



Oregon

Tina Kotek, Governor

Department Environmental Quality
Eastern Region Pendleton Office
800 SE Emigrant Ave., Suite 330
Pendleton, OR 97801
(541) 276-4062

February 26, 2024

Mayor Stacey Karvoski
Dave Wilke, Wastewater Operator
City of Enterprise
102 E. North Street
Enterprise, Oregon 97828-1129

RE: **Warning Letter with Opportunity to Correct**
City of Enterprise
2024-WLOTC-8995
NPDES permit #101659, EPA ID# OR0020567
WQ file #27514
WQ – Wallowa County

Dear Mayor Karvoski and Mr. Wilke:

The City of Enterprise (City) operates a wastewater treatment and discharge system under National Pollution Discharge Elimination System (NPDES) permit No. 101659. The City is required to monitor for effluent in accordance with the NPDES permit, Schedule B, Table B3. In January 2024, the City collected 5-day Biochemical Oxygen Demand (BOD₅) samples twice weekly, however due to severe weather storms statewide, the samples failed to meet method holding times. Additional samples were taken but those also failed to meet the method holding times. The violations for failing to monitor in accordance with a management plan are documented below, noting that delivery to the lab was impacted by the weather event.

Schedule B, Table B3, of the City’s permit requires the collection of quarterly effluent monitoring for Dissolved Oxygen (DO) in the third year of the permit cycle (2023):

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action See note b.	Report Statistic See note a.
Dissolved Oxygen (00300)	mg/L	Third year of permit cycle (2023)	Quarterly	Grab	Quarterly Minimum

The City submitted quarterly DO reporting on October 11, 2023, however, data were reported with a lab qualifier: Lab Error or Invalid Test. The City submitted a written statement for the error, stating that the test was delayed in transit (Attachment 1). Mr. Wilke notified DEQ of the event and reported the noncompliance in a timely manner.

Violation

DEQ has concluded that the City of Enterprise is responsible for the following violations of Oregon environmental law:

Date	Violation	Violation Class	Number of Violations
Quarter 3, 2023 July 1 – September 30, 2023	Quarterly (Q3) effluent Dissolved Oxygen (mg/L) monitoring failed to meet holding times required by the facility’s quality assurance plan resulting in violating any management, monitoring, or operational plan established pursuant to a waste discharge permit, unless otherwise classified (OAR 340-012-0055(2)(d).	II	1
January 16, 18, 23 and 24, 2024	Effluent BOD ₅ (mg/L) monitoring failed to meet holding times required by the facility’s quality assurance plan resulting in violating any management, monitoring, or operational plan established pursuant to a waste discharge permit, unless otherwise classified (OAR 340-012-0055(2)(d).	II	4

Class I violations are considered to be the most serious violations; Class III violations are the least serious. Compliance with this permit is required by Oregon Revised Statute 468B.025(2).

Environmental Impact of Violations

Fulfilling the mandatory monitoring and reporting requirements is an important obligation. Without accurate data collection, the City, DEQ, and the public are unable to promptly evaluate the effectiveness of the City’s treatment system and its impact on environmental and human health.

Required Corrective Actions:

To maintain compliance with DEQ’s water quality regulations, please implement the following corrective action:

- 1- **Due October 15, 2024:** collect and submit quarterly effluent monitoring for the third quarter of 2024 (July 1 – September 31, 2024) for Dissolved Oxygen (DO) (mg/L) as identified in Schedule B, Table B3.

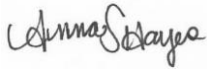
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This notice is a warning letter. DEQ does not intend to take formal enforcement action at this time if these issues are corrected by the deadlines specified in this letter. Also, should you repeat any of these violations, the matter may be referred to DEQ's Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a DEQ order. Civil penalties may be assessed for each day of violation.

If you believe any of the facts in this Warning Letter are in error, you may provide information to me at the address shown at the top of this letter. I will consider any new information you submit and take appropriate action.

If you have any questions, please contact me in writing, at anna.morgan-hayes@deq.oregon.gov, or at 541-278-4615.

Sincerely,



Anna Morgan-Hayes
Water Quality Permitting and Compliance
Eastern Region – Water Quality Permitting

cc: Water Quality Permit Compliance, Eastern Region, DEQ
ec: Shane Cossel, DMR Reviewer, Eastern Region, DEQ
Mike Hiatt, Manager, Eastern Region, DEQ
Oregon Records Management Solution

Attachment 1: Correspondence, Dissolved Oxygen Quarterly Monitoring, City of Wallowa, October 11, 2023

Commented [JS1]: Enterprise

DO Information

lmccamey@urcmail.net <lmccamey@urcmail.net>

Wed 10/4/2023 1:35 PM

davewilkie@live.com <davewilkie@live.com>

Hi Dave,

Here is what I found out... The hold time on Dissolved Oxygen is a 10th of a day= 2.4 hours= 2 hours and 24 minutes.

I had no idea it was so precise, to the minute. When I accepted the sample on the September 18th @12:20, you had taken the sample @10, it was at 2 hours and 20 minutes when we logged it in, leaving us exactly 4 minutes to get it on test. I should have not accepted the sample, I just didn't know better.

I will have the staff be more alert to this, however we just need a little more time to get things prepared and get it on test.

The previous sample, we accepted on June 22nd @11:40, you had taken the sample @9:30, it was at 2 hours and 10 minutes when we logged it in, leaving us 14 minutes to get it on test. That is a tight squeeze, but we did it!

Sorry for the mishap. No stopping for a potty break on the way over next time. Mission mode. 😊

Please contact us with any questions or concerns. Thank you for your business.

Lacy McCamey

Administrative Assistant

Umpqua Research Company- Table Rock Lab

541.276.0385

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