

January 23, 2013

Tony Ashcroft  
Sunset Hills Domestic Water Association  
723 Wyoming Dr.  
Prineville, OR 97754

RE: Notice of Non-Compliance regarding the Sunset Hills Domestic Water Association public water system, PWS OR4105258

Mr. Ashcroft,

Our records indicate that you are the President of the Sunset Hills Domestic Water Association (the Association). The Association owns and operates the Sunset Hills water system located along Wyoming Drive in Prineville, Oregon. The Association is therefore a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211), and has specific responsibilities as defined in OAR 333-061-0025.

The Sunset Hills water system is a community public water system serving between 10 and 100 and 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, Center for Health Protection, Drinking Water Services (DWS) has reviewed the Sunset Hills water system. This review has found that the Association 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.

- Violation No. 1: OAR 333-061-0070(9)(c) requires water suppliers for community water systems to submit to DWS a cross connection Annual Summary Report (ASR) each year before the last working day of March. DWS has not received a recent cross connection ASR for the Sunset Hills water system, which constitutes a violation of OAR 333-061-0070(9)(c).
- Violation No. 2: OAR 333-061-0225(1) requires water suppliers responsible for community water systems to at all times employ, contract with, or otherwise utilize an operator to supervise and to be in direct responsible charge of the water system. OAR 333-061-0225(2) requires that the operator in direct responsible charge of a water system be certified at a level equal to or greater than the classification of the water system for which they are responsible. The Association has not designated an operator to be in direct responsible charge of the Sunset Hills water system, which constitutes a violation of OAR 333-061-0225.
- Violation No. 3: OAR 333-061-0076(6)(b) requires water systems utilizing only groundwater sources to, within 120 days of written notification, correct any significant deficiencies identified during a sanitary survey, or to be in compliance with a corrective action plan. A sanitary survey was conducted on August 29, 2012 at the Sunset Hills water system, and a letter was mailed to Butch Rogers, water system operator on September 18, 2012 identifying significant deficiencies found during the survey. As of the date of this letter, The Association has not corrected all of the significant deficiencies identified in the September 18, 2012 letter, nor is the Association in compliance with an action plan to correct the remaining deficiencies, which constitutes a violation of OAR 333-061-0076(6).
- Violation No. 4: OAR 333-061-0043 requires community public water systems to deliver an annual consumer confidence report to each customer and to submit a copy of the report to DWS along with certification that the report was delivered to customers. The Association has not submitted a copy of a consumer confidence report to DWS as required by the rule. The failure to deliver the annual consumer confidence report to customers of the Sunset Hills water system constitutes a violation of OAR 333-061-0043.

### ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Due to the rule violations identified above, the Association is required to complete the following actions relating to the Sunset Hills water system:

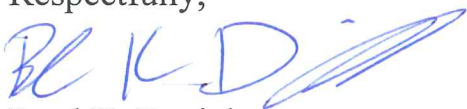
- Compliance Action No. 1: The Association must submit to DWS, no later than March 31, 2013, the 2012 cross connection ASR for the Sunset Hills water system.
  
- Compliance Action No. 2: The Association must designate an operator to be in direct responsible charge of the Sunset Hills water system no later than March 31, 2013.
  - The designation must be submitted in writing on a form approved or produced by DWS.
  - The operator must be certified in accordance with all the applicable provisions of OAR 333-061-0205 through OAR 333-061-0290.
  
- Compliance Action No. 3: You must ensure the correction of every significant deficiency identified in the letter dated September 18, 2012 relating to the sanitary survey conducted at the Sunset Hills water system.
  - Every significant deficiency must be corrected no later than May 15, 2013 to the satisfaction of Crook County Environmental Health.
  
- Compliance Action No. 4: The Association must deliver a consumer confidence report to the customers served by the Sunset Hills water system for the 2012 calendar year as prescribed by OAR 333-061-0043.
  - The report must be completed and delivered to customers no later than April 30, 2013.
  - A copy of the report, and certification that the report was delivered to customers, must be submitted to DWS no later than May 15, 2013.



If the Association does 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. Please contact Max Hamblin at Crook County Environmental Health at (541) 447-8155 to discuss the compliance actions specified in this letter.

Thank you for your cooperation.

Respectfully,



Brad K. Daniels

Enforcement Coordinator

OHA - Drinking Water Services

cc: Michelle Byrd, OHA DWS  
Max Hamblin, Crook County Environmental Health  
Butch Rogers, Sunset Hills Water Association  
Dolores Wettstein, Sunset Hills Domestic Water Association