



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Eastern Region Pendleton Office

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TTY 711

July 31, 2024

Mr. Casey Mordhorst, Public Works Director
City of Ontario
1551 NW 9th Street
Ontario, OR 97914

Re: Warning Letter with Opportunity to Correct

City of Ontario

2024-WLOTC-9467

File 63631, NPDES 101633

Malheur County

Dear Mr. Cummings,

The City of Ontario (City) is permitted under a National Pollution Discharge Elimination System (NPDES) permit No. 101633, with Modifications 1-3. Schedule C of the permit and permit modifications require the facility to submit an arsenic monitoring plan by May 1, 2024:

Schedule C, Condition 1, Table C-1, item 13:

Task No.	Issue	Due By	Task Description	Deliverable
1413	Arsenic	May 1, 2024	Facility Monitoring Plan: The outline will contain a monitoring plan to: <ul style="list-style-type: none">Identify and quantify pollutants loading rate from the municipal water supply and the source collection area,Quantify treatment system pollutant removal efficiency in Cell 1 and entire system,Quantify pH and diffuser systems performance before and after installation.Perform priority pollutant screening of ambient and effluentPerform Copper BLM pollutant screening of ambient and effluent during two discharge seasons	The permittee must submit a written Monitoring Plan to DEQ for approval.

Upon communication with the City Engineer on July 10, 2024, it has been determined that the City failed to submit the monitoring plan as required; therefore, is in violation of the NPDES permit.

Reporting Violation:

This report has not been submitted to DEQ, therefore the City is responsible for the following environmental violation:

Date	Violation	Class
May 1, 2024	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

Corrective Actions:

Based on the information provided to DEQ, the City is responsible for the following corrective actions:

1. **By October 1, 2024**, the City of Ontario must submit an arsenic facility monitoring plan as described in Schedule C, Condition 1, Table C-1, item 13 of the NPDES permit.

Summary:

This notice is a Warning Letter. DEQ does not intend to take formal enforcement action at this time. However, should you repeat effluent limit violations or fail to complete the required corrective action, 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 Compliance Specialist

ec: Mike Hiatt, DEQ
Shane Cossel, DEQ
Marshall Pierce, PE, Jacobs, City of Ontario
Neil DeJonge, Wastewater Treatment Supervisor, Jacobs, City of Ontario
WQ Data Crew