

BEFORE THE STATE OF OREGON  
OREGON HEALTH AUTHORITY  
OFFICE OF ENVIRONMENTAL PUBLIC HEALTH

In the Matter of

Laurel Acres Water Company, Inc.,  
PWS OR4100217

BILATERAL COMPLIANCE AGREEMENT

Laurel Acres Water Company, Inc. (Laurel Acres) is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211), and as a water supplier, has specific responsibilities that are identified in OAR 333-061-0025.

Laurel Acres has at all times mentioned herein owned and operated, and continues to own operate a community public water system serving approximately 50 people along Southwest 310th Avenue in Cornelius, Oregon, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0290.

Pursuant to its authority under ORS 448.150, the Oregon Health Authority, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Program) has reviewed the operation of the Laurel Acres water system.

This agreement is entered into between the Program and Laurel Acres, for the purpose of acknowledging that the well serving as the water source for the Laurel Acres water system does not meet construction standards and is susceptible to microbiological contamination. The purpose of this agreement is also to establish a commitment by Laurel Acres to develop a new water source or reconstruct the existing water source serving the water system to effectively eliminate contamination.

## FINDINGS OF FACT

- OAR 333-061-0032(6) requires, in part, that a water system take corrective action when source water samples indicate the presence of *E. coli* bacteria in a groundwater well.
- OAR 333-061-0050(5)(b) requires, in part, that a groundwater well with microbiological contamination must meet the construction standards prescribed by OAR 333-061-0050(2) before disinfection treatment can be utilized.
- The Laurel Acres water system utilizes a single groundwater well, identified by well log WASH 10896, as the water source for Laurel Acres. In February and March 2010, six water samples collected from this groundwater well indicated the presence of *E. coli* bacteria.
- The presence of *E. coli* in a groundwater well is considered an indication that fecal contamination is present within the well.
- Water samples collected in April, June, and November 2010 have continued to indicate the presence of *E. coli* in the groundwater well serving the Laurel Acres water system.
- Evaluation of well "WASH 10896" has found that construction of the well does not meet the construction standards prescribed by OAR 333-061-0050.
- Laurel Acres submitted an action plan on December 29, 2011 that proposes reconstruction of the existing groundwater well.
- Laurel Acres has identified two well drilling companies that can perform the necessary well repair and reconstruction.
- Laurel Acres has been awarded Community Development Block Grant funding for development of a new water source or reconstruction of the existing groundwater source. This funding will be available from July 1, 2012 until June 30, 2013.

AGREEMENT

Upon completion of the activities described below, if taken within the time specified in this Agreement, Laurel Acres will be considered to be in compliance with the rule(s) mentioned hereto.

- Agreement Activity No. 1: Laurel Acres will submit construction plans for a new water source or for reconstruction of the groundwater well identified by well log WASH 10896 no later than September 30, 2012.
- Agreement Activity No. 2: Laurel Acres will ensure that construction of a new water source or reconstruction of the existing groundwater well is completed within nine months of submitting construction plans to the Program, or within nine months from the date the Program issues conditional plan review approval is applicable.
- Agreement Activity No. 3: Laurel Acres will continue to utilize a chlorination process until water is supplied to the water system from a new water source or from a reconstructed "WASH 10896" groundwater well. The Chlorination process will meet the following specifications:
  - Laurel Acres will maintain a minimum chlorine residual at the entry point to the distribution system of at least 0.3 ppm at all times.
  - Laurel Acres will ensure that a detectable residual is maintained in all parts of the distribution system at all times.
  - Laurel Acres will continue to measure and record free chlorine residual every day during peak demand at the entry point to the distribution system.
  - Laurel Acres will continue to measure and record free chlorine residual at least twice a week in the distribution system.
  - Laurel Acres will submit to the Program, every month, all measurements of free chlorine residual. The information must be reported within ten days of the end of each month on a form provided by the Program.

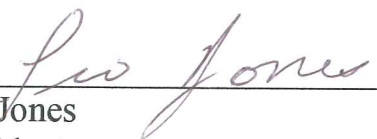
GENERAL PROVISIONS

This Agreement does not constitute a waiver, suspension or modification of the requirements of the Oregon Drinking Water Quality Act; ORS 448.115 to 448.285 and administrative rules OAR 333-061-0005 to 333-061-0290, which remain in full force and effect.

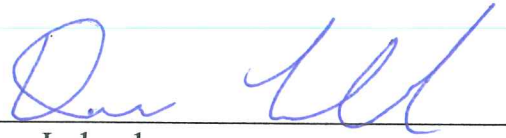
This Agreement does not relieve the Laurel Acres of any responsibilities or liabilities established pursuant to any applicable federal, state, or local law or regulation.

The Program has determined that additional enforcement action is not warranted at this time, and so long as Laurel Acres meets all of the requirements and deadlines specified in this Agreement, the Program will forgo additional enforcement action which could include the assessment of civil penalties as prescribed by OAR 333-061-0090.

Dated this 29<sup>th</sup> day of MARCH, 2012.

  
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Leo Jones  
President  
Laurel Acres Water Company Inc.

Dated this 6<sup>th</sup> day of APRIL, 2012.

  
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Dave Leland  
Program Manager  
Oregon Health Authority, Drinking Water Program

cc: Gregg Baird, OHA-DWP  
Joseph Federico, Washington County Environmental Health  
Karrie Thompson, Laurel Acres Water Company Inc.