

PUBLIC HEALTH DIVISION  
Office of Environmental Public Health, Drinking Water Program  
John A. Kitzhaber, MD, Governor

Oregon  
**Health**  
Authority

800 NE Oregon St.  
Portland, Oregon 97232-2162  
Voice (971) 673-0405  
FAX (971) 673-0694  
TTY (971) 673-0372

March 16, 2012

Scott & Kathy McMullen  
Deer Island Heights water system  
PO Box 1471  
St. Helens, OR 97051

RE: Violation of the Notice of Non-Compliance issued on November 16, 2011 and possible civil penalties.

On November 16, 2011, the Oregon Health Authority, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Program) issued a Notice of Non-Compliance to you requiring corrective action to be completed at the Deer Island Heights water system.

Specifically, the Notice of Non-Compliance required that sampling for synthetic and volatile organic chemicals be completed no later than January 10, 2012. This deadline has passed without completion of the required action, and you are at risk of being assessed civil penalties in the amount of \$50 for every distinct rule violation and for every day the Deer Island Heights water system is in violation of a rule (OAR 333-061-0090).

Additionally, you are in violation of either OAR 333-061-0036(2)(d) for failing to conduct nitrate sampling, or OAR 333-061-0040(1)(b) for failing to report nitrate sampling results to the Program.

If the Program intends to assess a civil penalty against you, you will be notified in writing and provided an opportunity for a hearing pursuant to the Oregon Administrative Procedures Act (ORS chapter 183).

Respectfully,



Brad K. Daniels  
Enforcement Coordinator  
OHA - Drinking Water Program

cc: Mark Edington, Columbia County Environmental Health  
Joel Ferguson, Columbia County Environmental Health  
James Nusrala, OHA DWP