
Ensuring correction of significant deficiencies

DWS Partner Fall Training
November 2, 2021

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PUBLIC HEALTH DIVISION
Drinking Water Service

Topics to cover

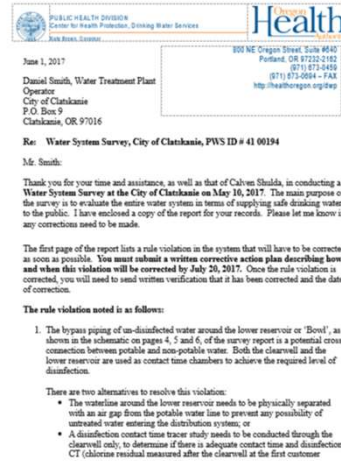
- Process for tracking significant deficiencies
- Enforcement



Ideal scenario



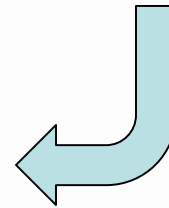
Survey



Letter



SDWIS



Correction!

Most Recent Water System Survey				
Survey Date:	Jan 19, 2021			
Notification Date:	Jan 21, 2021 (2 days)			
Regulating Agency:	JEFFERSON COUNTY			
Survey Frequency:	5 YR - Visit the Water System Surveys page to see the list of surveys due each year.			
Deficiencies:	Category	Deficiency	Due Date	Resolved Date
	Management & Operations	Emergency response plan not completed	May 18, 2021	Mar 03, 2021

☐ **Source Deficiencies:**

Well Construction Deficiencies:

- ☐ Sanitary seal and casing not watertight
- ☐ Does not meet setbacks from hazards
- ☐ Wellhead not protected from flooding
- ☐ No raw water sample tap
- ☐ No treated sample tap (if applicable)
- ☐ No screen on existing well vent

Spring Source Deficiencies:

- ☐ Springbox not impervious durable material
- ☐ No watertight access hatch/entry
- ☐ No screened overflow
- ☐ Does not meet setbacks from hazards
- ☐ No raw water sample tap
- ☐ No treated sample tap (if applicable)

☐ **Treatment Deficiencies/Violations:**

Surface Water Treatment Deficiencies:

- ☐ Turbidity standards not met - 0030(3)
- ☐ Turbidimeters not calibrated per manufacturer or at least quarterly - 0036(5)(b)(4)(ii)
- ☐ Incorrect location for turbidity monitoring
- ☐ If serving > 3,300 people no alarm or auto plant shut off for low chlorine residual
- ☐ For conventional or direct filtration: No alarm or plant shut off for high turbidity
- ☐ For conventional filtration: Settled water not measured daily
- ☐ For conventional or direct filtration: Turbidity profile not conducted on individual filters at least quarterly
- ☐ For cartridge filtration: Filters not changed according to mfg. rec. pressure differential
- ☐ For cartridge filtration: No pressure gauges before and after cartridge filter
- ☐ For membrane filtration: Direct integrity testing does not meet requirements under -0036(5)(d)(B)
- ☐ For membrane filtration: Indirect integrity testing does not meet requirements under -0036(5)(d)(C)
- ☐ For diatomaceous earth filtration: Body feed not added with influent flow.

Disinfection Deficiencies/Violations:

- ☐ DPD/EPA approved method not used - 0036(9)(e)
- ☐ Free chlorine residual not maintained - 0032(3/5)
- ☐ Chlorine not measured & recorded - 0036(9)
- ☐ Minimum CT required not met all times - 0032(3/5)
- ☐ No means to adequately determine flow rate on contact chamber effluent line
- ☐ pH, Temperature, and chlorine residual not measured daily at first user - 0036(5)(a/b)

- ☐ Failure to calculate CT values correctly
- ☐ No means to adequately determine disinfection contact time under peak flow and minimum storage conditions

UV Disinfection Violations (OAR 333-0050(5)(k)):

- ☐ Bypass around UV system
- ☐ Lamp sleeve not cleaned
- ☐ Lamp not replaced per manufacturer
- ☐ No intensity sensor with alarm or shut-off

Other Treatment Violations:

- ☐ Non-NSF approved chemicals - 0087(6)
- ☐ Corrosion control parameters not met - 0034

☐ **Distribution System Violations:**

- ☐ System pressure < 20 psi - 0025(7)

Cross Connection (OAR 333-061-0070):

- ☐ No ordinance or enabling authority (CWS)
- ☐ Annual Summary Report not issued (CWS)
- ☐ Testing records not current (CWS, NTNC, TNC)
- ☐ No Cross Connection Control Specialist (CWS ≥ 300 connections)

☐ **Finished Water Storage Deficiencies:**

- ☐ Hatch not locked or adequately secured
- ☐ Roof and access hatch not watertight
- ☐ No flap valve, screen, or equivalent on drain
- ☐ No screened vent

☐ **Monitoring Violations:**

- ☐ Monitoring not current - 0025(1)
- ☐ Unaddressed MCL violations or LCR AL exceedances - 0030
- ☐ No Coliform Sampling Plan - 0036(6)(a)(i)

☐ **Management & Operations Violations:**

- ☐ No operations and maintenance manual - 0065(4)
- ☐ Emergency response plan not completed - 0064(1)
- ☐ Major modifications not approved (plan review) - 0050
- ☐ Master plan not current (≥ 300 con.) - 0060(5)
- ☐ Annual CCR not distributed (CWS) - 0043(1)(a)
- ☐ PNC or out of compliance with AO
- ☐ Public notice not issued as required - 0042

☐ **Operator Certification Violations:**

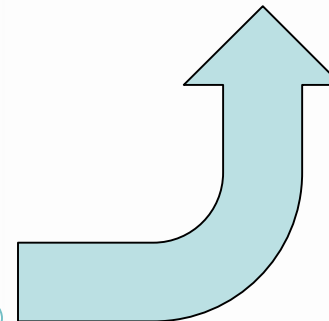
- ☐ No certified operator at required level - 0065(2)
- ☐ No protocol for under certified operator - 0225(2)

☐ **Other Rule Violations:**

- ☐ Significant deficiency per OAR 333-061-0076
- ☐ Rule violation per OAR 333-061-XXX

**Black-dotted items
on the survey
forms**

⊕ Significant deficiency per OAR 333-061-0076
+ Rule violation per OAR 333-061-XXX



Regulatory context and history

- Required as part of GWR and ESWTR
- Oregon identified construction standards (26) that could lead to contamination or non-compliance as “significant deficiencies”
- Oregon decided to include rules (33) that are important but not enough to enforce through normal enforcement
- Total = 59 Significant deficiencies and rule violations

Corrective Action Plan

- Must be received within 120 days of survey letter (GW).

RE: Colton Water System Survey Deficiency Summary Corrective Action Plan

The following is a corrective action plan for system deficiencies:

1. The filtered water turbidity calibration will be recorded quarterly with records being kept beginning September 30th.
2. Filtered water turbidimeter alarm, or auto-plant shut off program, was reset on August 1, 2021 and is working.
3. Turbidity profiles will be completed quarterly beginning September 30, 2021 and records will be kept on file.
4. The ph and temperature calibrate-able meter will be ordered by September 1, 2021 and depending upon availability it will be used as soon as received.
5. Cross Connection Annual Summary report for 2020 was submitted June 20, 2021.
6. A physical separation in the bypass pipe around the filter plant will be completed by October 30, 2021.

Tracking

- Deficiencies identified are initially entered in Site Visits for tracking
- Updates must be made on the webform by regulators

Water System Survey Deficiencies - Update

Start Over (Cancel Changes)

PWS NUMBER: OR41 00202 - COLTON WATER DISTRICT

SAVE CHANGES

SURVEY DATE: Jun 10, 2021

Category	Deficiency	Initial Due Date (from letter)	Failure to Correct Deficiencies Letter Sent	Revised Due Date (corrective action plan)	Resolved Date
Surface Water Treatment	Turbidimeters not calibrated per manufacturer or at least quarterly	8/24/2021	<input type="text"/>	9/30/2021	9/30/2021
Surface Water Treatment	For conventional or direct filtration: No alarm or plant shut off for high turbidity	8/24/2021	<input type="text"/>	<input type="text"/>	8/1/2021
Surface Water Treatment	For conventional or direct filtration: Turbidity profile not conducted on individual filters at least quarterly	8/24/2021	<input type="text"/>	9/30/2021	9/30/2021
Disinfection	pH, temperature, and chlorine residual not measured daily at first user	8/24/2021	<input type="text"/>	9/30/2021	<input type="text"/>
Cross Connection	Annual summary report not issued (CWS)	8/24/2021	<input type="text"/>	<input type="text"/>	6/30/2021
Other	Other - Bypass around water treatment plant is a cross connection between treated and untreated water	8/24/2021	<input type="text"/>	10/30/2021	<input type="text"/>

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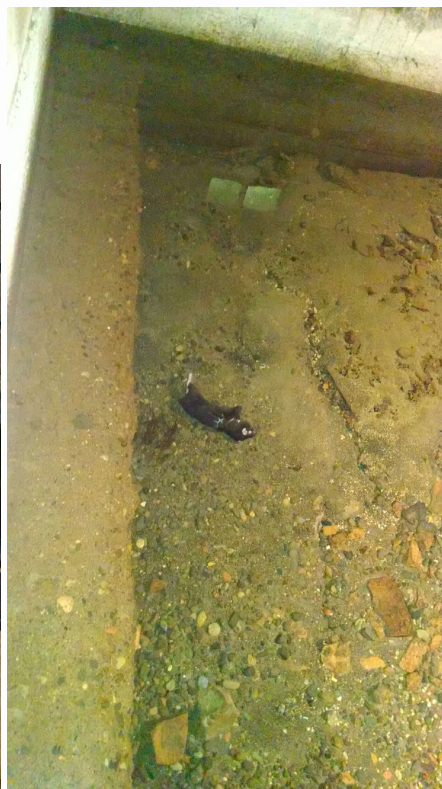
Reminder emails

- If a corrective action plan is not received within 2 weeks of the due date, regulator will receive an email reminder.
- Contact the system to remind them of the deadline and ask if they need any assistance.
 - Emphasize importance of correcting / removing any pathways of contamination
- Timelines can vary but must be reasonable based on the circumstances.
- Regulators will also get another email if the CAP is past due for three weeks.
 - Contact them again, review actions and consequences

Prioritizing enforcement

- # of deficiencies and rule violations exceeded DWS capacity to enforce
- Identified 16 “priority deficiencies” which are pathways to contamination
 - Well: Sanitary seal or casing not watertight
 - Well: No screen on existing well vent
 - Spring: No screen on overflow
 - Spring: Spring box not impervious durable material
 - Spring: Access hatch / entry not watertight
 - Storage: No screened vent
 - Storage: Roof and access hatch not watertight
 - Storage: No flap valve, screen, or equivalent on overflow
 - Treatment (UV): No intensity sensor with alarm or shut-off
 - Plus seven (7) deficiencies related to surface water

Photos



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Enforcement: Warning letters

- If priority significant deficiencies are not corrected by the due date, the DWS Enforcement Coordinator will issue a warning letter 30-60+ days after due date.
- Warning letters require the water supplier to correct priority deficiencies within 30 days of the date of the letter (or prior to opening for seasonal systems).

RE: Notice of failure to correct significant deficiencies at the New Frontier Ranch public water systems

Records indicate Divine Paradigm Properties, LLC owns and operates the three public water systems at New Frontier Ranch (hereinafter “Water Systems”) located at 16799 Highway, 66 east of Ashland, Oregon. Divine Paradigm Properties, LLC (hereinafter “Water Supplier”) is therefore a water supplier as defined in ORS 448.115(12) and OAR 222.061.0020(150) and has specific responsibilities as defined in OAR 222.061.0025.

If Past Due: Formal Enforcement

- DWS will issue an administrative order if priority deficiencies are not corrected by the deadlines specified in a warning letter previously issued by the DWS enforcement coordinator.
- DWS may issue civil penalties if a water supplier doesn't correct priority deficiencies by the deadline specified in an administrative order.

BEFORE THE STATE OF OREGON
OREGON HEALTH AUTHORITY
PUBLIC HEALTH DIVISION
CENTER FOR HEALTH PROTECTION

In the Matter of

New Frontier Ranch Cabins, PWS
OR4105608

Respondent

NOTICE OF VIOLATION AND
ADMINISTRATIVE ORDER

PUBLIC HEALTH DIVISION
Drinking Water Services

Oregon
Health
Authority

Regulator's responsibilities

- DWS enforcement coordinator will review which systems need enforcement
- He will check in with regulator to ensure no updates were missed and review required corrections
- PWS must correct deficiency within 30 days
- PWS may contact regulator with questions or updates on correction. Document conversations in a contact report or use webform if deficiencies are corrected.
- DWS enforcement coordinator will initiate elevating the enforcement action
- Check with enforcement coordinator as needed!

Questions and Discussion



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