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BEFORE THE STATE OF OREGON
OREGON HEALTH AUTHORITY
CENTER FOR HEALTH PROTECTION

In the Matter of

Nancy Shaw/Locust Mobile Village,
PWS OR4100524

STIPULATED SETTLEMENT

Nancy Shaw owns and operates the Locust Mobile Village (Locust) public water system at 1501 N Elizabeth Street in Milton Freewater, Oregon. The Locust water system is a community water system serving approximately 60 people and subject to regulation according to Oregon Revised Statutes 448.115 to 448.290 and Oregon Administrative Rules 333-061-0005 to 333-061-0272. Nancy Shaw is therefore a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211) and as a water supplier has specific responsibilities identified in OAR 333-061-0025.

The Locust water system obtains its drinking water from a groundwater well determined to be contaminated by *E. coli* bacteria. Disinfection treatment is utilized to protect against this public health hazard but Nancy Shaw did not properly operate the treatment. Therefore the Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (Authority) issued a Notice of Violation and Administrative Order on June 7, 2016 against Nancy Shaw for specific violations of the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and Oregon Administrative Rules. The order offered Nancy Shaw an opportunity for hearing, if requested within 10 days of service of the order, but Nancy Shaw did not request a hearing within the time allowed and the order became final by default.

The Authority agrees to resolve the non-compliance at the Locust water system, in lieu of other enforcement actions, by stipulating as follows:

- Settlement Article No. 1: Nancy Shaw agrees to complete and sign an application for Safe Drinking Water Revolving Loan Fund financing within 30 days of receiving the application documents. The application shall request financing for the construction of a groundwater well to serve as the new water source for the Locust water system.
- Settlement Article No. 2: Nancy Shaw agrees to hire an engineer to manage the construction of the new groundwater well at the Locust water system.
 - The engineer must be a professional engineer licensed by the State of Oregon who has verifiable experience with public water systems.
 - Nancy Shaw shall submit to the Authority a contract identifying the engineer within 30 days of being awarded financing for the well construction.

GENERAL PROVISIONS

This settlement applies to the specific articles identified above, and does not constitute a waiver, modification, or suspension of any compliance action or requirement in the order issued on June 7, 2016, which remain in full force and effect.

This settlement does not constitute a waiver, suspension or modification of the requirements of the Oregon Drinking Water Quality Act; ORS 448.115 to 448.285 and administrative rules OAR 333-061-0050 to 333-061-0290, which remain in full force and effect.

This settlement does not relieve Nancy Shaw of any responsibilities or liabilities established pursuant to any applicable federal, state, or local law or regulation.

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Dated this 21 day of October, 2016



Nancy Shaw, Owner
Locust Mobile Village

Dated this 27th day of OCTOBER, 2016



Jere High, ND, Administrator
Oregon Health Authority, Center for Health Protection

cc: Bill Goss, Oregon Health Authority, Drinking Water Services
Amy Word, Oregon Health Authority, Drinking Water Services

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