



January 24, 2023

Fang Chung Lee
Smith River Marina
8451 Lower Smith River Rd.
Reedsport, OR 97467

RE: Notice of failure to correct significant deficiencies at the Smith River Marina public water system

Records indicate you own and operate the Smith River Marina public water system (hereinafter "Water System"), identified by public water system ID# OR4192133 and located at 8451 Lower Smith River Road in Reedsport, Oregon. You (hereinafter "Water Supplier") are therefore a water supplier as defined in ORS 448.115(12) and OAR 333-061-0020(150) and have specific responsibilities as defined in OAR 333-061-0025.

The Water System 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.

OAR 333-061-0076(5) requires water suppliers to correct significant deficiencies identified during sanitary surveys or to comply with an approved corrective action schedule. The Oregon Health Authority, Drinking Water Services (DWS) reviewed the operation of the Water System and found that three significant deficiencies remain uncorrected following two consecutive sanitary surveys:

1. The failure to maintain a current operations and maintenance manual;
2. The failure to maintain a completed emergency response plan; and
3. The existence of unapproved facilities or major modifications at the Water System.

Water Supplier has not reported that these deficiencies were corrected by the specified due dates, following the surveys conducted on August 28, 2014 and January 20, 2022

respectively. Water Supplier is therefore not in compliance with OAR 333-061-0076(5) and not meeting its responsibilities as a water supplier.

Please submit written verification to bradley.k.daniels@oha.oregon.gov within 30 days of the date of this notice, demonstrating that these deficiencies were corrected.

If Water Supplier does not comply with the deadline 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 \$50 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. Contact me at bradley.k.daniels@oha.oregon.gov or (503) 735-5438 if you have any questions about the compliance action specified in this letter.

Respectfully,



Brad K. Daniels

Oregon Health Authority, Drinking Water Services

cc: Shawn Priddle, Douglas County Environmental Public Health
Rebecca Templin, Oregon Health Authority, Drinking Water Services