



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services
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November 12, 2010

Lawrence and Jan Durette
River Bend Park public water system
PO Box 246
Otis, OR 97368

RE: Notice of Violation for the River Bend Park public water system, PWS ID #41-00601, and possible civil penalties

As the owners of the River Bend Park public water system, you are considered a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211), and have specific responsibilities that are identified in OAR 333-061-0025:

- OAR 333-061-0025(1) requires water suppliers to routinely collect and submit water samples for laboratory analysis at the frequencies prescribed by OAR 333-061-0036.
- OAR 333-061-0025(3) requires water suppliers to report the results of analyses or measurements which indicate that maximum contaminant levels have not been exceeded.
- OAR 333-061-0025(5) requires water suppliers to notify all customers served by the water system when reporting requirements are not being met.

Your failure to collect coliform bacteria samples for any of the monthly monitoring periods since February 2010 constitutes a violation of OAR 333-061-0025(5) and OAR 333-061-0036(6)(b).

You have also failed to collect samples for arsenic, lead and copper, nitrate, synthetic organic chemicals, and for volatile organic chemicals. The failure to collect samples for each of these chemicals or chemical groups constitutes a violation of OAR 333-061-0025(5), as well as violations of OAR 333-061-0036(2)(a), OAR 333-061-0036(2)(c), OAR 333-061-0036(2)(d), OAR 333-061-0036(3)(a), and OAR 333-061-0036(3)(b) respectively.

Your failure to report the sampling results for each of the sampling requirements specified previously, even if the required samples were collected within the appropriate monitoring period, constitutes a violation of OAR 333-061-0025(3) and OAR 333-061-0040(1)(b)(A).

Your failure to publish and provide notification to the customers of the River Bend Park water system identifying the violations of the sampling and reporting requirements specified above constitutes a violation of OAR 333-061-0025(5).

If you do not take immediate action to fulfill your responsibilities as a water supplier and to correct the violations specified above, the Agency will take action against you, which could include the assessment of civil penalties in the amount of \$100 per day for each violation of OAR 333-061-0005 to 333-061-0290.

Respectfully,



Brad K. Daniels
Enforcement Coordinator
DHS - Drinking Water Program

cc: Neil Jensen, Lincoln County Environmental Health Dept.
Fred Kalish, DHS DWP
Karen Kelley, DHS DWP
Kathy Miller, Oregon PUC

By certified and first-class mail