

January 28, 2013

Norm Pfaff
Tumalo West Water, Inc.
64420 Coyote Run Ln.
Bend, OR 97701

RE: Notice of Non-Compliance regarding the Tumalo West Water, Inc. public water system, PWS OR4101368

Mr. Pfaff,

Our records indicate that you are the President of Tumalo West Water, Inc. (Tumalo West). Tumalo West owns and operates the Tumalo West water system located along Coyote Run Ln., Quail Dr., and Tumalo Reservoir Rd. in Bend, Oregon. Tumalo West 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 has specific responsibilities as defined in OAR 333-061-0025.

The Tumalo West 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 Tumalo West water system. This review has found that Tumalo West is not in compliance with the following Oregon administrative rules, and is 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 333-061-0225(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. Tumalo West has not designated an

operator to be in direct responsible charge of the Tumalo West water system, which constitutes a violation of OAR 333-061-0225.

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

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

- Compliance Action No. 1: Tumalo West must designate an operator to be in direct responsible charge of the Tumalo West water system no later than March 31, 2013.
 - 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.

If Tumalo West 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
Nancy Crigler, Tumalo West Water, Inc.
Jeff Freund, Deschutes County Environmental Health Division
Butch Rogers, Tumalo West, Water Inc