

November 16, 2015

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Ralph Staver  
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McKee Bridge Mobile Home Park  
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RE: Notice of Non-Compliance Regarding the McKee Bridge Mobile Home Park  
Public Water System

Our records indicate that RAKOG LTD. owns and operates the McKee Bridge Mobile Home Park (McKee Bridge) water system located at 9181 Upper Applegate River Rd. in Jacksonville, Oregon. Therefore, RAKOG LTD. is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(207), and have specific responsibilities as defined in OAR 333-061-0025.

The McKee Bridge water system is a community public water system identified by public water system ID OR41-01165, serves approximately 40 people, and is subject to regulation according to ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0272.

The Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (Authority) has reviewed the operation of the McKee Bridge water system. This review has found that RAKOG LTD. is not in compliance with the following Oregon Administrative Rules, and is therefore not meeting its responsibilities as a water supplier as prescribed by the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and rules.

#### DESCRIPTION OF RULE VIOLATIONS

- Violation No. 1: OAR 333-061-0025 requires water suppliers to take all reasonable actions to assure that the water delivered to water users does not exceed maximum

contaminant levels, that water system facilities are free of public health hazards and that water system operation and maintenance are performed as required by these rules. Water samples collected at the McKee Bridge water system on June 29, 2015 indicated that water provided by the system exceeded the MCL for arsenic as specified in OAR 333-061-0030(1). John Staver, the operator at the McKee Bridge water system, was notified in a letter from Jackson County Environmental Public Health on July 6, 2015 that corrective action was necessary to ensure the McKee Bridge water system delivers water with levels of arsenic below the MCL. The July 6 letter also required monthly monitoring for arsenic to demonstrate that corrective action was completed.

Monthly monitoring was not conducted as specified in the July 6, 2015 letter, and a water sample demonstrating the concentration of arsenic is below the MCL was not collected until October 28, 2015. Additionally, the running annual average for the concentration of arsenic in drinking water samples collected at the McKee Bridge water system continues to exceed the MCL as specified in OAR 333-061-0030 and therefore RAKOG LTD has failed to demonstrate it has taken all the reasonable actions to ensure that water does not exceed the MCL. This constitutes a violation of OAR 333-061-0025.

- Violation No. 2: OAR 333-061-0030(1) specifies that the maximum contaminant level (MCL) for arsenic in drinking water is 0.010 mg/L. The running annual average for sample results reported for arsenic in drinking water at the McKee Bridge water system for the 2015 calendar year is 0.014 as of the date of this letter, which constitutes a violation of OAR 333-061-0030(1).

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

- Violation No. 3: OAR 333-061-0042 requires water suppliers to provide public notice to persons served by public water systems when specific violations or situations exist. Public notice was required due to concentrations of arsenic in drinking water at the McKee Bridge water system over the MCL, but RAKOG LTD failed to provide public notice as required. This constitutes a violation of OAR 333-061-0042.

#### ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the rule violations identified above, RAKOG LTD. is required to complete the following actions relating to the McKee Bridge water system:

- Compliance Action No. 1: RAKOG LTD. must monitor for arsenic in drinking water at the McKee Bridge water system as specified in OAR 333-061-0036(2) every calendar month and report the results to the Authority within 10 days of the end of the month.
  - Monthly monitoring for arsenic must begin in December 2015 and continue through May 2016.
- Compliance Action No. 2: RAKOG LTD. must publish and distribute public notice according to OAR 333-061-0042 for arsenic exceeding the MCL at the McKee Bridge water system. The notice must meet all of the applicable requirements of OAR 333-061-0042(4) and be distributed to all water users at the McKee Bridge water system within 30 days of the date of this notice.
  - RAKOG LTD. must submit a copy of the notice and certify the method of distribution to the Authority within 10 days of completing the public notification per OAR 333-061-0040(1)(i).

If RAKOG LTD. does not comply with the compliance actions and 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. Please contact Brad K Daniels at (971) 673-0407 to discuss the compliance actions specified in this letter or if you would like to receive this letter in an alternate format.

Thank you for your cooperation.

Respectfully,



Brad K. Daniels  
Compliance Specialist  
Oregon Health Authority, Drinking Water Services

cc: Scott Curry, Oregon Health Authority, Drinking Water Services  
Mike Obereigner, Jackson County Environmental Health