

FORMAL ENFORCEMENT

When, Why and the Collaborative Process

May 31, 2023

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What to expect

- ⦿ How DWS Identifies Enforcement Objectives
- ⦿ The Collaborative Process
- ⦿ Question and Answers

Preamble



Determining Enforcement Objectives

- ⦿ Existing formal enforcement with overdue deadlines
- ⦿ Priority non-compliers
- ⦿ Existing informal compliance schedules with overdue deadlines
- ⦿ *Priority* significant deficiencies
- ⦿ MCL and treatment technique violations
- ⦿ Anything else

M.D.E.


- Will DWS take action, and if so, what action will it take?


Mandate Discussion Experience – Acronyms Used

- ⦿ AL: action level
- ⦿ AO: administrative order
- ⦿ BCA: bilateral compliance agreement
- ⦿ CT: a calculation of disinfection effectiveness
- ⦿ DWS: you're joking, right?
- ⦿ EP: entry point
- ⦿ MCL: really?
- ⦿ PNC: priority non complier

Existing Formal Enforcement

← ↻ 🔍 https://yourwater.oregon.gov/compliance.php

**Oregon Public Health**
Drinking Water Data Online



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Compliance and Enforcement Schedules

Regulating Agency
All Agencies ▼

County
All Counties ▼

System Type
All System Types ▼

Schedule Status
☒ Open
☐ Closed

Schedule Type
☒ Compliance Schedules

- ☐ Lead Action Level Exceedance
- ☐ Copper Action Level Exceedance
- ☐ Chemical MCL Exceedance
- ☐ Confirmed Source E. coli
- ☐ Coliform Investigation
- ☐ Microscopic Particulate Analysis (MPA) Required
- ☐ Warning Letter
- ☐ Notice of Non-Compliance
- ☐ Administrative Notice for Monitoring
- ☐ Other Compliance Schedule

☐ Formal Enforcement

- ☐ Bilateral Compliance Agreement
- ☐ Administrative Order
- ☐ Extension to Administrative Order
- ☐ Administrative Order Settlement
- ☐ Civil Penalty Order
- ☐ Civil Penalty Settlement Agreement
- ☐ Court Filing

Show Schedules

Information by county:

[Inventory](#) :: [Surface Water Systems](#) :: [Water System Surveys](#) :: [Outstanding Performers](#) :: [Plan Reviews](#) :: [System Scores](#) :: [Exceedances](#)
[Alerts](#) :: [Violations](#) :: [Compliance & Enforcement](#) :: [Significant Deficiencies](#) :: [Cross Connection ASRs](#) :: [Treatment Plant Inspections](#) :: [Fluoride](#)
[Water Advisories](#) :: [Contact Reports](#) :: [Cyanotoxins](#) :: [PFAS](#) :: [Post-wildfire VOCs](#) :: [Public Notices](#)

[Inventory List](#) for all Oregon Drinking Water Systems in Excel or printable screen format

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Existing Formal Enforcement

			SUBMIT ANNUAL PROGRESS REPORT	Jan 31, 2023	Feb 10, 2023 - Late
			SUBMIT ANNUAL PROGRESS REPORT	Jan 31, 2024	
			COMPLETE CONSTRUCTION	Jun 30, 2024	
			INSTALL CORROSION CONTROL TREATMENT	Jun 30, 2024	
			COMPLETE TRACER STUDY	Aug 31, 2024	
			REPORT SURFACE WATER TREATMENT	Nov 10, 2024	
REGION 1	Baker	01450	UNITY, CITY OF	C	2
			ADMINISTRATIVE ORDER	Feb 08, 2023	Open
			<u>Scheduled Activity</u>	<u>Due Date</u>	<u>Date Completed</u>
			SUBMIT CONSTRUCTION PLAN	Apr 09, 2023	Overdue
			INSTALL CORROSION CONTROL TREATMENT	Nov 15, 2023	
			REPORT CORROSION CONTROL MEASUREMENTS	Feb 10, 2024	
			REPORT CORROSION CONTROL MEASUREMENTS	Mar 10, 2024	
			REPORT CORROSION CONTROL MEASUREMENTS	Apr 10, 2024	
			REPORT CORROSION CONTROL MEASUREMENTS	May 10, 2024	
			REPORT CORROSION CONTROL MEASUREMENTS	Jun 10, 2024	
			REPORT CORROSION CONTROL MEASUREMENTS	Jul 10, 2024	
			REPORT LEAD & COPPER TAP MONITORING	Jul 10, 2024	
			REPORT LEAD & COPPER TAP MONITORING	Jan 10, 2025	
REGION 1	Clackamas	00789	SANDY, CITY OF	C	0
			BILATERAL COMPLIANCE AGREEMENT	Jan 22, 2020	Open
			BILATERAL COMPLIANCE AGREEMENT	Sep 21, 2018	Open
			<u>Scheduled Activity</u>	<u>Due Date</u>	<u>Date Completed</u>
			SUBMIT COMPLIANCE ACTION PLAN	Mar 30, 2020	Mar 20, 2020
			SUBMIT MASTER PLAN	Dec 30, 2020	Dec 07, 2022 - Late
			BEGIN CONSTRUCTION	Jul 31, 2024	
			CORRECT WATER QUALITY DEFICIENCIES	Sep 30, 2027	
REGION 1	Malheur	00002	ADRIAN, CITY OF	C	6
			ADMINISTRATIVE ORDER	Oct 28, 2022	Open
			<u>Scheduled Activity</u>	<u>Due Date</u>	<u>Date Completed</u>
			SUBMIT CORRECTIVE ACTION PLAN	Nov 30, 2022	Overdue
			REPORT ARSENIC MONITORING	Dec 10, 2022	Dec 05, 2022
			REPORT ARSENIC MONITORING	Jan 10, 2023	Dec 29, 2022
			REPORT ARSENIC MONITORING	Feb 10, 2023	Jan 27, 2023
			REPORT ARSENIC MONITORING	Mar 10, 2023	Mar 03, 2023
			REPORT ARSENIC MONITORING	Apr 10, 2023	Apr 07, 2023
			REPORT ARSENIC MONITORING	May 10, 2023	Overdue
			REPORT ARSENIC MONITORING	Jun 10, 2023	
			REPORT ARSENIC MONITORING	Jul 10, 2023	
			REPORT ARSENIC MONITORING	Aug 10, 2023	
			REPORT ARSENIC MONITORING	Sep 10, 2023	
			REPORT ARSENIC MONITORING	Oct 10, 2023	
			REPORT ARSENIC MONITORING	Nov 10, 2023	
REGION 1	Malheur	90575	HARPER HIGH/ELEMENTARY SD 66	NTNC	9
			ADMINISTRATIVE ORDER	Oct 28, 2022	Open
			<u>Scheduled Activity</u>	<u>Due Date</u>	<u>Date Completed</u>
			SUBMIT CORRECTIVE ACTION PLAN	Nov 30, 2022	Nov 29, 2022
			REPORT ARSENIC MONITORING	Dec 10, 2022	Nov 16, 2022
			REPORT ARSENIC MONITORING	Jan 10, 2023	Dec 29, 2022
			REPORT ARSENIC MONITORING	Feb 10, 2023	Feb 10, 2023
			REPORT ARSENIC MONITORING	Mar 10, 2023	Mar 10, 2023
			REPORT ARSENIC MONITORING	Apr 10, 2023	Overdue

Priority Non-Compliers

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System Score Pages: [Overview](#) :: [New Search](#) :: [Excel Spreadsheet](#)

System Scores

Search Criteria

County: All counties

Regulating Agency: All regulating agencies

System Type: All EPA systems

Primary Source: All source types

Compliance Status: Any status

Service Area Type: All types†

Summary of Results

Number of Systems: 2513

Scores of 11 or higher: 23 (1%)

PNC for 5 months: 0

PNC for 6-7 months: 0

PNC for 8 or more months: 0

Modify Search

Click on a blue column heading to change the sort order.

Color-coding and abbreviations are explained in the footnotes at the bottom of the page. [Jump to footnotes](#)

Regulating Agency	County Served	PWS	PWS Name	System Type	Pop.	Primary Source	# Months PNC†	System Score	Points Under Enforcement	Points RTC'd	Go To Related Pages**
JACKSON COUNTY	Jackson	01165	MCKEE BRIDGE MOBILE HOME PARK	C	40	GW	3	80	30	66	Vio Enf CR
REGION 2	Jackson	91551	CALLAHANS MOUNTAIN LODGE	NC	60	GU	3	43	0	11	Vio Enf CR
WASHINGTON COUNTY	Washington	05201	COLD SPRINGS WATER CO	NTNC	100	GW	3	19	0	73	Vio Enf CR
DEPT OF AGRICULTURE	Morrow	95174	COLUMBIA RIVER DAIRY	NTNC	125	GW	3	16	0	4	Vio Enf CR
MULTNOMAH COUNTY	Multnomah	00902	INTERLACHEN WATER PUD	C	360	GW	3	16	0	20	Vio Enf CR
DOUGLAS COUNTY	Douglas	92123	MEADOW WOOD RV PARK	NC	100	GW	3	15	0	3	Vio Enf CR
DOUGLAS COUNTY	Douglas	95104	UMPQUA RV PARK	NC	50	GW	3	15	0	6	Vio Enf CR
LINCOLN COUNTY	Lincoln	94280	KING SILVER RV PARK	NC	30	GW	3	13	0	1	Vio Enf CR
JACKSON COUNTY	Jackson	94413	ASHLAND LDS CHURCH	NC	44	GW	3	11	0	1	Vio Enf CR
REGION 1	Umatilla	00371	CHARLES TRACTS WATER COMPANY	C	249	GW	3	11	0	23	Vio Enf CR
JACKSON COUNTY	Jackson	95255	JACKSONVILLE LDS CHURCH	NC	100	GW	3	11	0	30	Vio Enf CR
LINCOLN COUNTY	Lincoln	00602	GUPTIL SUBDIVISION	C	79	GW	3	10	0	16	Vio Enf CR
REGION 2	Coos	05581	WEISS ESTATES WATER SYSTEM	C	36	SW	2	58	0	411	Vio Enf CR
YAMHILL COUNTY	Yamhill	01518	CSWA CHEHALEM SPRINGS	C	130	GW	2	40	0	11	Vio Enf CR
REGION 2	Josephine	91998	NPS OREGON CAVES NATL MON	NC	280	SW	2	36	0	43	Vio Enf CR
JOSEPHINE COUNTY	Josephine	95135	GRACE BIBLE CHURCH	NC	50	GW	2	14	0	39	Vio Enf CR
REGION 1	Tillamook	95561	TRASK RIVER RV PARK	NC	26	SW	2	13	0	54	Vio Enf CR
JEFFERSON COUNTY	Jefferson	91036	OPRD COVE PALISADES - DESCHUTES RIVER	NC	950	GW	2	11	0	11	Vio Enf CR
MULTNOMAH COUNTY	Multnomah	91951	REEDER BEACH RESORT	NC	50	GW	1	15	0	0	Vio Enf CR

Existing Informal Enforcement

- ⦿ Lead Action Level Exceedance
- ⦿ Copper Action Level Exceedance
- ⦿ Confirmed Source *E. coli*
 - Correct all deficiencies/submit plan
- ⦿ Coliform Investigation
 - Correct defects or install disinfectant residual maintenance
- ⦿ Warning Letter

Priority Significant Deficiencies

https://yourwater.oregon.gov/signdefis.php?ra=anc&cs=anc&priority=x

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[Search Again](#)

Unresolved Deficiencies

Regulating Agency: All regulating agencies
County: All counties
Search Options: Priority deficiencies only. Oregon very small systems excluded.
Results: 38 unresolved deficiencies found for 30 systems

[Hide deficiencies](#)

Regulating Agency	County Served	PWS	PWS Name	Survey Date	Earliest Due Date	Number of Deficiencies	System Type	System Score
REGION 2	Josephine	90808	GALICE RESORT	Oct 21, 2021	Mar 31, 2022	1	NC	0
	Category		Deficiency		Due Date			
	Finished Water Storage		No flap valve, screen, or equivalent on overflow		Mar 31, 2022 Overdue			
REGION 2	Jackson	91556	CASCADE GORGE PROPERTIES	Jun 30, 2022	Sep 02, 2022	2	C	13
	Category		Deficiency		Due Date			
	Finished Water Storage		No flap valve, screen, or equivalent on overflow		Sep 02, 2022 Overdue			
	Finished Water Storage		No screened vent		Sep 02, 2022 Overdue			
DOUGLAS COUNTY	Douglas	92123	MEADOW WOOD RV PARK	Jan 25, 2022	Sep 26, 2022	1	NC	14
	Category		Deficiency		Due Date			
	Well Construction		Sanitary seal and casing not watertight		Sep 26, 2022 Overdue			
DOUGLAS COUNTY	Douglas	94884	USFS UMPQUA BEACH	Mar 24, 2022	Oct 03, 2022	1	NC	0
	Category		Deficiency		Due Date			
	Finished Water Storage		No screened vent		Oct 03, 2022 Overdue			
REGION 2	Benton	00540	MONROE, CITY OF	Aug 10, 2022	Nov 10, 2022	1	C	0
	Category		Deficiency		Due Date			
	Surface Water Treatment		For membrane filtration: Direct integrity testing does not meet rule requirements		Nov 10, 2022 Overdue			
LANE COUNTY	Lane	00125	BLUE RIVER WATER DISTRICT	Sep 06, 2022	Feb 28, 2023	1	C	0
	Category		Deficiency		Due Date			
	Finished Water Storage		No screened vent		Feb 28, 2023 Overdue			
REGION 1	Polk	01174	BUELL-RED PRAIRIE WD	Jul 20, 2021	Mar 29, 2023	2	C	10
	Category		Deficiency		Due Date			
	Surface Water Treatment		For membrane filtration: Direct integrity testing not done at least daily		Mar 29, 2023 Overdue			
	Surface Water Treatment		For membrane filtration: Direct integrity testing does not meet rule requirements		Mar 29, 2023 Overdue			
REGION 1	Malheur	91056	OPRD MCCORMACK CG	Oct 19, 2022	Apr 05, 2023	1	NC	0
	Category		Deficiency		Due Date			
	Finished Water Storage		No screened vent		Apr 05, 2023 Overdue			
COOS COUNTY	Coos	06208	DORA-SITKUM RFPD	Nov 28, 2022	Apr 24, 2023	1	NC	1
	Category		Deficiency		Due Date			
	Well Construction		Sanitary seal and casing not watertight		Apr 24, 2023 Overdue			
SHERMAN COUNTY	Sherman	90847	BIGGS PETROLEUM LLC	Dec 19, 2022	Apr 24, 2023	1	NC	0
	Category		Deficiency		Due Date			
	Well Construction		Sanitary seal and casing not watertight		Apr 24, 2023 Overdue			



MCL and Treatment Technique Violations

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Water Quality Alerts

Use the "Download" button to export the data to an Excel file.

- Date ranges:** The default date range is the past month, with the option to go back three years (based on the alert date). If you want to view all alerts going back to 2001, click this button — it will take a long time to load: [Show all alerts \(Slow!\)](#)
- Customization:** Use the "Columns" button to select which columns to display. Use the "Search records" box, column heading dropdowns, and date inputs to filter results. Click column headings to sort ascending or descending. Drag column headings to rearrange. Note: hidden data will not be exported.
- View details:** Click on a row to open the alert page for that water system (opens in a new tab).
- MCL** = Maximum Contaminant Level. Results for MCL exceedances, *E. coli* positives, and lead and copper 90th percentile action level exceedances are shown in **bold red** text.

Alert Date Range: From to

Reset
Columns
Download

Showing 1 to 25 of 1,039 records (filtered from 6,924 total records)

Regulating Agency	County Served	PWS ID	PWS Name	Alert Type	Alert ID	Sample Date	Alert Date	Contact Report	Location	Analyte	Result	Current MCL	Units
All Agencies	All Counties		Activity status: All	All Chemical						All Analytes			
REGION 1	Marion	00744	KEIZER, CITY OF	VOC	CHEM9236	01/28/2021	02/18/2021	02/18/2021	EP-K	TRICHLOROETHYLENE	0.0015	0.005	MG/L
REGION 1	Marion	00744	KEIZER, CITY OF	VOC	CHEM9236	01/28/2021	02/18/2021	02/18/2021	EP-K	TETRACHLOROETHYLENE	0.0008	0.005	MG/L
REGION 1	Malheur	00002	ADRIAN, CITY OF	NO3	CHEM9238	02/03/2021	02/22/2021	02/22/2021	EP-A	NITRATE (AS N)	6.08	10	MG/L
LANE COUNTY	Lane	00422	HARWOODS MOBILE MANOR	NO3	CHEM9239	02/10/2021	02/22/2021	02/22/2021	EP-A	NITRATE (AS N)	8.85	10	MG/L
DEPT OF AGRICULTURE	Umatilla	94562	LAMB WESTON	NO3	CHEM9242	02/10/2021	02/22/2021	02/22/2021	EP-A	NITRATE (AS N)	8.66	10	MG/L
COLUMBIA COUNTY	Columbia	00725	MCNULTY WATER PUD	ARS	CHEM9240	02/09/2021	02/22/2021	03/04/2021	EP-D	ARSENIC	0.02	0.01	MG/L
COLUMBIA COUNTY	Columbia	00725	MCNULTY WATER PUD	ARS	CHEM9240	02/09/2021	02/22/2021	03/04/2021	EP-D	ARSENIC	0.024	0.01	MG/L
REGION 1	Morrow	01328	PORT OF MORROW	NO3	CHEM9241	02/09/2021	02/22/2021	02/02/2021	EP-F	NITRATE (AS N)	5.27	10	MG/L
REGION 1	Malheur	00002	ADRIAN, CITY OF	ARS	CHEM9244	02/03/2021	02/23/2021	02/26/2021	EP-A	ARSENIC	0.0126	0.01	MG/L
LANE COUNTY	Lane	91805	ELMIRA HIGH/ELEMENTARY	LCR	CHEM9243	02/09/2021	02/23/2021	02/23/2021	DIST-A	COPPER 90TH % VALUE	2.01		MG/L
REGION 1	Malheur	01144	FISCHERS PLACE MHP	ARS	CHEM9245	02/03/2021	02/23/2021	02/23/2021	EP-A	ARSENIC	0.015	0.01	MG/L
CROOK COUNTY	Crook	90475	LAKESHORE RV PARK/CAMP	NO3	CHEM9246	02/23/2021	02/24/2021	03/08/2021	EP-A	NITRATE (AS N)	11.5	10	MG/L
DEPT OF AGRICULTURE	Lane	94411	BUY 2 AT PLEASANT HILL	NO3	CHEM9249	02/11/2021	02/25/2021	02/26/2021	EP-A	NITRATE (AS N)	5.07	10	MG/L
BENTON COUNTY	Benton	00226	CHILDRENS FARM HOME CAMPUS	NO3	CHEM9247	02/12/2021	02/25/2021	03/03/2021	EP-A	NITRATE (AS N)	8.05	10	MG/L
REGION 1	Yamhill	00452	LAFAYETTE, CITY OF	VOC	CHEM9248	02/03/2021	02/25/2021	03/01/2021	EP-A	XYLENES	0.0007	10	MG/L
REGION 2	Coos	05581	WEISS ESTATES WATER SYSTEM	DBP	CHEM9250	02/23/2021	03/02/2021	03/08/2021	DIST-A	TOTAL HALOACETIC ACIDS (HAAS)	0.170005	0.06	MG/L
LINN COUNTY	Linn	00475	HALCYON VILLA MOBILE HOME PARK	NO3	CHEM9251	02/23/2021	03/04/2021	03/04/2021	EP-A	NITRATE (AS N)	5.48	10	MG/L
LANE COUNTY	Lane	94773	ODD FELLOWS RV PARK	NO3	CHEM9254	02/24/2021	03/04/2021	03/05/2021	EP-A	NITRATE (AS N)	8.27	10	MG/L

Show records

Previous
1
2
3
4
5
...
42
Next

Would you drink the water?

- ⦿ Nitrate exceeding the MCL
- ⦿ *E. coli* MCL violation
- ⦿ Arsenic
- ⦿ Surface water where disinfection isn't effective (CT not met)
- ⦿ Surface water that isn't filtered

The Collaborative Process

- ⦿ Here's what typically happens:
 - ⦿ I call or send you an email. We discuss whether enforcement can be avoided.
 - ⦿ **I write an AO or BCA and together, we will add, remove or revise language until we feel the descriptions of violations are accurate and compliance actions are fair and achievable.**
 - ⦿ A DWS technical services regional manager will be asked to approve the enforcement document. If approved, it is sent to the DWS Section Manager for signature.
 - ⦿ **We remain in contact, tracking progress and determining appropriate next steps as compliance progresses.**

Reminders

- ◎ Oversight regulators are expected to remain involved as enforcement efforts progress.
- ◎ Oversight regulators are expected to monitor compliance schedule deadlines.

QUESTIONS?

