



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services

Public Health Division

800 NE Oregon Street

Portland, OR 97232-2162

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BEFORE THE STATE OF OREGON
DEPARTMENT OF HUMAN SERVICES
OFFICE OF ENVIRONMENTAL PUBLIC HEALTH

In the Matter of

Michael Brown
Saginaw Park, PWS 4100996

Respondent

FINAL ORDER IMPOSING
CIVIL PENALTY

To: Michael Brown, Owner
Saginaw Park
922 Old Town Loop Rd.
Oakland, OR 97462

The Oregon Department of Human Services, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Agency) issued a Notice of Intent to Impose Civil Penalty (Notice) on September 30, 2010 for specific violations of the Oregon Drinking Water Quality Act and rules at the Saginaw Park water system. The Notice offered you an opportunity for hearing, if requested within 20 days of service of the Notice. You did not request a hearing within 20 days of service of the Notice.

Therefore, after considering the relevant portions of the Agency's file relating to this matter, the Agency enters the following Order.



FINDINGS OF FACT

1. The Agency issued an administrative order on July 15, 2010 which, in part, required you to submit lead and copper drinking water sample results no later than September 10, 2010.
2. You did not submit the required lead and copper sampling results by September 10, 2010.
3. You violated OAR 333-061-0090(4)(i) by failing to comply with an order issued by the Administrator.

CONCLUSIONS OF LAW

On October 1, 2010, Saginaw Park violated Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.285) by failing to comply with an Order issued by the Administrator.

ORDER

You are hereby ordered to pay a civil penalty in the amount of \$250 within 10 days of the date of this order.

GENERAL PROVISIONS

Civil penalty amounts are established in Oregon Administrative Rule 333-061-0090. If unpaid, civil penalties may be recorded and filed with county clerks as liens against property 10 days after the expiration of the statutory appeals period. The Agency may assign liquidated and delinquent civil penalties to the Department of Revenue, as provided in ORS 293.250, not later than 90 days after the Notice becomes final. Make Checks payable to the DHS-Drinking Water Program. Mail checks to the DHS-Drinking Water Program, PO Box 14450, Portland, Oregon 97293-0450.

Reasonable administrative costs, collection costs, attorney's fees, and all other costs and charges necessary for the collection of any amount not paid when due, including but not limited to collection charges assessed by the Department of Revenue may be added to the amount due.

If you need to receive the information in this order in an alternate format, or if you have any questions regarding this Order, please contact Brad K. Daniels, DHS-Drinking Water Program, (971) 673-0407.


Dated this 2d day of November, 2010.



Gail R. Shibley, JD, Administrator
Office of Environmental Public Health

cc: Katrinka Danielson, Lane County Environmental Health
Karen Kelley, DHS-DWP
Casey Lyon, DHS-DWP
Shannon O'Fallon, Oregon Department of Justice
Harold Rogers, USEPA

DATE of Service: November 3, 2010


Brad K Daniels

By certified and first class mail

