

Date: May, 16, 2011

To: Washington Utilities and Transportation Commission
c/o UTC Commission Secretary
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

From: Docket UW-102014 Complainants

Subject: Docket UW-102014 Complainant Exhibit & Witness Lists and Exhibits

Please find the subject documents attached with ten (10) copies of each as required by WAC 480-07-460. If there are additional requirements for these documents to be accepted by the Utilities and Transportation Commission for the upcoming hearing before Judge Torem on June 7, 2011 please advise me as to what those requirements are to allow us to be compliant with the Commission's requirements.

Regards,



Chuck Tadlock
Docket UW-102014 Complainant Representative
(360) 225-3966
tadlockc@gmail.com

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

DOCKET UW-102014

**COMPLAINANTS
LISTS OF EXHIBITS AND WITNESSES**

Submitted to:
The Utilities and Transportation Commission Secretary
May 17, 2011

Docket UW-102014 Complainants Exhibit List

Exhibit No.	Description
1A (Comp.)	Complaint of Improper Development and Maintenance of Water System by Respondent
2A (Comp.)	"Addendum A" – Complainants Water Usage & Related Expenses
3A (Comp.)	Complainants Chronology of Improper Maintenance of Water System
4B (SB)	ODW Coliform History
5B (SB)	ODW Letter with Coliform Violation History to David Danner, Executive Director – Washington Utilities and Transportation Commission
6B (SB)	Raw Water Coliform Test Failures
7B (SB)	ODW 2005 to 2011 History of Coliform Absent/Present Test Results
8B (SB)	DOH Coliform Violation Notification Letters
9C (GK)	DOH Health Advisory History
10C (GK)	DOH Health Advisory Notices
11D (GK)	DOH Departmental Order #2008-DO-0015 Letter To Dan Class (11/6/2008)
12D (GK)	DOH Docket No. 2008-DO-0016 - Order
13D (GK)	DOH Modified Order #2008-DO-0016 Letter to Dan Class (7/22/2009)
14D (GK)	DOH Docket No. 2008-SDO-0016 – Modified Order
15D (GK)	DOH Docket No. 2008-SDO-0016 Modified Department Order Letter to Dan Class (6/24/2010)
16D (GK)	DOH Docket No. 2008-SDO-0016 – Modified Order
17D (DC)	DOH Master Case No. M2010-811, Docket No. 2010-NIP-001 – Notice of Penalties and Initial Order
18 (GK)	ODW Special Purpose Investigation Finding Letter to Dan Class (7/20/2010)
19 (Comp.)	Cowlitz County Public Utility District No.1 - Notices of Pending Disconnect
20 (GK)	DOH Columbia Crest Estates Water System History (9/2002 to 12/2010)
21E (DC)	DOH Petition for Appointment of Receiver of Public Water System to the State of Washington Cowlitz County Superior Court
22E (DC)	State of Washington Cowlitz County Superior Court Order Appointing a Receiver
23F (Comp.)	Green Mountain H2O Water Service Tariff Agreement filed with the Washington State Utilities and Transportation Commission

Docket UW-102014
Complainants Exhibit List

24F (Comp.)	Summary of DOH Quantity and Quality Requirements Stated Within the
	Green Mountain H2O Water Service Tariff Agreement filed with the
	Washington State Utilities and Transportation Commission

DOH – Washington State Department of Health

ODW – Washington State Office of Drinking Water

Witness Identification:

(SB) – Sandy Brentlinger, SW Drinking Water Regional Operations
Coliform Monitoring Specialist

(GK) – Gael Kantz, SW Drinking Water Regional Compliance Manager
Washington State Department of Health

(DC) – Denise Clifford, Director – Department of Health Office of Drinking Water

(Comp.) – Complainants presenting

**Docket UW-102014
Complainants Witness List**

Witnesses	Exhibit Testimony
Sandy Brentlinger , SW Drinking Water Regional Operations Coliform Monitoring Specialist	4B, 5B, 6B, 7B, 8B,
Gael Kantz , SW Drinking Water Regional Compliance Manger, Washington State Department of Health	11D, 12D, 13D, 14D, 15D, 16D, 18, 20
Denise Clifford , Director – Department of Health Office of Drinking Water	17D, 21E, 22E, 23F, 24F

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In the matter of the complaint of:)	
Sil and Candy Arata;	Hahn and Kim)
Bahng;	Brig and Pattie Belvin;	Dick
and Patti Blide;	Jim and Lynette)
Caldwell;	Kris and Carolyn Christ-)
ianson;	Ted and Dell Haller;	Bill
and Althea Heagy;	Vern Heriott and)
Larry Huffman;	Dave and Dorothy)
Johnson;	Shinwon and Jeonkak Kim;)
Jan and Robin Krane;	Robert and)
Diana Nehls;	Phil and Carolyn Rob-)
bins;	Chuck and Dia Tadlock;	Bill
and Carol Welch;	Ron and Roxanne)
Olson;	Jerry and Phoebe Bennett;)
Alan and Susan Cameron)
)
	Complainants,)
)
vs)
)
Deer L.L.C.,	Class Development NW,)
L.L.C.,	Green Mountain Water,	L.L.C.)
)
	Respondent.)
)

COME NOW the above named Complainants for complaint against Respondent, allege as follows:

1. PARTIES

1.1 The Complainants are the homeowners in Columbia Crest Estates:

Sil and Candy Arata
149 Varsity Road
Kalama, WA 98625

Hahn Kim Bang
151 Varsity Road
Kalama, WA 98625

Brig and Pattie Belvin
461 Varsity Road
Kalama, WA 98625

Dick and Patti Blide
813 Varsity Road
Kalama, WA 98625

Jim Caldwell
30 Varsity Road
Kalama, WA 98625

Alan and Susan Cameron
212 Varsity Road
Kalama, WA 98625

Kris and Carolyn Christianson
242 Varsity Road
Kalama, WA 98625

Ted Haller and Dell Nelson
573 Varsity Road
Kalama, WA 98625

Bill and Althea Heagy
704 Varsity Road
Kalama, WA 98625

Vern Heriott and
Larry Huffman
619 Varsity Road
Kalama, WA 98625

Dave and Dorothy Johnson
278 Varsity Road
Kalama, WA 98625

Shinwon and Jeongkak Kim
176 Varsity Road
Kalama, WA 98625

Jan and Robin Krane
62 Varsity Road
Kalama, WA 98625

Robert and Diana Nehls
756 Varsity Road
Kalama, WA 98625

Phil and Carolyn Robbins
438 Varsity Road
Kalama, WA 98625

Chuck and Dia Tadlock
269 Varsity Road
Kalama, WA 98625

Bill and Carol Welch
303 Varsity Road
Kalama, WA 98625

Ron and Roxanne Olson
367 Varsity Road
Kalama, WA 98625

Jerry and Phoebe Bennett
465 Varsity Road
Kalama, WA 98625

1.2 Complainants own real property within the water system of Respondent.

1.3 The Respondent is GPM Water Systems, Inc., Deer L.L.C., Class Development NW, Inc., Green Mountain H2O LLC under contract with or owned and operated by Dan Class. Respondent is a public service company operating a Group A water system in Kalama, Cowlitz County, Washington and is subject to regulation by the Washington Utilities and Transportation Commission (Commission) with its principal place of business at 759 Varsity Road, Kalama, WA 98625.

2. RULES/STATUTES AT ISSUE

2.1 The following statutes and provisions of the Washington Administrative Code may be brought into issue: RCW 80.04.440; RCW 80.28.040; RCW 70.119.030; WAC 480-110-395; WAC 480-110-365; WAC 480-110-315; WAC 246-290-200; WAC 246-290-300; WAC 246-290-310; WAC 246-290-320; WAC 246-290-020; WAC 246-290-415; WAC 246-290-480; WAC 246-292-050; WAC 246-294-040

2.2 WAC 480-110-395 states that a water company may be required to refund water charges due to poor quality only: when there

are violations of the DOH quality standards in WAC 246-290-310 and the company does not take follow up steps outlined in WAC 246-290-320 as enumerated under Statement of Facts.

- 2.3 RCW 80.04.440 allows the Commission to reimburse injured parties for fees paid because of noncompliance with the Rules and Regulations of the State of Washington, Department of Health.
- 2.4 RCW 80.28.040 requires that, if the commission shall find any rules, regulations, practices or acts of any water company are unjust, unreasonable, improper, insufficient, inefficient or inadequate or that any service that may be reasonably demanded is not furnished, the commission shall fix the reasonable rules, regulations, measurements, standard practices, acts or service to be thereafter furnished, imposed, observed and followed and shall fix the same by order of rule. If a water company fails to comply with a Commission's order, the Commission may request that the department petition the court to place the company in receivership.

3. STATEMENT OF FACTS

- 3.1 Deer L.L.C., Class Development NW, Inc. and Green Mountain H2O LLC were and are public water systems in Cowlitz County, Washington. Owner of said systems is Dan Class whose address is 759 Varsity Road, Kalama, Washington 98625. The system provides water for 19 households and is classified as a Group A community water system (WAC 246-290-020).
- 3.2 Complainants desire reimbursement for water service fees paid since payments began in October 2003 through last billing in December 2010 because of improper and inadequate service as outlined in WAC 480-110-395 and RCW 80.04.440.
- 3.3 WAC 480-110-365 Company Maintenance: The water system has been expanded piecemeal (not following a set plan) since 2000 as the housing development grew resulting in a snake pit of pipes and connections that frequently break down and leak (WAC 246-290-200). Also, the system does not include cross-contamination protection between supply and users (WAC 290-246-200). Department of Health (DOH) recorded outages: 3/24/04, 1/8/05, 1/10/05, 8/10/05, 6/15/07, 9/08, 12/08, 6/2/10, 6/3/10 and 11/25/10.

- 3.4 On many occasions bacterial contamination, particularly by Coliform organisms, has resulted in "Boil water" and "Do Not Drink the Water" advisories from the DOH, the latest being for 6 months, June 2010 through Dec. 2010.
- 3.5 Violation of duty to monitor bacteriologic quality as required under WAC 246-290-300 and report to DOH as required under WAC 246-290-480. No samples were submitted for April and May 2010. Communication from the respondent to the complainants has been poor, such as when bacteria was found in the water. This has had to come from the DOH.
- 3.6 The State requires that there be a certified water works operator (RCW 70.119.030 and WAC 246-292-050) to manage the system. The presence of an operator has been erratic with none present from April 2010 through the present, December 2010. An SMA operated the system until January 2009 but none thereafter.
- 3.7 WAC 246-290-001: Violation of duty to ensure good operation and maintenanc practices. Per DOH records the owner has: used improper methods for water main repair, failed to properly disinfect after repair, failed to notify consumers of scheduled water outages and improperly operated the water system.
- 3.8 The water supplied by the system exceeded the maximum level for arsenic on or about May 2007 as listed under WAC 246-290-310 and continuing to the present, December 2010.
- 3.9 A plan for arsenic mitigation was requested by DOH in November 2008. In October 2009 an arsenic mitigation plan was submitted to DOH by the Respondent but was not approved.
- 3.10 The owner, Dan Class, was requested by DOH to submit another plan for arsenic mitigation designed by a licensed professional engineer. No further action has been taken by Respondent and no engineer has been hired to design a new construction plan: WAC 246-290-310 and WAC 290-246-320.
- 3.11 WAC 70-119A-040: The above issues culminated in a DOH release 9/1/10 stating that the Respondent was being fined \$21,060 for violating State heath orders to properly maintain the water system and to address on-going problems with arsenic. Orders violated were: failure to hire a professional engineer and submit construction documents for an arsenic removal system, failure to hire a certified water system operator and

failure to hire a professional engineer to prepare a formal water system plan. The water system has been previously category red for non-compliance (WAC 246-294-040) and continuing to the present.

- 3.12 The Respondent has been ordered by the DOH to install temporary disinfection at 2 wells because of repeated bacterial contamination over the past 6 months. Submission of a project report and construction documents is required by 12/10/10. Permanent disinfection is ordered by 4/22/10. To date no action has been taken by the respondent (WAC 246-290-320).
- 3.13 The respondent has willfully failed to meet his duties in a responsible manner to provide acceptable water by standards deemed acceptable by the Department of Health and has shown total disregard for the health of the users of his water system (WAC 290-246-415).
- 3.14 The most egregious event happened on Thanksgiving Day, 11/25/10, when a major leak occurred at the lower well house, the result of freezing and thawing of an unprotected pipe (no insulation) which had ruptured. There being no certified operator and the Respondent being in Hawaii, homeowners found the shut off valve to halt the leak. The Respondent was notified and he called 2 friends (uncertified) who repaired the break but in the process failed to fill the water tank; the "transfer switch" breaker was shut off. The pipes have been left exposed to freeze and break again. This violates WAC 480-110-315 "a water company must develop procedures for prompt response to reported failures and emergencies."
- 3.15 WAC 480-110-395: The Department of Health states that the utility is "to maintain DOH standards of quantity and quality" of water." This has never been accomplished since this system was put in operation so we are asking for full compensation for water charges since their inception in October 2003. The complainants are also requesting compensation for having to buy bottled water on an ongoing basis because the water system serving the complainants which is owned and managed by Dan Class could not be trusted to deliver safe potable water. Several homes have put in Reverse Osmosis Systems and they are asking for compensation for same. These expenses are documented in Addendum A for each household.
- 3.16 Per RCW 80.28.040 the Complainants request that the water company be placed in receivership for all the reasons stated

above.

Wherefore, Plaintiff prays for relief as follows:

1. That a formal hearing be held on the issues raised by this Complaint.
2. That the Respondent be ordered to immediately reimburse the homeowners for the unacceptable water service provided by the Respondent since the inception of charges as permitted by RCW 80.04.440 and WAC 480-110-395.
3. Penalties as allowed pursuant to RCW 80.04.405.
4. For such other and further relief as the Commission deems just and equitable.

Dated this 13th day of December, 2010

Updated on Wednesday, April 13, 2010

We certify that the allegations in this complaint are true and correct:

The Complainants as listed on Page 1 of this complaint

04/13/2011 - The Complainants have researched their records and provided an accurate accounting. Everyone has reviewed their records and provided verifiable information.

Addendum A (Docket UW-102014)					
Complainants Water Usage & Related Expenses					
(Updated 04/13/2011)					
<u>Complainants</u>	<u>Varsity Rd #</u>	<u>Total Claim</u>	<u>Potable Water Bills</u>	<u>Bottled Water</u>	<u>Filtration Systems, etc.</u>
Sil and Candy Arata	149	1,592.20	1,287.00	305.20	
Hahn and Hinam Bahng	151	3,989.65	3,049.65	90.00	850.00
Brig and Pattie Belvin	461	2,799.09	2,646.17	152.92	
Jerry and Phoebe Bennett	465	1,725.00	1,725.00		
Dick and Patti Blide	813	6,861.81	6,757.81	104.00	
Jim Caldwell	30	2,651.52	2,471.52	180.00	
Alan and Susan Cameron	212	3,166.22	3,116.22	50.00	
Kris and Carolyn Christianson	242	6,997.01	5,797.01	1,200.00	
Ted Haller and Dell Nelson	573	5,872.20	5,195.36		676.84
Bill and Althea Heagy	704	1,842.35	1,842.35		
Vern Herriott and Larry Huffman	619	4,183.39	4,039.63	143.76	
Dave and Dorothy Johnson	278	1,070.00	420.00		650.00

Shiwon and Jeongkak Kim	176	3,900.00	3,400.00	500.00	
Jan and Robin Krane	62	5,479.04	2,787.56	-	2,691.48
Robert and Diana Nehls	756	2,303.61	2,303.61		
Ron and Roxanne Olson	367	602.62	550.86	51.76	-
Phil and Carolyn Robbins	438	5,039.50	3,167.04	685.00	1,187.46
Chuck and Dia Tadlock	269	9,505.82	5,689.50	2,065.50	1,750.82
Bill and Carol Welch	303	4,310.33	3,147.11	270.00	893.22
Totals		\$73,891.35	\$59,393.39	\$5,798.14	\$8,699.82

- 4-01 04/04/2004 System approved as a Group A water system, a water system that provides a service such that it meets the definition of a public water system provided in the 1996 amendments to the Federal Safe Drinking Water Act, Public Law 104-182, Section 101, Subsection b.
- 4-2 08/04/2004 Contract Operator quits. Leaves customers without an emergency contact or a Certified Operator. Re: RCW 70.119.030 and WAC.246.292.020
- 4-3 01/05/2005 Still no Certified Operator. Still no emergency contact. Re: to RCW 70.119.030 and WAC-246.292.020
- 4-4 01/05/2005 Water outage. Homeowners put on a boil water alert for 6 days.
- 4-5 01/08/2005 Low water pressure. 1 complaint.
- 4-6 01/10/2005 Low Water pressure. 1 complaint
- 4-7 08/10/2005 Water outage. Homeowners put on a boil water notice.
- 4-8 08/30/2005 Nitrate monitoring and reporting violation for 5 sources.
- 4-9 09/05/2005 Several wells run dry. Customers put on boil water notice.
- 4-10 0923/2005 Letter sent to Dan Class requesting a capacity analysis. Possibility of lowering number of service connections if not received.
- 4-11 10/31/2005 System capacity lowered from 41 to 17 connections. Further development of vacant properties red flagged until system is expanded. Re: RCW 80.28.040 and RCW 80.04.440.
- 4-12 03/18/2006 New capacity analysis is received by the ODW.
- 4-13 03/20/2006 Capacity approved for 22 connections. Dan Class's approval letter states additional connections will be approved when additional storage is installed. 18 Lots remain red flagged. Re: RCW 80.28.040 and RCW 80.04.440..
- 4-14 05/06/2006 Complaint from property owner to ODW regarding being unable to either build or sell because of water red flag. Re: RCW 80.28.040 and RCW 80.04.440.
- 4-15 05/16/2006 Dan Class mails first water bill which included all of previous year. No adjustments were entered for outages/boil water alerts for that period of time.
- 4-16 05/26/2006 Complaints from homeowners regarding poor service, outages and

health concerns. Boil water ordered until tests received.
Re: RCW 80.28.040

- 4-17 06/02/2006 Complaint from property owner regarding being unable to build/sell due to ongoing red flag on water system.
Re: RCW 80.28.040 and RCW 80.04.440.
- 4-18 06/06/2006 Dan Class requested more connections without adding capacity. The request was denied. Several more homeowners complain about being unable to build/sell because of ongoing red flag. Re: RCW 80.28.040 and RCW 80.04.440.
- 4-19 06/08/2006 Complaints to ODW regarding low pressure in water system.
- 4-20 06/12/2006 Negotiations open between Dan Class and civil engineer regarding expansion of the water system to accommodate 41 lots. Engineer unable to proceed because of non payment by Dan Class.
- 4-21 06/21/2006 Complaint to ODW regarding water system well house door being left wide open for over a week. Re: RCW 80.28.040
- 4-22 06/29/2006 Members from ODW , Teresa Walker and Denise Lahmann meet with homeowners and Dan Class in an effort to resolve the ongoing water problems.
- 4-23 09/09/2006 Project submittal from NW Civil (engineering firm) received by ODW for additional storage.
- 4-24 03/15/2007 ODW approves expansion project for additional storage. System expanded to accommodate 40 lots. Red flag finally lifted.
- 4-25 05/07/2007 Letter sent from ODW to Dan Class requesting he submit an arsenic control plan.
- 4-26 06/15,/2007 Dan Class re-routes water pipes from main system to accommodate a new turn around on Varsity Road. He broke into the water system without giving the required notice to ODW, the homeowners and without the presence of a Certified Operator. It resulted in major water outages to most homeowners above the area the pipes were re-routed. System was put on a boil water notice that remained in effect off and on until November, 2007. Re: RCW 80.28.040 and should have been cited under RCW 70.119A.040 Paragraph (1)(a).
- 4-27 08/08/2007 System over chlorinated by Dan Class without notifying the ODW, the homeowners and without the presence of a Certified Operator. ODW received numerous complaints. Customers ordered flush system and do not use for potable water for 10 days. Re: RCW 80.28.040 and should have been cited under RCW 70.119A.040 Paragraph (1)(a).

- 4-28 02/07/2008 ODW makes several requests for Dan Class to submit a mitigation plan for arsenic treatment. Re: RCW 80-28.040.
- 4-29 03/09/2008 Dan Class promises ODW that the arsenic plan would be submitted by an engineer by April 1, 2008. ODW engineers state that Dan Class has been aware of submitting a arsenic plan for over a year. Re: RCW 80-28.040.
- 4-30 03/02/2008 Certified Operator, Pacific Water resigns as a result of non payment from Dan Class. Leaves homeowners without a reliable contact source in case of an emergency with the water system. Re: RCW 70.119.030 and WAC 246.292.020.
- 4-31 05/00/2008 Dan Class receives from ODW a bilateral contract agreement regarding arsenic mitigation to sign. He is also given another deadline to submit an engineered arsenic removal plan by October 31, 2008. Re: RCW 80-28.040.
- 4-32 08/00/2008 Dan Class raises water rates without holding a meeting or without giving justification.
- 4-33 08/18/2008 Dan Class misses deadline to send ODW an ordered capacity analysis. Re: RCW 80-28.040.
- 4-34 09/12/2008 Dan Class hires a friend to act as the certified on sight operator. This person is neither licensed or certified as required by the DOH. Re: RCW70.119.030 and WAC 246.292.020.
- 4-35 09/21/2008 New "on sight operator" breaks a pipe and partially drains the system. After the repair he does not disinfect the system, nor report the incident to the ODW or DOH. Voluntary boil water in effect for 3 days. Re: RCW 80-28.040.
- 4-36 10/00/2008 Letter sent to Dan Class from the ODW warning if arsenic plan is not received by 10/31/2008 the system would again be red flagged. Re: RCW 80-28.040.
- 4-37 11/15/2008 Water system permit issued a red status because Dan Class failed to submit a arsenic removal plan by 10/31 2008. Re: RCW 80-28.040.
- 4-38 11/21/2008 Arsenic treatment plan received by the ODW, but is incomplete and rejected by the ODW. Re: RCW 80-28.040.
- 4-39 11/22/2008 Water main breaks. The break is repaired, but the system is not disinfected after going back on service. No action taken by Dan Class. Re: RCW 80-28.040.
- 40 11/24/2008 Several homeowners complain of chlorine odor in water system. No chlorinating was authorized, and Dan Class denies chlorinating system.

- 4-41 11/24/2008 Water outage reported. System tanks were emptied during the night to flush the tanks of chlorine. Left unattended all night, the wells were nearly run dry trying to keep up with the demand. Incident not reported to the DOH. Re: RCW 80-28.040.
- 4-42 12/12/2008 Power Failure. No recommended auxiliary power in any of the well houses. Homeowners went on voluntary conservation, but storage almost ran out before power was restored. Still no auxiliary power sources in the well houses. Re: RCW 80-28.040.
- 4-43 02/02/2009 Dan Class fails to show for a scheduled meeting with the ODW. Re: RCW 80-28.040.
- 4-44 02/23/2009 Certified operator resigns because of non payment. Homeowners once again have no emergency contact in case of water failure. Re: RCW 80-28.040. Re: RCW70.119.030 and WAC 246.292.020.
- 4-45 02/26/2008 Failed coliform test on both 02/24 and 02/26. System was cleaned with Hydrogen of peroxide after homeowners were without potable water for over a week.
- 40-46 03/00/2009 All certified operators in Cowlitz County refuse to work for Dan Class. System users have no one to contact in the event of another water problem, other than Dan Class. This situation remains the same today. Re: RCW 80-28.040. Re: RCW70.119.030 and WAC 246.292.020.
- 40-47 06/00/2009 Unattended system reservoir overflows for hours. Potential compromise of the soil stability surrounding the area. Re: RCW 80-28.040.
- 40-48 08/27/2009 High levels of coliform found. System put on a boil water alert.
- 40-49 09/21/2009 Received 2 homeowner complaints of Dan Class tampering with water lines. Another possibility of contaminating the entire system again. Re: RCW 80-28.040.
- 40-50 10/00/2009 Dan Class contacts ODW regarding red status on his operating permit. He is angry because he lost a property sale and wants red status lifted. Re: RCW 80.28.110.
- 40-51 01/12/1010 Dan Class again reminded by the ODW that his arsenic mitigation plan must be submitted by an engineer. Re: RCW 80-28.040.
- 40-52 02/15/2010 Coliform tests come back positive for third time. System remains on a boil water advisory. Re: RCW 80-28.040.
- 40-53 03/00/2010 Dan Class receives a notice from the ODW to not contact Teresa Walker due to the threatening calls she was receiving from him. He is now to make his contacts with Bonnie Waybright. Re: RCW 80-28.040.

- 40-54 06/01/2010 High concentrations of coliform again present. System put on a boil water alert. Future tests performed on 06/11 and 07/01 2010 also come back testing positive for coliform. Re: RCW 80-28.040.
- 40-55 06/02/2010 The entire system remained on a boil water alert from 06/01/2010 through 10/02/2010. Re: RCW 80-28.040 and should have been cited under RCW 70.119A.040 Paragraph (1)(a).
- 40-56 10/02/2010 The homeowners of Columbia Crest were notified by the DOH to stop boiling their water, and to also stop drinking it. The homeowners have been forced to purchase all of their potable water since the beginning of October. It is approximately 11 miles round trip to the nearest store. Some of the homeowners have subscribed to home delivery, and at least nine have had point of use filtration systems installed. Re: RCW 80-28.040, and should have been cited under RCW 70.119A.040 Paragraph (1)(a).
- 40-57 11/26/2010 At 1:30 PM Thanksgiving Day, an improperly insulated pipe freezes and bursts, causing a water outage. The designated system operator, Dan Class, is vacationing in Hawaii. The listed emergency contact is also out of town and could not be contacted. Repairs are made by friends of Dan Class and at least one homeowner late in the evening. Repairs were made by uncertified personnel with no flushing or purification performed, adding to further contamination of the water system. Re: RCW 80-28.040, and should have been cited under RCW 70.119A.040 Paragraph (1)(a).
- 40-58 11/27/2010 Finally make contact with CJ Bruno, Dan Classes published emergency contact, and we are informed he does not work for Dan Class, and is not on call for his emergency repairs. Re: RCW 80-28.040, and should have been cited under RCW 70.119A.040 Paragraph (1)(a).
- 40-59 11/27/2010 Discovered About 30 feet of exposed water pipes that were dug up by Dan Class before his trip to Hawaii. He left for Hawaii and made no attempt to cover or insulate these pipes. They remain exposed as of 12/1/2010. Re: RCW 80-28.040.

COLUMBIA CREST ESTATES WATER SYSTEM
COWLITZ COUNTY, ID 07200P, Group A – Community

COLIFORM HISTORY APRIL 2011 – OCTOBER 2004
(UNSATISFACTORY SAMPLES – TOTAL COLIFORM POSITIVE, E. COLI ABSENT)

COMPLIANCE MONTH	NUMBER UNSATISFACTORY ROUTINE SAMPLES	REPEAT CONFIRMATION UNSATISFACTORY	UNSATISFACTORY FROM WELL	TYPE OF VIOLATION	REQUIRED TO NOTIFY CUSTOMERS	ODW RECEIVED A COMPLETED COPY	COMMENTS
4/11	0						
3/11	0						
2/11	0						
1/11	0		1 - Well 2 (070)				
12/10	0		1 - Well 2 (070)				
11/10	2 of 2	3 of 5	1 - Well 3 (076)	Nonacute MCL	Yes	No	Chlorination installed. System became a Significant Non-Complying Water System (SNC)
10/10	0						
9/10	1 of 3	None		No Violation			
8/10	Routine not collected			Major Monitoring	Yes	No	
7/10	1 of 3	None collected		Major Repeat	Yes	No	
6/10	0						Cowlitz Health Department – received a customer complaint . 1 of 3 samples unsat.
5/10	Routine not collected			Major Monitoring	Yes	No	
4/10	Routine not collected			Major Monitoring	Yes	No	
3/10	0						
2/10	1 of 1	2 of 5	2 - Well 2 (070)	Nonacute MCL	Yes	Yes	
1/10	0						
12/09	0						
11/09	0						
10/09	0						
9/09	0						
8/09	1 of 1	None		No Violation			
7/09	0						
6/09	0						
5/09	0						
4/09	0						
3/09	0						

	1 of 1	2 of 3	Nonacute MCL	Yes	Yes
2/09					
1/09	0				
12/08	0				
11/08	0				
10/08	1 of 1	4 of 4	Nonacute MCL	Yes	Yes
9/08	0				
8/08	0				
7/08	0				
6/08	0				
5/08	0				
4/08	0				
3/08	0				
2/08	1 of 1	None	No Violation		
1/08	0				
12/07 - 1/07	0				
12/06 - 1/06	0				
12/05 - 1/05	7/05 1 of 1	None	No Violation		
12/04-			Major Monitoring		



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

February 28, 2011

Dave Danner, Executive Director
Utilities and Transportation Commission
1300 South Evergreen Park Drive Southwest
Olympia, Washington 98504

Subject: Green Mountain H2O, LLC; Docket UW-102014

Dear Mr. Danner:

At the February 3, 2011, pre-hearing, Docket UW-102014, we agreed to provide the enclosed monitoring and water quality information for the Columbia Crest Estates Water System. I have included information regarding coliform bacteria and arsenic, which are the two contaminants this water system has experienced. The information below will help you understand the data in the printouts.

ARSENIC DATA

This water system is required to collect one arsenic sample each quarter. We define the quarters as January-March, April-June, July-September, and October-December. The column labeled "Sample Collect Date" contains a list of dates where we have sample results. The arsenic concentration of each sample is listed under "Arsenic Result (mg/l)". The samples are all highlighted as "exceeds MCL of 0.010". The MCL is the maximum contaminant level, which is the maximum level allowed by EPA per the Safe Drinking Water Act.

The date when this water system became "out of compliance" is calculated based on their monitoring results, so it can be different for every water system. The Columbia Crest Estates Water System has exceeded the arsenic standard since May 31, 2007.

COLIFORM DATA

This water system is required to collect one coliform bacteria sample each month. The enclosed table is a summary of the sampling history and water quality since January 1, 2009. We can provide older data if needed. The gray highlight indicates the months when all requirements were met. The remaining months had violations as described by the following terms:



Dave Danner
February 28, 2011
Page 2

- “Nonacute MCL” and “Major Repeat” mean coliform bacteria was present in the water. These are violations.
- “Major Monitoring” means none of the required samples were collected, so the water quality is unknown. This is a violation.

Public notification is required when any of the above violations occur; and certification that this notice was delivered is required. The rows labeled “Public Notification Form” indicate whether we received the required certification. Failure to provide required public notification is a violation.

The Columbia Crest Estates Water System was in violation of the coliform requirements for seven months since January 1, 2009.

If additional water quality data becomes available, I will provide it to you. If you have any questions about this information, please contact me or Gael Kantz at (360) 236-3030.

Sincerely,



Bonnie Waybright, P.E.
Office of Drinking Water, Assistant Regional Manager

Enclosures

cc: Dan Class, Columbia Crest Estates
Chuck Tadlock, Columbia Crest Estates Homeowners Association
Michael Fassio, Utilities and Transportation Commission
Adam Torem, Utilities and Transportation Commission
Jim Ward, Utilities and Transportation Commission

COLUMBIA CREST ESTATES WATER SYSTEM, ID 07200P, COWLITZ COUNTY
 YEARS & MONTHS WITH COLIFORM VIOLATIONS AND
 WAS A PUBLIC NOTIFICATION FORM RECEIVED BY DOH

2009	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Violation Type	None	Nonacute MCL	None	None	None	None	None	None	None	None	None	None
Public Notification Form		Received										

2010	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Violation Type	None	Nonacute MCL	None	Major Monitoring	Major Monitoring	None	Major Repeat	Major Monitoring	None	None	Nonacute MCL	None
Public Notification Form		Received		Not Received	Not Received		Not Received	Not Received			Not Received	

2011	JANUARY	FEBRUARY	MARCH	APRIL
Violation Type	None	None	None	None
Public Notification Form				

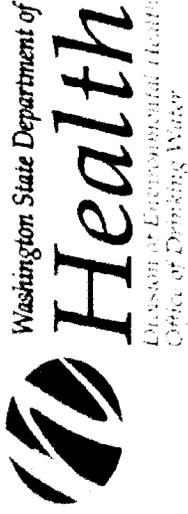


List Coliform Numeric Samples
by Sample Collect Date

Exhibit No. (SB-6B)

WS ID	WS Name	WS Group	WS Type	Collect Date	Lab/Sample Number	Sample Purp.	Source	Total	Fecal	Ecoli	Samp. Suit.	Sample Location
07200 P	COLUMBIA CREST ESTATES	A	Comm	01/12/2011	017 03142	RC	S05	1.00 EQ	NA	1.00 LT		acv 070 source
07200 P	COLUMBIA CREST ESTATES	A	Comm	01/11/2011	017 02805	RC	S06	1.00 LT	NA	1.00 LT		ahm 076 source
07200 P	COLUMBIA CREST ESTATES	A	Comm	12/28/2010	017 43534	RC	S05	1.00 EQ	NA	1.00 LT		acv070
07200 P	COLUMBIA CREST ESTATES	A	Comm	12/28/2010	017 43535	RC	S06	1.00 LT	NA	1.00 LT		ahm076

---- End of Report ----



List Coliform A/P Samples

Report Create Date: 2/7/2011

Report Sort: by Water System Id and Sample Collect Date

Water System ID: 07200

Water System Group: A

Water System Type: ALL

County: 08

Region: SW

Collect Date From: 01/01/2005 **To:** 02/03/2011

Sample Number From: ALL **To:** ALL

Sample Purpose: ALL

Sentry DOH



KEY TO TYPE OF SAMPLES AND RESULTS
 RC - ROUTINE
 R - REPEAT FOLLOW-UP TO AN UNSAT. ROUTINE
 GWR - WELL SAMPLE FOR GROUNDWATER RULE
 I - INVESTIGATIVE (NOT A REGULATORY SAMPLE)
 A - ABSENT
 P - PRESENT

List Coliform A/P Samples by Water System Id and Sample Collect Date

TYPES OF VIOLATIONS

MAJOR MONITORING - MONTHLY SAMPLE NOT COLLECTED
 MAJOR REPEAT - UNSAT. ROUTINE AND NO FOLLOW-UP SAMPLES
 NONACUTE MCL - TOTAL COLIFORM BACTERIA CONFIRMED
 TIER 1 SMC - SIGNIFICANT NON-COMPLYING WATER SYSTEM

WSID	WS Name	Co	Gp/Ty	CollectDate	Lab/Sample	SamPurp	Total	Fecal	Ecoli	SamSult	OrgCollectDate	OrgLab/Sample	SampleLocation
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/11/2011	017 02801	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/11/2011	017 02802	RC	A						461 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/11/2011	017 02803	RC	A						30 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/28/2010	017 43531	RC	A						30 varsity dr
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/28/2010	017 43532	RC	A						461 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/28/2010	017 43533	RC	A						704 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/19/2010	017 30502	R	A				11/05/2010	144 07541	ahm076
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/19/2010	017 30901	R	A				11/05/2010	144 07541	756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/15/2010	144 07536	GWR	A						whd acv 070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/15/2010	144 07539	GWR	P						whd ahm076
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/15/2010	144 07537	R	P				11/05/2010	144 07541	278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/15/2010	144 07538	R	P				11/05/2010	144 07541	149 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/15/2010	144 07540	R	P				11/05/2010	144 07541	461 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/10/2010	144 07456	RC	P						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/05/2010	144 07541	RC	P						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/06/2010	144 06528	RC	A						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/06/2010	144 06529	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/06/2010	144 06530	RC	A						465 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/06/2010	144 06531	RC	A						269 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/06/2010	144 06532	RC	A						176 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/04/2010	144 06467	R	A				09/28/2010	144 06340	212 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/04/2010	144 06468	R	A				09/28/2010	144 06340	704 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/01/2010	144 06410	R	A				09/28/2010	144 06340	278 Varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/01/2010	144 06411	R	A				09/28/2010	144 06340	756 Varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/01/2010	144 06412	R	A				09/28/2010	144 06340	461 Varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/28/2010	144 06340	RC	P						756 Varsity - Collected by CJ Bruno
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/28/2010	144 06341	RC	A						278 Varsity Collected by CJ Bruno
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/28/2010	144 06342	RC	A						461 Varsity Collected by CJ Bruno
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/13/2010	144 05964	I	A						461 Varsity Collected by CJ Bruno
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/01/2010	017 67891	RC	A						461 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/01/2010	017 67892	RC	P						151 varsity

Raw Well Samples
 12/10 076 Well 3 TC+EC-
 1/11 076 Well 2 TC-EC-
 076 Well 3 Absent

11/10 NONACUTE MCL
 TIER 1 SMC

076 Well 3
 TC+EC-

10/1/10 REPLACEMENT HEALTH ADVISORY
 ISSUED - "DO NOT DRINK AS HIGH ANISEMIC
 LEVELS"
 REPLACED 6/1/10 ADVISORY

8/10 MAJOR MONITORING

7/10 MAJOR REPEAT

List Coliform, A/P Samples by Water System Id and Sample Collect Date

WSID	WS Name	Co	Gp/Ty	CollectDate	Lab/Sample	SamPurp	Total	Fecal	Ecoli	SamSuit	OrgCollectDate	OrgLab/Sampk	SampleLocation
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/01/2010	017 67893	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/24/2010	017 65441	RC	A						ACV 070 - source
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/24/2010	017 65442	RC	A						ahm 076 source
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/24/2010	017 65443	RC	A						461 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/11/2010	017 14431	I	A		A				853 Varsity Collected by Jesse Smith no chlorine
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/11/2010	017 14432	I	P	A	A				461 Varsity Collected by Jesse Smith no chlorine
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/11/2010	017 14433	I	A		A				278 Varsity Collected by Jesse Smith no chlorine
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/01/2010	144 03398	I	P	A	A				853 Varsity Rd - Homeowner collected
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/31/2010	017 30211	RC	A						acv070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/30/2010	017 29841	RC	A						acv070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2010	017 21343	RC	A						acv 070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2010	017 21344	RC	A						465 varsity dr
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2010	017 21345	RC	A						756 varsity dr
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/23/2010	017 16191	R	A				02/02/2010	017 09541	ahm 076 new sample valve
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/15/2010	017 13924	R	P		A		02/02/2010	017 09541	whd acv 070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/08/2010	017 11461	R	A				02/02/2010	017 09541	278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/08/2010	017 11462	R	A				02/02/2010	017 09541	ahm 076 whd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/08/2010	017 11463	R	P		A		02/02/2010	017 09541	whd acv 070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/02/2010	017 09541	RC	P		A				465 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/04/2010	017 00242	RC	A						465 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/08/2009	017 18671	RC	A						278 varsity dr
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/03/2009	017 06671	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/12/2009	017 97641	RC	A						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/23/2009	017 89661	RC	A						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/23/2009	017 89662	RC	A						whd acv 076
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/23/2009	017 89663	RC	A						465 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/23/2009	017 89664	RC	A						242 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/23/2009	017 89665	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2009	017 80271	R	A				08/27/2009	017 79211	242 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2009	017 80272	R	A				08/27/2009	017 79211	278 varsity

6/2/10 HEALTH ADVISORY ISSUED - "USE BOILED OR PURCHASED BOTTLED WATER" COWLITZ COUNTY INVESTIGATIVE COLIFORM SAMPLES - 2/4 SAMPLES UNSATISFACTORY

5/10 MAJOR MONITORING 4/10 MAJOR MONITORING

2/10 NONACUTE MCL

070 Well 2 TC+EC-

List Coliform A/P Samples by Water System Id and Sample Collect Date

WSID	WS Name	Co	Gp/Ty	CollectDate	Lab/Sample	SamPurp	Total	Fecal	Ecoli	SamSuit	OrgCollectDate	OrgLab/Sample	SampleLocation
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2009	017 80273	R	A				08/27/2009	017 79211	well head
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/27/2009	017 79211	RC	P		A				278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/29/2009	017 68011	RC	A						465 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/24/2009	017 56391	RC	A						756 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	05/31/2009	017 48461	RC	A						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	04/19/2009	017 34332	RC	A						465 varsity dr
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/30/2009	017 27191	RC	A						433 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/30/2009	017 27192	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2009	017 19961	RC	A						reservoir at ahm 076
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2009	017 19962	RC	A						756 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2009	017 19963	RC	A						704 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/09/2009	017 19964	RC	A						wbd acv 070
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/26/2009	017 16241	R	A				02/24/2009	017 15461	upper reservoir
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/26/2009	017 16242	R	P		A		02/24/2009	017 15461	433 varsity dr
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/26/2009	017 16243	R	P		A		02/24/2009	017 15461	middle reservoir
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/24/2009	017 15461	RC	P		A				433 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/28/2009	089 93797	RC	A						523 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/17/2008	091 03728	RC	A						ng
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/25/2008	091 03542	RC	A						ng
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/25/2008	091 03543	RC	A						ng
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/25/2008	091 03544	RC	A						ng
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/25/2008	091 03545	RC	A						ng
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/25/2008	091 03546	RC	A						ng
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/05/2008	089 86500	R	P		A		10/30/2008	089 85528	30 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/05/2008	089 86501	R	P		A		10/30/2008	089 85528	573 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/05/2008	089 86502	R	P		A		10/30/2008	089 85528	433 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/05/2008	089 86503	R	P		A		10/30/2008	089 85528	278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/30/2008	089 85528	RC	P		A				30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/24/2008	089 82303	RC	A						473 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/05/2008	091 02410	RC	A						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/30/2008	089 76313	RC	A						frnt of varsity rd

2/09 MONAQUITE MCL

10/08 MONAQUITE MCL

List Coliform, A/P Samples by Water System Id and Sample Collect Date

WSID	WS Name	Co	Gp/Ty	CollectDate	Lab/Sample	SamPurp	Total	Fecal	Ecoli	SamSuit	OrgCollectDate	OrgLab/Sample	SampleLocation
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/25/2008	089 72964	RC	A						ot 30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	05/28/2008	089 70009	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	04/29/2008	091 01280	RC	A						465 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/03/2008	091 00637	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/03/2008	091 00638	RC	A						573 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/03/2008	091 00639	RC	A						reservoir
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/03/2008	091 00640	RC	A						278 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/03/2008	091 00641	RC	A						462 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/20/2008	089 60967	R	A				02/14/2008	089 60417	278 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/20/2008	089 60968	R	A				02/14/2008	089 60417	573 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/20/2008	089 60969	R	A				02/14/2008	089 60417	base of reservoir 465 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/20/2008	089 60970	R	A				02/14/2008	089 60417	30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/14/2008	089 60417	RC	P	A					463 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/30/2008	089 58850	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/26/2007	089 55854	RC	A						haller tap varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/28/2007	089 53164	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/24/2007	089 50184	RC	A						573 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/26/2007	089 47140	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/13/2007	091 02539	RC	A						5 B? rd.
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/25/2007	089 40568	RC	A						07- HALLER VARSITY RD
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/27/2007	089 37368	RC	A						ot @ 30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	05/31/2007	089 34404	RC	A						ot 465 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	04/25/2007	089 31373	RC	A						465 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/26/2007	091 00824	RC	A						465 varsity dr ot
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/28/2007	089 25710	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/29/2007	091 00245	RC	A						278 varsity front ot
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/28/2006	089 20146	RC	A						30 varsity rd ot
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/29/2006	091 03753	RC	A						ot #433 varsity
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/25/2006	089 14261	RC	A						8 varsity ot
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/27/2006	089 11354	RC	A						465 VARSITY RD
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/07/2006	091 02415	RC	A						30 varsity rd

6/15/07 HEALTH ADVISORY ISSUED- USE BOILED OR PURCHASED BOTTLED WATER
BROKEN WATER LINE, PUMP OUTAGES, OUT OF WATER
RESUMED 11/20/07

List Coliform A/P Samples by Water System Id and Sample Collect Date

WSID	WS Name	Co	Gp/Ty	CollectDate	Lab/Sample	SamPurp	Total	Fecal	Ecoli	SamSuit	OrgCollectDate	OrgLab/Sample	SampleLocation
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/27/2006	089 04908	RC	A						168 VARSITY OT
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/28/2006	091 01893	RC	A						178 varsity fct
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	05/31/2006	091 01502	RC	A						ot class res varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	04/26/2006	089 96193	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	03/07/2006	091 00675	RC	A						278 varsity osf
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	02/13/2006	091 00439	RC	A						465 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	01/30/2006	091 00286	RC	A						varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	12/27/2005	089 85015	RC	A						573 VARSITY RD
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	11/29/2005	091 03848	RC	A						43 VARSITY
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	10/26/2005	089 79563	RC	A						#30 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	09/21/2005	089 76052	RC	A						465 VARSITY RD KALAMA
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2005	089 73709	RC	A						62
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2005	089 73710	RC	A						front of
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2005	089 73711	RC	A						front of
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2005	089 73712	RC	A						front of
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/31/2005	089 73713	RC	A						front of
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/02/2005	091 02530	R	A				07/26/2005	091 02375	438 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/02/2005	091 02532	R	A				07/26/2005	091 02375	upper reservoir
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/02/2005	091 02533	R	A				07/26/2005	091 02375	middle well
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	08/02/2005	091 02534	R	A				07/26/2005	091 02375	meter service at lower ph
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	07/26/2005	091 02375	RC	P		A				438 varsity front of
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	06/29/2005	089 66871	RC	A						465 varsity rd
07200 P	COLUMBIA CREST ESTATES	08	A/Comm	05/26/2005	089 63593	RC	A						30 varsity rd
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	04/28/2005	089 60790	RC	A						varsity rd first house on night
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	03/22/2005	091 00781	RC	A						465 VARSITY RD
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	02/24/2005	089 55342	RC	A						278 VARSITY RD
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	01/17/2005	091 00178	RC	A						433 VARSITY RD
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	01/17/2005	091 00173	RC	A						269 VARSITY RD
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	01/17/2005	091 00174	RC	A						VARSITY RD WELL 1
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	01/17/2005	091 00175	RC	A						212 VARSITY RD
07200 P	COLUMBIA CREST ESTATES 1	08	A/Comm	01/17/2005	091 00176	RC	A						VARSITY RD WELL 2

**1/17/05 HEALTH ADVISORY ISSUED - USE BOILED
OR PURCHASED BOTTLED WATER**
**WATER LINES LOST PRESSURE DUE TO POWER
OUTAGE**
 RESCINDED 1/20/05



List Coliform, A/P Samples by Water System Id and Sample Collect Date

WSID	WS Name	Co	Gp/Ty	CollectDate	Lab/Sample	SamPurp	Total	Fecal	Ecoli	SamSuit	OrgCollectDate	OrgLab/Sample	SampleLocation
07200 P	COLUMBIA CREST ESTATES I	08	A/Comm	01/17/2005	091.00177	RC	A						30 VARSITY RD

----- End of Report -----



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

November 24, 2010

SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Non-Acute Coliform Maximum Contaminant Level (MCL) Violation for November 2010 and Tier 1
Significant Non-Complying Water System Status

Dear Dan Class:

Your water system has a Non-Acute coliform MCL violation for November because coliform bacteria was detected in multiple samples. The presence of coliform bacteria usually means that soil or vegetation has entered the system. This is a public health concern because pathogens (organisms which cause disease) may enter the system via the same route as the coliform bacteria. It is important to resolve the problem right away.

The following steps must be taken:

- Inspect your system, identify the source of contamination, and make repairs.
- Disinfect and flush the system, if needed.
- Notify all water users of this violation by completing and distributing the enclosed notice as soon as possible. *Your water system remains on the Health Advisory that was issued October 1, 2010.*
- Collect five routine samples in December to ensure the contamination is gone.

Your water system has had six coliform violations in 2010. The violations are: November - Nonacute MCL, August - Major Monitoring, July - Major Repeat, May - Major Monitoring, April - Major Monitoring, and February - Nonacute MCL. Based on these violations, your water system is now a Tier 1 Significant Non-Complying Water system.

I'm glad to help you address this problem. You can contact me by phone at (360) 236-3044, or by e-mail at slb0303@doh.wa.gov if you need assistance. Please read the enclosed handouts and visit our Web site for more information (www.doh.wa.gov/ehp/dw).

Sincerely,

A handwritten signature in cursive script that reads "Sandy Brentlinger".

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosures

cc: Cowlitz County Health Department

A handwritten signature in cursive script that reads "No PA Rec'd".



IMPORTANT NOTICE ABOUT YOUR WATER SYSTEM
Coliform Maximum Contaminant Level (MCL) Exceeded: Non-Acute MCL

The Columbia Crest Estates Water System, ID 07200P, in Cowlitz County routinely monitors for the presence of total coliform bacteria and in November 2010 this type of bacteria was detected.

Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems. The samples that showed the presence of coliform were further tested to see if other bacteria of greater concern, such as fecal coliform or *E.coli* were present. **None of these bacteria were found.**

What happened? What is the suspected or known source of contamination?

In November seven samples were collected. Six of these samples had unsatisfactory results.

At this time:

- The problem is resolved.
- We anticipate resolving the problem by ____/____/____.
- The *Use Bottled Water Health Advisory* issued on October 1, 2010, by the State Department of Health is still in effect. You will be notified in writing when the State Department of Health rescinds this advisory.

For information:

Contact _____ at (____) _____ or at _____
owner or operator phone number address

Please share this notice with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is sent to you by _____ Date Distributed ____/____/____

Coliform Non-Acute Public Notice Certification Form

The purpose of this form (below) is to provide documentation to the department that public notice was distributed. Please check the appropriate box and fill in the date that the notice was distributed:

- Notice was mailed to all water customers on ____/____/____.
- Notice was hand delivered to all water customers on ____/____/____.
- Notice was posted (*with department approval*) at:
_____ on ____/____/____.



Signature of owner or operator

Position

Date

The Department of Health is an equal opportunity agency. For persons with disabilities, this form is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

Send copy of completed notification and certification to:

Southwest Drinking Water Operation, PO BOX 47823 OLYMPIA 98504-7823 or fax to (360) 664-8058



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

September 17, 2010

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Coliform Major Monitoring Violation for August 2010

Dear Dan Class:

Your water system has a Major Monitoring violation for August because we did not receive a coliform bacteria sample result for your system for that month. Coliform bacteria sampling is important to ensure the system is free of contamination. Notify all users of this violation by completing and distributing the enclosed notice. Send a copy of the completed notice and certification to me.

Sometimes errors occur and a sample result doesn't get credited to a system. In that case please send me a copy of the lab slip for your sample collected in April. I will credit the sample to your system and delete the violation.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I am glad to answer any questions about coliform monitoring. You can contact me at (360) 236-3044, or by e-mail at slb0303@doh.wa.gov if you need assistance. Our Web site also has useful information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department

PH NOT used



**NOTICE TO WATER SYSTEM USERS
COLIFORM MAJOR MONITORING VIOLATION**

We, Columbia Crest Estates Water System, ID 07200P, located in Cowlitz County are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of August 2010 we did not monitor or test for coliform bacteria, and therefore cannot be sure of the quality of your drinking water during that time.

At this time:

- No action is required by the users.
- Our routine coliform sample required for the month of _____ has been collected and was found to show no presence of coliform bacteria.
- Samples will be collected in the future as required.
- Other information for customers:

For information:

Contact _____ at () _____ or at _____
owner or operator phone number address

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses) You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is sent to you by _____ Water System on ____/____/____

Coliform Major Monitoring Public Notice Certification Form

The purpose of this form (below) is to provide documentation to the department that public notice was distributed. Please check the appropriate box and fill in the date that the notice was distributed:

- Notice was mailed to all water customers on ____/____/____.
- Notice was hand delivered to all water customers on ____/____/____.
- Notice was posted (with department approval) at:
_____ on ____/____/____.



Signature of owner or operator

Position

Date

The Department of Health is an equal opportunity agency. For persons with disabilities, this form is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

Send copy of completed notification and certification to:

Southwest Drinking Water Operation, PO BOX 47823 OLYMPIA 98504-7823 or fax to (360) 664-8058



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

August 17, 2010

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Coliform Major Repeat Violation for July 2010

Dear Dan Class:

Your water system has a Major Repeat violation for July because no repeat samples were collected following an unsatisfactory routine sample. Repeat samples are required to confirm the presence of contamination and to help identify the source of the contamination.

The following steps must be taken:

- Collect 5 routine samples in August to make sure the contamination is gone.
- Notify all water users of this violation by completing and distributing the enclosed notice as soon as possible.
- Send me a copy of your completed notice within 30 days.

Sometimes errors occur and samples don't get credited to a system. In that case, please send me a copy of the lab slips for your repeat samples. I will credit the samples to your system and delete the violation.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I am glad to answer any questions about coliform monitoring. You can contact me at (360) 236-3044, or by e-mail at slb0303@doh.wa.gov if you need assistance. Please read the enclosed handout and visit our Web site for more information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosure

PH Not Rec'd

cc: Cowlitz County Health Department



**NOTICE TO WATER SYSTEM USERS
COLIFORM MAJOR REPEAT VIOLATION**

We, Columbia Crest Estates Water System, ID 07200P, located in Cowlitz County are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of July 2010 we did not complete monitoring for coliform bacteria that was required in response to an unsatisfactory sample. Therefore we cannot be sure of the quality of your drinking water during that time.

Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in one sample(s) and this was a warning of potential problems.

At this time:

- No action is required by the users.
- Samples will be collected in the future as required.
- Other information for customers:

For more information:

Contact _____ at (_____) _____ or at _____
owner or operator phone number address

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses) You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is sent to you by _____ Water System on ____/____/____

Coliform Major Repeat Public Notice Certification Form

The purpose of this form (below) is to provide documentation to the department that public notice was distributed. Please check the appropriate box and fill in the date that the notice was distributed:

- Notice was mailed to all water customers on ____/____/____.
- Notice was hand delivered to all water customers on ____/____/____.
- Notice was posted (*with department approval*) at:
_____ on ____/____/____.



Signature of owner or operator

Position

Date

The Department of Health is an equal opportunity agency. For persons with disabilities, this form is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

Send copy of completed notification and certification to:

Southwest Drinking Water Operation, PO BOX 47823 OLYMPIA 98504-7823 or fax to (360) 664-8058



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

June 23, 2010

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Coliform Major Monitoring Violation for May 2010

Dear Dan Class:

Your water system has a Major Monitoring violation for May because we did not receive a coliform bacteria sample result for your system for that month. Coliform bacteria sampling is important to ensure the system is free of contamination. Notify all users of this violation by completing and distributing the enclosed notice. Send a copy of the completed notice and certification to me.

Sometimes errors occur and a sample result doesn't get credited to a system. In that case please send me a copy of the lab slip for your sample collected in May. I will credit the sample to your system and delete the violation.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I am glad to answer any questions about coliform monitoring. You can contact me at (360) 236-3044, or by e-mail at slb0303@doh.wa.gov if you need assistance. Our Web site also has useful information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department

PW Not Rec'd



**NOTICE TO WATER SYSTEM USERS
COLIFORM MAJOR MONITORING VIOLATION**

We, Columbia Crest Estates Water System, ID 07200P, located in Cowlitz County are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of May 2010 we did not monitor or test for coliform bacteria, and therefore cannot be sure of the quality of your drinking water during that time.

At this time:

- No action is required by the users.
- Our routine coliform sample required for the month of _____ has been collected and was found to show no presence of coliform bacteria.
- Samples will be collected in the future as required.
- Other information for customers:

For information:

Contact _____ at (_____) _____ or at _____
owner or operator phone number address

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses) You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is sent to you by _____ Water System on ____ / ____ / ____

Coliform Major Monitoring Public Notice Certification Form

The purpose of this form (below) is to provide documentation to the department that public notice was distributed. Please check the appropriate box and fill in the date that the notice was distributed:

- Notice was mailed to all water customers on ____ / ____ / ____.
- Notice was hand delivered to all water customers on ____ / ____ / ____.
- Notice was posted (*with department approval*) at:
_____ on ____ / ____ / ____.



Signature of owner or operator

Position

Date

The Department of Health is an equal opportunity agency. For persons with disabilities, this form is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

Send copy of completed notification and certification to:

Southwest Drinking Water Operation, PO BOX 47823 OLYMPIA 98504-7823 or fax to (360) 664-8058



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

May 17, 2010

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Coliform Major Monitoring Violation for April 2010

Dear Dan Class:

Your water system has a Major Monitoring violation for April because we did not receive a coliform bacteria sample result for your system for that month. Coliform bacteria sampling is important to ensure the system is free of contamination. Notify all users of this violation by completing and distributing the enclosed notice. Send a copy of the completed notice and certification to me.

Sometimes errors occur and a sample result doesn't get credited to a system. In that case please send me a copy of the lab slip for your sample collected in April. I will credit the sample to your system and delete the violation.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I am glad to answer any questions about coliform monitoring. You can contact me at (360) 236-3044, or by e-mail at slb0303@doh.wa.gov if you need assistance. Our Web site also has useful information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department

PM NOT Rec'd



**NOTICE TO WATER SYSTEM USERS
COLIFORM MAJOR MONITORING VIOLATION**

We, Columbia Crest Estates Water System, ID 07200P, located in Cowlitz County are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of April 2010 we did not monitor or test for coliform bacteria, and therefore cannot be sure of the quality of your drinking water during that time.

At this time:

- No action is required by the users.
- Our routine coliform sample required for the month of _____ has been collected and was found to show no presence of coliform bacteria.
- Samples will be collected in the future as required.
- Other information for customers:

For information:

Contact _____ at (_____) _____ or at _____
owner or operator phone number address

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses) You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is sent to you by _____ Water System on ____/____/____

Coliform Major Monitoring Public Notice Certification Form

The purpose of this form (below) is to provide documentation to the department that public notice was distributed. Please check the appropriate box and fill in the date that the notice was distributed:

- Notice was mailed to all water customers on ____/____/____.
- Notice was hand delivered to all water customers on ____/____/____.
- Notice was posted (*with department approval*) at:
_____ on ____/____/____.



Signature of owner or operator Position Date

The Department of Health is an equal opportunity agency. For persons with disabilities, this form is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

Send copy of completed notification and certification to:

Southwest Drinking Water Operation, PO BOX 47823 OLYMPIA 98504-7823 or fax to (360) 664-8058



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

February 22, 2010

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Non-Acute Coliform Maximum Contaminant Level (MCL) Violation for February 2010

Dear Dan Class:

Your water system has a Non-Acute coliform MCL violation for February because coliform bacteria was detected in multiple samples. The presence of coliform bacteria usually means that soil or vegetation has entered the system. This is a public health concern because pathogens (organisms which cause disease) may enter the system via the same route as the coliform bacteria. It is important to resolve the problem right away.

The following steps must be taken:

- Inspect your system, identify the source of contamination, and make repairs.
- Disinfect and flush the system, if needed.
- Notify all water users of this violation by completing and distributing the enclosed notice as soon as possible.
- Send a copy of the completed notice and certification to me within 30 days.
- Collect five routine samples in March to ensure the contamination is gone.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I'm glad to help you address this problem. You can contact me by phone at (360) 236-3044, or by e-mail at slb0303@doh.wa.gov if you need assistance. Please read the enclosed handouts and visit our Web site for more information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosures

cc: Cowlitz County Health Department
CJ Bruno



IMPORTANT NOTICE ABOUT YOUR WATER SYSTEM
Coliform Maximum Contaminant Level (MCL) Exceeded: Non-Acute MCL

The Columbia Crest Estates Water System, ID 07200P, in Cowlitz County routinely monitors for the presence of total coliform bacteria and in February 2010 this type of bacteria was detected. Although this incident was not an emergency, as our customer, you have a right to know what happened and what we did or are doing to correct the situation.

Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems. The samples that showed the presence of coliform were further tested to see if other bacteria of greater concern, such as fecal coliform or *E.coli* were present. **None of these bacteria were found.**

You do not need to boil your water. People with severely compromised immune systems, infants, and some elderly may be at an increased risk and may want to contact their health care provider for additional guidance.

What happened? What is the suspected or known source of contamination?

At this time:

- The problem is resolved. Additional samples collected were found to be free of coliform bacteria.
- We anticipate resolving the problem by ____ / ____ / ____.
- Other _____

For information:

Contact _____ at (_____) _____ or at _____ address
owner or operator phone number

Please share this notice with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is sent to you by _____ Date Distributed ____/____/____

Coliform Non-Acute Public Notice Certification Form		
The purpose of this form (below) is to provide documentation to the department that public notice was distributed. Please check the appropriate box and fill in the date that the notice was distributed:		
<input type="checkbox"/>	Notice was mailed to all water customers on ____ / ____ / ____.	
<input type="checkbox"/>	Notice was hand delivered to all water customers on ____ / ____ / ____.	
<input type="checkbox"/>	Notice was posted (with department approval) at: _____ on ____ / ____ / ____.	
_____	_____	_____
Signature of owner or operator	Position	Date
The Department of Health is an equal opportunity agency. For persons with disabilities, this form is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).		
Send copy of completed notification and certification to: Southwest Drinking Water Operation, PO BOX 47823 OLYMPIA 98504-7823 or fax to (360) 664-8058		



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

March 10, 2009

DAN CLASS
COLUMBIA CREST ESTATES
759 VARSITY RD
KALAMA WA 98625

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Non-Acute Coliform Maximum Contaminant Level (MCL) Violation for February 2009

Dear Dan Class:

Your water system has a Non-Acute coliform MCL violation for February because coliform bacteria was detected in multiple samples. The presence of coliform bacteria usually means that soil or vegetation has entered the system. This is a public health concern because pathogens (organisms which cause disease) may enter the system via the same route as the coliform bacteria. It is important to resolve the problem right away.

The following steps must be taken:

- Inspect your system, identify the source of contamination, and make repairs.
- Disinfect and flush the system, if needed.
- Notify all water users of this violation by completing and distributing the enclosed notice as soon as possible.
- Send a copy of the completed notice and certification to me within 30 days.
- Collect five routine samples in March to ensure the contamination is gone.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I'm glad to help you address this problem. You can contact me by phone at (360) 236-3044, or by e-mail at sandy.brentlinger@doh.wa.gov if you need assistance. Please read the enclosed handouts and visit our Web site for more information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department
Aqua Tech (emailed)





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

November 13, 2008

VICTORIA LANTAU
COLUMBIA CREST ESTATES
PO BOX 780
NAPAVINE WA 98565

Subject: Columbia Crest Estates, ID 07200P, COMM, Cowlitz County;
Non-Acute Coliform Maximum Contaminant Level (MCL) Violation for October 2008

Dear Victoria Lantau:

Your water system has a Non-Acute coliform MCL violation for October because coliform bacteria was detected in multiple samples. The presence of coliform bacteria usually means that soil or vegetation has entered the system. This is a public health concern because pathogens (organisms which cause disease) may enter the system via the same route as the coliform bacteria. It is important to resolve the problem right away.

The following steps must be taken:

- Inspect your system, identify the source of contamination, and make repairs.
- Disinfect and flush the system, if needed.
- Notify all water users of this violation by completing and distributing the enclosed notice as soon as possible. (Notice received.)
- Collect five routine samples in November to ensure the contamination is gone.

A system will become a significant non-complier if it has four or more violations within a 12-month period. This may result in: enforcement action, a red operating permit, the requirement for a certified operator (if you don't have one), and denial of a permit, license, or loan.

I'm glad to help you address this problem. You can contact me by phone at (360) 236-3044, or by e-mail at sandy.brentlinger@doh.wa.gov if you need assistance. Please read the enclosed handouts and visit our Web site for more information (www.doh.wa.gov/ehp/dw).

Sincerely,

Sandy Brentlinger
Office of Drinking Water
Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department
Dan Class





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER OPERATIONS

2411 Pacific Avenue • PO Box 47823 • Olympia, Washington 98504-7823

(360) 664-0768 • FAX: (360) 664-8058

TDD Relay 1-800-833-6388

January 20, 2005

VICTORIA LANTAU
COLUMBIA CREST ESTATES 1 WS
PO BOX 780
NAPAVINE WA 98565

Dear Victoria Lantau:

Subject: Columbia Crest Estates 1 Ws, ID #07200P, Cowlitz County; Major Monitoring Violation for December 2004

Coliform bacteria testing of your water supply is required to assure that it is of satisfactory quality for your water users (WAC 246-290-300). According to our records, no coliform samples were submitted for your system for the month of December. This means that the system has a Major Monitoring violation on record for December.

You are required to notify all water users of this monitoring violation (WAC 246-290-71003) and a public notification form is enclosed for your use. You may use this form or create one of your own as long as the mandatory language from EPA is included. Send a copy of your public notice and a completed copy of the enclosed certification form to the Office of Drinking Water (ODW) at the same time the notice is distributed to water users. You may mail these to the address noted above or fax to me at the number listed below.

Errors sometimes occur and you may not have received credit for a sample that was collected. If this is the case, please mail or fax a copy of each lab slip to me at the above address along with a note or copy of this letter. If appropriate, I will credit the water sample(s) to your system and delete the violation from your record. Please note that the sample must have been collected during December in order to receive credit; samples collected even one day early or one day late cannot be credited.

Please note: If a water system has repeated monitoring and/or water quality violations, the ODW may take enforcement action to restore compliance. If a system has four water quality violations or six violations of any type within a 12-month period, your system will be considered a significant non-complier (SNC) with the Total Coliform Rule. SNC status may result in a red operating permit, which could result in the denial of a permit or license or in the refusal of lending institutions to finance loans for properties connected to the system. Transient Non-Community systems that reach SNC status will be required to have a certified operator.

If you have questions, please contact me at (360) 753-5090, by fax at (360) 664-8058, or by e-mail at sandy.brentlinger@doh.wa.gov.

Sincerely,

SANDY BRENTLINGER
Office of Drinking Water Coliform Monitoring Specialist

PN NOT REC'd

Enclosure

cc: Cowlitz County Health Department
Public Health - Always Working for a Safer and Healthier Washington



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

SOUTHWEST DRINKING WATER OPERATIONS
2411 Pacific Avenue • PO Box 47823 • Olympia, Washington 98504-7823
Tel: (360) 664-0768 • FAX: (360) 664-8058
TDD Relay Service: 1-800-833-6388

August 29, 2005

VICTORIA LANTAU
COLUMBIA CREST ESTATES
PO BOX 780
NAPAVINE WA 98565

Dear Victoria Lantau:

Subject: Columbia Crest Estates Water System, ID #07200P, Cowlitz County; Major Repeat Violation for July 2005

Coliform bacteria testing of your water supply is required to assure that it is of satisfactory quality for the water users (WAC 246-290-300). According to our records for the month of July, no repeat samples were collected in response to an unsatisfactory routine sample. The purpose of collecting repeat samples is to: 1) confirm the presence of contamination in the system; and 2) to assist in identifying the source of contamination so that the problem can be resolved. Since no repeat samples were collected, the system has a Major Repeat violation on record for July. This is considered a water quality violation since test results indicated contamination in the system.

As a result of this violation, you are required to do the following:

- Notify all water users of this water quality violation as soon as practical but no later than 30 days after receiving this letter. A public notification form is enclosed for your use. You may use this form or create one of your own as long as the mandatory language from EPA is included.
- Send a copy of your public notice and a completed copy of the certification section of the form to the Office of Drinking Water (ODW) at the same time the notice is distributed to water users.
- Also, collect five (5) routine coliform samples in August to ensure that the contamination is no longer present.

PN NOT Rec'd



Major Repeat Violation

August 29, 2005

Page 2

Errors sometimes occur and you may not have received credit for samples that were collected. If this is the case, please mail or fax a copy of each lab slip to me at the above address along with a note or copy of this letter. If appropriate, I will credit the water samples to your system and delete the violation from your record.

If your system continues to have violations and reaches significant non-complier (SNC) status, you may be required to retain a certified operator to be in charge of the daily operation of your water system, if you do not already have one. The certified operator will be required as long as the system exists. A system reaches SNC status if it has six or more monitoring, four or more MCL and/or major repeat, or six or more combined violations during a twelve-month period.

I have enclosed a handout that describes follow-up steps to take after an unsatisfactory sample. If you have questions or need any help, please contact me at (360) 753-5090, by fax at (360) 664-8058, or by e-mail at sandy.brentlinger@doh.wa.gov.

Sincerely,

A handwritten signature in black ink that reads "Sandra Brentlinger". The signature is written in a cursive style.

Water Quality Specialist
Office of Drinking Water Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER OPERATIONS

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TDD Relay 1-800-833-6388

November 19, 2004

GARY STUART
COLUMBIA CREST ESTATES 1 WS
11310 LEWIS RIVER RD
ARIEL WA 98603

Dear Gary Stuart:

Subject: Columbia Crest Estates 1 Ws, ID #07200P, Cowlitz County; Major Monitoring Violation for October 2004

Coliform bacteria testing of your water supply is required to assure that it is of satisfactory quality for your water users (WAC 246-290-300). According to our records, no coliform samples were submitted for your system for the month of October. This means that the system has a Major Monitoring violation on record for October.

You are required to notify all water users of this monitoring violation (WAC 246-290-71003) and a public notification form is enclosed for your use. You may use this form or create one of your own as long as the mandatory language from EPA is included. Send a copy of your public notice and a completed copy of the enclosed certification form to the Office of Drinking Water (ODW) at the same time the notice is distributed to water users. You may mail these to the address noted above or fax to me at the number listed below.

Errors sometimes occur and you may not have received credit for a sample that was collected. If this is the case, please mail or fax a copy of each lab slip to me at the above address along with a note or copy of this letter. If appropriate, I will credit the water sample(s) to your system and delete the violation from your record. Please note that the sample must have been collected during October in order to receive credit; samples collected even one day early or one day late cannot be credited.

Please note: If a water system has repeated monitoring and/or water quality violations, the ODW may take enforcement action to restore compliance. If a system has four water quality violations or six violations of any type within a 12-month period, your system will be considered a significant non-complier (SNC) with the Total Coliform Rule. SNC status may result in a red operating permit, which could result in the denial of a permit or license or in the refusal of lending institutions to finance loans for properties connected to the system. Transient Non-Community systems that reach SNC status will be required to have a certified operator.

If you have questions, please contact me at (360) 753-5090, by fax at (360) 664-8058, or by e-mail at sandy.brentlinger@doh.wa.gov.

Sincerely,

SANDY BRENTLINGER
Office of Drinking Water Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department - Always Working for a Safer and Healthier Washington





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER OPERATIONS

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(360) 664-0768 • FAX: (360) 664-8058

TDD Relay 1-800-833-6388

December 15, 2004

GARY STUART
COLUMBIA CREST ESTATES 1 WS
11310 LEWIS RIVER RD
ARIEL WA 98603

Dear Gary Stuart:

Subject: Columbia Crest Estates 1 Ws, ID #07200P, Cowlitz County; Major Monitoring Violation for November 2004

Coliform bacteria testing of your water supply is required to assure that it is of satisfactory quality for your water users (WAC 246-290-300). According to our records, no coliform samples were submitted for your system for the month of November. This means that the system has a Major Monitoring violation on record for November.

You are required to notify all water users of this monitoring violation (WAC 246-290-71003) and a public notification form is enclosed for your use. You may use this form or create one of your own as long as the mandatory language from EPA is included. Send a copy of your public notice and a completed copy of the enclosed certification form to the Office of Drinking Water (ODW) at the same time the notice is distributed to water users. You may mail these to the address noted above or fax to me at the number listed below.

Errors sometimes occur and you may not have received credit for a sample that was collected. If this is the case, please mail or fax a copy of each lab slip to me at the above address along with a note or copy of this letter. If appropriate, I will credit the water sample(s) to your system and delete the violation from your record. Please note that the sample must have been collected during November in order to receive credit; samples collected even one day early or one day late cannot be credited.

Please note: If a water system has repeated monitoring and/or water quality violations, the ODW may take enforcement action to restore compliance. If a system has four water quality violations or six violations of any type within a 12-month period, your system will be considered a significant non-complier (SNC) with the Total Coliform Rule. SNC status may result in a red operating permit, which could result in the denial of a permit or license or in the refusal of lending institutions to finance loans for properties connected to the system. Transient Non-Community systems that reach SNC status will be required to have a certified operator.

If you have questions, please contact me at (360) 753-5090, by fax at (360) 664-8058, or by e-mail at sandy.brentlinger@doh.wa.gov.

Sincerely,

SANDY BRENTLINGER
Office of Drinking Water Coliform Monitoring Specialist

Enclosure

cc: Cowlitz County Health Department

Public Health - Always Working for a Safer and Healthier Washington



PK NOT Rec'd

Columbia Crest Estates Water System, ID 07200P, Cowlitz County

Advisory History

DATE ADVISORY ISSUED	REASON ADVISORY ISSUED	STATUS OF ADVISORY
		Rescinded 2/19/11
10/1/10	"Do Not Drink the Water" health advisory issued due to the high arsenic levels. (Replaced the 6/2/10 advisory)	
6/2/10	Customer notified SWRO that water being shut off periodically – advisory issued because contaminants may have entered the water system. Recommended to boil water or use purchased bottled water.	Replaced by the 10/1/10 Advisory

V

		Rescinded 11/20/07
6/15/07	Advisory issued because of broken water line and intermittent water outages due to pump problem. Recommended to boil water or use purchased bottled water.	

		Rescinded 1/20/05
1/11/05	Advisory issued because there was a power outage and the water lines lost pressure and the reservoirs emptied. Contaminants may have entered the water system. Recommended to boil water or use purchased bottled water.	



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

DO NOT DRINK THE WATER

Columbia Crest Estates Water System ID #07200P – Cowlitz County

Effective immediately, the Washington State Department of Health, Office of Drinking Water (ODW) is advising people that are supplied water by the Columbia Crest Estates water system that the water should not be used for human consumption. This advisory replaces a Health Advisory that was issued June 2, 1010, that recommended either boiling the water or using purchased bottled water. If you are experiencing illness symptoms, it is recommended that you see your health care provider.

This advisory is being issued because:

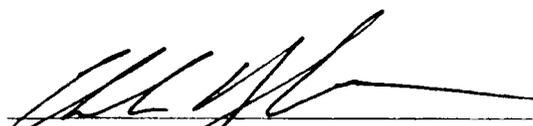
- The water supplied by the water system is high in arsenic. Boiling the water will concentrate the arsenic levels in the water.
- There is no certified operator in responsible charge of the water system.
- There have been numerous reported line breaks with improper disinfection techniques.

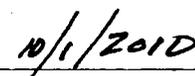
Follow-up will include the following:

- The chlorination system must be installed and operating satisfactorily.
- A certified operator must be hired by the water system owner.
- Two sets of five coliform samples must be collected on two different days and be submitted to a certified lab and analyzed for coliform bacteria. All the water samples must have satisfactory results.

ODW will continue to work with Columbia Crest Estates water system owner and the Cowlitz County Health Department.

This advisory will remain in effect until lifted by the Washington State Department of Health, Office of Drinking Water.


Clark Halvorson, Regional Manager
Southwest Drinking Water Operations


Date: October 1, 2010





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

HEALTH ADVISORY

Columbia Crest Water System, ID 07200P, Cowlitz County

June 2, 2010

Effective immediately, the Washington State Department of Health, Office of Drinking Water (ODW) is advising people consuming drinking water supplied by the Columbia Crest Estates Water System that the water might not be safe for human consumption.

DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST. Bring all water to a boil. Let it boil 1 minute at a rolling boil and let cool before using. Boiled or purchased, bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice. Boiling kills bacteria and other organisms in the water. If you are experiencing illness symptoms, it is recommended that you see your health care provider.

This advisory is issued because:

- There are customers on the system without water.
- Contaminants may have been drawn into the water system due to lack of water pressure in the lines.
- The bacteriological quality of the water is unknown.

Follow-up will include the following:

- Water service will be restored.
- Water samples will be collected and tested. This advisory will not be rescinded until there are two sets of three samples collected from the Columbia Crest Estates water system that have satisfactory results.

This advisory will remain in effect until rescinded by the State Department of Health, Office of Drinking Water.

Bonnie Waybought

Bonnie Waybright, Assistant Regional Manager
Southwest Drinking Water Operations

6-2-10

Date: June 2, 2010



Brentlinger, Sandy (DOH)

From: Petro, Sophia M (DOH)
Sent: Wednesday, June 02, 2010 3:17 PM
To: DOH DL EH DW Health Advisory; DOH DL EH DW SWRO
Cc: 'Smith, Jesse'
Subject: Tier 1 Health Advisory; Columbia Crest Estates, ID 07200P, COMM, Cowlitz County

This advisory is being issued this afternoon. Jesse Smith with Cowlitz County is hand delivering the advisory.

HEALTH ADVISORY SUMMARY

Today's date: June 2, 2010

INCIDENT:

Health Advisory – DOH Issued

REGIONAL OFFICE INCIDENT CONTACT	
Regional Office (RO):	Southwest
Name:	Bonnie Waybright, Sophia Petro, and Teresa Walker
Day Phone(s):	236- 3024, 236-3046, and 236.3032
After-Hours:	1-877-481-4901

WATER SYSTEM INFORMATION	
Name: Columbia Crest Estates ID: #07200P Group/Type: A-Comm	County: Cowlitz LHJ: Cowlitz
Number of connections:	Residential 22 Non Residential 0
Population served:	Residential 55 Non Residential 0
Location (proximity to nearest town):	Approximately 8 miles southeast of Kalama off of Green Mountain Road.
Source information (number and type):	The system has three active sources: S04 (well #1 - ACV069), S05 (well #2 - ACV070), and S06 (well #3 - AHM076).
Installed treatment:	There is no treatment currently on any of the sources. The system is required to mitigate for arsenic.
Operator/owner/title and phone number:	Dan Class, owner day and evening phone: (360) 225-0999 cell phone: (360) 909-4321
Who has been contacted (when)?	Teresa Walker, Jozsef Bezovics, and Jessie Smith were contacted by a customer on the system via email at 12:20 pm today.
System media contact & phone number:	

SITUATION INFORMATION

Type of incident (Boil Water, Bottle Water, Etc.). Describe situation and suspected cause.	Boil water. We received a customer complaint that the water was shut off to his and his neighbors homes on the system without any prior notice.
Brief description of current water quality history:	TC+ samples from August 2009 and February 2010. Two TC+ repeats confirmed the February 2010 non-acute event, but the follow-ups the next month were good.
Who Reported this incident:	Chuck Tadlock, a customer on the system, contacted Teresa Walker, Jozsef Bezovics, and Jessie Smith by email at 12:20 pm today.
Additional comments (media calls, illness reports, food service, school, medical facility, non-english customers, health risk, etc.):	
Customer PN delivered (how & when):	Cowlitz County will hand delivere the notices this afternoon.
LOCAL HEALTH JURISDICTION	
Contact name & phone number:	Jesse Smith, (360) 414-5598
Contacted (when & how)?	By Teresa Walker and initial customer email.

NEXT STEPS	
• Water system:	The water needs to be turned back on. Two sets of three satisfactory coliform samples must be collected before the boil water advisory is rescinded
• Local health jurisdiction:	Jesse will hand deliver notices this afternoon.
• RO/ODW:	Continue to reach system owner.
Is ODW satisfied with response?	No
Additional comments:	We have made several unsuccessful attempts to contact Dan Class.

All the Best,

Sophia Petro

Chemical Monitoring Specialist
 SW Drinking Water Regional Operations
 Washington State Department of Health
 PO Box 47823
 Olympia, WA 98504-7823
 phone - 360.236.3046
 fax - 360.664.8058
sophia.petro@doh.wa.gov

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DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

PRECAUTIONARY BOIL WATER ADVISORY

Columbia Crest Estates Water System - ID #07200P – Cowlitz County

Effective immediately, the Washington State Department of Health, Office of Drinking Water (ODW) is advising people consuming drinking water supplied by the Columbia Crest Estates Water System that the water may not be safe for human consumption.

DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST. Bring all water to a boil. Let it boil 3 to 5 minutes and let cool before using. Boiled or purchased bottled water should be used for drinking, making ice, brushing teeth, washing dishes and food preparation until further notice. Boiling kills bacteria and other organisms in the water. If you are experiencing illness symptoms, it is recommended that you see your health care provider.

This advisory is a precautionary measure based on the following:

- It was reported on Thursday, June 14, 2007, that the water system was not consistently supplying water to the customers.
- Repairs are being done on the water system.
- Contaminants may have been drawn into the water system.
- The bacteriological quality of the water is unknown.

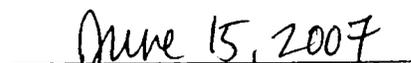
Follow-up will include the following:

- The water system will be disinfected using chlorine. The water lines will then be flushed until no chlorine remains.
- Water samples will be collected and tested.
- This advisory will not be rescinded until the sample results are known and they are satisfactory.
- ODW will continue to work with the Columbia Crest Estate Water System to ensure that safe and reliable drinking water is restored to the consumers.

This advisory will remain in effect until lifted by the Washington State Department of Health, Office of Drinking Water.



Denise Lahmann, Regional Manager
Southwest Drinking Water Operation


Date: June 15, 2007



Brentlinger, Sandy (DOH)

From: Brentlinger, Sandy (DOH)
Sent: Friday, June 15, 2007 3:30 PM
To: DOH DL EH DW Health Advisory; DOH DL EH DW SWRO; DOH DL EH IT
Cc: Stuckey, Carol (DOH); Prodzinski, Jennifer (DOH); Maday, Amy E (DOH); Steward, Mark (DOH)
Subject: PRECAUTIONARY ADVISORY - COLUMBIA CREST ESTATES, COWLITZ COUNTY, ID 07200P - A-COMM

Intermittent water outages at this very small (17 connections with 30 users) system.

HEALTH ADVISORY SUMMARY

Today's date: **June 15, 2007**

INCIDENT:

PRECAUTIONARY ADVISORY

OUTAGE / OFF NORMAL

POSSIBLE CROSS CONNECTIONS

REGIONAL OFFICE INCIDENT CONTACT	
Regional Office (RO):	Southwest
Name:	Sandy Brentlinger Teresa Walker
Day Phone(s):	(360) 236-3044 (360) 236-3032
After-Hours:	(360) 456-3386

WATER SYSTEM INFORMATION	
Name: Columbia Crest Estates ID: #07200P Group/Type: A-Comm	County: LHJ: Cowlitz
Number of connections:	Residential 17 Non Residential 0
Population served:	Residential 30 Non Residential 0
Location (proximity to nearest town):	Rural southwest Cowlitz County. Approximately three miles north of Woodland in the hills known as Green Mountain.
Source information (number and type):	5 wells - moderate to low susceptibility
Installed treatment:	No
Operator/owner/title and phone number:	SMA 125 Pacific Water Systems, Inc., Victoria Lantau (360) 262-9580
Who has been contacted (when)?	SMA - numerous times 6/14 and 6/15
System media contact & phone number:	Pacific Water Systems

SITUATION INFORMATION	
Type of incident (Boil Water, Bottle Water, Etc.). Describe situation and suspected cause.	Precautionary Advisory based on broken line, pump outage and intermittent water outages.

Brief description of current water quality history:	Coliform - has been satisfactory
Who Reported this incident:	A customer.
Additional comments (media calls, illness reports, food service, school, medical facility, non-English customers, health risk, etc.):	
Customer PN delivered (how & when):	Will be hand-delivered soon.

LOCAL HEALTH JURISDICTION

Contact name & phone number:	Audry Shaver, Cowlitz County Health Department (360) 414-5592
Contacted (when & how)?	Numerous times by Teresa Walker. Advisory and Summary emailed.

NEXT STEPS

• Water system:	Complete repairs, disinfect the water system, flush and obtain satisfactory coliform samples.
• Local health jurisdiction:	Nothing at this time.
• RO/ODW:	Teresa Walker is working with the SMA.
Is ODW satisfied with response?	So far.
Additional comments:	



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
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PO Box 47823, Olympia, Washington 98504-7823
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November 20, 2007

Victoria Lantau
Pacific Water Systems, Inc.
P. O. Box 780
Napavine, WA 98565-0555

Dear Mrs. Lantau:

Subject: Columbia Crest Estates Water System, ID #07200P, Cowlitz County; Rescinding of Boil Water Advisory

Effective immediately, the Boil Water Advisory issued by the State Department of Health, Office of Drinking Water (ODW) on June 15, 2007, is rescinded. On November 2, 2007, the storage tank project was approved as substantially completed. The moratorium on new water connections was lifted.

Copies of this letter should be promptly distributed to the users of the Columbia Crest Estates water system. It is also recommended that copies of this notice be posted at any public bulletin boards, restrooms, etc., to advise the public the water is now usable.

Sincerely,

SANDRA BRENTLINGER
ODW Water Quality – Sanitary Survey Specialist

cc: Cowlitz County Health Department
Teresa Walker, ODW
Dan Class
Bill Welch





STATE OF WASHINGTON
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PRECAUTIONARY BOIL WATER ADVISORY

**Columbia Crest Estates #1 Water System
ID # 07200P, Cowlitz County
January 11, 2005**

Effective immediately, the Washington State Department of Health is advising people consuming drinking water supplied by the Columbia Crest Estates #1 Water System that the water may not be safe for human consumption.

WE RECOMMEND THAT YOU BOIL YOUR WATER BEFORE DRINKING. Bring all water to a boil, let it boil - 3-5 minutes and let it cool before using. Boiled or purchased bottled water should be used for drinking, making ice, brushing teeth, washing dishes and food preparation until further notice. Boiling kills bacteria and other organisms in the water. If you are experiencing illness symptoms, it is recommended you see your health care provider.

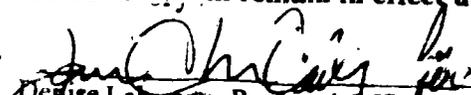
This is a precautionary measure based on the following:

- The water system, due to a power outage, was out of water Sunday, January 9, 2005. The water lines were depressurized.
- Contaminants may have been drawn into the water system.
- The bacterial quality of the water is unknown.
- Pacific Water Systems, Inc. was recently hired to operate the water system, but they were not contacted about the problem.

Follow-up action will include the following:

- Bacteriological samples must be collected and have satisfactory results.
- If contamination is confirmed, the water system must be disinfected using chlorine and the water lines flushed until no chlorine remains...
- Additional bacteriological samples must be collected and have satisfactory results.

This advisory will remain in effect until lifted by the Washington State Department of Health.


Denise Lahmann, Regional Office Manager
Southwest Drinking Water Operations

1-11-05
Date: January 11, 2005



HEALTH ADVISORY SUMMARY

Today's date: January 11, 2005

Confirmed Unconfirmed Precautionary
 Coliform Chemical Vandalism Other

Regional Office:		SWRO	
Name:		Sandy Brentlinger Theresa Walker	
Daytime Phone Number:		753-5090	664-9696
After-Hours Phone Number:		1-877-481-4901	

Water System Information	
Name: Columbia Crest Estates #1	County: Cowlitz
ID # 07200P Group/Type: A-COMM	LHJ: Cowlitz County Health Department
Number of connections:	Residential 15 Nonresidential
Population served:	Residential 30 Non-residential
Specific location of water system.	Rural southwest Cowlitz County. Approximately three miles north of Woodland in the hills known as Green Mountain.
Source information (number and type).	2 low capacity wells and an intertie with an adjoining small water system.
Does the system have treatment?	None
Operator/owner/title and phone number.	Dan Class
Have they been contacted? When?	Yes, multiple times today.
Customer contact and phone number.	(360) 225-0999

Situation Information	
Type of advisory issued (boil water, bottle water, etc.). Why & when.	January 11, 2005, Precautionary Off-Normal Event Advisory
Brief description of current water quality history.	No recent coliform tests as system recently became a Group A. Samples were collected on 1/11/05 and results will be known on 1/12/05.
Suspected cause of problem.	Electrical outage resulting in loss of line pressure and emptying of storage reservoirs.
Additional comments. (Media calls, illness reports, food service, school, medical facility, non-English customers, health risk, etc.)	The SMA that was managing the system recently went out of business. A new SMA has been hired and has not yet visited the water system.
How and when PN delivered.	Hand delivery today.

Local Health Information	
Contact name & phone number.	Audrey Shaver (360) 414-5592
Contacted? When?	Yes, 1/11/05

Next Steps	
• Water System	If contamination is confirmed, the system must be disinfected, flushed, etc. The advisory to remain until satisfactory coliform

	samples.
• Local Health Jurisdiction	Nothing at this time.
• RO/ODW	Monitor situation.
• DH satisfied with response?	Yes – so far.
Additional comments.	



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER OPERATIONS
2411 Pacific Avenue • PO Box 47823 • Olympia, Washington 98504-7823
(360) 664-0768 • FAX: (360) 664-8058
TDD Relay 1-800-833-6388

January 20, 2005

Dan Class
465 Varsity Road
Kalama, Washington 98625

Dear Mr. Class:

Subject: Columbia Crest Estates #1 Water System, ID #07200P, Cowlitz County;
Rescinding of Boil Water Advisory

Effective immediately, the Boil Water Advisory issued by the Washington State Department of Health, Office of Drinking Water (ODW) on January 11, 2005, is rescinded. Water samples collected after the water system was disinfected and flushed have been satisfactory.

It is recommended that copies of this letter be promptly distributed to the residential and non-residential users of the Columbia Crest Estates #1 Water System. It is also recommended that copies of this notice be posted at any public bulletin boards, restrooms, etc., to advise the public the water is now usable.

Sincerely,

SANDRA BRENTLINGER
Office of Drinking Water Coliform Monitoring Specialist

cc: Cowlitz County Health Department
Teresa Walker, ODW
Pacific Water System



November 6, 2008

CERTIFIED MAIL

Dan Class
Columbia Crest Estates
759 Varsity Road
Kalama, Washington 98625

Subject: Columbia Crest Estates Water System, ID# 07200P, Cowlitz County;
Departmental Order #2008-DO-0015

Dear Mr. Class:

A Departmental Order is enclosed for failure to meet the deadlines established in the Bilateral Compliance Agreement (BCA) signed by you on June 15, 2008. The Office of Drinking Water (ODW) received a preliminary report electronically on October 27; however, this report did not meet the requirements of the BCA. The BCA required you to:

- Submit a capacity analysis by July 31, 2008.
- Submit *design and construction* plans by October 30, 2008.
- Inactivate sources 01 and 02 by October 30, 2008.

The project report submitted must include *design and construction* plans. Sources 01 and 02 must be physically disconnected from the system.

ODW highly recommends that a small scale pilot test be done prior to installation of a full scale arsenic treatment system.

The BCA also required that you provide Public Notification to your customers every 90 days until source sampling shows that the running annual average of arsenic levels are below the arsenic MCL. Documentation of the Public Notification must be submitted to ODW.

Dan Class
November 6, 2008
Page 2

In addition to the items mentioned above, Columbia Crest Estates is required to obtain an Annual Operating Permit. Because the system is now considered a Significant Non-Complier, the operating permit is now categorized as red. The categorization of your operating permit as red may result in loans, building permits, and on-site sewage disposal permits being denied for properties connected or to be connected to this system.

Once the items in the Departmental Order have been addressed, ODW will work with you to ensure completion of the arsenic treatment.

If you or your engineer have any technical questions, please contact Regional Engineer Teresa Walker at (360) 236-3032. For questions regarding this letter, please contact me at (360) 236-3027.

Sincerely,

Gael Kantz
Office of Drinking Water, Regional Compliance Manager

Enclosures

cc: Charles Belvin, Columbia Crest Homeowners Association
Victoria Lantau, Pacific Water Systems
Cowlitz County Health Department
Jim Ward, Washington Utilities and Transportation Commission
Andy Anderson, ODW
Sophia Petro, ODW
Teresa Walker, ODW

In Re:)
)
 Columbia Crest Estates) Docket No. 2008-DO-0016
 COWLITZ COUNTY)
) ORDER
 ID# 07200P)
 _____)

To: Dan Class
 759 Varsity Road
 Kalama, Washington 98625

This document constitutes a notice of correction for purposes of chapter 43.05 RCW. Pertinent references to the Washington Administrative Code (WAC) are indexed in Part VIII herein.

I. FINDINGS

1.1 Identity of System. Columbia Crest Estates is a public water system in Cowlitz County, Washington. The owner of said system is Dan Class whose address is 759 Varsity Road, Kalama, Washington 98625. The system provides water for about seventeen (17) households and is classified as a Group A community water system as defined under WAC 246-290-020 and 246-294-010.

1.2 Covered by regulations. Columbia Crest Estates is a "public water system" as defined under RCW 70.119A.020 (4) and 246-294-010. Dan Class is an "owner" as defined in WAC 246-294-010. Dan Class is also a "purveyor" as defined under WAC 246-290-010. The operation of this public water system is governed by Chapter 246-290 WAC, the regulations of the State Board of Health regarding Group A public water systems, and chapter 246-294 WAC, the regulation of the Department of Health regarding drinking water operating permits.

1.3 Maximum contaminant level exceeded. The water distributed by the system exceeded the maximum contaminant level (MCL) for arsenic on or about May 2007, based on the running annual average (RAA), as listed in WAC 246-290-310(3).

1.4 Violation of duty to take follow-up action. The purveyor has a duty to take follow-up action when the water distributed by the system exceeds the MCL for arsenic. The purveyor failed to take follow-up action as required under WAC 246-290-320(1) and agreed to in Bilateral Compliance Agreement #2008-BCA-0038, items 2, 3, and 4 signed by the purveyor on June 15, 2008.

1.5 Violation of duty to obtain Annual Operating Permit. The owner of a Group A water system has a duty to obtain an Annual Operating Permit each year the water system serves water to customers in accordance with WAC 246-294-030. According to Department records, the water system owner failed to obtain an Annual Operating Permit for the water system during calendar year 2008.

II. ORDER

In view of the foregoing, under authority of WAC 246-290-050 and WAC 246-294-090, you are ORDERED to take the following actions to comply with chapters 246-290 and 246-294 WAC.

2.1 Submit a Capacity Analysis. The purveyor shall submit a capacity analysis supporting inactivation of wells ACV011 (S02) and ACV068 (S01) by December 12, 2008.

2.2 Inactivate Sources S01 and S02. The purveyor shall inactivate wells ACV011 (S02) and ACV068 (S01) by December 12, 2008.

2.3 Submit Design and Construction Plans. The purveyor shall submit design and construction plans, prepared by a licensed professional engineer, identifying options for compliance with the arsenic MCL of 0.010 mg/L in accordance with WAC 246-290-110 by December 12, 2008.

2.4 Apply for Annual Operating Permit. Complete the enclosed operating permit application and submit to the Department along with applicable fees including late fees within thirty (30) days of receipt of this order in accordance with WAC 246-294-030.

2.5 Notify consumers. Provide notice as required under subpart A of part 7 of chapter 246-290 WAC, to all customers of the Columbia Crest Estates Water System that you have been issued this Departmental Order for failure to comply with provisions of chapters 246-290 and 246-294 WAC. The notice

shall be substantially similar to the "Notice to Water System Users", a copy of which is included herein as Attachment C. A copy of the written notice shall be provided to the Department to verify compliance as required under subpart A of part 7 of chapter 246-290 WAC, within three (3) months of receipt of this order. When providing the required public notification, it is your responsibility to ensure that non-English speaking consumers get the information in the appropriate language. For technical assistance contact the Department or access the Department's website at <http://www.doh.wa.gov/ehp/dw>.

III. PLACE TO SUBMIT DOCUMENTS AND REQUESTS

3.1 Reports. All documents or reports required by this order to be submitted to the Department shall include the Docket No. on page 1 and be sent to Regional Compliance Manager Gael Kantz, PO Box 47823, Olympia, Washington 98504-7823.

3.2 Questions. Questions about compliance with this order should be sent in writing to Gael Kantz at the above address.

3.3 Requests. A request to extend a time period to achieve compliance for good cause, or to otherwise modify the order, may be filed with the Department by sending a written request to Gael Kantz at the above address within the time period specified for compliance. Any such request will be reviewed and a written response provided to you within fifteen (15) days of the Department's receipt of your request.

IV. SUPPLEMENTAL AND MODIFICATION

4.1 Allowed. The Department may supplement or modify this order if changes are warranted to ensure compliance with chapter 246-290 WAC or to allow for your practical ability to correct the violations.

4.2 By consent. Gael Kantz is authorized to modify this order with your consent.

4.3 Without your consent. Clark Halvorson, Southwest Regional Manager of the Office of Drinking Water, Department of Health, may modify this order with or without your consent.

V. TECHNICAL ASSISTANCE SERVICES

Technical assistance services available from the Department may be obtained by calling Teresa Walker at (360) 236-3032 or by writing to her at the address listed in 3.1 above.

VI. NOTICE OF PENALTY FOR VIOLATION OF ORDER

If you fail to comply with any provision of this order, the Department may impose upon you civil penalties calculated on a per day basis of up to five thousand dollars (\$5,000.00) per violation, per day, or in the case of a violation determined to be a public health emergency, a penalty of not more than ten thousand dollars (\$10,000.00) per violation, per day under

authority of chapter 70.119A RCW. Each violation shall be a separate and distinct offense.

Furthermore, failure to comply with this order may result in referral to the United States Environmental Protection Agency (EPA) for federal enforcement action.

VII. OPERATING PERMIT STATUS

Columbia Crest Estates is now considered a Significant Non-complier for failure to adequately address arsenic MCL violations. The system is considered inadequate and the operating permit issued by the Department is categorized as red. A system categorized as red may have loans, building permits, and on-site sewage disposal permits denied for properties connected or to be connected to the system.

SO ORDERED this _____ day of November 2008 at Olympia, Washington.

Bonnie Waybright, Assistant Regional Manager
Office of Drinking Water
Washington State Department of Health

VIII. INDEX OF ATTACHMENTS

Attachment	Title
A	Chapter 246-290 WAC
B.....	Chapter 246-294 WAC
C	Notice to Water System Users (Departmental Order Issued)

July 22, 2009

CERTIFIED MAIL

Dan Class
Columbia Crest Estates
759 Varsity Road
Kalama, Washington 98625

Subject: Columbia Crest Estates Water System, ID #07200P, Cowlitz County; Modified Departmental Order #2008-DO-0016

Dear Mr. Class:

Thank you for submitting your public notification to the Office of Drinking Water (ODW) regarding the arsenic exceedence and the issuance of the Departmental Order (DO).

Enclosed is a modified DO establishing an installation date of May 15, 2011, for the arsenic treatment. Please be sure to pay attention to the deadlines established in the order. Failure to meet these deadlines will result in the operating permit to be categorized as RED.

The operating permit for the system is currently classified as yellow. A water system with a yellow operating permit is considered adequate for existing uses and new service connections up to the number of approved service connections unless otherwise limited by a compliance agreement.

Please remember that you are still required to distribute a Public Notification (PN) to your customers on a quarterly basis. This notice must include the "Running Annual Average" (RAA) of the arsenic levels in your wells.

If you have any questions, please contact me at (360) 236-3027.

Sincerely,

Gael Kantz
Office of Drinking Water, Compliance Program Manager

Enclosure

cc: Charles Belvin, Columbia Crest Homeowners Association
Calvin Bruno, Aqua Tech
Cowlitz County Health Department
Cheri Paine, ODW
Sophia Petro, ODW
Teresa Walker, ODW

In Re:)
)
 Columbia Crest Estates) Docket No. 2008-SDO-0016
)
) MODIFIED ORDER
 COWLITZ COUNTY)
)
 ID# 07200P)
)
 _____)

To: Dan Class
759 Varsity Road
Kalama, Washington 98625

Departmental Order No. 2008-SDO-0016, dated November 7, 2008 is hereby amended as follows:

Under ORDER Part II, the following items are added:

2.6 Respond to Project Report Comments. Respond to the comment letter sent on December 12, 2008, regarding the arsenic treatment system design project #08-1102, by October 1, 2009.

2.7 Resubmit Project Report. Resubmit the project design report for approval by February 1, 2010.

2.8 Submit Construction Documents. Submit construction documents to the Department for written approval prior to the installation of any new water system or water system extension or improvement as required under WAC 246-290-120. By May 15, 2010, submit construction documents in accordance with the recommendations of the project report #08-1102.

2.9 Received Final Approval for Construction Documents. By October 1, 2010, and prior to construction, submit for review and receive final approval from the Department for project #08-1102.

2.10 Install facilities. All facilities and improvements, based on approved design and construction documents of project #08-1102, must be installed and operating by May 16, 2011. A Construction Completion Report form shall be submitted to the Department as required under WAC 246-290-120.

No other condition or requirement of Departmental Order No. 2008-SDO-0016 is affected by this amendment.

SO ORDERED this _____ day of July 2009 at Olympia,
Washington.

Clark Halvorson, Regional Manager
Washington State Department of Health

In Re:)
)
 Columbia Crest Estates) Docket No. 2008-SDO-0016
)
) MODIFIED ORDER
 COWLITZ COUNTY)
)
 ID# 07200P)
)
 _____)

To: Dan Class
759 Varsity Road
Kalama, Washington 98625

Departmental Order No. 2008-SDO-0016, dated November 7, 2008 is hereby amended as follows:

Under ORDER Part II, the following items are added:

2.6 Respond to Project Report Comments. Respond to the comment letter sent on December 12, 2008, regarding the arsenic treatment system design project #08-1102, by October 1, 2009.

2.7 Resubmit Project Report. Resubmit the project design report for approval by February 1, 2010.

2.8 Submit Construction Documents. Submit construction documents to the Department for written approval prior to the installation of any new water system or water system extension or improvement as required under WAC 246-290-120. By May 15, 2010, submit construction documents in accordance with the recommendations of the project report #08-1102.

2.9 Received Final Approval for Construction Documents. By October 1, 2010, and prior to construction, submit for review and receive final approval from the Department for project #08-1102.

2.10 Install facilities. All facilities and improvements, based on approved design and construction documents of project #08-1102, must be installed and operating by May 16, 2011. A Construction Completion Report form shall be submitted to the Department as required under WAC 246-290-120.

No other condition or requirement of Departmental Order No. 2008-SDO-0016 is affected by this amendment.

SO ORDERED this _____ day of July 2009 at Olympia,
Washington.

Clark Halvorson, Regional Manager
Washington State Department of Health



Exhibit No. (GK-15D)

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

June 24, 2010

CERTIFIED MAIL

Dan Class
Columbia Crest Estates
759 Varsity Road
Kalama, Washington 98625

Subject: Columbia Crest Estates, ID #07200P, Cowlitz County, Modified Departmental Order,
No. 2008-SDO-0016

Dear Mr. Class,

The Columbia Crest Estates Water System is required to monitor for coliform bacteria monthly, retain a certified operator for daily operations, and ensure the system is operated and maintained according to state and federal standards. According to our records, this system has failed to meet these requirements.

Enclosed is a Modified Departmental Order directing you to complete the following:

- Monitor and report results for coliform bacteria monthly.
- Hire a certified operator by **July 13, 2010**.
- Employ a professional engineer by **July 20, 2010**.
- Schedule a pre-plan with ODW by **July 30, 2010**.
- Submit a Water System Plan by **November 30, 2010**.

As a water system purveyor, you are responsible to ensure safe and reliable drinking water is being provided to the customers of your water system.

To schedule a pre-plan meeting, please contact Darin Klein at (360) 236-3038. For questions regarding this document, please contact me at (360) 236-3024.

Sincerely,

Bonnie Waybright
Office of Drinking Water, Assistant Regional Office Manager

cc: William Heagy, Columbia Crest Homeowners Association
Jesse Smith, Cowlitz County Health Department





STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

In Re:)
)
Columbia Crest Estates) Docket No. 2008-SDO-0016
COWLITZ COUNTY)
)
ID# 07200P) MODIFIED ORDER
)
_____)

To: Dan Class
759 Varsity Road
Kalama, Washington 98625

Departmental Order No. 2008-SDO-0016, dated November 7, 2008, as modified July 24, 2009, is hereby further amended as follows:

Under FINDINGS Part I, 1.2 is modified and 1.6, 1.7, 1.8, and 1.9 are added as follows:

1.2 Covered by regulations. Columbia Crest Estates is a "public water system" as defined under RCW 70.119A.020 (4) and 246-294-010. Dan Class is an "owner" as defined under WAC 246-292-010 and 246-290-010. Dan Class is the "purveyor" as defined under WAC 246-290-010. The operation of this public water system is governed by chapter 246-290 WAC, the regulations of the State Board of Health regarding Group A public water systems, 246-294 WAC, the regulation of the Department of Health regarding drinking water operating permits, and chapter 246-292 WAC, the regulations of the Department of Health regarding water works operator certification.

1.6 Violation of duty to monitor bacteriological quality. The purveyor has a duty to monitor for coliform bacteria as required under WAC 246-290-300 (3) and report to the Department as required under WAC



246-290-480 (2). Samples were not taken at the required frequency for the following months: April and May 2010.

1.7 Violation of duty to have a certified water works operator.

The Columbia Crest Estates Water System is required to have a certified water works operator in accordance with RCW 70.119.030 and WAC 246-292-020. According to Department records, your system has not retained the required certified water works operator.

1.8 Violation of duty to ensure good operation and maintenance practices are used.

The purveyor has a duty to ensure that good operation and maintenance practices are used in accordance with WAC 246-290-415. According to Department records, the owner has: used improper methods for water main repair, failed to properly disinfect after repairs, failed to notify consumers of scheduled water outages, and improperly operated the water system.

1.9 Violation of duty to reliably provide water.

The purveyor has a duty to provide an adequate quantity of water in a reliable manner during normal operating conditions in accordance with WAC 246-290-420. According to Department records, water outages occurred on: March 24, 2004, January 8, 2005, January 10, 2005, August 10, 2005, June 15, 2007, September 2008, November 2008, December 2008, June 2, 2010, and June 3, 2010.

Under ORDER Part II, the following items are added as follows:

2.11 Monitor bacteriological quality. Monitor bacteriological quality a minimum of one (1) time per month from representative points, according to your approved Coliform Monitoring Plan, in the distribution system as required under WAC 246-290-300. Samples must be taken by a certified operator. Reports shall be submitted monthly as required under WAC 246-290-480.

2.12 Hire certified operator. You are directed to retain the services of an operator who possesses a minimum certification level of

Water Distribution Specialist (WDS) as required under WAC 246-292-050, by **July 13, 2010**.

2.13 Schedule a pre-plan meeting with the Department. In accordance with WAC 246-290-100 (3), schedule a pre-plan meeting by **July 30, 2010**. An engineer licensed in the State of Washington must be at the pre-plan meeting and prepare the water system plan.

2.14 Submit a Water System Plan to the Department. Submit a Water System Plan for review and approval as required under WAC 246-290-100 (2) (c), by **November 30, 2010**.

2.15 Employ professional engineer. As required under WAC 246-290-040, the Water System Plan must be prepared under the direction, and bear the seal and signature of a professional engineer licensed in the state of Washington, under chapter 18.43 RCW. The engineer is required to have specific expertise regarding design, operation and maintenance of public water systems. By **July 20, 2010**, provide documentation to this Department that a qualified engineer has been retained to prepare the required documents.

No other condition or requirement of the Order dated November 7, 2008, and modified July 24, 2009, is affected by this amendment.

SO ORDERED this 24 day of June 2010 at Tumwater, Washington.

Bonnie Waybright
Bonnie Waybright, Assistant Regional Manager
Southwest Regional Operations
Office of Drinking Water
Washington State Department of Health



STATE OF WASHINGTON
 DEPARTMENT OF HEALTH
 SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
 PO Box 47823, Olympia, Washington 98504-7823
 TDD Relay 1-800-833-6388

Re:) Master Case No. M2010-811
) Docket No. 2010-NIP-0001
 Columbia Crest Estates)
 COWLITZ COUNTY) NOTICE OF IMPOSITION OF
) PENALTIES AND INITIAL ORDER
 ID# 07200P)
 _____)

TO: Dan Class
 759 Varsity Road
 Kalama, Washington 98625

I. AUTHORITY

This notice of imposition of penalties and initial order is issued under authority of chapter 70.119A RCW for your failure to comply with the Department's November 7, 2008, order as modified on July 24, 2009, and June 24, 2010.

II. FINDINGS

2.1 Identity of system. Columbia Crest Estates is a public water system in Cowlitz County, Washington. The owner of said system is Dan Class whose address is 759 Varsity Road, Kalama, Washington 98625. The system provides water for about twenty-two (22) households and is classified as a Group A community system as defined in WAC 246-290-020.

2.2 Covered by regulations. Columbia Crest Estates is a "public water system" as defined in RCW 70.119A.020(4) and 246-294-010. Dan Class is an "owner" as defined under WAC 246-292-010 and 246-290-010. Dan Class is a "purveyor" as defined by WAC 246-290-010. The operation of this public water system is governed by chapter 246-290 WAC, the regulations of the State Board of Health regarding Group A public water systems, chapter 246-292 WAC, the regulations of the Department of Health regarding waterworks operator certification, and chapter 246-294



WAC, the regulations of the Department of Health regarding drinking water operating permits.

2.3 Order issued. On November 7, 2008, an order was issued to Dan Class. On July 24, 2009, a modified order was issued and further modified on June 24, 2010.

2.4 Failure to comply. Dan Class has failed to comply with the following provisions of the order as modified:

Paragraph 2.7 Resubmit Project Report. In the July 24, 2009, modified order, a copy of which is enclosed, you were ordered to resubmit the arsenic treatment project design report for approval by February 1, 2010. As of August 23, 2010, you have failed to resubmit the required project design report.

Paragraph 2.8 Submit Construction Documents. In the July 24, 2009, modified order, a copy of which is enclosed, you were ordered to submit construction documents to the Department for written approval by May 15, 2010, and prior to the installation of any new water system or water system extension or improvement as required under WAC 246-290-120. The construction documents were to be submitted in accordance with the recommendations of the project report #08-1102. As of August 23, 2010, you have failed to submit the required construction documents to the Department.

Paragraph 2.12 Hire certified operator. In the June 24, 2010, modified order, a copy of which is enclosed, you were ordered to retain the services of an operator who possesses a minimum certification level of Water Distribution Specialist (WDS) as required under WAC 246-292-050 by July 13, 2010. As of August 23, 2010, you have failed to submit documentation that the certified operator has been retained.

Paragraph 2.15 Employ a professional engineer. In the June 24, 2010, modified order, a copy of which is enclosed, you were ordered to provide documentation to the department by July 20, 2010, that a professional engineer had been retained to prepare a Water System Plan as required under WAC 246-290-040. As of August 23, 2010, you have failed to provide the required documentation.

III. INITIAL ORDER AND PENALTIES

3.1 Initial Order. You are required to comply with all issues listed above in Paragraph 2.4 within twenty-eight (28) days of receipt of this Notice. You are also required to address all compliance issues remaining from the Department's November 7, 2008, Order and subsequent modifications by the due dates outlined in those documents.

3.2 Penalty imposed. Dan Class is penalized pursuant to RCW 70.119A.040 in the sum of twenty-one thousand sixty dollars (\$21,060). This penalty amount was derived by using the following formula for each violation: "A" X "B" X "C" X "D" where "A" is the public health risk factor, "B" is the previous record of compliance factor, "C" is the system size factor and "D" is the daily factor if applicable. The specific violations and the factors used are as follows:

Order Section #	Violation Type	Health Risk Factor	Previous Record Factor	Size Factor	Daily Factor	Total Factor
2.7	Resubmit Project Report	9	9	6	NA	486
2.8	Submit Construction Documents	9	9	6	NA	486
2.12	Hire certified operator	15	9	6	NA	810
2.15	Hire engineer for Water System Plan	6	9	6	NA	324
				Total Factors		2106
				Base Dollar Amt		X \$ 10
				Total Penalty		21,060

Under RCW 70.119A.040, this penalty is due twenty-eight (28) days after receipt of this notice unless you apply for an adjudicative proceeding within twenty-eight (28) days of receipt of this notice as provided below.

APPLICATION FOR ADJUDICATIVE PROCEEDING

If you wish to appeal the penalty, you or your attorney must complete and send the enclosed Request for Adjudicative Proceeding form to the Adjudicative Service Unit at the address

shown below. Or you may submit your own document, as long as it includes the same information.

Send your application by registered mail or certified mail, or deliver to:

Department of Health
Adjudicative Service Unit
310 Israel Road S.E./P.O. Box 47879
Olympia, Washington 98504-7879

The Adjudicative Service Unit must receive your application within twenty-eight (28) days from receipt of this Notice. You must include a copy of this notice with your application.

Payment of penalties. A check or money order in payment of penalties shall be made to "Washington State Treasurer" and sent to the Department of Health, Revenue Unit, Post Office Box 1099, Olympia, Washington 98507-1099. Please place your public water system identification number in the lower left corner of your check and include the enclosed penalty payment form for proper crediting of your account.

CONTINUED FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE NOVEMBER 7, 2008, ORDER AND SUBSEQUENT MODIFICATIONS MAY RESULT IN THE IMPOSITION OF ADDITIONAL PENALTIES OF UP TO FIVE THOUSAND DOLLARS (\$5,000.00) PER VIOLATION, PER DAY OR IN THE CASE OF A VIOLATION DETERMINED TO BE A PUBLIC HEALTH EMERGENCY, A PENALTY OF NOT MORE THAN TEN THOUSAND DOLLARS (\$10,000.00) PER VIOLATION, PER DAY UNDER AUTHORITY OF CHAPTER 70.119A RCW. EACH VIOLATION SHALL BE A SEPARATE AND DISTINCT OFFENSE WHEN DETERMINING THE AMOUNT OF PENALTY.

DATED this 23 day of August 2010 at Olympia, Washington.


Clark Halvorson, Regional Manager
Southwest Drinking Water Operations
Washington State Department of Health



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
PO Box 47823, Olympia, Washington 98504-7823
TDD Relay 1-800-833-6388

July 20, 2010

Dan Class
Columbia Crest Estates
759 Varsity Road
Kalama, Washington 98625

Subject: Columbia Crest Estates, ID #07200P, Cowlitz County; Special Purpose Investigation Findings

Dear Dan Class:

On July 7, 2010, Jessie Smith, Cowlitz County Health Department, Gael Kantz, Office of Drinking Water (ODW), and I did a Special Purpose Investigation (SPI) of the above system. We conducted this investigation due to the recent Boil Water Advisory and ongoing unsatisfactory bacteriological samples. The purpose of this investigation was to try to identify the possible source of the contamination. We regret that you were not in attendance during this inspection.

As a water system purveyor, you are responsible to provide safe and reliable drinking water to the customers of this system.

This inspection identified several significant sources of contamination and other sanitation problems. **Correct the deficiencies listed below by September 1, 2010, or date indicated.** As you complete the items noted below, please send verification of completion referencing the system name, ID number, and date when the items were corrected to Jozsef Bezovics by e-mail at Jozsef.Bezovics@doh.wa.gov or mail to ODW, Southwest Drinking Water Operations, Attn: Jozsef Bezovics, PO Box 47823, Olympia, Washington 98504-7823.

1. **Due to the extent of health related deficiencies on this system, you must install disinfection.**
 - a. **This system must install temporary chlorination at both S05 - Well # 2 ACV070 and S06 - Well # 3 AHM076.** The selection of disinfection and installation must include a proper size of metering pump and tank to be usable as permanent installation. If needed have your engineer or operator contact me with questions.
 - b. **This system must submit to ODW a project report and construction documents for the permanent disinfection on both S05 and S06 sources by October 1, 2010.**



A professional engineer licensed in the State of Washington must prepare these documents.

- c. **This system must have the installation of the permanent disinfection for both S05 and S06 completed by November 1, 2010.**
2. S06 - Upper pump house, reservoir, and well.
 - a. Pump house ceiling and floor have growth of mold and algae due to excess moisture caused by lack of ventilation and possible leak in the roof structure.
 - i. **Repair the pump house roof and install cross ventilation in the north and south ends of the building.**
 - ii. **Properly clean up mold and algae.**
 - b. The hatch lid on the reservoir closest to the back wall was not secure and could allow contaminants in the reservoir. **Secure all reservoir openings.**
 - c. **Properly bury the exposed pipes behind the pump house and screen the above ground pipes to prevent rodent access.**
 - d. There are mice and wasps in the concrete wellhead enclosure.
 - i. **Install a concrete floor to eliminate entrance of rodents.**
 - ii. **Replace the lid on this enclosure with a lid that keeps rain and insects from entering.**
 - e. The wiring of the wellhead is exposed and not up to code. **Have a licensed electrician correct this problem.**
 - f. Insulation in the wellhead casing is bedding for mice. **Remove existing insulation.**
 - g. The well discharge pipe has an upward turned ball valve. **Reposition the pipe in a downward position and cap.**
3. S05 - Middle pump house, reservoir, and well.
 - h. The pump house is moldy as indicated by inside panels and odor. **Install flow through ventilation to building and remove mold.**
4. Lower pump house and reservoirs.
 - i. There are many leaks in the pump house as indicated by standing water on cement floor and leak near meter connection dripping on installed raised floor. The flooring and wall below the leak at the meter had a substantial ring of black mold.
 - i. **Repair all leaks.**
 - ii. **Remove all moldy materials and sanitize complete building.**
 - iii. **Cross ventilate the building to avoid further mold issues.**
 - iv. **Install a screened floor drain to daylight or show proof that a floor drain to daylight with screen exists.**

- j. Observation of mice feces on top of reservoir toward the rear of the building indicates rodent infestation. **Ensure the pump house is rodent proof. Use proper care of handling mice contamination.**
 - k. Items unrelated to the water supply are stored on top of this reservoir. **Remove all unnecessary items from the pump house.**
 - l. A possible source of contamination is an unsecured lid on this reservoir along with the mice feces. **Secure lid and use proper care to clean mice feces around this area.**
 - m. Hazardous items such as paint and propane tanks are stored in this building. **Remove all hazardous items and clutter stored in this building.**
 - n. A potential safety hazard exists at the electrical outlet under the flow meter due to wet wall surface condition. **Eliminate the cause that is creating wet surface condition near the outlet.**
 - o. The outside reservoir screened vent is broken at the connection to the reservoir. This is another potential for contamination to enter the water supply. **Repair the vent to fit securely to the reservoir top.**
5. Distribution
- p. The service meter box at 433 Varsity Drive has a severe leak. This leak is flooding the meter box at 399 Varsity Drive. **Repair the leak at the service connection to 433 Varsity Drive.**
 - q. There is a leak between the meter and valve for 151 Varsity Drive. **Repair the leak between meter and valve for 151 Varsity Drive.**
 - r. According to the approval documents, installation of service meters and shut off valves are required. **Please provide service meters and shut off valves.**

The remaining items must be addressed prior to the next sanitary survey:

6. S05 - Middle pump house, reservoir, and well.
- s. The reservoir is located outside the pump house. The overflow on the reservoir is facing sideways. **Repair the overflow to extend to 1 ½ feet downward from the base of the reservoir and install a splash plate.** This will prevent possible undermining of concrete pad when overflow happens.
 - t. Excessive growth around the reservoir and pump house site can lead to rodent infestation and algae growth. **Clear and maintain landscape around the facility.**
7. Lower reservoir.
- u. The overflow from the back tank exits the rear straight out of the building. **Extend the overflow facing downward to within 1 ½ feet of the ground and install a splash plate.**

Dan Class
July 20, 2010
Page 4

8. There was no security on S05 and S06 well and pump houses. **Lock all of the wells and pump houses to prevent unauthorized access.**
9. Installation of a meter box at 704 Varsity Drive did not appear to be installed according to standard. Meter box was full of loose soil. **Remove excess soil and ensure it is properly installed according to standard.**
10. There is no screen on the blow off lines just below 461 Varsity Drive. **Cap or screen all blow off lines.**
11. Approved inactive Well AVC073 not listed on the water facilities inventory (WFI) form is uncovered and exposed to the weather. The location of this well is approximately 15 feet from S05. The use of this well is uncertain. **Please provide documentation that this well has been disconnected and cover the well with an appropriate lockable enclosure.**

If you have any questions, please contact me at (360) 236-3034.

Sincerely,

Bonnie Waybought for

Jozsef Bezovics
Office of Drinking Water, Regional Engineer

cc: William Heagy, Columbia Crest Homeowners Association
Jesse Smith, Cowlitz County Health Department



Public Utility District No. 1 of Cowlitz County, WA
360 123-2210 • 800 631-1131
Cowlitz, WA 98522
1260 37th Street, NE, Ste 100, Kalama, WA 98625
Fax: 360 837-1302 • www.cowlitzpud.org

Mayor: H. Bruce Ketchum • City Manager: M. J. Moxley • Finance Manager: M. J. Moxley

DECEMBER 3, 2010

CHARLES E. TADLOCK
269 VARSITY RD
KALAMA, WA 98625

NOTICE OF PENDING DISCONNECT

PLEASE CONTACT COWLITZ PUD
CREDIT SERVICES DEPARTMENT

IMMEDIATELY

Account Number: 446394-9
Service Address: 269 VARSITY RD

A utility bill was previously mailed to you for payment in order to avoid penalty charges, deposit review, and discontinuance of service. A \$10.00 charge has been placed on your account for this Notice of Pending Disconnect.

This **FINAL NOTICE** is advising of a scheduled discontinuance of service.

Contact the Credit Services Department at (360) 423-2210 or (800) 631-1131 Monday through Friday during the hours of 8:30 a.m. to 4:00 p.m. Information regarding the balance that must be paid immediately to prevent the disconnection of service and a \$40.00 disconnection charge will be provided upon request.

PAYMENT OPTIONS

- Debit or credit card payments may be made on Cowlitz PUD's web site at www.cowlitzpud.org. Simply make payment and contact PUD office that payment has been made to stop the scheduled disconnection. Payment may also be made by calling the PUD office.
- Cash payments may be made at one of the District's Pay Stations. You must request that the Pay Station staff call the Credit Services Department with the payment information to stop a service disconnection. Pay Station locations are listed on the back of each billing statement.
- Payments may be made inside PUD main office at the Credit Services department.

In the event the service is discontinued, service **may not be reconnected** until the normal work day following corrections of such non-compliance with District Policy and full payment of all amounts owed the District, including arrears, deposit, and fees have been paid.

A deposit will be required if the account has received 3 Notices of Pending Disconnection during the past 12 month period.



Public Utility District No. 1 of Cowlitz County, WA
961 12th Avenue • PO Box 2007
Longview, WA 98632
(360) 423-2210 • WA Toll Free (800) 631-1131
Fax: (360) 577-7559 • Web: www.cowlitzpu1.org

Board of Commissioners
Merrill H. (Bud) Ketchum Mark McCrady Edward M. (Ned) Piper

General Manager
Brian L. Skeahan

February 14, 2011

Dear Homeowner:

Notices of Pending Disconnect for the pump and well services that provide water to homeowners in the Columbia Crest subdivision have been mailed to Dan Class. Utility bills were previously mailed to obtain payment in order to avoid discontinuance of these services.

As payment has not been received, this letter is to advise of a scheduled discontinuance of service on **March 1, 2011**.

In the event these services are discontinued, service may not be reconnected until the normal work day following corrections of such non-compliance with District Policy and full payment of all amounts owed the District, including arrears, deposit, and fees.

We apologize to the homeowners affected for the inconvenience of this service discontinuance.

Should you have any questions regarding this scheduled discontinuance of service, please contact the Credit Services Department at (360) 423-2210 or (800) 631-1131 Monday through Friday during the hours of 8:30 a.m. to 4:30 p.m.

Exhibit A

Dan Class- Columbia Crest Estates, Cowlitz County, #07200P
September 2002- December 2010- Receivership

Columbia Crest Estates was originally approved as two separate systems in 2002. **Columbia Crest No. 1**, originally approved for a total of 15 connections. **Columbia Crest #2** was approved in 2002 for a total of 12 connections.

- **9/27/02- Complaint of numerous water outages** for Columbia Crest No. 2.
- **3/24/04-Complaint of no water**
- **11/04- Gary Stuart, GPM Water Systems, a Satellite Management Agency (SMA) quits**
- **8/04-2/05- No certified operator**
- **1/05- Boil Water Advisory(BWA) issued between 1/11-1/20 because of water outage**
- **3/4/05- Complaint from customer about inadequate system operations**
- **Customer complaints**
 - A. **Low pressure** **1/8/05, 1/10/05**
 - B. **Water outages** **8/10/2005**
- **7/05 TC+**
- **8/30/05-Nitrate monitoring and reporting violation for 5 sources**
- **10/31/05 Number of approved connection reduced from 41 to 17 due to storage capacity deficiencies**
- **5/16/06- System customers receive first bill ever for water for the previous year.**
- **5/26/06- Complaint from customer- poor service, outages, health concerns...**
- **6/2/06- Complaint** from customer regarding not being able to build due to adequacy issues.
- **5/2/06- 6/21/06, 5/26/06, 6/8/06 -More complaints from homeowners**
- **5/07- NOV sent for arsenic exceedances-notification to submit action plan**
- **6/15/07- Water outages reported.** Broken water lines. Precautionary Boil Water Advisory issued by ODW (active until 11/07)
- **6/18/07- SPI** conducted because of the water outages.
- **8/07- System over-chlorinated by Dan- customer complaints of chlorination, could not use the water for 10 days**
- **1/08- Bookkeeper can no longer work with Dan. He and his wife take over billing.**
- **2/08 TC+**
- **2/08- 5 calls and/or emails about plan for arsenic mitigation**
- **5/08- Sent BCA for arsenic mitigation—10/31/08 deadline given for arsenic treatment submittal.**
- **8/08- HOA came and met with Karen and Teresa about their concerns on system operations**
- **8/08- Missed deadline to submit capacity analysis**
- **9/08-System depressurized-** due to Mr. Class unauthorized work on system. He does not disinfect after the repair and does not notify ODW or his SMA.

- 9/08- Teresa received a packet of information from CJ Bruno that he wanted to counted as project submittal. Sent back because it was not from an engineer or in proper format
- 9/08- Teresa emails Dan about exactly what he needs to submit in order for us to accept it
- 10/08- Letter sent about missed BCA deadlines, DO to be issued and permit turned red 10/31/08 if documents not received
- 10/08- HOA complains and meets with UTC
- 10/08- **TC+**
- 10/08- HOA meets with ODW, re arsenic mitigation plan, poor operations by Dan and wanting support from ODW to encourage Dan to get out of the business
- 11/08 **TC+**
- 11/08- Submittal for arsenic treatment received by ODW but not complete
- 11/08- **Water main break**, repaired but not disinfected prior to being placed in service.
- **11/08- Permit turned red due to failure to meet deadlines in BCA.**
- **11/7/08 Departmental Order Issued for failure to comply with BCA.**
- **11/24/08- Customer complaints of chlorine—not authorized by either SMA or ODW.**
- **11/24/08- Water outage reported. System reservoirs emptied during the middle of the night to purge the tanks of chlorine, left unattended and all the wells were running to try and keep up. One of the system customers handled the situation and told the SMA about it.**
- 12/9/08- Comment letter issued for arsenic project—Engineer said he won't respond until Dan pays him or signs new contract.
- 12/08- **Power outage—no water-** not reported to DOH
- 2/5/09- Dan doesn't show for schedule meeting with ODW
- 2/23/09- SMA quits due to non-payment
- 2/09- **TC+**
- 2/09- Per customer, system was cleaned with hydrogen peroxide after TC+ and the customers were unable to drink the water for a week
- 3/09/09- All SMAs licensed in Cowlitz County refuse to work for Dan Class
- 3/12/09- ODW receives abusive phone call from Dan
- 3/09- ODW meets with HOA of Columbia Crest to discuss Dan and water system issues
- 5/09- Letter sent to Dan about doing the Public Notification per DO- last item to address and then we would modify the order for completion of the arsenic treatment
- 6/09- Correspondence from system regarding overflow of the reservoir
- 7/09- DO modified to include dates for project final approval and treatment installation
- 8/09- **TC+**
- 9/21/09- Received two separate complaints from customers: one was about high rates the other that Dan was tampering with water lines and threatening to contaminate the entire water system
- 10/21/09- Misses milestone to submit Project Report—Operating permit turns red

- 10/09- Dan faxes ODW about red permit, is upset because he lost property sale due to red permit
- 10/09- Email sent to Dan regarding red permit, copies of letters and DO
- 1/10- Teresa emails Dan about response to comment letter and resubmittal of project that must come from a professional engineer
- 2/1/10- Misses milestone to resubmit Project Report
- 2/1/10- Telephone conference with system operator, engineer, DOH- agreed upon expectations of submittals and timelines discussed and agreed upon verbally.
- 2/18/10- RE receives another very abusive/threatening phone call from Mr. Class
- 2/10- **TC+**- 5 repeats required
- 2/10- Dan sent a letter advising him not to contact Teresa due to the threatening phone calls. He must now contact Bonnie.
- 2/25/10- Comment letter from engineer received
- 3/29/10- Professional engineer for arsenic design quits due to non-payment
- 4/1/10- **Certified operator quits due to non-payment. There is no operator at the present time.**
- 5/15/10- Milestone to submit construction documents for arsenic missed
- 5/24/10- Operator certification program receives a call about not having a certified operator and the arsenic issues not being resolved
- April, May 2010- No coli samples taken
- 6/1/10- Five customer complaints on water outage
- 6/2/10- **Boil Water Advisory (BWA) Issued due to water outage.** Water outage was due to Dan Class turning off water to the lower half of the system so some work could be done on one of the homes on the system. No notice was given to the residents.
- 6/3/10- **Water outage** --system is out of water- again
- 6/3-8/10-**Receive 15-30 customer complaints regarding no water, low pressure**
- 6/4/10- **Office director, Denise Clifford email our security about possible issues because of compliance with Dan Class. He has a legal history of threatening a public official**
- 6/4/10- Clark Halvorson, Office of Drinking Water, Office Manager emails Homeowners Association about the reasons for the BWA
- 6/4/10- Jessie Smith of Cowlitz County Health Department attempts to take bacteria samples but can not because there is chlorine residuals in the system
- 6/4/10 ODW receive a letter of support from the Homeowners Association to help prompt receivership or further compliance
- 6/7/10 Jessie Smith from the County Health returns and is able to take one sample in the upper portion of the system. He still cannot take a sample from the lower part because there is still chlorine residuals in that part of the system
- 6/11/10 The County Health Department collects 4 coli samples, 2 TC+.
- 6/15/10- HOA meet with ODW to discuss the problems with the system. They are asking ODW to escalate enforcement. They express fears that Dan will sabotage the system or threaten them. They are pleading with us to take the system away from Dan now.

- **6/17/10- Report from CJ Bruno- (previous operator) that Dan Class is fixing leaks in the lines without proper notice to customers or disinfection after the repairs. CJ states that Dan should not be allowed to operate the system. He reports that Dan pours chlorine into the system without measuring or knowing how much he is putting in the system.**
- **6/24/10 Departmental Order Modified to add the operator certification requirement**
- **7/1/10 email from ODW staff documenting conversation with CJ Bruno about resampling for Columbia Crest Estates. Mr. Bruno explains how the system is not constructed properly or operated according to industry standards**
- **7/1/10- One of three repeat samples came back TC+.**
- **7/3/10- email from homeowner documents several leaks observed during meter reading which could be the cause of system contamination. Some services have no meters so they are not paying for their water.**
- **7/7/10- SPI found rodents living in the well head enclosure along with other insects and a wasp nest. Pump houses were found with mold growing on walls damaged by water leaks, mice feces on reservoir tank tops, reservoir hatches unsecured, leaking connections at meters and pump houses and well heads unlocked. Outside pipes were exposed to the weather.**
- **7/20/10- SPI letter sent requesting temporary disinfection be installed by September 1, 2010 and to have permanent disinfection installed by November 1, 2010. Many other items needed to be repaired.**
- **7/21/10- Notice of Imposition of Penalty Warning letter sent to Mr. Class**
- **7/29/10 Dan Class and HOA meet to discuss system options.**
- **7/2010- Many phone calls between ODW and Mr. Class. They have been telling him he needs to focus on getting disinfection on the system immediately, the arsenic issue can wait until he gets the disinfection done.**
- **8/10- No coli samples taken- Major Monitoring violation**
- **8/10/10 Dan Class and Chuck Tadlock discuss system ownership options. Two options presented: 1) Sell to HOA 2) Sell to management company.**
- **8/24/10 Penalties issued to Mr. Class for \$21,060.**
- **8/26/10- Customer complaints about Fe Bacteria in service lines.**
- **9/1/10 News release issued regarding fine.**
- **9/1/10- Reported system operational problems. Only one well is pumping. Dan was told about this 3 months prior and no repairs have been made to correct the problem.**
- **9/3/10- Complaint received from customer about system problems- line from top reservoir not working, middle well running constantly.**
- **9/10- TC+ sample- insufficient repeat samples taken (only 2) Coli repeat violation**
- **9/14/10 HOA submit a 4 page document- Acquisition Proposal.**
- **9/13/10- email from Teresa indicates that CJ Bruno found WQ issues in the reservoirs- hydrogen sulfide- tanks had to be emptied and cleaned.**
- **9/14/10- Clark talks with Dan about his system issues. Clark tells him he must concentrate on the PUBLIC HEALTH ISSUES- install disinfection and take the required repeat samples.**

- 9/16/10 Clark Halvorson talks with Dan and emails him stating that the arsenic design needs to be submitted by a professional engineer.
- 9/23/10 Sam Perry (ODW Engineer) emails Dan regarding arsenic treatment and reiterates (3/25/10 email states it also) that he needs a professional engineer to submit documents regarding the proposed arsenic treatment.
- **10/1/10 Boil Water Advisory changed to Do Not Drink Advisory due to lack of chlorination on system.**
- 10/12/10- Some customers are not receiving information. Told by Dan that everything is ok.
- 10/13/10 Adjudicative Clerks Office receives Dan's appeal to the fines.
- 10/14/10 Adjudicative Clerks Office issues Scheduling Order/Notice of Hearing.
- 10/15/10- **Letter from CCE customer regarding arsenic and coliform related to their cancer. (Bahams)**
- 10/21/10 Dan sends email to homeowners with contact for DOH staff. He tells them that the only thing standing in his way for arsenic treatment is Teresa Walker (ODW Engineer).
- 10/22/10 Bonnie Waybright emails Dan and reiterates that the arsenic treatment design must be submitted by a professional engineer and that we will not be issuing a letter endorsing the ion exchange as he is demanding.
- 10/25/10- Coliform Significant Non-Complier warning letter issued
- 10/28/10 HOA sends Dan a letter regarding offer to buy system.
- 11/1/10- UTC emails Dan regarding sale and transfer of systems process.
- 11/9/10 Order modified to include installation of disinfection as directed following SPI in July.
- 11/11/10 218 pages of information faxed to Dan per his PD request.
- **11/10 Coliform Non-acute Violation- Coli State Significant Non-Complier (SSNC). 4 of 5 repeat samples came back TC+**
- **11/25/10 Frozen pipe caused line break and reservoir to run out. Owner out of town, no other contact person. Repairs made without proper disinfection prior to being put back online. Dug up lines were left open and exposed to the weather. Electrical issues found at lower pump house. No proper heating in lower pump house due to electrical issues.**
- 11/30/10- ODW receives another email from homeowners begging for ODW to do something about the situation
- 12/1/10- Some residents begin drilling private wells.
- 12/1/10- PUD issues notice of disconnect for power to the wells on the system to all of the customers on the system
- 12/7/10- ODW receives letter of clarification regarding iron bacteria in the system
- 12/13/10- Homeowners file a complaint with UTC against Mr. Class
- 12/31/10- Customer complains of water outage at his home

ENDORSED FILED
SUPERIOR COURT

FEB 16 2011

COWLITZ COUNTY
BEVERLY R LITTLE, Clerk

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STATE OF WASHINGTON
COWLITZ COUNTY SUPERIOR COURT

MARY SELECKY, SECRETARY,
WASHINGTON STATE
DEPARTMENT OF HEALTH,

Petitioner,

v.

DAN CLASS, Owner,
COLUMBIA CREST ESTATES
WATER SYSTEM,

Respondent.

NO. 11-2-00000-0000

PETITION FOR
APPOINTMENT OF RECEIVER
OF PUBLIC WATER SYSTEM

COMES NOW the Petitioner, Washington State Department of Health, Office of Drinking Water, (Health), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and DOROTHY H. JAFFE, Assistant Attorney General, and alleges as follows:

I. PARTIES

1.1 Petitioner, Health, is an administrative agency of the State of Washington created by the Legislature pursuant to RCW 43.70.020. One of Health's duties, through the Secretary of Health, is to enforce all laws for the protection of the public health, including health regulations promulgated by the Washington State Board of Health. RCW 43.70.130(3).

1.2 Columbia Crest Estates water system (CCE water system) is located in Cowlitz County, Washington. Respondent, Dan Class, whose address is 307 NE 85th Street, Unit K,

PETITION FOR
APPOINTMENT OF RECEIVER
OF PUBLIC WATER SYSTEM

COPY

ATTORNEY GENERAL OF WASHINGTON
Agriculture & Health Division
7141 Cleanwater Drive SW
PO Box 40109
Olympia, WA 98504-0109
(360) 586-6500

1 Vancouver, Washington 98665, owns the water system and is a “purveyor” as that term is
2 defined in RCW 70.119A.020(13).

3 II. JURISDICTION AND VENUE

4 2.1 Health is authorized under RCW 43.70.195 to bring an action, pursuant to
5 RCW 7.60, to place a public water system in receivership in response to any violation or
6 threatened violation of the public health laws of this state.

7 2.2 In addition, if a petition and verifying affidavit executed by an appropriate
8 departmental official allege an immediate and serious danger constituting an emergency to the
9 residents served by the water system, then under RCW 43.70.195(3), a temporary receiver may be
10 appointed *ex parte*.

11 2.3 Under RCW 7.60.025(2), Health may bring such actions in the superior court in
12 the county in which the property sought to be placed into receivership lies.

13 III. FACTS

14 3.1 The CCE water system was constructed in 2002 and is owned by the subdivision
15 developer, Mr. Dan Class. It has two active groundwater wells and two inactive wells each
16 approximately 300 feet deep. It has five storage reservoirs and provides domestic water service
17 to twenty-two (22) homes located along Varsity Road in unincorporated Cowlitz County. It
18 serves a population of fifty-five (55) residents and is a “public water system” within the
19 meaning of RCW 70.119A.020(12) and RCW 70.119.020(11). The system is a “Group A”
20 community public water system as defined in WAC 246-290-020 and RCW 70.119.020(8).
21 Mr. Class’s water company, Green Mountain H₂O, LLC, is regulated under the Washington
22 Utilities and Transportation Commission, as it is privately owned and billing rates exceed
23 \$471/year per customer.

24 3.2 The owner of the system and any authorized agent of the owner are “purveyors”
25 within the meaning of RCW 70.119A.020(13) and WAC 246-290-010(203) and as such, are
26 responsible for complying with the State Board of Health regulations concerning Group A public

1 water systems, WAC 246-290. The owner of the system is responsible for complying with
2 certified operator requirements under RCW 70.119 and WAC 246-292. Anyone operating the
3 system is also a “purveyor.” RCW 70.119A.020(13); WAC 246-290-010. The water system is
4 owned by Dan Class; therefore he is a “purveyor.”

5 3.4 The CCE water system is less than ten (10) years old and currently serves
6 twenty-two (22) newer homes belonging to financially comfortable, mostly retired customers.
7 Unlike many water systems of comparable size, this system enjoys the stable financial
8 resources that come with a customer base that is able to reliably pay sufficient water rates to
9 keep the system well operated and maintained. A system with this financial resource has the
10 foundation for future success to provide safe and reliable drinking water in the years to come.

11 3.5 The CCE water system has had a history of non-compliance demonstrating that
12 Mr. Class does not have adequate technical, managerial or financial capacity to provide safe and
13 reliable drinking water to the CCE water system customers. *See Walker Decl., Ex. A.*

14 3.6 WAC 246-290-420(1) requires that all public water systems provide an adequate
15 quantity and quality of water in a reliable manner at all times. Since the CCE water system was
16 constructed in 2002, Health has received forty-three (43) customer complaints; twenty-three (23)
17 regarding water outages, low pressure or air in the water mains. *See Declaration of Teresa Walker*
18 *(Walker Decl.) at ¶ 9, Ex. B.*

19 3.7 When a water system has a water outage or reported low pressure, Health may
20 issue a Boil Water Advisory because of the likelihood that contaminants may have entered the
21 water system through pipe breaks or possible backflow contamination. The advisory is to
22 remain in effect until lifted by Health. The criteria for lifting the advisory typically include two
23 sets of satisfactory bacteriological samples. *See Walker Decl. at ¶ 11.*

24 3.7.1 Boil water advisories have been issued to the CCE water system four times
25 since 2004 (total of ten months that customers were required to boil their water for drinking,
26 brushing teeth, washing dishes, etc. . . .), the most recent in June 2010. *See Walker Decl. at ¶ 11.*

1 3.7.2 In October 2010, the Precautionary boil water advisory was changed to a
2 Do Not Drink the Water Advisory. This advisory is still in effect as of the day this Petition for
3 Appointment of Receiver of Public Waster System (Petition) was filed. *See* Petition at ¶ 3.9.5

4 3.8 RCW 70.119 and WAC 246-292 require all Group A community water systems to
5 have a certified operator in “responsible charge” of the daily operational activities of the water
6 system to ensure that the drinking water is safe and reliable. A system owner may choose to hire
7 a Satellite Management Agency (SMA) to fill the role of a certified operator.

8 3.8.1 The CCE water system does not currently have a certified operator in
9 responsible charge of providing safe and reliable drinking water. It has not had a certified
10 operator since April 2010.

11 3.8.2 Since November 2004, Mr. Class has failed to maintain the services of a
12 certified operator for a total of sixteen (16) months.

13 3.8.3 GPM Water Systems, an SMA, was the certified operator of the CCE
14 water system from 2002 to October 31, 2004. That company resigned in November 2004 due
15 to lack of payment. CCE water system was without a certified operator from November 2004
16 until February 2005.

17 3.8.4 Pacific Water Systems, an SMA, was retained as the approved SMA
18 from February 2005 until February 2009, when it resigned, also for lack of payment. The CCE
19 water system was again without a certified operator from February 2009 until April 2009.

20 3.8.5 As of March 2009, there were five approved SMAs in Cowlitz County:
21 Washburn Water Works, North Bay Water Utility Corp, GPM, Tri-County Water, and Pacific
22 Water Systems. All five SMAs informed Mr. Class and/or Cowlitz County Health Department
23 that they would not be an SMA for the CCE water system. *See* Walker Decl. at ¶ 13(e)
24 and Ex. C.

1 3.8.6 Mr. C. J. Bruno was hired as a contract operator in April 2009 and
2 continued in that role until April 1, 2010, when he resigned, also for lack of payment. The
3 CCE water system has now been without a certified operator since April 2010.

4 3.9 Multiple SMAs, the contract operator, and the CCE water system customers
5 filed complaints with Health that Mr. Class was performing unauthorized work, including
6 installation with improper construction techniques without the supervision of the certified
7 operator. *See Walker Decl.* at ¶¶ 14-16 and Ex. D and E; *see also* Declaration of Chuck
8 Tadlock (Tadlock Decl.).

9 3.9.1 More recently, on June 2, 2010, CCE water system customers notified
10 Health about another water outage impacting seventeen homes; twelve customers filed written
11 complaints. This outage was potentially caused by Mr. Class performing unknown work on
12 the CCE water system. At the time of those complaints, there was no certified operator for the
13 CCE system. *See Walker Decl.*, Ex. B at 1, 2, 10, 12, 14, 31, 38, 42.

14 3.9.2 On June 2, 2010, the CCE Water System was placed on a boil water
15 advisory due to the outage. In order to have the advisory lifted; Mr. Class was required to
16 collect two sets of three water samples, all of which must have satisfactory results (no coliform
17 presence).

18 3.9.3 Because Health was concerned about the quality of the water, it
19 conducted a Special Purpose Investigation (SPI) on July 7, 2010, in response to the
20 June 2, 2010 boil water advisory. The SPI identified multiple sanitary hazards including
21 rodents nesting around wellheads, mice feces on the unsecured reservoirs, and water leaks and
22 mold in the reservoir building. A total of thirty-one (31) deficiencies were identified as noted
23 in Ex. F. The SPI findings show evidence of long-term neglect and improper operations and
24 maintenance over an extended period of time. *See Walker Decl.*, Ex. F.

25 3.9.4 As of September 30, 2010, the criteria to lift the June 2, 2010 boil water
26 advisory had not been met. Due to the CCE water system's exceeding the arsenic maximum

1 contaminant level, a long-term boil water advisory was not appropriate (boiling water can
2 increase the concentration of arsenic).¹

3 3.9.5 On October 1, 2010, Health revised the boil water advisory to a Do Not
4 Drink the Water Advisory, which will remain in effect until disinfection is installed, a certified
5 operator has been hired, and two sets of three satisfactory coliform samples are obtained. As
6 of the date below, these criteria have not been met and the Do Not Drink the Water Advisory is
7 still in effect. *See Walker Decl. at ¶¶ 18-19.*

8 3.10 On November 25, 2010, the CCE Water System experienced a severe water
9 outage coupled with a poor response from Mr. Class, which illustrates the on-going need for a
10 competent, certified operator and the problems associated with unauthorized work.

11 3.10.1 On November 22, 2010, C. J. Bruno, the former certified operator,
12 reported to Health that Mr. Class was digging up water mains and service lines, leaving them
13 exposed to weather conditions. Mr. Class was leaving for Hawaii the next day with no
14 certified operator in responsible charge of the CCE water system.

15 3.10.2 On November 23, 2010, ambient temperatures dropped to 10 degrees.

16 3.10.3 On November 25, 2010 (Thanksgiving Day), exposed water pipes froze
17 and broke, and the middle storage tank was drained. Several homes were out of water.

18 3.10.4 Customers reported to Health that unknown personnel repaired the
19 system using "scrounged" parts. Service was restored without the required disinfection.
20 *See Walker Decl. at ¶ 20 and Ex. G; see also Tadlock Decl. at ¶ 4.10.*

21 3.11 WAC 246-290-300 requires monthly coliform sampling to determine if coliform,
22 fecal coliform or E.coli is present in the drinking water. Total coliform is a group of bacteria.

23
24
25 ¹ The issue regarding the CCE Water System exceeding the maximum contaminant level for arsenic is
26 being addressed in a separate administrative action. A Notice of Imposition of Penalty and Initial Order was
issued against Mr. Class on August 25, 2010, regarding the failure to submit for review and approval a project
plan and construction documents to treat the arsenic, signed and stamped by a professional engineer. That action
is scheduled for hearing on March 30, 2011.

1 The presence of total coliform in drinking water is a sign of environmental contamination
2 within the water system, indicating a compromise has occurred in the water system.

3 3.11.1 Coliform bacteria have been detected in the sources (wells), reservoirs,
4 and distribution system from July 2005 through January 2011. The following dates have had
5 one or more samples test positive for coliform bacteria: July 26, 2005, February 14, 2008,
6 October 30, 2008, November 5, 2008 (four samples tested positive), February 26, 2009 (three
7 samples tested positive), August 27, 2009, February 2, 8, 15, June 11, July 1, September 28,
8 November 5, 10, and 15, 2010, December 28, 2010, and January 11, 2011.

9 3.11.2 Mr. Class failed to submit coliform samples for the months of April,
10 May and August 2010. *See Walker Decl. at ¶¶ 17, 22.*

11 3.12 WAC 246-290-300(4), (7), and (8) requires public water systems to sample for
12 various contaminants from their sources (i.e. wells). The CCE water system is required to
13 monitor for arsenic on a quarterly basis, as well as sample for pesticides, radionuclides and
14 inorganic chemicals on an annual basis. The last arsenic sample taken was in March 2010.
15 The water system accrued ten monitoring violations in 2010 for failing to monitor for arsenic,
16 pesticides, herbicides, inorganic contaminants and nitrates. *See Walker Decl. at ¶ 21.*

17 3.13 WAC 246-290-71001 requires public water systems to notify their customers
18 whenever they exceed the maximum contaminant level for coliform. Certification of public
19 notification is required to be submitted to Health following public notification. Mr. Class
20 failed to provide the required public notification certification to Health for coliform violations
21 in April, May, July, August and November 2010. *See Walker Decl. at ¶ 23.*

22 3.14 On December 21, 2010, Mr. C. J. Bruno installed a temporary chlorination
23 system for the CCE water system. Disinfection by means of chlorination was required by
24 Health after its investigation on July 2, 2010. The CCE water system was required to install
25 temporary chlorination/disinfection by December 10, 2010; submit a project report and
26 construction documents to Health for approval of the permanent disinfection system by

1 January 10, 2011; and install a permanent disinfection system by April 22, 2011. Health has
2 not yet received a project report for the permanent disinfection system. Without a certified
3 operator, there is no one to consistently maintain the disinfection system, including monitoring
4 chlorine residuals and preparing chlorine stock solutions. Health has been relying on
5 homeowners to monitor the chlorine residuals.

6 3.15 On October 15, 2010, December 2, 2010, and February 14, 2011, Cowlitz
7 County Public Utilities District (PUD) issued an electrical shut-off notice to Mr. Class for
8 failure to pay outstanding power bills associated with the well pumps for the water system.
9 Power was scheduled to be shut off on October 28, 2010, December 15, 2010, and March 1,
10 2011, respectively. *See Walker Decl., Ex. I.* If the electricity is shut off, the well pumps would
11 shut down and twenty-two (22) homes would be without water. The PUD also notified all
12 twenty-two (22) customers of the pending shut-off date. Mr. Class paid the bills on October 28
13 and December 15, narrowly avoiding the shut-off. He has not yet paid the power bill to avoid
14 shut-off on March 1, 2011.

15 IV. GROUNDS FOR APPOINTMENT OF RECEIVER

16 4.1 Mr. Class's failure to ensure safe and adequate quantity and quality of water in a
17 reliable manner at all times indicates the need for the appointment of a permanent receiver to
18 manage and operate the water system in accordance with public water system laws and
19 regulations, in order to protect the health of the CCE water system customers.

20 4.2 The failure to ensure safe and adequate quantity and quality of water in a reliable
21 manner at all times in accordance with RCW 70.119A and WAC 246-290 has led to
22 approximately eight (8) water outages or low pressure events; and four (4) boil water advisories
23 spanning a ten month time-frame since 2004, the most recent in June 2010, which was converted
24 into a Do Not Drink the Water Advisory in October 2010 and is still in effect as of the date of this
25 Petition. These numerous water outages, which can lead to potential bacterial growth issues,
26

1 represent a blatant inability to properly operate and maintain the water system by providing safe
2 and reliable drinking water to the CCE water system customers.

3 4.3 Mr. Class has also failed to keep and retain a certified operator to be in
4 “responsible charge” of the CCE water system at all times. Since November 2004, Mr. Class has
5 failed to maintain the services of a certified operator for sixteen (16) months; and has not had an
6 operator at all since April 2010. The certified operator is the first line of defense. Health relies on
7 the mandatory certified operator for each public water system to take water samples and monitor
8 for contaminants in order to ensure that the water meets state and federal requirements. For every
9 day that the water system does not have a certified operator in responsible charge, the CCE water
10 system customers are placed at risk.

11 4.4 Mr. Class has also had three instances of failing to timely pay outstanding power
12 bills to the Cowlitz County PUD. The power was scheduled to be shut off on October 28, 2010,
13 December 15, 2010, and March 1, 2011, respectively if the bills were not paid in full by that
14 date. Mr. Class waited until the last day (October 28 and December 15) to pay the power bills,
15 and as of the date of this petition, power is again scheduled to be shut off on March 1, 2011.
16 Shutting off the electricity to the water system, which would shut down the well pumps, would
17 leave twenty-two (22) homes without any source of water, causing an immediate and serious
18 public health danger to the CCE water system customers. Mr. Class has shown a complete
19 disregard for his customers’ welfare and for the PUD by failing to pay the power bill on-time
20 three times in the span of four months.

21 4.5 Because the CCE water system does not have a certified operator in responsible
22 charge of the water system, the temporary disinfection that was installed in December 2010 is
23 not being properly operated and maintained on a daily basis. Health has been forced to rely on
24 the homeowners to monitor the chlorine residuals, which at times has been non-detectable.

25 4.6 Receivership will bring professional expertise to manage the CCE water system.
26 The transfer of ownership would solve a number of problems for the water system, including:

1 having a certified operator in responsible charge of the daily operation of the water system;
2 maintaining the chlorination treatment; identifying distribution repairs required to maintain
3 adequate service; proper monitoring and water quality sampling; timely payment of the
4 electricity bill, thereby avoiding power shut-offs; and providing safe and reliable drinking
5 water every day to the CCE water system customers.

6 4.7 Health believes that Beacon Hill Water and Sewer District (Beacon Hill) would
7 be the most appropriate and viable receiver for the CCE water system. Beacon Hill is a public
8 entity that operates another large public water system in Cowlitz County, which is in
9 substantial compliance with Health requirements. Beacon Hill Water and Sewer District is a
10 willing receiver. *See Walker Decl., Ex. H.*

11 4.7.1 Cowlitz County Public Works was notified on December 1, 2010, that
12 Health would likely be going to court to appoint a receiver for the CCE water system and
13 asking for their support with this effort. Cowlitz County replied verbally that they would not
14 be a willing receiver because they do not have the personnel to operate this water system.

15 4.7.2 There are also six (6) approved Satellite Management Agencies in
16 Cowlitz County, the county in which the CCE water system is located. Five (5) of those SMAs
17 have stated their refusal to work for Mr. Class. *See Walker Decl., Ex. C.* The sixth SMA,
18 Northwest Water Systems, has indicated it would be a willing receiver. Northwest Water
19 Systems has been recently approved to provide service to Cowlitz County, but do not yet have
20 offices in the area. They currently operate out of Port Orchard, Washington, thereby making it
21 difficult for them to act as a receiver for the CCE water system.

22 4.8 Receivership and the appointment of Beacon Hill Water and Sewer District as
23 the receiver would move the CCE water system toward becoming a reliable and safe utility.

24 4.8 If Beacon Hill Water and Sewer District is not appointed as the receiver of the
25 water system, Health asks that Cowlitz County Public Works be named as the receiver of last
26 resort under RCW 43.70.195(1).

ENDORSED FILED
SUPERIOR COURT

FEB 28 2011

COWLITZ COUNTY
BEVERLY R LITTLE, Clerk

STATE OF WASHINGTON
COWLITZ COUNTY SUPERIOR COURT

MARY SELECKY, SECRETARY,
WASHINGTON STATE
DEPARTMENT OF HEALTH,

Petitioner,

v.

DAN CLASS, Owner
COLUMBIA CREST ESTATES
WATER SYSTEM

Respondent.

NO. 11-2-00196-3

ORDER APPOINTING
A PERMANENT RECEIVER

I. HEARING

1.1 Hearing. On February 28, 2011, at the Cowlitz County Superior Court, this order was presented for signature. Service of the Petition for Appointment of a Receiver occurred on February 16, 2011.

1.2 Appearances. Plaintiff State of Washington, Department of Health (Health) appeared by and through its attorney, Assistant Attorney General, Dorothy H. Jaffe. Defendant, Dan Class d/b/a Columbia Crest Estates ~~did not~~ appear. Cowlitz County Prosecuting Attorney Ron Marshall appeared on behalf of Cowlitz County.

1.3 Purpose. To determine if a permanent receiver should be appointed for the Columbia Crest Estates Water System.

COPY

1 2.3 CCE water system has had an extended history of non-compliance demonstrating
2 that Mr. Class does not have adequate technical, managerial and financial capacity to provide safe
3 and reliable drinking water to the CCE water system customers.

4 2.4 The CCE water system does not currently have a certified operator in
5 responsible charge of providing safe and reliable drinking water. It has not had a certified
6 operator since April 2010.

7 2.5 Coliform bacteria have been detected in the sources (wells), reservoirs, and
8 distribution system throughout the history of the CCE Water System, from 2005 through
9 November 2010. The following dates have had one or more samples test positive for coliform
10 bacteria: July 26, 2005, February 14, 2008, October 30, 2008, November 5, 2008 (four samples
11 tested positive), February 26, 2009 (three samples tested positive), August 27, 2009, February
12 2, 8, 15, June 11, July 1, September 28, November 5, 10, and 15, December 28, 2010 and
13 January 11, 2011.

14 2.6 Mr. Class failed to submit coliform samples for the months of April, May and
15 August 2010.

16 2.7 The CCE water system is required to monitor for arsenic on a quarterly basis, as
17 well as sample for pesticides, radionuclides and inorganic chemicals as indicated on the Water
18 Quality Monitoring Report each year. The last arsenic sample taken was in March 2010. The
19 water system accrued ten monitoring violations in 2010 for failing to monitor for arsenic,
20 pesticides, herbicides, inorganic contaminants and nitrates.

21 2.8 Disinfection by means of chlorination was required by Health after its
22 investigation on July 7, 2010. The CCE water system was required to install temporary
23 chlorination/disinfection by December 10, 2010. Mr. C. J. Bruno installed a temporary
24 chlorination system for the CCE water system on or about December 21, 2010 (eleven days
25 late). The CCE water system was also required to submit a project report and construction
26 documents to Health for approval of the permanent disinfection system by January 10, 2011;

1 and install a permanent disinfection system by April 22, 2011. Health has not yet received a
2 project report for the permanent disinfection system. Without a certified operator, there is no
3 one to consistently maintain the disinfection system, including monitoring chlorine residuals
4 and preparing chlorine stock solutions. Health has been relying on homeowners to monitor the
5 chlorine residuals.

6 2.9 On October 15, 2010, December 2, 2010, and February 14, 2011, Cowlitz
7 County Public Utilities District (PUD) issued an electrical shut-off notice to Mr. Class for
8 failure to pay outstanding power bills associated with the well pumps for the water system.
9 Power was scheduled to be shut off on October 28, 2010, December 15, 2010, and March 1,
10 2011, respectively. If the electricity is shut off, the well pumps would shut down and twenty-
11 two (22) homes would be without water. Mr. Class paid the October 2010 and December 2010
12 power bill on the day the power was to be shut-off to the water system. Mr. Class paid the
13 January 2011 power bill on February 17, 2011, one day after the Ex Parte Order Appointing a
14 Temporary Receiver was filed.

15 2.10 Since the CCE water system was constructed in 2002, there have been
16 approximately twenty-three (23) customer complaints regarding water outages, low pressure or air
17 in the water mains, resulting in four boil water advisories and one Do Not Drink the water
18 advisory.

19 2.11 On February 16, 2011, Health requested that Cowlitz County Superior Court
20 appoint a Temporary Receiver for the CCE water system *ex parte* due to the on-going threat of
21 the power being shut-off to the water system, which would result in an immediate and serious
22 danger to the CCE water system customers. Commissioner Bashor signed the Ex Parte Order
23 appointing Beacon Hill Water and Sewer District as the Temporary Receiver of the CCE water
24 system on February 16, 2011.

1 complete disregard for his customers' welfare and for the PUD by failing to pay the power bill
2 on-time three times in the span of four months.

3 3.3 The CCE water system has not had a certified operator since April 2010. This
4 violates RCW 70.119 and WAC 246-292, which requires all Group A community water systems
5 to have a certified operator in "responsible charge" of the daily operational activities of the water
6 system to ensure that the drinking water is safe and reliable. For every day that the water system
7 does not have a certified operator in responsible charge, the CCE water system customers are
8 placed at risk.

9 3.4 WAC 246-290-300 requires monthly coliform sampling to determine if coliform,
10 fecal coliform or E.coli is present in the drinking water. Samples were not submitted for
11 coliform for the months of April, May and August 2010.

12 3.5 WAC 246-290-300(4), (7), and (8) requires public water systems to sample for
13 various contaminants from their sources (i.e. wells). CCE Water System is required to monitor
14 for arsenic on a quarterly basis as well as sample for pesticides, radionuclides and inorganic
15 chemical sampling as indicated in the Water Quality Monitoring Report each year. The last
16 arsenic sample taken was in March 2010. None of the other contaminants were monitored in
17 2010.

18 3.6 WAC 246-290-71001 requires all public water systems to notify its customers
19 whenever it exceeds the maximum contaminant level for coliform, with a copy sent to Health
20 following public notification. Mr. Class failed to provide the required public notification to
21 Health for coliform violations on July 1, September 28, November 5, 10, and 15, 2010.

22 3.7 Because the CCE water system does not have a certified operator in responsible
23 charge of the water system, the temporary disinfection that was installed in December 2010 is
24 not being properly operated and maintained on a daily basis. Health has been forced to rely on
25 the homeowners to monitor the chlorine residuals, which at times has been non-detectable.

1 4.1.2 Have full and unimpeded access to the Columbia Crest Estates Water
2 System, including all infrastructure and records;

3 4.1.3 Gain custody and control of all of the personal and real property necessary
4 and incidental to the operation and maintenance of the water system and the provision of water
5 service to the water system customers;

6 4.1.4 Take the water system free and clear of any and all liabilities and
7 encumbrances of Mr. Class and/or Green Mountain H2O, LLC;

8 4.1.5 Impose reasonable assessments on the water systems' customers to recover
9 expenditures for improvements necessary for public health and safety, as well as for daily
10 operation and maintenance of the water system. The receiver's authority to impose a reasonable
11 assessment on the water system customers is free of any and all contractual restrictions on
12 increasing water rates, fees and charges entered into by Mr. Class or Green Mountain H2O, LLC
13 and water system customers or their representatives;

14 4.1.6 Impose rates and charges that are uniform and nondiscriminatory as to
15 each class of service and as to customers receiving a like service or as otherwise authorized by
16 law;

17 4.1.7 All fees for water service charged to the water system's customers be paid
18 into an account to be established by the receiver for the purpose of reasonably compensating the
19 receiver for its services and to pay for such costs and to effect such improvements as are necessary
20 to operate the systems in compliance with RCW 70.119A, RCW 70.119, WAC 246-290 and
21 WAC 246-292; and

22 4.1.8 Provide an accounting from time to time as the court may require.

23 4.2 The requirements of a bond are waived in this matter.

24 4.3 The Receiver report to the court, at an appropriate time, its recommendations for
25 the water system's future ownership and operation and that the court order the receiver, in
26

1 conjunction with the appropriate entities, to submit a plan for disposition of the system no later
2 than twelve months after its appointment.

3 4.4 The Defendant and anyone acting at its direction, under it, on its behalf, or in
4 cooperation with it, are enjoined from assaulting, threatening, harassing, intimidating, or
5 otherwise interfering with the activities of the receiver whether or not those activities are
6 undertaken in the administration of the receiver's official duties.

7 4.5 The Defendant and anyone acting at its direction, under it, on its behalf, or in
8 cooperation with it, are enjoined from damaging, destroying, or otherwise interfering with the
9 operation of the Columbia Crest Estates Water System.

10 4.6 Violation of this order by the Defendant may result in contempt.

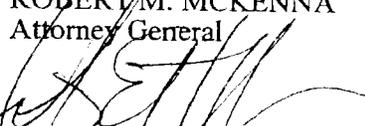
11 DATED this 28th day of February, 2011.

12 

13
14 ~~JUDGE~~ Commissioner Gary B. Basher

15 Presented by:

16 ROBERT M. MCKENNA
17 Attorney General

18 
19 DOROTHY H. JAFFE, WSBA #34148
20 Assistant Attorney General

21 Attorneys for State of Washington
22 Department of Health

23 4.7 Beacon Hill water sewer District is hereby released
24 from any further obligations under the temporary
25 order of 16 Feb 2011.
26

Original Sheet No. 1
WN U-1

For Commission's Receipt Stamp

GEN_2004_6.DOC

GREEN MOUNTAIN H2O

NAMING RATES FOR

Water Service

At

Columbia View Estates
Columbia Crest Estates I-II
Columbia Crest Estates III
The View Estates I
The View Estates II
KALAMA, WASHINGTON

And

CONTAINING RULES AND REGULATIONS

GOVERNING SERVICE

Issued 3-24-09 Effective 5-1-09

Issued by Green Mountain H2O

By Dan Class Title Owner

Address 759 Varsity Rd Kalama, Wa 98625

Telephone Number 360-225-0999 Fax Number 360-225-0998

Original Sheet No. 2
WN U-1

Green Mountain H2O

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Issued 3-24-09

Effective 5-01-09

Issued by Green Mountain H2O

By Dan Class

Title Owner

Original Sheet No. 5
WNU-1

Green Mountain H2O

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**WATER SERVICE
RULES AND REGULATIONS**

Rule 1 - Adoption of Rules of Regulatory Authorities

The rules regulating water service prescribed by the Washington Utilities and Transportation Commission, after this called the Commission, are adopted and by this reference are made a part of this tariff.

Rule 2 - Schedules and Conditions

The schedules and conditions specified in this tariff for water service are subject to change according to the public service laws of the State of Washington. The amount of water furnished is subject to the Department of Health required standards of quantity and quality. All schedules for water service apply to applicants for or customers receiving water service from the utility.

Rule 3 - Application and Agreement for Service

Each prospective customer desiring water service will be required to sign the utility's standard form of application before service is supplied.

An application for service is notice that the prospective customer desires water service from the utility and represents agreement to comply with the utility's rules and regulations on file with the Commission and in effect at the time service is furnished. In the absence of a signed application for water service, the delivery of water by the utility through a standard connection and the taking thereof by the customer will constitute an agreement by and between the utility and the customer for the delivery and acceptance of service under the applicable rate schedule(s) and these rules and regulations. For new customers, a survey will be required as part of the application prior to accepting the applicant as a customer.

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By Dan Class Title Owner

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**WATER SERVICE
RULES AND REGULATIONS**

Rule 4 - Definition of Service

Service will be supplied as described in these rules and under the applicable rate schedule(s). Service will be supplied only to those who secure their source of water exclusively from the utility, unless otherwise provided under written contract. Water service will be used only for the purpose specified in the service agreement and applicable rate schedule(s). A customer will not sell or permit others to use such service, unless authorized to do so under written contract with the utility.

The customer will not increase demand or use of service as stated in the application for service without giving prior notice of such increase. In the event of such increase, the customer is required to pay the utility's regularly published rates for the increased service from the date of connection and use of the service.

Whenever the customer wants to permanently discontinue the use of water through any fixtures mentioned in the original application, the customer must cause the fixture to be removed and the branch pipe or service supplying the same to be capped or plugged, and must notify the utility in writing before any reduction in charge will be made.

Rule 5 - Disconnection Visit Charge / Reconnection Charge

When a utility employee is dispatched to disconnect service, that employee must accept payment of a delinquent account and disconnect visit charge if specified in **Schedule X**. If amount owing is tendered in cash, utility employee will not be required to dispense change for excess of the amount due and owing. Any excess payment will be credited to the customer's account. The utility will restore service when the cause of discontinuance has been removed and payments of all proper charges due from customer have been made.

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WATER SERVICE
RULES AND REGULATIONS

Rule 5 - Disconnection Visit Charge / Reconnection Charge (cont'd)

A reconnection charge, as specified in **Schedule X**, will apply for reconnection of the customer's service to the utility's distribution system. Such charge is to apply only in cases where service has been discontinued for non-payment of delinquent account, request of the customer (seasonal reconnection), and refusal to make proper repairs or similar cause. No charge will be made for reconnection of service if the shut-off was made for the convenience of the utility in making repairs, changes, etc.

Rule 6 - Installation of Service Pipes and Meters

The utility will construct service connections of a proper size from its distribution mains to the customer's property. The utility reserves the right to refuse to construct a service connection to any property if the applicant's pipes are not properly constructed and protected.

Meter Installation (Utility) - The utility may meter any flat rate service at its discretion. The utility's metered service rates will become effective, after the customer has received 30 days' written notice. All meters so placed will be installed and maintained by the utility without direct retrofit cost to the customer.

Meter Installation (Customer Request) - A meter will be installed upon any flat rate service at the request of the customer, provided that the actual cost of the meter and installation is paid by the customer. The amount paid will be reimbursed to the customer, by bill credit, by at least ten (10) percent of the meter and installation charge each month until fully repaid. All meters will be installed and maintained by the utility without future cost to the customer. The charge and conditions for this service are specified in **Schedule 11**.

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By Dan Class

Title Owner

Original Sheet No. 8
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**WATER SERVICE
RULES AND REGULATIONS**

Rule 7 - Distribution Main Extension

Utility Allowance - Where elevation and construction conditions allow and one or more bona fide prospective permanent customers request a main extension, the utility will construct and pay for the same, if the utility has sufficient capacity available to meet Department of Health standards of quantity and quality.

Customer ProRata Share - The cost of main extension in excess of the estimated customer(s) revenue for three years (utility allowance) must be paid by the prospective customers in advance.

Construction Contract - No main extension will be considered as coming under this rule where the total cost of the main extension is greater than the estimated customer(s) revenue for six years. Water main extensions and/or fire hydrants will be installed after contracts have been approved by the Washington Utilities and Transportation Commission pursuant to WAC's for special contracts for water utilities and distribution extensions.

Rule 8 - Responsibility for, and Maintenance of, Services

The point at which water will be delivered to and received by the customer will be on the property line (Point of Delivery) of the customer's property at a point designated by the utility. The utility will install its meter or other connection device at the Point of Delivery, except, at its option, the utility may install its meter at some other agreed point on the property of the customer, provided that in such event the property line will nevertheless be deemed the Point of Delivery.

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By Dan Class

Title Owner

Original Sheet No. 9
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**WATER SERVICE
RULES AND REGULATIONS**

Rule 8 - Responsibility for, and Maintenance of, Services (cont'd)

The customer will assume all responsibility after Point of Delivery for water supplied by the utility. The utility will be exempt from all liability for loss or damage caused by leakage or escape of water furnished by the utility, after water has passed the Point of Delivery. If the customer has an Approved Backflow Prevention Assembly installed the assembly must be tested annually by a certified Backflow Assembly Tester specialist.

All service pipes and fixtures on the customer's side of the Point of Delivery shall be provided and must be maintained and protected from freezing at the customer's expense. Where there are leaking or defective pipes or fixtures, the water may be turned off at the option of the utility until properly repaired. The utility may require any service to be equipped with freeze prevention devices to be used during cold weather conditions instead of permitting water to run continuously from faucets.

Rule 9 - Access to Premises / Service Visit Charge

The utility's regularly authorized agents or employees will have access to the premises of the customer at reasonable hours for meter reading, inspection, connection, disconnection, repair or removal of the utility's property.

The customer will pay a Service Visit Charge as specified in **Schedule X** when:

- a. A utility employee or agent is dispatched to the premise and the condition was caused by or was the responsibility of the customer.
- b. The utility employee or agent has not had access to read the meter for at least two billing cycles and the utility employee or agent is dispatched to access the meter and continues to not have access to the meter.

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By Dan Class Title Owner

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Green Mountain H2O

For Commission's Receipt Stamp

WATER SERVICE
RULES AND REGULATIONS

Rule 10 - Interruption to Service

The utility will make a diligent effort to render uninterrupted service and supply of water. In cases where shut-off is necessary for repair, reconstruction, damage prevention or similar cause, the utility will give advance notice to its customers of such scheduled shut-off. However, the utility will not be responsible for any damage that may result from any cessation of services such as above outlined, nor for failure to give notice of shut-off when circumstances are such that it is impossible to give notice as stated above.

Rule 11 - Bills / Late Payment Charge

All bills shall be paid monthly in arrears and are due and payable upon receipt and are considered delinquent no less than fifteen (15) days after the date mailed. Bills will be deemed received upon personal delivery to customer or three (3) days following the deposit of the bill in the United States mail to the customer's last known address. Where the meter has not been read, a minimum bill will be rendered and adjusted when the next succeeding meter reading is available.

Bills are due and payable upon receipt. Bills are considered late 15 days after the bill mailing date. A Late Payment Charge as specified in **Schedule X** of the unpaid balance shall be added to each account for each month the bill is unpaid. The late payment charge will not be applied to any disputed amount unless such amount remains unpaid for more than 15 days after the dispute has been resolved.

In addition, the utility will comply with all provisions of the Commission's deposit rules, specifically, the WAC on Deposits.

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WATER SERVICE
RULES AND REGULATIONS

Rule 12 - Deposits

The utility may require a deposit in situations when a customer is unable to establish or maintain credit with the utility, or where a customer's service has been disconnected for nonpayment of amounts owed to the utility as defined by Commission rules.

The deposit will not be more than an average two-twelfths of estimated annual billing.
(For customers billed monthly)

When the Company collects customer deposits, interest must be paid for each calendar year, at the rate for the one-year Treasury Constant Maturity calculated by the U.S. Treasury, and published in the Federal Reserve's Statistical Release H.15 on January 15 of that year. Interest is computed from the date of deposit to the date of refund or when applied directly to the customer's account.

The company must refund deposits plus accrued interest when there has been satisfactory payment, as defined by Commission rules or upon termination of service, less any amounts due the company by the customer.

Rule 13 - Responsibility for Delinquent Accounts

The utility will not refuse or discontinue service to an applicant or customer, who is not in arrears to the utility even though there are unpaid charges due from the premises occupied by the applicant or a customer, due to the unpaid bill of a prior tenant unless there is evidence of intent to defraud.

The utility may not permanently deny service to an applicant because of a prior obligation to the utility.

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(Water Utility Name)

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WATER SERVICE
RULES AND REGULATIONS

Rule 14 - Discontinuance of Service

The utility reserves the right to discontinue service to its customers for:

- (a) Unpaid bills, as provided for in this tariff.
- (b) Water uses for purposes or properties other than those specified in the customer's application for service.
- (c) Willful waste of water through improper or defective piping, equipment, or otherwise.
- (d) Piping or equipment that does not meet the company's standards or fails to comply with other applicable codes and regulations.
- (e) Tampering with the company's property.
- (f) Vacating the premises.
- (g) Nonpayment of any proper charges, including deposit, as provided in this tariff.
- (h) Refusing to allow access as required in commission Rules.
- (i) Violating rules, service agreements, or effective tariffs, including violation of outdoor watering instructions given to customers in order to curtail water use during time of shortage.
- (j) Use of equipment that detrimentally affects the company's service to its other customers.
- (k) Service obtained by fraud.
- (l) Fails to comply with cross connection control requirements.

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**WATER SERVICE
RULES AND REGULATIONS**

Rule 14 - Discontinuance of Service (cont'd)

The right to discontinue service may be exercised whenever and as often as any of the foregoing situations occur, and neither delay nor omission by the utility to enforce this rule any time will be deemed a waiver of its right to discontinue service.

Discontinuance of service by a customer - Customer shall be required to give notice to the utility of their intention to discontinue service.

Required notice prior to disconnecting service: The Utility must serve a written disconnection notice on the customer, either by mail, or, at the Utility's option, by personal delivery of the notice to the customer's address, attached to the primary door.

A minimum of eight (8) business days' written notice will be given a customer before service is discontinued, except in the case of danger to life or property. Before disconnecting service, the utility must in addition to the first (1st) notice as described above, provide a second (2nd) notice by on the two options listed below.

- (1) Delivered notice - The company must deliver s second (2nd) notice to the customer and attach it to the customer's primary door. The notice must contain a deadline for compliance that is no less then twenty-four (24) hours after the of delivery that allows the customer until 5:00 p.m. of the following day to comply, or
- (2) Mailed notice - The company must mail a second (2nd) notice, which must include a deadline for compliance that is no less than three (3) business days after the date of mailing if mailed from within the state of Washington.

Disconnection notice will expire after ten (10) business days from the first day that the Utility may disconnect service, unless other mutually agreed upon arrangements have been made and confirmed in writing by the Utility. If mutually accepted arrangements are not kept, the Utility may disconnect service without further notice.

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WATER SERVICE
RULES AND REGULATIONS

Rule 15 - Sprinkling and Irrigation

Water used for sprinkling and irrigation must be paid for at the regular prescribed tariff rates for such service. The hours for such use will be as prescribed from time to time by the utility, subject to protest by any customer effected and reviewed by the Commission. During peak use months (June through September), and at such other times when demand may be high, the utility may prohibit or limit sprinkling and irrigation to preserve water for domestic consumption.

No person will use water for sprinkling or irrigation purposes during any fire in the area, and all sprinkling or irrigation must be stopped immediately when a fire alarm is sounded. Water use may resume three (3) hours after the fire has been extinguished.

Rule 16 - Rates

Rates for water service and supply are those published in the utility's tariff on file with the Commission. Unless otherwise stated in this tariff, the rates apply to a single service, to one customer at one premise. Where two or more families with separate housekeeping establishments occupy the same or separate dwellings, each family using water is considered a separate customer. Each separate housekeeping establishment or business, using water service, will each be considered a customer.

When conditions require that more than one customer be supplied through one meter, (Accessory Dwelling Units) each customer will be charged the minimum charge as provided by the schedule of rates. If the consumption as shown by the meter exceeds the allowance for the minimum charge multiplied by the number of customers, the excess consumption charge will be computed at the regular rates for one customer and the amount prorated equally to the multiple customers, or otherwise as may be agreed among themselves.

Water service must be subscribed to on an annual basis. No proration or reduction in billing is allowed unless this tariff proscribes temporary or seasonal rates.

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**WATER SERVICE
RULES AND REGULATIONS**

Rule 17 - Account Set-Up Charge/NSF (Non-Sufficient Funds) Charge

An account set-up charge as specified in **Schedule X** will be made for each new account or change of account responsibility on an existing service. Such charge will be included in the initial billing to the customer. This charge includes the utility dispatching an employee to establish a base meter reading. An account set-up charge does not apply to:

- (a) Installation of a new meter.
- (b) Temporary or seasonal reconnection.
- (c) Owners or agents assuming temporary responsibility for service to vacant premises.

An NSF check charge as specified in **Schedule X** will be made for handling customer checks that have been returned by the bank as NSF or account closed. This charge will be applied to the next billing to the customer.

Rule 18 - Water Availability Letter Charge

Any prospective customer seeking a water availability letter or certificate of water availability from the utility must first pay the appropriate charge as specified in **Schedule X**. The water availability letter will include the date issued and the date of expiration. Water availability letters will be valid for no more than one (1) year, or until the expiration of the associated building permit, whichever occurs last.

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WATER SERVICE
RULES AND REGULATIONS

Rule 19 - Cross Connection Control

The customer shall not permit the plumbing on their premises to be connected to any source of water supply other than the utility's, or to any potential source of contamination, without first obtaining the utility's written permission and meeting the utility's cross connection control criteria. The customer shall assure that effective back-flow prevention measures are implemented to ensure continual protection of the water in the public water distribution system. Any back-flow prevention assembly deemed necessary by the utility to prevent entry of contaminants to the public water system shall be installed at the customer's expense. Cross connection control program is outlined in Schedule 12.

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SERVICE AREA

Water System List:

<u>System Name</u>	<u>County</u>	<u>DOH</u> <u>WFI #</u>
Columbia Crest Estates I-II	Cowlitz	07299v
Columbia Crest Estates III	Cowlitz	aa979
The View Estates I	Cowlitz	ab059e
The View Estates II	Cowlitz	ab162
Columbia View Estates I	Cowlitz	0-00114
Columbia View Estates II	Cowlitz	
Columbia View Estates III	Cowlitz	08265

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SCHEDULE NO. 1
FLAT RATE SERVICE

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

Applicable to domestic residential customers, where meters have not yet been installed.

Conditions

The charge for this service is not subject to cancellation or reduction for seasonal or temporary periods, unless seasonal rates apply per this tariff. This charge will be the monthly minimum bill for this class of service.

Monthly Rates

Each connection or customer

N/A

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SCHEDULE NO. 2
METERED RATE SERVICE

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

Applicable to domestic residential customers served by the utility on a metered basis.

Conditions

The charge for this service is not subject to cancellation or reduction for seasonal or temporary periods, unless seasonal rates apply per this tariff. This charge will be the monthly minimum bill for this class of service.

Monthly Rates

Each connection or customer

Base Rate

with 1000, cubic feet of allowance

	<u>Rate</u>
3/4" service base rate (1.00)	\$45.00
1' service base rate (1.67)	\$45.00
1 1/2' service base rate (3.33)	\$45.00
2' service base rate (5.33)	N/A
3' service base rate (10.0)	N/A

Usage Rate

over 1000, cubic foot allowance

	<u>Rate/100 Cubic Feet (or portion thereof)</u>
consumption per 100 cubic feet, up to 1,000 cubic feet	\$3.00
consumption per 100 cubic feet, over 1,000 cubic feet	\$5.00

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SCHEDULE NO. 3
READY TO SERVE SERVICE

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

To any property owner who has completed and signed a Water Service Application, paid all applicable fees required for meter service connection, and had Water Service Application accepted in writing by the utility: and for whom the utility has installed the direct connection from the water system to the applicant's property line. Applicable to domestic residential customers, where meters have not yet been installed.

Conditions

The charge for this service is not subject to cancellation or reduction for seasonal or temporary periods, unless seasonal rates apply per this tariff. This charge will be the monthly minimum bill for this class of service. At the time water service begins, the customer shall be transferred to Schedule 2, Metered Service

Monthly Rates

Each connection or customer \$18.00

Note: The Ready To Serve charge may be discontinued upon receiving written request from the customer or for non-payment of the Ready to Serve charge. Termination of the charge will allow the utility to remove the service line and/or connection. This disconnection or removal will allow the Utility to make that available service capacity to supply other connections on the water system.

After a service line and/or connection has been removed for discontinued service, future service to the property will require a new application for service, payment of service connection charges and will be subject to the availability of service capacity at such time as the future application for service is made.

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SCHEDULE NO. 4
CAPITAL IMPROVEMENT SURCHARGE

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

Applicable to any connection or customer of the utility company.

Conditions

The charge for this service is not subject to cancellation or reduction for seasonal or temporary periods, unless seasonal rates apply per this tariff. This charge will be the monthly minimum bill for this class of service and will be in addition to other charges as provided in this tariff.

Monthly Rates

Each connection or customer

N/A

Purpose

This surcharge is to fund the installation of a storage tank to supplement the existing water system storage. This surcharge is the result of a survey of the water customers in which a majority of responses provided support for this funding mechanism.

Surcharge to expire **April 1, year or upon recovery of \$0** loan principal plus interest charges and state excise taxes, whichever occurs first. Surcharge may be paid (within 90 days of effective date) in a one-time payment sum of \$0 per customer and save interest cost.

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Title Owner

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Green Mountain H2O

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SCHEDULE NO. 5
WATER SYSTEM FACILITIES CHARGE
RESIDENTIAL EQUIVALENT CUSTOMER

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

Applies to all new applicants for properties not currently served and not within the Commission Service Area (as defined in the tariff) for the utility only when surplus system capacity is available and a direct connection can be made to an existing main that has adequate hydraulic capacity.

Conditions

1. The utility will own and maintain all materials involved in the allocation of water service.
2. The Water System Facilities Charge will be in addition to any line extension, service connection, or any other charges that may be provided elsewhere in this tariff.
3. The Water System Facilities Charge will be made one time only at which time the applicant's property is brought into the Water Service Area. If further subdivision of the property is made at a later date, each newly created lot will be subject to an additional facilities charge upon application for water service. If service is greater than residential equivalent, then multiple equivalents may be charged.
4. Exemptions:
 - a) Any end use customer covered by an existing written contract, which specifies that, no charge or a lower charge will be paid.
 - b) Any end use customer connecting to a water system, which was contributed to the Utility or for which the Utility paid a nominal amount.

Charge

Water System Facilities Charge

N/A

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Title Owner

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(Water Utility Name)

For Commission's Receipt Stamp

SCHEDULE NO. 10
SERVICE CONNECTION CHARGE

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

Applies to all new applicants for properties not currently served and not within the Commission Service Area (as defined in the tariff) for the utility only when surplus system capacity is available and a direct connection can be made to an existing main that has adequate hydraulic capacity.

Conditions

1. A charge will be made the first time a customer's service pipe, 3/4 inch or smaller, is connected to the utility's main. The charge for a larger connection will be the cost of labor and materials. This charge does not include the cost of a meter, or its installation. A meter will be furnished, installed and maintained by the utility without direct cost to the customer.
2. The utility owns and maintains all materials involved in making a service connection.
3. The service connection charge must be paid before the water is turned on.
4. In addition, when it is necessary to cross an existing road (by boring or cutting) the cost of the crossing will be in addition to the Service Connection Charge.
5. Meter will be placed in a suitable meter box located at the customer's property line, except when this is not practicable. The meter will be installed upon the customer's premises in some convenient location approved by the utility where the meter will at all times be accessible for reading, inspection and testing. (See Rule 8 & 9)

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SCHEDULE NO. 10
SERVICE CONNECTION CHARGE (cont'd)

6. Service Connections will be installed within 7 days from payment, unless prior arrangements in writing are agreed upon by both the customer and the utility.

<u>Size of Service Connection Charge</u>	<u>Service Connection</u>
3/4 inch service	\$4,000
Tax Gross-up of 0%	\$0.000
Total Service Connection Charge	\$4,000
Larger than 3/4 inch service	Labor and Material Contract

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SCHEDULE NO. 11
METER INSTALLATION CHARGE
CUSTOMER REQUEST

Available

Within the limits of all Water Service Areas and at utility's option and capability to maintain Department of Health standards of quantity and quality.

Applicable

Applies to all customer requests where service is currently being rendered on a flat rate service basis.

Conditions

1. A charge will be made the first time a customer's service pipe, 3/4 inch or smaller, has a meter installed at the customer's request. The charge for a larger connection will be the cost of labor and materials. This charge includes the cost of a meter and its installation. After initial meter installation, meter will be maintained by the utility without direct cost to the customer.
2. The utility owns and maintains all materials involved in making a meter installation.
3. The meter installation charge must be paid before the installation and meter rate schedules are applied.
4. The meter will be placed in a suitable meter box located at the customer's property line, except when this is not practicable. The meter will be installed upon the customer's premises in some convenient location approved by the utility where the meter will at all times be accessible for reading, inspection and testing. (See Rule 8 & 9)
5. Meter installation will be installed within 30 days from customer request, unless prior arrangements in writing are agreed upon by both the customer and the utility.

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(Water Utility Name) _____

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SCHEDULE NO. 11
METER INSTALLATION CHARGE
CUSTOMER REQUEST (cont'd)

6. Meter installation charge will be reimbursed to the customer, by bill credit, of at least ten (10) percent each month until fully paid.

Size of Meter Service

3/4 inch service

Larger than 3/4 inch service

Meter Installation Charge

\$250.00

Labor and Material Contract

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SCHEDULE NO. 12
CROSS CONNECTION CONTROL

Applicable

To all customers served by the Utility for purposes of assessing the presence of cross connections and additional requirements applying to those customers that have cross connections.

Rate:

Site Visit Charge	- \$0 (disconnection visit charge) plus
Premises Inspection Charge	- \$25.00 per hour prorated for time spent
Installation of Approved Backflow Prevention Assembly	- \$250.00

Conditions:

1. This schedule is established pursuant to the requirements adopted by the Washington State Department of Health in WAC 246-290-490, as it now exists or is hereafter amended or replaced. Copies of this regulation are available from the Washington State Department of Health or from the Utility.
2. All customers shall be surveyed as to the existence of cross connections pursuant to the definition of cross connections established by the Washington State Department of Health. A second survey shall be sent to those customers who fail to respond to the initial survey. If the customer fails to respond to the second survey, then the following non-response options may be necessary and the customer will be charged pursuant to the rate(s) set forth in the rate section above. For new customers, a survey will be required as part of the application prior to accepting the applicant as a customer.

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SCHEDULE NO. 12
CROSS CONNECTION CONTROL (cont'd)

Non-Response Options

- a. Site Visit letter/appointment for on-site review of cross connection potential, followed by a Site Visit for determination of cross connection potential as defined in WAC 246-290-490. The customer will be assessed the charges set forth in the rate section above.
- b. Installation of Approved Backflow Prevention Assembly at customer's expense or as set forth in the rate section above.
- c. Notice of disconnection of service per WAC 480-110-355 (3a).

3. An on-site inspection is required for every customer meeting any criteria of WAC 246-290-490 (4b) Table 9. The customer will be assessed the appropriate charges set forth above.

4. If a cross connection is detected or is reported by the customer, then the Utility will determine the appropriate remedy and notify the customer of the remedy, options, and dates for compliance. If an Approved Backflow Prevention Assembly is required, the Utility will determine the type of Approved Backflow Prevention Assembly that must be installed, and must provide the customer with a date by which the device must be installed. Installation will be the customer's responsibility and sole expense. The customer may choose to have the Approved Backflow Prevention Assembly installed through any contractor acceptable to the Utility. If the customer does not install the appropriate Approved Backflow Prevention Assembly within thirty days of notification, the Utility may take appropriate action to correct. This may include the Utility installing an Approved Backflow Prevention Assembly at customer's expense if tarified or may result in the Utility providing a notice of disconnection of service by the date specified in the notice. The Approved Backflow Prevention Assembly will be installed on a customer's side of the service connection.

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SCHEDULE NO. 12
CROSS CONNECTION CONTROL (cont'd)

5. If the customer has an Approved Backflow Prevention Assembly installed the assembly must be tested annually by a certified Backflow Assembly Tester (BAT) specialist. The Utility will maintain a list of certified BAT specialists that are acceptable to the Utility and the customer may choose from any such BAT specialist on the Utility's list. The customer will provide a copy of the acceptable annual report from the BAT specialist. If the annual report is not provided within thirty days of the anniversary date of the installation of the Approved Backflow Prevention Assembly, then the Utility will provide a notice of disconnection pursuant to WAC 480-110-355 (3a). If a copy of the annual report is not received by the date for disconnection as specified in the notice, the Utility will disconnect customer's service.

6. No less often than every three years, the Utility shall re-survey its customers concerning the existence of cross connections. If the customer does not respond to the initial survey, a second survey will be sent. If the customer does not respond to the second survey, then non-response options listed in paragraph 2 will apply.

7. For each customer meeting any criteria of WAC 246-290-490 (4b) Table 9, no less than every three years, the Utility shall conduct a site visit, premises inspection and shall assess the customer the charges set forth in the rate section above.

8. When necessary, the Utility will provide notices of disconnection as required in WAC 480-110-355 (3a).

9. The Utility may immediately shut off water service if a public health emergency exists, including when a backflow is occurring or an unprotected cross-connection with sewage exists.

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SCHEDULE X
ANCILLARY CHARGES

Rule 5	Reconnection Charge	\$0.00
& Rule 14	Disconnection Visit Charge	\$0.00
Rule 9	Service Visit Charge	\$0.00
Rule 11	Late Payment Charge	2 %
	Of unpaid balance or Minimum Charge	\$ 1.00
Rule 17	Account Set-up Charge	\$0.00
	NSF Check Charge	\$36.00
Rule 18	Water Availability Letter Charge	\$0.00

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Naming Rates For Water Service

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As stated in the above Green Mountain H2O tariff agreement with the WUTC document:

Original Sheet No.5

Rule 2 – Schedules and Conditions

“The amount of water furnished is subject to the Department of Health required standards of quantity and quality.”

Original Sheet No.8

Rule 7 – Distribution Main Extension

“..... meet Department of Health standards of quantity and quality.”

Original Sheet No.21

Schedule No.1 – Flat Rate Service

Available

“..... maintain Department of Health standards of quantity and quality.”

Original Sheet No.22

Schedule No.2 – Metered Rate Service

Available

“..... maintain Department of Health standards of quantity and quality.”

Original Sheet No.23

Schedule No.3 – Ready To Serve Service

Available

“..... maintain Department of Health standards of quantity and quality.”

Original Sheet No.24

Schedule No.4 – Capital Improvement Surcharge

Available

“..... maintain Department of Health standards of quantity and quality.”

Original Sheet No.25

Schedule No.5 – Water System Facilities Charge – Residential Equivalent Customer

Available

“..... maintain Department of Health standards of quantity and quality.”

Original Sheet No.30

Schedule No.10 - Service Connection Charge

Available

“..... maintain Department of Health standards of quantity and quality.”

Original Sheet No.32

Schedule No.11 – Meter Installation Charge – Customer Request

Available

“..... maintain Department of Health standards of quantity and quality.”

