



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services
Public Health Division
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December 9, 2009

Laura Cochran
Belle Passi Estates
PO Box 992
Newberg, OR 97132

RE: Amendment to the Notice of Violation for Belle Passi Estates Public Water System,
PWS OR4101221

Dear Ms. Cochran,

You have requested an extension to the compliance deadlines listed in the Notice of Violation originally issued by the Oregon Department of Human Services, Office of Environmental Public Health, Drinking Water Program (Agency) on February 24, 2009. The Notice of Violation requires compliance with the Maximum Contaminant Level (MCL) for arsenic through either development of a new water source or construction of an arsenic removal system. The Agency hereby grants your request and amends the Notice of Violation as specified below.

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

In order for Belle Passi Estates to return to compliance with the MCL for arsenic, the following actions must be completed:

- Compliance Action No. 1: Belle Passi Estates 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: Belle Passi Estates must complete construction and installation of the arsenic treatment system specified in plan review #146-2009 no later than September 30, 2010.

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- Compliance Action No. 3: Belle Passi Estates 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.
- Compliance Action No. 4: Belle Passi Estates, per OAR 333-061-0042(2)(b), must continue to 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. For example, post the notice in conspicuous locations throughout the area served by the water system, hand deliver the notice to persons served by the water system, or use any other appropriate means of delivery.

If Belle Passi Estates does not comply with the compliance actions and associated deadlines specified in this letter, the continued non-compliance may result in additional enforcement action including the assessment of civil penalties. Please contact Greg DeBlase of Marion County Environmental Health at (503) 588-5407 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: Gregg Baird, DHS DWP
Greg DeBlase, Marion County Environmental Health
Carolyn Stegall, Marion County Environmental Health