
88659 Weiss Estates Lane
Bandon, OR 97411

RE: Insufficient action plan and possible civil penalties

Dear Ms. McGinley,

On November 27, 2018, the Oregon Health Authority, Drinking Water Services (DWS) issued a Notice of Violation and Administrative Order (Order) to Weiss Estates Water System Company, Inc. (the Company) requiring corrective actions to be completed for the Weiss Estates water system (PWS ID# OR4105581).

Specifically, the Order required an action plan to be submitted to DWS no later than January 31, 2019. DWS required that the action plan identify how the Company would achieve required levels of pathogen inactivation and removal while ensuring disinfection byproduct concentrations remain below the maximum contaminant level (MCL). The Company submitted an action plan on January 30, 2019 but the action plan was reviewed by DWS and determined to be insufficient because it failed to indicate how the Company will ensure disinfection byproduct concentrations remain below the MCL. The action plan also fails to clearly identify how the Company will achieve the required levels of pathogen inactivation and removal in the future.

Because the action plan submitted by the Company was insufficient, the Company is now at risk of being assessed civil penalties in the amount of \$50 for every distinct rule violation and for every day the Weiss Estates water system is in violation of a rule (OAR 333-061-0090).

To avoid being assessed civil penalties, the Company must immediately re-submit an action plan to DWS that clearly identifies how and when the Company will ensure ongoing compliance with the MCL for disinfection byproducts while achieving the required levels of pathogen inactivation and removal. For example, the Company may identify a method for removing total organic carbon prior to disinfectant application, recommend different disinfection methods, or identify a new water source. Any such recommendation must include a date by which the corrective action will be implemented and explain how the recommendation will be more effective than current practices.

In the event DWS assesses a civil penalty against the Company, you will be notified in writing and provided an opportunity for a hearing pursuant to the Oregon Administrative Procedures Act (ORS chapter 183).

Respectfully,



Brad K. Daniels

Enforcement Coordinator

Oregon Health Authority, Drinking Water Services

cc: Corrine Clifton, Weiss Estates Water System Company, Inc.
Betsy Parry, Oregon Health Authority, Drinking Water Services