



PUBLIC HEALTH DIVISION  
Center for Health Protection, Drinking Water Services

Tina Kotek, Governor

Oregon  
**Health**  
Authority

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April 21, 2023

Kathleen and Scott McMullen  
Deer Island Heights Water System  
PO Box 1471  
St. Helens, OR 97051

RE: Notice of failure to correct significant deficiencies at the Deer Island Heights public water system

Records indicate Kathleen and Scott McMullen, you own and operate the public water system (hereinafter "Water System"), identified by public water system ID# OR4105114 and serving residences along Deer Island Heights Drive, north of Canaan Road and west of Deer Island, Oregon. Kathleen and Scott McMullen (hereinafter "Water Supplier"), you are therefore a water supplier as defined in ORS 448.115(12) and OAR 333-061-0020(150) and has specific responsibilities as defined in OAR 333-061-0025.

The Water System is subject to regulation according to the Oregon Drinking Water Quality Act (Oregon Revised Statutes 448.115 to 448.290) and Oregon Administrative Rule (OAR) 333-061-0005 through OAR 333-061-0272.

OAR 333-061-0076(5) requires water suppliers to correct significant deficiencies identified during sanitary surveys or to comply with an approved corrective action schedule. The Oregon Health Authority, Drinking Water Services (DWS) reviewed the operation of the Water System and found that four significant deficiencies remain uncorrected following two consecutive sanitary surveys:

1. The lack of a coliform sampling plan;
2. The failure to publish an annual consumer confidence report;
3. The lack of a cross connection ordinance or enabling authority; and
4. The failure to submit a cross connection annual summary report.

Water Supplier has not reported that these deficiencies were corrected by the specified due dates, following the surveys conducted on November 8, 2019 and September 13, 2022 respectively. Water Supplier is therefore not in compliance with OAR 333-061-0076(5) and not meeting its responsibilities as a water supplier.

Please submit written verification to [bradley.k.daniels@oha.oregon.gov](mailto:bradley.k.daniels@oha.oregon.gov) within 30 days of the date of this notice, demonstrating that this deficiency was corrected.

If Water Supplier does not comply with the deadline specified in this letter, the continued non-compliance may result in additional enforcement action, which could include the assessment of civil penalties in the amount of \$50 for every distinct rule violation and for every day the Water System is in violation of a rule as prescribed by OAR 333-061-0090. Contact me at [bradley.k.daniels@oha.oregon.gov](mailto:bradley.k.daniels@oha.oregon.gov) or (503) 735-5438 if you have any questions about the compliance action specified in this letter.

Respectfully,



Brad K. Daniels

Oregon Health Authority, Drinking Water Services

cc: Pete Farrelly, Oregon Health Authority, Drinking Water Services  
Molly Keller, Oregon Health Authority, Drinking Water Services  
Daniel Osborn, Columbia County Public Health