

December 30, 2013

Dona Thomas  
Trinity Baptist Church of White City  
2555 Corey Road  
Central Point, OR 97502

RE: Notice of Non-Compliance regarding the Trinity Baptist Church public water system, PWS OR4190748

Ms. Thomas,

Our records indicate that you are the Registered Agent for Trinity Baptist Church of White City (TBC). TBC owns and operates the public water system at 2555 Corey Road in White City, Oregon. TBC 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 TBC water system is a transient non-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 operation of the TBC water system. This review has found that TBC 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 333-061-0025 requires water suppliers to take all reasonable precautions to assure that the water delivered to water users does not exceed maximum contaminant levels and to assure that water system facilities are free of public health hazards. Water samples collected at the TBC water system indicate that the source water well is contaminated with *E. coli* bacteria, which combined with the lack of an effective disinfection treatment system creates both a public health hazard and the likelihood that the TBC water system will exceed the MCL for coliform bacteria as specified in OAR 333-061-0030(4) in the future.

TBC was notified on February 8, 2013 and June 17, 2013 that corrective action is required to address the confirmed *E. coli* contamination of the groundwater well at the TBC water system. TBC however has failed to demonstrate that it has taken all reasonable precautions to ensure that the maximum contaminant level (MCL) will not be exceeded and to ensure water system facilities are free of public health hazards. This constitutes a violation of OAR 333-061-0025.

- Violation No. 2: OAR 333-061-0030(4) specifies that the number of total coliform-positive samples shall not exceed one sample during a month at water systems which collect less than forty samples per month for coliform bacteria. Coliform sampling results reported for the TBC water system for the month of December 2012 included at least two samples indicating the presence of coliform bacteria, which exceeds the MCL. This constitutes a violation of OAR 333-061-0030(4).
- Violation No. 3: OAR 333-061-0032(6) requires that water systems using groundwater sources take corrective action when sample results indicate the presence of *E. coli* bacteria in a groundwater source. Six samples collected in December 2012 at the TBC water system were analyzed and shown to have the presence of *E. coli* bacteria. TBC however has failed to complete corrective action or to comply with a corrective action plan since being notified of the presence of *E. coli* in the source water samples at the TBC water system. This constitutes a violation of OAR 333-061-0032(6).

#### ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

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

- Compliance Action No. 1: TBC must submit an action plan, including complete construction plans if applicable, identifying the corrective action it will implement at the TBC water system to ensure that drinking water does not exceed maximum contaminant levels and that water system facilities are free of public health hazards.
  - The action plan must be submitted to DWS no later than January 31, 2014.
  - Any construction plans submitted to DWS must meet all the applicable requirements of OAR 333-061-0060 and have sufficient detail to completely and clearly illustrate what will be constructed.

- Acceptable corrective action includes, but is not limited to:
  - Complete physical disconnection of the existing groundwater well from the TBC water system and the development of a new water source; or
  - Reconstruction of the existing groundwater well so that it meets all the applicable construction standards specified in OAR 333-061-0050.
- Compliance Action No. 2: TBC must complete corrective action in accordance with Compliance Action No. 1, no later than March 31, 2014.
  - Any related physical or infrastructure changes at the TBC water system must meet the applicable construction standards specified in OAR 333-061-0050 and be approved by DWS prior to construction.
- Compliance Action No. 3: TBC must continue to publish public notice for failing to complete corrective action related to presence of *E. coli* contamination in the groundwater well serving the TBC water system. The notice must include the following language in italics, exactly as written: *The tap water on these premises is not safe for human consumption. Do not use water from any faucet, tap, or spigot at Trinity Baptist Church for drinking, food preparation, or any other similar purpose.* The notice must meet all of the applicable requirements of OAR 333-061-0042(4) and be posted in conspicuous locations so that every person served by the TBC water system receives the notice. The notice must be re-published every three months, until all corrections are made, and all system users receive drinking water that meets all applicable state and federal drinking water laws and rules (OAR 333-061-025 and OAR 333-061-0042(3)(b)(C)). A copy of the notice and certification of the method of distribution must be submitted to DWS no later than 10 days after completing the public notification per OAR 333-061-0040(1)(j).
  - Submit copies of the public notice to: Brad Daniels, OHA Drinking Water Services, PO Box 14450, Portland, OR 97293-0450.

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

Respectfully,



Brad K. Daniels

Enforcement Coordinator

OHA - Drinking Water Services

cc: Ron Allen, Trinity Baptist Church  
Scott Curry, OHA DWS  
Mike Obereigner, Jackson County Environmental Health Division