



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services
Public Health Division
800 NE Oregon Street
Portland, OR 97232-2162

(503) 731-4030 - Emergency
(971) 673-0405
(971) 673-0694 – FAX
(971) 673-0372 - TTY-Nonvoice

August 11, 2009

Farrell Larson
Select Onion, LLC
PO Box 1010
Ontario, OR 97914

RE: Amendment to Notice of Violation for Select Onion, LLC Public Water System, PWS OR4195337

Dear Mr. Larson,

Meg Hicks requested an extension to the compliance deadlines listed in the Notice of Violation issued by the Oregon Department of Human Services, Office of Environmental Public Health, Drinking Water Program (Agency) on April 16, 2009. The request indicates that you are taking action to reduce the level of arsenic below the Maximum Contaminant Level (MCL) in water supplied by Select Onion, LLC. The written request dated July 31, 2009 states that development of a new groundwater source is not practical because of arsenic levels in the source are too high, and that an extension is needed to procure and install an arsenic removal system. The Agency hereby grants your request and amends the Notice of Violation as specified below.

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

In order for Select Onion, LLC to return to compliance with the rule(s) allegedly violated, the following actions must be completed:

- Compliance Action No. 1: Select Onion, LLC 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).

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- 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.

Select Onion, LLC 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))
- Select Onion, LLC must submit construction plans no later than September 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 December 31, 2009.
- Select Onion, LLC 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 January 31, 2010.

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: Select Onion, LLC, per OAR 333-061-0042(2)(b), must continue to issue a Tier 2 public notice for exceeding the MCL for arsenic and failure to sample 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.

Select Onion, LLC

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If Select Onion, LLC 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 Laura Ruhland of the Department of Agriculture at (541) 916-8515 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad K. Daniels', with a stylized flourish at the end.

Brad K. Daniels

Enforcement Coordinator

DHS - Drinking Water Program

cc: Bill Goss, DHS DWP
Meg Hicks, Select Onion, LLC
Laura Ruhland, Department of Agriculture

