



# Oregon

Theodore R. Kulongoski, Governor

**Department of Human Services**  
**Public Health Division**  
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Portland, OR 97232-2162  
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October 9, 2009

Eric Artner  
Eastridge Water Company  
3826 Jonathon Way  
Central Point, OR 97502

RE: Notice of Violation for Eastridge Water Company Public Water System, PWS  
OR4105924

Dear Mr. Artner,

Eastridge Water Company is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(194), and has specific responsibilities that are defined in OAR 333-061-0025.

Eastridge Water Company operates a community public water system, which serves between 10 and 100 people, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0295.

Pursuant to its authority under ORS 448.150, the Oregon Department of Human Services, Office of Environmental Public Health, Drinking Water Program (Agency) has conducted an investigation of the water system operated by Eastridge Water Company. This investigation has found that Eastridge Water Company is not meeting its responsibilities as a water supplier due to the following violations of the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and administrative rules.

- Violation No. 1: Eastridge Water Company is utilizing a water source that is not approved for use in a public water system. Water suppliers are required by OAR 333-061-0050(1)(g) to submit plans for new water system facilities prior to construction of the facility. A groundwater well identified as Well #2, with Oregon Water Resources Department well tag # L178188, is being actively used as a water source for Eastridge Water Company, but has not been approved for this use in that capacity.

- Violation No. 2: Eastridge Water Company is required by OAR 333-061-0036(3)(a) to conduct sampling of its water system to determine compliance with the Maximum Contaminant Level (MCL) for synthetic organic chemicals, but failed to submit synthetic organic chemical sampling results for the following monitoring periods:
  - 1st quarter 2009
  - 2nd quarter 2009
- Violation No. 3: Eastridge Water Company is required by OAR 333-061-0036(3)(b) to conduct sampling of its water system to determine compliance with the MCL for volatile organic chemicals, but failed to submit volatile organic chemical sampling results for the following monitoring periods:
  - 1st quarter 2009
  - 2nd quarter 2009
- Violation No. 4: Eastridge Water Company is required by OAR 333-061-0036(7)(a) to conduct sampling of its water system to determine compliance with the MCL for radionuclides, but failed to submit radionuclide sampling results for the following monitoring periods:
  - 1st quarter 2009
  - 2nd quarter 2009
- Violation No. 5: Eastridge Water Company is required by OAR 333-061-0036(2)(d) to conduct sampling of its water system to determine compliance with the MCL for lead and copper, but failed to submit lead and copper sampling results for the January to June 2009 six-month monitoring period.

#### ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

In order for Eastridge Water Company to return to compliance with the rule(s) allegedly violated, the following actions must be completed:

- Compliance Action No. 1: Eastridge Water Company must comply with one of the following options regarding the groundwater source identified as Well #2:
  - Eastridge Water Company must cease and desist utilizing Well #2 as a water source for the public water system it operates. Mike Obereigner of Jackson County Environmental Health Services must inspect the well, no later than November 30, 2009, to certify that is disconnected from the drinking water distribution system; or

- Eastridge Water Company must submit construction plans for Well #2, in accordance with OAR 333-061-0060(1)(a), no later than November 30, 2009.
  - Any and all alterations or additions necessary for Well #2 to meet the construction standards specified in OAR 333-061-0050(2)(a) must be completed no later than January 31, 2010.
- Compliance Action No. 2: Eastridge Water Company must sample for synthetic organic chemicals in accordance with OAR 333-061-0036(3)(a) no later than December 31, 2009, and submit the results of that sampling to the Agency no later than January 10, 2010.
- Compliance Action No. 3: Eastridge Water Company must sample for volatile organic chemicals in accordance with OAR 333-061-0036(3)(b) no later than December 31, 2009, and submit the results of that sampling to the Agency no later than January 10, 2010.
- Compliance Action No. 4: Eastridge Water Company must sample for radionuclides in accordance with OAR 333-061-0036(7)(a) and conforming to the following sampling schedule:
  - The first round of samples must be collected in the fourth calendar quarter of 2009, and the results submitted to the Agency no later than January 10, 2010.
  - The second round of samples must be collected in the first calendar quarter of 2010, and the results submitted to the Agency no later than April 10, 2010.
- Compliance Action No. 5: Eastridge Water Company must sample for lead and copper in accordance with OAR 333-061-0036(2)(d) and conforming to the following sampling schedule:
  - The first round of samples must be collected no later December 31, 2009, and the results submitted to the Agency no later than January 10, 2010.
  - The second round of samples must be collected no later June 30, 2010, and the results submitted to the Agency no later than July 10, 2010.

If Eastridge Water Company 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 Mike Obereigner at Jackson County Environmental Health Services at (541) 774-7843 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Sincerely,

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

Brad K. Daniels  
Enforcement Coordinator  
DHS - Drinking Water Program

cc: Mike Obereigner, Jackson County Environmental Health Services  
Daniel Hough, DHS DWP  
Norm Shaw, Eastridge Water Company