

June 2, 2011

Robert G. Cooper
Woodburn Mobile Estates
7007 SW Cardinal Lane #185
Portland, OR 97224

David H. Leonard
Cooper and Miller, LLC
435 Commercial St. NE, Suite 201
Salem, OR 97301

RE: Notice of Non-Compliance regarding the Woodburn Mobile Estates Public Water System, PWS OR4100964

Dear Mr. Cooper and Mr. Leonard,

Marion County tax records and corporate registries indicate that you own and operate the Woodburn Mobile Estates water system at 11823 Carl Road NE in Woodburn, Oregon. Therefore, you are a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211), and have specific responsibilities as defined in OAR 333-061-0025.

Woodburn Mobile Estates is a community public water system, which serves between 10 and 100 people, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0290.

The Oregon Health Authority, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Program) has reviewed the operation of the Woodburn Mobile Estates water system. This review has found that water provided at the Woodburn Mobile Estates water system exceeds the maximum contaminant level (MCL) for arsenic.

You are therefore unable to assure your water users that the water is sufficiently free from contaminants such that individuals will not be exposed to disease or harmful physiological effects (ORS 448.115(8)). This represents a potential public health hazard.

- Compliance Deficiency No. 1: Water samples collected at the Woodburn Mobile Estates water system indicate that levels of arsenic in drinking water supplied to users exceeds the MCL of 0.010 mg/L specified in OAR 333-061-0030(1).

Water with arsenic in excess of the MCL has the potential to have serious adverse effects on human health (OAR 333-061-0042(2)(b)). Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer (OAR 333-061-0097(3)(b)).

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the exceedance of the MCL for arsenic as identified above, you are required to by OAR 333-061-0025 to take immediate corrective action and all reasonable precautions to ensure that the water delivered to the water users at the Woodburn Mobile Estates water system does not exceed the MCL for arsenic. Options for reducing the level of arsenic in drinking water can include the installation of a treatment system to remove arsenic, the development of a new water source, or the purchase of drinking water from another public water system. You must take following actions relating to the Woodburn Mobile Estates water system:

- Compliance Action No. 1: You must submit an action plan that identifies how the water system at Woodburn Mobile Estates will be made to produce water with levels of arsenic below the applicable MCL specified in OAR 333-061-0030(1). The action plan must:
 - Be submitted to the Program no later than August 31, 2011;
 - Identify how remediation of the arsenic contamination at the Woodburn Mobile Estates water system will be funded;
 - Identify when remediation of the arsenic contamination at the Woodburn Mobile Estates system is expected to be complete and
 - Identify which of the following three options will be utilized for remediation of the arsenic contamination at the Woodburn Mobile Estates water system:
 1. Installation an approved treatment system that meets the construction standards listed in OAR 333-061-0050(4);

2. Development of a new water source that meets all applicable requirements in OAR 333-061-0050; or
 3. Connection to another public water system for the purpose of receiving potable water from that system.
- Compliance Action No. 2: You must publish public notice for exceeding the MCL for arsenic every three months, 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)). The notice must meet all of the applicable requirements of OAR 333-061-0042(4), and must be distributed to every customer served by the Woodburn Mobile Estates water system in accordance with OAR 333-061-0042(3)(b)(E). A copy of the notice and certification that the notice was distributed according must be submitted to the Program no later than 10 days after completing each public notification per OAR 333-061-0040(1)(j).
 - The public notice must be submitted to: Brad Daniels, OHA – Drinking Water Program, PO Box 14450, Portland, OR 97293-0450.

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. If you need to receive the information in this letter in an alternate format or if you have any questions about the compliance actions specified in this letter, please contact Brad Daniels at 971-673-0405.

Thank you for your cooperation.

Respectfully,



Brad K. Daniels
Enforcement Coordinator
OHA - Drinking Water Program

cc: Gregg Baird, OHA-DWP
Steven R. Cooper, Woodburn Mobile Estates
Greg DeBlase, Marion County Environmental Health
Jane E. Miller, Woodburn Mobile Estates

