



Oregon

Theodore R. Kulongoski., Governor

Department of Human Services
Public Health Division
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December 1, 2010

Stephen Pitkin
Oney's Restaurant and Lounge
81191 Gronnel Rd.
Seaside, Oregon 97138

RE: Notice of Violation regarding the Oney's Restaurant and Lounge public water system, PWS #41-90413

Mr. Pitkin,

Oney's Restaurant and Lounge (Oney's) is a public water system subject to regulation under ORS 448.115 to 448.290 and Oregon Administrative Rules (OAR) 333-061-0005 to 333-061-0290. As the owner of the Oney's, 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).

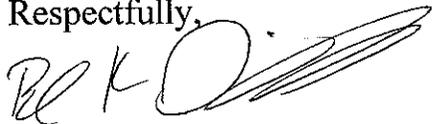
You were notified by letter on May 27, 2009 that the groundwater well serving Oney's is required to be evaluated to determine if it is under the direct influence of surface water. This requirement is established in OAR 333-061-0032(8)(a), and to date the Drinking Water Program has not received the required monthly source water samples specified in the aforementioned letter, which constitutes a violation of OAR 333-061-0032(8)(a).

- You must begin collecting source water samples every month as prescribed by OAR 333-061-0032(8)(a), and to submit the sampling results to the Drinking Water Program for twelve consecutive months.
 - The first source water samples must be collected no later than January 2011 and the sampling results submitted to the Drinking Water Program no later than February 10, 2011.

If you do not submit the required sampling results, the continued non-compliance may result in the Drinking Water Program taking additional enforcement action, which could include the assessment of civil penalties.

If your water system has collected the required number of coliform samples, or if you have any questions regarding this requirement, please contact Russ Kazmierczak at 541-726-2587 extension 26 or by email at russell.a.kazmierczak@state.or.us.

Respectfully,



Brad K. Daniels
Enforcement Coordinator
DHS - Drinking Water Program

cc: Evan Hofeld, DHS-DWP
Russ Kazmierczak, DHS-DWP
Maureen Taylor, Clatsop County Environmental Health