

March 22, 2012

Norman L. Pfaff
Tumalo West Water, Inc.
64420 Coyote Run Lane
Bend, OR 97701

RE: Violation of the Notice of Non-Compliance issued on October 28, 2011 and possible civil penalties.

On October 28, 2011, the Oregon Health Authority, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Program) issued an Notice of Non-Compliance to Tumalo West Water, Inc. (Tumalo West) requiring corrective action to be completed at the public water system of the same name (PWS ID# OR4101368).

The Notice of Non-Compliance required, in part, that the significant deficiencies identified in the sanitary survey follow-up letter dated September 20, 2010 be corrected no later than November 30, 2011. To date, neither Deschutes County Health Services nor the Program have received documentation from Tumalo West demonstrating that the following significant deficiencies have been corrected:

- A local ordinance or enabling authority as required by OAR 333-061-0070(9)(a);
- A cross connection Annual Summary Report as required by OAR 333-061-0070(9)(c); or
- An Emergency Response Plan as required by OAR 333-061-0064.

Furthermore, the failure to correct these significant deficiencies, or to be in compliance with an approved corrective action plan, within 120 days of September 20, 2010 is a violation of OAR 333-061-0076(6)(b) as specified in the Notice of Non-Compliance.

Tumalo West is now at risk of being assessed civil penalties in the amount of \$50 for every distinct rule violation, and for every day Tumalo West is in violation of a rule (OAR 333-061-0090).

Tumalo West Water, Inc.

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If the Program intends to assess a civil penalty against you, you will be notified in writing and provided an opportunity for a hearing pursuant to the Oregon Administrative Procedures Act (ORS chapter 183).

The Notice of Non-Compliance issued on October 28, 2011 is enclosed for your reference.

Respectfully,

A handwritten signature in black ink, appearing to read 'BKD', with a long, sweeping horizontal stroke extending to the right.

Brad K. Daniels

Enforcement Coordinator

OHA - Drinking Water Program

cc: Michelle Byrd, OHA DWP
Nancy Crigler, Tumalo West Water, Inc
Jeff Freund, Deschutes County Environmental Health
Butch Rogers, Tumalo West Water, Inc

Enclosure