



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Eastern Region Pendleton Office

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TTY 711

April 17, 2024

Oscar Farris, Lead Operator, Jacobs
Jayme Bennett, City Manager
City of Mosier
PO Box 456
Mosier, OR 97040-0456

Re: Warning Letter Mosier
2024-WLOTC-9228
File 58650, NPDES 101495
Wasco County

Dear Mr. Farris and City of Mosier,

The City of Mosier (City) is permitted under a National Pollution Discharge Elimination System (NPDES) permit No. 101495. DEQ regularly conducts compliance review of Discharge Monitoring Reports (DMRs) and annual reports in accordance with the NPDES permit. Based on a compliance review and additional reporting information, DEQ has determined that the City of Mosier has violated the NPDES permit conditions on eight (8) occurrences.

Reporting Violations:

Schedule B, Table B.4 provides a list of annual reports and their associated due dates:

Table B4: Reporting Requirements and Due Dates

| Reporting Requirement | Frequency | Due Date (see note a.) | Report Form (unless otherwise specified in writing) | Submit To: |
|--|-----------|------------------------|---|--|
| Wastewater solids annual report describing quantity, and use or disposal of wastewater solids generated at the facility. See Table B3. | Annually | February 19 | 1 hard copy, and electronic copy in DEQ-approved format | One each to: <ul style="list-style-type: none">• DEQ Regional Office• DEQ Biosolids Program Coordinator |
| Inflow and infiltration report (see Schedule D, Section 1 for description) | Annually | February 1 | 1 hard copy, and electronic copy in DEQ-approved format | DEQ Regional Office |

The City has failed to submit inflow and infiltration annual reports for 2021 and 2023, due February 1, 2022, and 2023 respectively. Additionally, the City has failed to submit wastewater solids annual reports for 2020 and 2021 due February 19, 2021, and 2022 respectively.

Based on the information provided to DEQ, the facility is in violation with the NPDES permit environmental law for the following four (4) violations:

| Date | Violation | Class |
|-------------------------|---|-------|
| 2021 (due 2/1/2022) | I & I Annual Report: Failing to timely submit a report or plan as required by rule, permit, or license, unless otherwise classified (OAR 340-012-0055(2)(b)). | II |
| 2023 (due 2/1/2024) | I & I Annual Report: Failing to timely submit a report or plan as required by rule, permit, or license, unless otherwise classified (OAR 340-012-0055(2)(b)). | II |
| 2020 (due 2/19/2021) | Wastewater Solids Annual Report: Failing to timely submit a report or plan as required by rule, permit, or license, unless otherwise classified (OAR 340-012-0055(2)(b)). | II |
| 2021 (due 2/19/2022) | Wastewater Solids Annual Report: Failing to timely submit a report or plan as required by rule, permit, or license, unless otherwise classified (OAR 340-012-0055(2)(b)). | II |

Management Plans and Monitoring Violations

Schedule B of the NPDES permit requires the facility to collect influent and effluent monitoring data for 5-day Biochemical Oxygen Demand (BOD₅) as shown in the tables below:

Table B1: Influent Monitoring

| Item or Parameter (ICIS Code) | Units | Time Period | Minimum Frequency | Sample Type/Required Action | Report Statistic (See Note a) |
|-------------------------------|-------|-------------|-------------------|-----------------------------|-------------------------------|
| BOD ₅ (00310) | mg/L | Year-round | 1 per 2 weeks | 24-hr composite | 1. Monthly average |

Table B2: Effluent Monitoring

| Item or Parameter | Units | Time Period | Minimum Frequency (See Note a) | Sample Type/Required Action | Report Statistic (See Note c) |
|---|---------|-------------|--------------------------------|-----------------------------|--|
| BOD ₅ (00310) | mg/L | Year-round | 1/2 weeks | 24 Hour Composite | 1. Daily value 2. Monthly average 3. Weekly averages |
| BOD ₅ (00310) | lbs/day | Year-round | 1/2 weeks | Calculation | 1. Daily value 2. Daily maximum 3. Monthly average 4. Weekly averages |
| BOD ₅ Percent Removal (See Note b) (81010) | % | Year- round | Monthly | Calculation | 1. Monthly average |

In April 2023 the City collected BOD₅ monitoring data, however, with procedural errors of the facility's Quality Assurance and Quality Control (QA/QC) plan for failing to meet dilution criteria and perform the testing in accordance with Standard Methods 40 CFR Part 136. Based on the information provided with the City's Discharge Monitoring Report (April 2023), this is in violation of the QA/QC Plan. The City

self-reported the violation by submitting a noncompliance report form on April 18, 2023 (see Attachment 1).

On November 20, 2023, the facility collected both influent and effluent BOD₅ samples, however, the samples failed meet the appropriate glucose-glutamic acid (GGA) correction factor as identified in the facility’s QA/QC Plan. As a result, these influent and effluent samples were disqualified from reporting, however, during the sampling period at least one sample was collected, and the missed sampling was less frequent than the limit averaging period. The City self-reported the failure to monitor violations to DEQ (Attachment 2).

Based on the information provided to DEQ, the facility is in violation with the NPDES permit, management plans, and environmental law for the following four (4) violations:

| Date | Violation | Class |
|-------------------|--|-------|
| April 2023 | Violating any management, monitoring, or operational plan established pursuant to a waste discharge permit (OAR 340-012-0055(2)(d)). | II |
| November 20, 2023 | Failure to collect monitoring data required in Schedule B of the permit for influent BOD ₅ for one week (OAR 340-012-0055(1)(o)). | I |
| November 20, 2023 | Failure to collect monitoring data required in Schedule B of the permit for effluent BOD ₅ for one week (OAR 340-012-0055(1)(o)). | I |
| November 20, 2023 | Failure to collect monitoring data required in Schedule B of the permit for BOD ₅ percent removal efficiency for one week (OAR 340-012-0055(1)(o)). | I |

Class I violations are considered to be the most serious violations; Class III violations are the least serious.

Environmental Impact of Violations

Fulfilling the mandatory reporting requirements is an important obligation. Without timely submittal of reports, the City, DEQ, and the public are unable to promptly evaluate the collection system maintenance activities and biosolids management. Analytical data from laboratories are used to determine compliance with effluent limitations. Without accurate data, the City, DEQ, and the public are unable to evaluate the effectiveness of the City’s wastewater treatment system. An ineffective treatment system can cause water quality impairments and/or public health hazards.

Corrective Actions

The City of Mosier is required to complete the following corrective actions by the timeline provided:

1. By no later than **June 15, 2024**, submit the 2021 Inflow & Infiltration Report.
2. By no later than **June 15, 2024**, submit the 2023 Inflow & Infiltration Report.
3. By no later than **June 15, 2024**, submit the 2020 Wastewater Solids Report.
4. By no later than **June 15, 2024**, submit the 2021 Wastewater Solids Report.
- 5.

Mixing Zone Study

Schedule B, Table B4 of the NPDES permit requires that the facility conduct a Mixing Zone Study by July 1, 2024. Schedule D.2 provides a condition for MZ study requirements:

Table B4: Reporting Requirements and Due Dates

| Reporting Requirement | Frequency | Due Date (see note a.) | Report Form (unless otherwise specified in writing) | Submit To: |
|---|-----------|------------------------|---|---------------------|
| Mixing Zone Study (see Schedule D, Section 2 for description) | One time | July 1, 2024 | 1 hard copy, and electronic copy in DEQ-approved format | DEQ Regional Office |

2. Mixing Zone Study

The permittee will develop and submit for approval a minimum of a mixing zone study conforming to departmental guidance per the requirements in Table B-5. For direct surface water discharges, the study must meet the minimum requirements for a “Level 1” mixing zone study provided in DEQ’s *Regulatory Mixing Zone Internal Management Directive* (May 2012 or the most recent version). In the event that the City received Departmental approval to develop and constructs an indirect discharge, they may conduct an alternative study and meet the minimum requirements provided in DEQ’s *Regulatory Mixing Zone and Disposal of Municipal Wastewater Treatment Plant Effluent by Indirect Discharge to Surface Water via Groundwater or Hyporheic Water Internal Management Directives*. (or by following other requirements as directed by DEQ).

On February 29, 2024, John Grim & Associates, on behalf of the City of Mosier, requested an extension to the MZ Study, citing pending budgetary constraints and needed permitting clarifications for the City’s permit renewal. The extension request has been approved and the City of Mosier must submit the MZ Study by **December 1, 2024**. Schedule D.2 (above) provides references to guidance for meeting minimum study requirements.

This notice is a Warning Letter. DEQ does not intend to take formal enforcement action at this time. However, should you repeat these violations, or fail to complete the required corrective actions 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 can 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. DEQ will consider new information you submit and take appropriate action. Should you have any questions about the content of this letter or would like follow-up technical assistance, please contact me at 541-246-5462.

Sincerely,



Anna Morgan-Hayes

Water Quality Permitting & Compliance Specialist

ec: Mike Hiatt, DEQ
 John Grim, PE, John Grim & Associates
 WQ Data Crew, DEQ

Attachment 1: Noncompliance Report Form, City of Mosier, April 17, 2024



Oregon Department of Environmental Quality
Noncompliance Reporting Form

For all permit violations, including monitoring requirements.

Use this form to report all instances of noncompliance *except* sanitary sewage overflows. Fill out all fields and sign. You may attach additional information to this report to explain the circumstances of noncompliance. This information may include but is not limited to maintenance records and monitoring results.

| FACILITY / CONTACT INFORMATION | | |
|---|---|---|
| Name of Permittee: City of Mosier WWTP | | |
| Contact Name: Oscar Farris | | |
| Phone: 541-645-5407 | Email: oscar.farris@jacobs.com | Date: 4-17-23 |
| DEQ Permit #: 101495 | DEQ File #: 58650 | EPA ID #: OR 0028045 |
| Has non-compliance been corrected?: <input checked="" type="radio"/> Yes <input type="radio"/> No | | |
| Expected time noncompliance is expected to continue: | | |
| Date/Time Started: 4-16-23 / 2:18 p.m. Date/Time Stopped: N/A | | |
| Description of Noncompliance: <small>This non-compliance describes a inconclusive BOD result. Due to a PLC communications failure the Mosier WWTP was without dissolved oxygen and RAS for approximately 61 hours, from 4/7/23 at 7 p.m. to 4/10/23 at 8 a.m. Out of an abundance of caution, in coordination with DEQ, Jacobs staff began composite samplers 1 day earlier than typical in order to characterize the effluent coming from the facility, as it was suspected that the biology had died. Influent/Effluent composite samplers were started on 4/10/23, collection and setup of BOD/TSS on 4/11/23. TSS was within permitted limit. Unfortunately, the percentage of Effluent was too high given the state of the plant at the time of sampling. Effluent percentages were 30, 60 & 90% and the final DO was less than 1.0 mg/L on all 6 bottles (final DO readings were all 0.15 to 0.16). The end result is an inconclusive effluent BOD = >27.6 mg/L. DEQ was notified of these results and requested re-sampling the week of 4/17/23. Site staff will begin re-sampling on 4/18/23.</small> | | |
| AGENCY AND PUBLIC NOTIFICATION | | |
| Was the non-compliance one of the following: | | |
| <ul style="list-style-type: none"> • A noncompliance which may endanger health or the environment • An unanticipated bypass which exceeds any effluent limitation in this permit • An upset which exceeds any effluent limitation in this permit • Violation of a maximum daily discharge limitation | Yes <input type="radio"/> No <input checked="" type="radio"/> | Yes <input type="radio"/> No <input checked="" type="radio"/> |
| If yes to any of the above, complete the rest of this section. | | |
| OERS Number: 2023-09-55 ; This is attached to the original plant upset that did not result in non-compliance. | | |
| Signs posted? Where?: yes, Rock Creek Park, also tied to the original plant upset. | | |
| Media contacted? Who?: | | |
| List any other steps taken to notify the public and/or state and federal agencies: | | |
| CAUSE(S) | | |
| Cause or suspected cause(s): The percentage of Effluent used for BOD analysis was too high given the state of the plant at the time of sampling. Effluent percentages were 30, 60 & 90% and the final DO was less than 1.0 mg/L on all 6 bottles (final DO readings were all 0.15 to 0.16). The end result is an inconclusive effluent BOD = >27.6 mg/L. | | |

Oregon DEQ Noncompliance Reporting Form

continued

| RAINFALL DATA | | | |
|--|--------|---------------|--------|
| Rainfall (for storm-related noncompliance): | inches | Design Storm: | inches |
| Source of rainfall data: | | | |
| CORRECTIVE ACTIONS | | | |
| List actions taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. | | | |
| Actions taken (describe): | | | |
| We will begin re-sampling on 4/18/23 and will revise the percent effluent dilution for BOD analysis to provide a conclusive result. | | | |
| Actions planned and schedule for those actions (describe): | | | |
| We will begin re-sampling on 4/18/23 and will revise the percent effluent dilution for BOD analysis to provide a conclusive result, available 4/25/23. | | | |
| COMMENTS | | | |
| Comments: | | | |

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

OF

 Authorized Signature

4/18/23

 Date

Oscar Farris

 Name (print)

(541) 645 5407

 Phone

Lead Operator

 Title (print)

Oscar.Farris@jacobs.com

 Email

Attachment 2: NPDES Monthly Monitoring Report, November 2023 Cover Letter, Jacobs on behalf of City of Mosier, December 11, 2023

Jacobs

**Challenging today.
Reinventing tomorrow.**

The Dalles STP
105 Laughlin Steet
P.O. Box 1022
The Dalles, OR 97058
Tel 541.298.1779
Fax 541.298.2458

December 11, 2023

NPDES MONTHLY MONITORING REPORT

City of Mosier, Oregon Wastewater Treatment Plant

Month: November 2023

Permit # 101495
File # 58650
Population Served: 474

Receiving Stream: Columbia River

Plant Type: Class II – Extended Aeration, Activated Sludge. Waste sludge hauled to the Hood River WWTP for anaerobic digestion prior to land application.

Responsible Charge: Jeff Houchin, Oregon Grade T/IV #12868
Collection System: Jeff Houchin, Oregon Grade C/I #9039

Parameter 50050-Effluent Flow amounts reported are duplicates of Parameter 50050-Influent Flow amounts. There is no Effluent Flowmeter presently installed at WWTP.

E. Coli MDL is 1.0, therefore any results of <1.0 are reported as the MDL of 1.0

The GGA did not pass QA/QC for BOD5 analysis of Influent and Effluent samples collected on 11/20/23. The GGA must be 198 mg/L +/- 30.5 mg/L according to SM 5210 B 2016. The GGA result was 241 mg/L. Therefore, the Influent (258mg/L) and Effluent (9.8 mg/L) samples were disqualified.

I certify that I am familiar with the information contained in this report and that to the best of my knowledge such information is true, complete, and accurate.

Responsible charge:


Jeff Houchin

Attachments:

Mosier DMR Data Workbook-Data Sheet
Transmittance, Dose, and Intensity Spreadsheet