

June 2, 2015

Chris and Lisa Egger
Pat's Acres Karting Complex, Inc.
PO Box 369
Canby, OR 97013

RE: Notice of Non-Compliance regarding the Pat's Acres Public Water System

Dear Mr. and Mrs. Egger,

This letter is to notify you of the required corrective action process due to the presence of coliform bacteria in drinking water samples at the Pat's Acres water system. This process requires that a written correction action plan be created to address the issue and ensure compliance at the water system.

Our records indicate that Pat's Acres Karting Complex, Inc. (the Corporation) owns and operates the Pat's Acres water system located at 6255 S Arndt Rd. in Canby, Oregon. Therefore, the Corporation is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(207), and has specific responsibilities as defined in OAR 333-061-0025.

The Pat's Acres water system is a transient non-community public water system identified by public water system ID OR41-95175, serves approximately 40 people, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0272.

DESCRIPTION OF RULE VIOLATIONS

- Violation No. 1: OAR [333-061-0030\(4\)](#) specifies that the number of total coliform-positive samples shall not exceed one sample in any month at water systems where less than forty samples are collected for coliform bacteria. Coliform sampling results reported for the Pat's Acres water system indicate that more than two samples were total-coliform-positive for three separate monitoring periods as shown below:

- Five samples in September 2013;
- Four samples in October 2014; and
- Four samples in May 2015.

This exceeds the maximum contaminant level (MCL) for coliform bacteria and constitutes three violations of OAR 333-061-0030(4).

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems (OAR 333-061-0097).

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the rule violations identified above, the construction of the groundwater well identified by well log CLAC 11972 supplying water to the Pat's Acres water system and the proximity of that well to the Pudding River, the Corporation is required to complete the following actions relating to the Pat's Acres water system.

- Compliance Action No. 1: The Corporation must collect samples for coliform bacteria according to [OAR 333-061-0036](#)(1)(g) and OAR 333-061-0036(6) at the Pat's Acres water system every month for at least twelve consecutive months when the water system is providing water to the public.
 - Samples must be collected at the wellhead sample tap, prior to any treatment unless the Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (DWS) approves a different sampling location.
 - Sampling results must be reported to DWS no later than the 10th of the following month in which the sample was collected according to OAR [333-061-0040](#).
- Compliance Action No. 2: Upon completion of the monitoring specified in Compliance Action No. 1, the Corporation must submit an action plan clearly identifying how it will ensure compliance with the MCL for coliform bacteria and prevent the future presence of coliform bacteria in drinking water at the Pat's Acres water system.
 - The action plan must be submitted to DWS within 60 days of completing the final month of monitoring as specified Compliance Action No. 1.

- Due to the possibility that the groundwater well supplying water to the Pat's Acres water system is influenced by surface water, DWS advises against permanent corrective action to resolve this situation until source water monitoring is completed and the results are considered.

If you do 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 Joel Ferguson at Clackamas County Environmental Health at (503) 742-5367 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Respectfully,



Brad K. Daniels

Enforcement Coordinator

Oregon Health Authority, Drinking Water Services

cc: Pete Farrelly, Oregon Health Authority, Drinking Water Services
Joel Ferguson, Clackamas County Environmental Health