



# Oregon

Theodore R. Kulongoski., Governor

**Department of Human Services**  
**Public Health Division**  
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Kevin Miller, Mayor  
City of Prescott  
72742 Blakely St.  
Rainier, Oregon 97048

RE: Notification of extension to the Administrative Order issued to the City of Prescott, PWS OR4100692, on April 16, 2009

The City of Prescott is a public water system that is subject to regulation under Oregon Revised Statutes (ORS) 448.115 to 448.290 and Oregon Administrative Rules (OAR) 333-061-0005 to 333-061-0098.

The Oregon Department of Human Services, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Agency) has received a request from the City of Prescott for an extension to the deadlines specified in the Notice of Violation and Administrative Order (Order) issued on April 16, 2009.

Agency personnel have reviewed the progress made by the City of Prescott in the installation of an arsenic removal system, and discussed the risks posed by allowing up to an additional twelve months to comply with the deadlines specified in the Order. Based upon the progress made by City of Prescott, continued public notice provided by the system, and continued quarterly arsenic monitoring, the Agency hereby grants an extension and revises the dates specified in Compliance Action No. 1 of the Order as follows:

- The City of Prescott must submit construction plans no later than December 31, 2009 which clearly indicate how the City will comply with the maximum contaminant level (MCL) for arsenic;
- The City of Prescott must complete construction no later than September 30, 2010; and

- The City of Prescott 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 December 31, 2010.

The granted extension is not otherwise a modification of the Order, which remains in full force and effect.

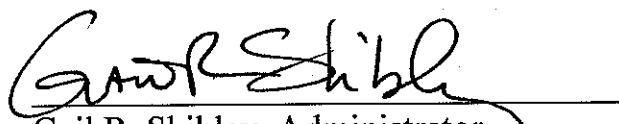
This extension does not constitute a waiver, suspension or modification of the requirements of the Oregon Drinking Water Quality Act: ORS 448.115 to 448.285; and administrative rules OAR 333-061-0050 to 333-061-0295, which remain in full force and effect.

This extension does not relieve the City of Prescott of any responsibilities or liabilities established pursuant to any applicable federal, state, or local law or regulation. Issuance of this extension is not an election by the Agency to forgo any civil actions authorized under the Oregon Drinking Water Quality Act.

Failure to comply with all requirements in the Order or this extension, by the specified due dates, may result in additional enforcement action, including the assessment of civil penalties in the amount of \$50 per day per violation (OAR 333-061-0090).

If you have any questions regarding this extension, or if you need the information in this letter in an alternate format, please contact Brad Daniels at (971) 673-0407.

Dated this 23<sup>rd</sup> day of September, 2009.

  
Gail R. Shibley, Administrator  
Office of Environmental Public Health

cc: Evan Hofeld, DHS-DWP  
Mark Edington, Columbia County Environmental Health  
Chris Hughes, DHS-DWP  
Harold Rogers, USEPA