

BEFORE THE STATE OF OREGON
OREGON HEALTH AUTHORITY
PUBLIC HEALTH DIVISION
CENTER FOR HEALTH PROTECTION

In the Matter of
Sunridge Water System, Inc.,
PWS OR4105798

Respondent

NOTICE OF VIOLATION AND
ADMINISTRATIVE ORDER

To: M. Mary Haagen
Sunridge Water System, Inc.
8326 Middle Way
Vancouver, WA 98664

Sunridge Water System, Inc. has at all times mentioned herein owned and operated, and continues to own and operate, the Sunridge Water System (hereinafter “Water System”) serving residences along and south of Joy Lane, north of Hermiston, Oregon. The Water System is a community public water system serving approximately 200 people and is subject to regulation under Oregon Revised Statutes 448.115 to 448.290 and Oregon Administrative Rules 333-061-0005 to 333-061-0272.¹

¹ This Notice of Violation and Administrative Order relies on the definitions in ORS 448.115 and OAR 333-061-0020

Sunridge Water System, Inc. (hereinafter “Water Supplier”) is therefore a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020, and as a water supplier, has specific responsibilities that are identified in OAR 333-061-0025.

Pursuant to its authority established in ORS 431A.010 and ORS 448.255, the Oregon Health Authority, Public Health Division, Center for Health Protection, Drinking Water Services (DWS) has investigated the operation of the Water System.

DWS found, during its investigation, that water provided by the Water System exceeds the maximum contaminant level (MCL) for nitrate. Also, Water Supplier did not consistently report sample results for source water coliform bacteria. Water Supplier is therefore unable to assure its water users that the water is sufficiently free from contaminants such that individuals will not be exposed to disease or harmful physiological effects (ORS 448.115(8)). This represents a potential public health hazard.

This Notice of Violation and Administrative Order (Order) is being issued to Water Supplier for the specific violations of the Oregon Drinking Water Quality Act (ORS 448.115 to ORS 448.290) and rules found during DWS' investigation as described below.

DESCRIPTION OF RULE VIOLATIONS

1. OAR 333-061-0030(1) specifies that the maximum contaminant level (MCL) for nitrate in drinking water is 10 mg/L. The average concentration of nitrate in drinking water, calculated according to OAR 333-061-0036(2)(h) for the Water System and based on a samples collected on September 10 and September 15, 2025, is 11.2 mg/L. This exceeds the MCL of 10 mg/L and constitutes a violation of OAR 333-061-0030(1).

2. OAR 333-061-0036(6)(k) requires, in part, water suppliers to collect samples at groundwater sources at least once every year when an oxidant is applied at a public water system but where 4-log inactivation of viruses is not achieved. Additionally, OAR 333-061-0040(1)(b)(A) requires water suppliers to report monitoring required by OAR 333-061-0036 to DWS within 10 days of the end of the required monitoring period. Water Supplier did not report source coliform monitoring for either of the groundwater sources supplying the Water System for the 2025 calendar year. This constitutes two violations of OAR 333-061-0036(6)(k), or two violations of OAR 333-061-0040(1)(b)(A) if all the sampling was conducted but results not reported.

ACTIONS REQUIRED TO ACHIEVE COMPLIANCE

Water Supplier is required to conduct the remedial actions described below which, if taken within the time specified in this Order, will constitute compliance with the rule(s) violated (ORS 448.255(3)).

1. Water Supplier must submit a plan for corrective action to be completed at the Water System no later than 60 days after the date of service of this Order. The corrective action must be expected to reliably reduce the concentration of nitrate in drinking water provided by the Water System to below the MCL. The plan must include a schedule for when Water Supplier will complete the corrective action.
 - Upon approval by DWS, Water Supplier must complete all corrective actions identified in the plan and schedule as approved by DWS. For this corrective action to be met, any construction or installation that was performed (if applicable), must meet the relevant construction standards in OAR 333-061-0050, as approved by DWS.

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- Water Supplier must notify DWS in writing no later than five calendar days after completing any corrective action.
2. Water Supplier must conduct sampling for coliform and *E. coli* bacteria at both raw groundwater sample locations for the Water System according to all the applicable provisions in OAR 333-061-0036(6)(k) and report sample results to DWS no later than 30 days after the date of service of this Order.
3. Water Supplier must conduct monitoring for nitrate according to OAR 333-061-0036(2)(c) and report the testing results to DWS within sixty (30) calendar days of notifying DWS that all the tasks of the action plan approved according to Corrective Action No. 1 have been completed.
- If monitoring results demonstrate drinking water produced by the Water System continues to exceed the MCL specified in OAR 333-061-0030(1) for nitrate, Water Supplier must amend the action plan created according to Corrective Action No. 1 and propose new or additional corrective action(s) expected to reduce the concentration of nitrate at the Water System.
 - Water Supplier must submit the amended action plan to DWS no later than 60 days after the monitoring results were reported to DWS according to this Corrective Action.
 - Water Supplier shall have complied with this compliance action after completing action(s) according to Corrective Action No. 1 and monitoring conducted according to OAR 333-061-0036(2)(c) demonstrates that the concentration of nitrate in drinking water at the Water System is below the MCL specified in OAR 333-061-0030(1) for four consecutive calendar quarters.

4. Water Supplier must publish a public notice, if applicable, every 90 days that informs customers that drinking water at the Water System exceeds the MCL for nitrate. The notice must meet the requirements in OAR 333-061-0042.
 - Within 10 calendar days of distributing the public notice to customers, Water Supplier must submit a copy of the notice to DWS along with a written statement that it has fully complied with the distribution and public notification requirements in OAR 333-061-0040(1)(i).
 - Water Supplier must include any changes or additional information regarding nitrate in the drinking water at the Water System as appropriate. Water Supplier must comply with this action until DWS notifies it that its drinking water is below the MCL for nitrate, and that the drinking water otherwise meets all applicable state and federal drinking water laws and rules.

GENERAL PROVISIONS AND CIVIL PENALTIES

This Order does not constitute a waiver, suspension or modification of the requirements of the Oregon Drinking Water Quality Act (ORS 448.115 to 448.290) and Oregon Administrative Rules OAR 333-061-0005 to 333-061-0272, which remain in full force and effect.

This Order does not relieve Water Supplier of any responsibilities or liabilities established pursuant to any applicable federal, state, or local law or regulation.

Issuance of this Order is not an election by DWS to forgo any civil actions authorized under the Oregon Drinking Water Quality Act.

Failure to comply with any of the requirements in this Order by the specified due date may result in additional enforcement action, which

could include assessment of civil penalties in the amount of \$100 per day per violation (OAR 333-061-0090). For example, if DWS issues a Notice of Intent to Impose Civil Penalty on July 1, 2026 for failure to submit an action plan and failure to report source water coliform monitoring according to this Order, the proposed civil penalty could be as much as \$12,000.

Pursuant to ORS 448.990(2), violations of a rule of the Oregon Health Authority may be a crime in Oregon and punishable as a Class A misdemeanor.

NOTICE OF RIGHT TO REQUEST A HEARING

You are entitled to a hearing as provided by the Administrative Procedure Act (Oregon Revised Statutes, Chapter 183). If you want a hearing you must file a written request for hearing with DWS within 10 days from the date this Order was mailed. The request for hearing must be sent to: Kari Salis, Acting Manager; Oregon Health Authority, Drinking Water Services; and may be delivered by mail to PO Box 14450, Portland, OR 97293 or by email to karyl.l.salis@oha.oregon.gov.

If you request a hearing, DWS will notify you of the time and place at which the hearing will be held. You may enlist representation by legal counsel. Per ORS 413.041, a party that is not a natural person may be represented by an attorney or by any officer or authorized agent or employee of the party. Parties are ordinarily represented by counsel. DWS will be represented by an Assistant Attorney General. Prior to the hearing date, DWS will provide you with information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing. An administrative law judge from the Office of Administrative Hearings will be assigned to preside over the hearing, as required by ORS 183.635.

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If you do not make a timely request for a hearing, the Notice of Violation and Administrative Order will become final and effective 11 days after the date this Order was mailed. If the Order becomes final in this manner, you will have the right to appeal the order to the Oregon Court of Appeals pursuant to ORS 183.482. To appeal you must file a petition for judicial review with the Court of Appeals within 71 days from the day this order was mailed. If you do not file a petition for judicial review within the 71-day period, you will lose your right to appeal.

If you do not request a hearing and DWS subsequently issues a Notice Imposing a Civil Penalty, you will have waived any right to contest the violations identified in this Order.

If you withdraw a request for hearing, or notify DWS or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, DWS may issue a final order by default. If the Order becomes final in this manner, you will have the right to appeal the Order to the Oregon Court of Appeals pursuant to ORS 183.482. To appeal you must file a petition for judicial review with the Court of Appeals within 60 days from the day this Order was mailed. If you do not file a petition for judicial review within the 60-day period, you will lose your right to appeal.

Notice to Active Duty Servicemembers

Active-duty service members have a right to stay proceedings under the federal Service members Civil Relief Act and may contact the Oregon State Bar at 1 (800) 452-8260 or the Oregon Military Department at 503-584-3571 for more information. The internet address for the United States Armed Forces Legal Assistance Locator website is <http://legalassistance.law.af.mil>.

DWS has designated its complete file on the Water System as the record in this case for purposes of proving a prima facie case upon default.

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If you need to receive the information in this Order in an alternate format, or if you have any questions about the requirements in this Order, please contact Brad K. Daniels at bradley.k.daniels@oha.oregon.gov or 503-735-5438.

Date April 15, 2026

Kari Salis

Kari Salis, Acting Manager
Drinking Water Services
Oregon Health Authority

cc: David M. Blanc, Registered Agent, Sunridge Water System, Inc.
Bill Goss, Oregon Health Authority, Drinking Water Services
Pepita Mart, Sunridge Water System, Inc.
Amy Word, Oregon Health Authority, Drinking Water Services

DATE of Service: April 17, 2026

Brad K. Daniels

Signature

Brad K. Daniels

Printed Name

By certified mail and first-class mail