



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Eastern Region Pendleton Office

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Pendleton, OR 97801

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TTY 711

December 30, 2024

Mr. Nick Smith
City Manager
City of Maupin
PO Box 308
Maupin, OR 97037

RE: Pre-Enforcement Notice
City of Maupin
2024-PEN-9620
File #53633, NPDES Permit #102274
EPA Reference Number: OR0022608
Wasco County

Dear Mr. Smith:

The City of Maupin operates a domestic wastewater treatment plant with discharge to the Deschutes River under National Pollutant Discharge Elimination System (NPDES) Permit #102274. Based on review of Discharge Monitoring Reports (DMRs), submitted as required by your permit for the period of April 2022 – August 2024 and based on the findings documented in an August 29, 2024 Inspection, DEQ has documented the following violations of your permit. Failure to comply with permit conditions violates Oregon Revised Statute 468B.025(2).

Violations: Failure to Submit Required Reports

Reporting Month	Violation	Class
February 2023	Schedule D, Condition 1 of the permit requires the City to submit an annual Inflow and Infiltration Report by February 15 each year. To date, the facility has not submitted the required reports for 2022 monitoring year.	II
February 2023	Schedule D, Condition 6 of the permit requires the City to submit an annual Wastewater Solids Report by February 19 each year. To date, the facility has not submitted the required reports for 2022 monitoring year.	II
February 2024	Schedule D, Condition 1 of the permit requires the City to submit an annual Inflow and Infiltration Report by February 15 each year. To date, the facility has not submitted the required reports for 2023 monitoring year.	II
February 2024	Schedule D, Condition 6 of the permit requires the City to submit an annual Wastewater Solids Report by February 19 each year. To date, the facility has not submitted the required reports for 2023 monitoring year.	II
March 2024	Schedule D, Condition 11 of the permit requires the City to submit an Industrial User Survey by March 31, 2024. To date, the facility has not submitted the required report.	II

Failing to timely submit a report or plan as required by rule, permit, or license unless otherwise classified is a Class II violation (OAR 340-012-0055(2)(b)) which is cited for the late reports. There are five (5) occurrences of this violation.

Violations: Failing to timely submit a report or plan

In accordance with Schedule B of the city's NPDES permit the City of Maupin was responsible for the following monitoring and reporting violations:

Reporting Month	Violation	# of	Class
April 2022	The facility submitted its April 2022 DMRs late. April 2022 was submitted on May 16, 2022	1	II
November 2023	The facility submitted its November 2023 DMRs late. November 2023 was submitted on December 26, 2023	1	II

In accordance with DEQ's Enforcement Rules, failing to timely submit a report or plan as required in Schedule B of the permit is a class II violation (OAR 340-012-0055(2)(b)). There are two (2) occurrences of this violation.

Violations: Failure to Monitor

In accordance with Schedule B of the city's NPDES permit the City of Maupin was responsible for the following monitoring and reporting violations:

Reporting Month	Violation	# of	Class
April 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week Eff E. coli 2/week monitoring frequency not met only sampled 1/week	24	I
May 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
June 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
July 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
August 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
September 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I

Reporting Month	Violation	# of	Class
October 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
November 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
December 2022	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
January 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
February 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
March 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
April 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
May 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
June 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
July 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
August 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
September 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
October 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week	20	I
November 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	20	I

Reporting Month	Violation	# of	Class
	Inf/Eff pH 3/week monitoring frequency not met, only sampled 2/week		
December 2023	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
January 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
February 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
March 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
April 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
May 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
June 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
July 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I
August 2024	Inf/Eff TSS conc 2/week monitoring frequency not met, only sampled 2/month	12	I

In accordance with DEQ's Enforcement Rules, failing to collect monitoring data required in Schedule B of the permit is a class I violation (OAR 340-012-0055(1)(o)). There are 512 violations of this type.

Violations: Failing to submit a complete DMR

The facility submitted inaccurate or incomplete information to DEQ on the following DMRs:

Reporting Month	Violation	Class
April 2022	Failure to Submit Accurate DMR	I
May 2022	Failure to Submit Accurate DMR	I
June 2022	Failure to Submit Accurate DMR	I
July 2022	Failure to Submit Accurate DMR	I
August 2022	Failure to Submit Accurate DMR	I
September 2022	Failure to Submit Accurate DMR	I
October 2022	Failure to Submit Accurate DMR	I
November 2022	Failure to Submit Accurate DMR	I
December 2022	Failure to Submit Accurate DMR	I
January 2023	Failure to Submit Accurate DMR	I
February 2023	Failure to Submit Accurate DMR	I
March 2023	Failure to Submit Accurate DMR	I
April 2023	Failure to Submit Accurate DMR	I
May 2023	Failure to Submit Accurate DMR	I
June 2023	Failure to Submit Accurate DMR	I
July 2023	Failure to Submit Accurate DMR	I
August 2023	Failure to Submit Accurate DMR	I
September 2023	Failure to Submit Accurate DMR	I
October 2023	Failure to Submit Accurate DMR	I
November 2023	Failure to Submit Accurate DMR	I
December 2023	Failure to Submit Accurate DMR	I
January 2024	Failure to Submit Accurate DMR	I
February 2024	Failure to Submit Accurate DMR	I
March 2024	Failure to Submit Accurate DMR	I

April 2024	Failure to Submit Accurate DMR	I
May 2024	Failure to Submit Accurate DMR	I
June 2024	Failure to Submit Accurate DMR	I
July 2024	Failure to Submit Accurate DMR	I
August 2024	Failure to Submit Accurate DMR	I

In accordance with DEQ's Enforcement Rules, failing to submit a complete DMR as required in Schedule B of the permit is a class III violation (OAR 340-012-0055(3)(a)). There are 29 violations of this type.

Violation: Records Retention

Schedule F, Section C8. Retention of Records requires the permittee to retain records of monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit and records of all data used to complete the application for this permit must be retained for a period of at least 3 years from the date of the sample, measurement, report, or application.

The permittee was unable to provide records of annual reports or calibration records. The permittee stated they had no *E. coli* monitoring records prior to July 2024 and no bench sheet records prior to February 2024.

Date	Violation	Violation Class
Date of inspection	Failure to retain records as required by permit is a Class II violation. See OAR 340-012-0053(2).	II

Failure to retain records as required by permit is a Class II violation. See OAR 340-012-0053(2). There is one violation of this type.

Corrective Actions Required

Corrective Action 1: The permittee must submit an Industrial User Survey to DEQ by December February 1, 2025.

Corrective Action 2: The permittee must submit an annual Inflow and Infiltration Report for the 2022 calendar year to DEQ by February 1, 2025.

Corrective Action 3: The permittee must submit an annual Inflow and Infiltration Report for the 2023 calendar year to DEQ by February 1, 2025.

Corrective Action 4: The permittee must submit an annual Wastewater Solids Report for the 2022 calendar year to DEQ by February 1, 2025.

Corrective Action 5: The permittee must submit an annual Wastewater Solids Report for the 2023 calendar year to DEQ by February 1, 2025.

Corrective Action 6: The Permittee must correct and resubmit the April 2022 through August 2024 DMRs to accurately reflect the data on the bench sheets, use the correct E Coli NODI codes, use the correct

DMR title for the November 2023 DMR spreadsheet (its titled November 2022), and attach the spreadsheets to the May and July 2024 DMRs by February 1, 2025. (See attached DMR Compliance Review document).

Referral for DEQ Formal Enforcement Action

DEQ issued 2024-WLOTC-9284 to the City of Maupin in May 2024 for similar violations that occurred in quarter 1 of 2024. This matter is being referred to DEQ's Office of Compliance and Enforcement for formal enforcement action, including assessment of potential 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 Pre-Enforcement Notice 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 new information you submit and take appropriate action. DEQ endeavors to assist you in your compliance efforts. Should you have any questions about the content of this letter or desire any follow-up technical assistance, please contact me at (541) 714-0035.

Sincerely,

A handwritten signature in black ink that reads "Stuart Blois". The script is cursive and fluid.

Stuart Blois
Permit Writer and Compliance Specialist

ec: Mike Hiatt, DEQ
Justin Sterger, DEQ
Anna Morgan-Hayes, DEQ
DEQ Water Quality Data Team