

January 16, 2013

Dennis Karnopp
Hunnel Hills Community Water System
1201 NW Wall St. #300
Bend, OR 97701

RE: Notice of Non-Compliance regarding the Hunnel Hills Community Water System,
PWS OR4100090

Mr. Karnopp,

Records indicate that you are the registered agent for the Hunnel Hills Community Water System (Hunnel Hills) located along Quail haven Dr. in Bend, Oregon. Hunnel Hills is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211), and has specific responsibilities as defined in OAR 333-061-0025.

The Hunnel Hills water system is a community public water system serving between 10 and 100 people and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0290.

The Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (DWS) has reviewed the Hunnel Hills water system. This review has found that Hunnel Hills is not in compliance with the following Oregon administrative rules, and are therefore not meeting its responsibilities as a water supplier as prescribed by the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and rules.

- Violation No. 1: OAR 333-061-0070(9)(a) requires water suppliers responsible for community water systems to include an ordinance or enabling authority as part of a local cross connection program. DWS has not received the required ordinance or enabling authority for the Hunnel Hills water system, nor were the documents available for review during the September 16, 2010 sanitary survey, which constitutes a violation of OAR 333-061-0070(9)(a).

- Violation No. 2: OAR 333-061-0070(9)(c) requires water suppliers responsible for community water systems to submit to DWS, a cross connection Annual Summary Report (ASR) each year before the last working day of March. DWS has not received a recent cross connection ASR for the Hunnel Hills water system, which constitutes a violation of OAR 333-061-0070(9)(c).
- Violation No. 3: OAR 333-061-0225(1) requires water suppliers responsible for community water systems to at all times employ, contract with, or otherwise utilize an operator to supervise and to be in direct responsible charge of the water system. OAR 333-061-0225(2) requires that the operator in direct responsible charge of a water system be certified at a level equal to or greater than the classification of the water system for which they are responsible. Hunnel Hills has not designated an operator to be in direct responsible charge of the Hunnel Hills water system, which constitutes a violation of OAR 333-061-0225.
- Violation No. 4: OAR 333-061-0076(6)(b) requires water systems utilizing only groundwater sources to, within 120 days of written notification, correct any significant deficiencies identified during a sanitary survey, or to be in compliance with a corrective action plan. A sanitary survey was conducted on September 16, 2010 at the Hunnel Hills water system, and a letter was provided to Nathan Rogers, water system operator, on September 20, 2010 identifying significant deficiencies identified during the survey. As of the date of this letter, Hunnel Hills has not corrected all of the significant deficiencies identified in the September 20, 2010 letter, nor is Hunnel Hills in compliance with an action plan to correct the remaining deficiencies, which constitutes a violation of OAR 333-061-0076(6).
- Violation No. 5: OAR 333-061-0036(6)(a)(G) requires samples for total coliform bacteria to be collected according to a written coliform sampling plan. DWS has not approved the required coliform sampling plan for the Hunnel Hills water system, nor was the plan available for review and approval during the September 16, 2010 sanitary survey. The lack of an approved coliform sampling plan for the Hunnel Hills water system constitutes a violation of OAR 333-061-0036(6)(a)(G).

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the rule violations identified above, Hunnel Hills is required to complete the following actions relating to the Hunnel Hills water system:

- Compliance Action No. 1: Hunnel Hills must submit to DWS, no later than March 31, 2013, a cross connection ordinance or enabling authority for the Hunnel Hills water system as prescribed by OAR 333-061-0070(9)(a).
- Compliance Action No. 2: Hunnel Hills must submit to DWS, no later than March 31, 2013, the 2012 cross connection ASR for the Hunnel Hills water system as prescribed by OAR 333-061-0070(9)(c).
- Compliance Action No. 3: Hunnel Hills must designate an operator to be in direct responsible charge of the Hunnel Hills water system no later than March 31, 2013 as prescribed by OAR 333-061-0225.
 - The designation must be submitted in writing on a form approved or produced by DWS.
 - The operator must be certified in accordance with all the applicable provisions of OAR 333-061-0205 through OAR 333-061-0290.
- Compliance Action No. 4: Hunnel Hills must ensure the correction of every significant deficiency identified in the letter dated September 20, 2011 relating to the sanitary survey conducted at the Hunnel Hills water system.
 - Every significant deficiency must be corrected no later than March 31, 2013 to the satisfaction of the Deschutes County Environmental Health Division.

If Hunnel Hills 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 as prescribed by OAR 333-061-0090. Please contact Jeff Freund at Deschutes County Environmental Health at (541) 388-6563 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Respectfully,



Brad K. Daniels

Enforcement Coordinator

OHA - Drinking Water Services

cc: Michelle Byrd, OHA DWS
Jeff Freund, Deschutes County Environmental Health Division
Ken Hanson, Hunnel Hills Community Water System
Nathan Rogers, Hunnel Hills Community Water System