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December 20, 2021

Phillip B. Good  
Elderberry Nehalem Public Water System  
81006 Gronnel Road  
Seaside, OR 97138

RE: Failure to comply with Notice of Violation and Administrative Order and possible civil penalties.

On August 17, 2021, the Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (DWS) issued an administrative order (Order) to you (hereinafter "Water Supplier") due to violations at the Elderberry Nehalem public water system (hereinafter "Water System"), identified by PWS ID# OR4100804 and serving homes along and near Highway 26 and Gronnel Road in Clatsop County, Oregon.

Specifically, the Order required Water Supplier to conduct monitoring for arsenic, lead and copper, coliform bacteria, and synthetic and volatile organic chemicals at the Water System. The date for reporting this monitoring has passed without completion of the required actions and without Water Supplier demonstrating progress toward completing the action.

Water Supplier is now at risk of being assessed civil penalties in the amount of \$100 for every distinct rule violation and for every day the Water System is in violation of a rule (OAR 333-061-0090).

In the event Drinking Water services assesses a civil penalty against Water Supplier, you will be notified in writing and provided an opportunity for a hearing pursuant to the Oregon Administrative Procedures Act (ORS chapter 183).

To avoid being assessed civil penalties, Water Supplier must immediately report the required monitoring to DWS.

If you have any questions about this letter or the action required herein, please contact me at [bradley.k.daniels@dhsosha.state.or.us](mailto:bradley.k.daniels@dhsosha.state.or.us) or 503-735-5438.

Respectfully,

A handwritten signature in black ink, appearing to read "BK Daniels", is placed over a light gray rectangular background.

Brad K. Daniels

Enforcement Coordinator

Oregon Health Authority, Drinking Water Services

cc: Pete Farrelly, Oregon Health Authority, Drinking Water Services  
Meredith Reiley, Clatsop County Environmental Health