



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services
Public Health Division
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Portland, OR 97232-2162
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March 12, 2010

James Stephens
Hilltop Improvement District
950 Larch St.
Eugene, OR 97045

RE: Amended Notice of Violation for Hilltop Improvement District Public Water System, PWS OR4100237

Dear Mr. Stephens,

The Oregon Department of Human Services, Office of Environmental Public Health, Drinking Water Program (Agency) issued a Notice of Violation (Notice) on February 23, 2009. The Notice required compliance with the maximum contaminant level (MCL) for arsenic through either development of a new water source or construction of an arsenic removal system. In light of the progress made by Hilltop Improvement District towards installation of point-of-use arsenic treatment units, the Agency hereby amends the Notice as specified below.

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

In order for Hilltop Improvement District to return to compliance with the rule(s) allegedly violated, the following actions must be completed:

- Compliance Action No. 1: Hilltop Improvement District must continue to monitor for arsenic every calendar quarter in accordance with OAR 333-061-0036(2)(a) and submit the results of that monitoring no less than 10 days following the end of the quarter (OAR 333-061-0040(1)(b)).

- Compliance Action No. 2: Hilltop Improvement District must complete installation of the arsenic treatment system specified in plan review #132-2009 no later than December 31, 2010.
- Compliance Action No. 3: Hilltop Improvement District must demonstrate that all system users receive drinking water that consistently meets all applicable state and federal drinking water laws and rules no later than March 30, 2011.
- Compliance Action No. 4: Hilltop Improvement District, per OAR 333-061-0042(2)(b), must issue a Tier 2 public notice for exceeding the MCL for arsenic. The public notice must be issued quarterly, 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 must be submitted to the Agency no later than 10 days after completing the public notification per OAR 333-061-0040(1)(i). The notice must be delivered in the manner most appropriate to reach all persons served by the system

If Hilltop Improvement District 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. Please contact Katrinka Danielson at Lane County Environmental Health at (541) 682-7462 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Sincerely,



Brad K. Daniels
Enforcement Coordinator
DHS - Drinking Water Program

cc: Katrinka Danielson, Lane County Environmental Health
Fred Kalish, DHS-DWP
Casey Lyon, DHS DWP