

March 18, 2015

Lann Leslie  
Mount Pisgah Arboretum  
34901 Frank Parrish Rd.  
Eugene, OR 97405

RE: Notice of Non-Compliance regarding the Mount Pisgah Arboretum Public Water System

Our records indicate that the Mount Pisgah Arboretum (the Arboretum) owns and operates the public water system located at 34901 Frank Parrish Rd. in Eugene, Oregon. Therefore, the Arboretum 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 Mount Pisgah water system is a transient non-community public water system identified by public water system ID OR41-95394, serves approximately 100 people, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0272.

The Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (DWS) has reviewed the operation of the Mount Pisgah water system. This review has found that the Arboretum 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.

#### 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 Mount Pisgah water system indicate that more than two samples were total-coliform-positive for four separate monitoring periods in 2014 as shown below:
  - Four samples in March 2014;
  - Three samples in April 2014;
  - Four samples in May 2014; and

- Five samples in December 2014.

This exceeds the maximum contaminant level (MCL) for coliform bacteria and constitutes four 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

Actions taken at the Mount Pisgah water system reported by the Arboretum, as of the date of this letter, have not determined a cause for the presence of coliform bacteria as specified in Violation No. 1. DWS may require a disinfectant residual be maintained in the distribution system at the Mount Pisgah water system in the future if the presence of coliform continues.

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

- Compliance Action No. 1: The Arboretum must collect samples for coliform bacteria according to [OAR 333-061-0036\(1\)\(g\)](#) and OAR 333-061-0036(6) at the Mount Pisgah water system every month for at least twelve consecutive months. Sampling results must be reported to DWS no later than the 10<sup>th</sup> of the following month in which the sample was collected according to OAR [333-061-0040](#).

Sample results will be used to determine if bacteria continue to be present and the appropriate corrective action if necessary.

DWS recommends the Arboretum ensure the water system operator at the Mount Pisgah water system attend a DWS approved training for small water system operations.

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 Sarah Puls at Lane County Environmental Health at (541) 682-3753 to discuss the compliance actions specified in this letter.

Mount Pisgah Arboretum

Page 3

Thank you for your cooperation.

Respectfully,



Brad K. Daniels

Enforcement Coordinator

Oregon Health Authority, Drinking Water Services

cc: Casey Lyon, Oregon Health Authority, Drinking Water Services  
Sarah Puls, Lane County Environmental Health  
Mike Russell, Lane County Parks and Recreation Dept.