



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office

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Salem, OR 97302

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TTY 711

October 30, 2024

Doug Wiggins
City of Toledo
PO Box 220
Toledo, OR 97391-0220

Re: Warning Letter with Opportunity to Correct
City of Toledo Wastewater Treatment Facility
2024-WLOTC-9674
NPDES Permit #101713, EPA ID OR0020869
File 89103
WQ-Lincoln County

Dear Mr. Wiggins,

On October 4, 2024, DEQ conducted a compliance evaluation inspection at the City of Toledo activated sludge wastewater treatment facility. The purpose of the inspection was to determine compliance with the conditions of National Pollution Discharge Elimination System permit number 101713, issued to City of Toledo on December 27, 2005. These findings are summarized below. I have enclosed a copy of the inspection report checklist that provides additional information.

Site Visit

I met with Stephen Hooper, Lead Operator, and James Spang, Junior Plant Operator. Also present during the inspection was Trinh Hansen, DEQ WQ Permit Coordinator. The plant is operated and maintained well.

Records Review

Records from August 2021 through August 2024 were reviewed in preparation for this inspection. City of Toledo has submitted all DMRs on time in NetDMR. DEQ has concluded that City of Toledo is responsible for the following violations:

Schedule A Violations

Schedule A items 1 through 3 of the permit requires City of Toledo to meet waste discharge limitations for various parameters. City of Toledo has violated the permit in the following ways:

Monitoring Period	Parameter	Reported Value	Violation Class
December 4, 2023	pH daily minimum	5.7 SU	III
December 5, 2023	pH daily minimum	5.5 SU	III
December 6, 2023	pH daily minimum	5.5	III
December 7, 2023	pH daily minimum	5.5	III
December 8, 2023	pH daily minimum	5.7	III
Week of Dec 3, 2023	BOD loading, weekly average	895.8 lb/d	I
Week of Dec 3, 2023	TSS loading, weekly average	2530.9 lb/d	I
Week of Dec 3, 2023	TSS concentration, weekly average	33.3 mg/L	III
December 2023	TSS loading, monthly average	669.1 lb/d	I
December 2023	TSS % Removal	82%	III

Violating BOD loading limits, TSS loading limits and TSS concentration limits is a Class I violation if the discharge level exceeds the limit by 50% or more per OAR 340-012-0055(1)(k); a Class II violation if the discharge level exceeds the limit by 20% or more but less than 50% per OAR 340-012-0055(2)(a); and a Class III violation if the discharge level exceeds the limit by less than 20% per OAR 340-012-0055(2)(a).

Failing to achieve a removal efficiency established in a permit is a Class III violation per OAR 340-012-0055(3)(c).

Violating pH limits if the discharge is outside the permitted pH range by more than 2 pH units, it is a Class I violation per OAR 340-012-0055(1)(k). If the discharge is outside the permitted pH range by more than 1 but less than or equal to 2 pH units, it is a Class II violation per OAR 340-012-0055(2)(a). If the discharge is outside the permitted pH range by 1 pH unit or less, it is a Class III violation per OAR 340-012-0055(3)(b).

Schedule B Violations

1. Schedule B, condition 1 of the permit requires City of Toledo to develop and implement a QA/QC program. See also Schedule F, Sections B1 and C. Failing to develop and implement this program is a Class II violation per OAR 340-012-0055(2)(b)

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

Requested Corrective Actions:

By March 1, 2025, please submit documentation that the following issues have been corrected:

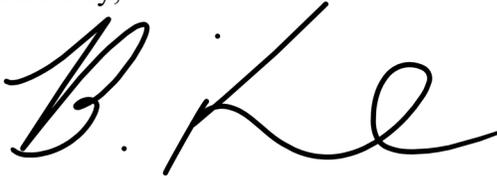
1. Submit a QA/QC program that meets the requirements in Schedule B of your permit and the guidance provided within the Inspection Report Checklist.
2. Submit an updated Emergency Response and Public Notification Plan.

This notice is a warning letter with corrective actions. DEQ does not intend to take formal enforcement action at this time. However, should you fail to submit documentation that the corrective actions have been completed by the date requested or 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 can be assessed for each day of violation.

If you believe any of the facts in this warning letter with opportunity to correct are in error, you may provide information to me at the office at the address shown at the top of this letter. DEQ will consider the new information you submit and take appropriate action.

If you have any questions, please contact me in writing at brenda.kuiken@deq.oregon.gov or by phone at (503) 893-0924.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Kuiken', with a stylized flourish at the end.

Brenda Kuiken
WQ Compliance Specialist

cc: DEQ Salem Office file

ec: Ranei Nomura, Manager, Western Region DEQ
Oregon Records Management Solution
Steven Hooper, Lead Operator