



October 30th, 2024

Tim Rundel, City Manager
City of Brookings
898 Elk Drive
Brookings, OR 97415

Re: **Warning Letter**
Brookings Wastewater Treatment Plant
2024-WL-9672
WQ-Curry County
NPDES Permit 101773/EPA ID OR0020354
Permit Violation
DEQ File 11297

Dear Mr. Rundel:

On August 9th, 2024, the Department of Environmental Quality inspected the Brookings Wastewater Treatment Plant. The inspection determined compliance with NPDES permit 101773. As part of the inspection, discharge monitoring reports as entered into NetDMR were reviewed from 2021 to date.

Violations

Based upon this review, DEQ has concluded that the City is responsible for the following violations of NPDES permit 101773:

Schedule A

The City reported the following *Schedule A* effluent violations:

Date	Parameter	Limit	Result	Exceedance	Violation Class
Feb. 2021	Fecal coliform	No more than 10% over 43	16.7%	Less than 5X the limit	III
March 2021	Fecal coliform	No more than 10% over 43	14%	Less than 5X the limit	III
	<i>Enterococci</i>	No more than 10% over 130	43%	Less than 5X the limit	III
April 2021	Fecal coliform	No more than 10% over 43	23.5%	Less than 5X the limit	III

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Date	Parameter	Limit	Result	Exceedance	Violation Class
	Fecal coliform	Monthly median of 14	17	Less than 5X the limit	III
	<i>Enterococci</i>	No more than 10% over 130	23.1%	Less than 5X the limit	III
August 2021	Fecal coliform	No more than 10% over 43	14.3%	Less than 5X the limit	III
	<i>Enterococci</i>	No more than 10% over 130	47.1%	Less than 5X the limit	III
	<i>Enterococci</i>	Monthly geomean of 35	69	Less than 5X the limit	III
Sept. 2022	Fecal coliform	No more than 10% over 43	13.3%	Less than 5X the limit	III
July 17 th , 2023	pH	Between 6.0 and 9.0 s.u.	5.9 s.u.	Less than 1 pH unit	III
May 2024	Fecal coliform	No more than 10% over 43	12.5%	Less than 5X the limit	III

- Per OAR 340-012-0055(3)(b), exceeding a bacteria limit by less than a factor of 5, or exceeding a pH limit by less than 1 s.u. is a Class III violation.

Bacteria tests are used as an indicator of the possible presence of pathogens in surface waters and the risk of disease. The discharge of improperly disinfected wastewater can pose a public health hazard. Contact with contaminated water can lead to ear or skin infections, and inhalation of contaminated water can cause respiratory diseases.

Schedule B

The current NPDES permit became effective February 1st, 2024. The previous permit required sampling temperature and pH 3 time a week. The current permit required daily testing of these parameters. The weekend operator was not informed of these changes, and did not collect these samples the first weekend of February 2024. This is a Class I violation per OAR 340-012-0055(1)(o).

Schedule F

Schedule F, Condition C8 requires all reports and records be retained a minimum of three years. The annual Inflow & Infiltration (I&I) from 2019 onward were not in the DEQ files. Only a copy of the 2023 report could be produced by the City. This is a Class II violation per OAR 0055(2)(b).

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

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Next Steps

This warning letter is not a formal enforcement action and we will not be referring the violations cited in this warning letter for formal enforcement action at this time. Should you continue to exceed the permit limits, however, all violations may be referred to the DEQ's Office of Compliance and Enforcement for formal enforcement action, including assessment of a civil penalty 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 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 about this notice or the permit requirements, please contact me at 541-776-6189.

Sincerely,



E. Andrew Ullrich
Compliance Engineer
Water Quality Division

EAU

cc: DEQ Medford Office file

ecc: Dustin Nelson, Jacobs Engineering
Ranei Nomura, Manager, Western Region, DEQ
Oregon Records Management Solution (ORMS)