



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway, Coeur d'Alene, ID 83814-2648, (208) 769-1422

Cecil D. Andrus, Governor

July 5, 1994

George Hays, President
Mission Creek Water Association
HCR 60, Box 182 H
Porthill, ID 83853

RE: Surface Water Treatment Rule Consent Order

Dear Mr. Hays:

Enclosed is a signed copy of the consent order which is being implemented to bring the Mission Creek water system, PWS# 1110019, into compliance with the Surface Water Treatment Rule. This agreement is now fully in force and binds your system to the dates in the order. If for any reason you cannot comply with any of the dates specified you must contact Tim Eylar immediately.

We appreciate your efforts to work toward compliance with the Safe Drinking Water Act. If you have any questions, please contact Tim Eylar at (208) 769-1422.

Sincerely,

Gwen P. Burr, Regional Administrator
Division of Environmental Quality

Enclosure

c: Leigh Woodruff, DEQ-Boise (w/enc.)
Tim Eylar/Steve Tanner, DEQ-NIRO
Nora Fuentes, DEQ-Boise (w/enc.)

IDAHO DEPARTMENT OF HEALTH AND WELFARE

Voluntary Consent Order

1. Pursuant to Idaho Code § 39-108 (Idaho Environmental Protection and Health Act), the Idaho Department of Health and Welfare (Department) enters into this Voluntary Consent Order with Mission Creek Water Association Inc.
2. Mission Creek Water Association is the owner of the Mission Creek public water system, located near Bonnors Ferry, Idaho, identification number 1110019.
3. Mission Creek Water Association agrees to the terms and conditions of this Voluntary Consent Order without the issuance of a Notice of Violation or the holding of a compliance conference under Idaho Code § 39-108.
4. The Department has determined that the Mission Creek Water System is in violation of the surface water treatment technique requirements of the Rules Governing Public Drinking Water Systems, IDAPA 16.01.08999 (incorporating by reference IDAPA 16.01.08300; effective October 1, 1993).
5. Mission Creek Water Association shall perform the following actions in order to achieve compliance with the Rules Governing Public Drinking Water Systems, IDAPA 16.01.08999 (incorporating by reference IDAPA 16.01.08000 *et seq.*; effective October 1, 1993):
 - ✓ a. Provide initial public notification to consumers, in accordance with IDAPA 16.01.08150.02, no later than December 15, 1993, and ongoing public notification by the following dates: March 1, 1994; and every three (3) months thereafter until in full compliance with the treatment technique requirements of IDAPA 16.01.08300.
 - ✓ b. Perform the following interim protective measures to ensure public health protection until the system is in full compliance with IDAPA 16.01.08300: Maintain 1 mg/l free chlorine residual after treatment prior to distribution.
 - ✓ c. Submit to the Department an engineering report in accordance with IDAPA 16.01.08551.01 which, among other things, outlines alternatives to bring the system into compliance. The engineering report shall be submitted no later than July 1, 1994.
NOV 1
 - ✓ d. Submit a report to the Department no later than January 1, 1995 which outlines how system improvements will be financed.
August
 - e. Submit plans and specifications to the Department for review and approval in accordance with IDAPA 16.01.08551.04. Plans and specifications shall be submitted no later than January 1, 1995.
August *JAN 1, 1997*
 - j. Complete construction of necessary improvements in accordance with plans and specifications approved by the Department no later than September 1, 1995.
April 1, 1997 *JUNE 1, 1997*

- k. Submit as constructed plans and specifications for treatment plant construction or modification to the Department in accordance with IDAPA 16.01.08551.04.c. The as-constructed plans and specifications shall be submitted no later than ~~October 1, 1995~~ July 1, 1997.
- ✓ l. Submit documentation to the Department that the operator(s) is qualified in accordance with IDAPA 16.01.08300.01 no later than September 1, 1995.
- m. Submit to the Department a draft operations plan in accordance with IDAPA 16.01.0552.04 no later than ~~October 1, 1995~~ JAN 1, 1998.
- n. Achieve full compliance with IDAPA 16.01.08300 by ~~October 1, 1995~~ JAN 1, 1998.
6. The Department agrees to waive civil penalties for the matters covered by this Voluntary Consent Order provided Mission Creek Water Association fully complies with the terms of this Voluntary Consent Order. Mission Creek Water Association recognizes that failure to comply with the terms of this Voluntary Consent Order may result in disapproval of the water system and district court action pursuant to Idaho Code § 39-108.
7. This Voluntary Consent Order shall not in any way relieve Mission Creek Water Association from any obligation to comply with any provision of the Rules Governing Public Drinking Water Systems, or any applicable local, state, or federal laws.
8. Upon fulfilling all requirements of this Voluntary Consent Order, Mission Creek Water Association may petition the Department in writing for termination of this Voluntary Consent Order. This Voluntary Consent Order shall remain in full force and effect and shall bind Mission Creek Water Association, its successors, and assigns until the Department acknowledges in writing that this Voluntary Consent Order is terminated and that Mission Creek Water Association has fulfilled all requirements of this Voluntary Consent Order.
9. The effective date of this Voluntary Consent Order shall be the date of signature by the Regional Administrator of the Idaho Division of Environmental Quality.

Gwen P. Burr Date: 7/6/97
Gwen P. Burr, Regional Administrator
Idaho Division of Environmental Quality

George J. J. J. Date: 6-19-97
Mission Creek Water Association Inc., President