



Oregon

Tina Kotek, Governor

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January 13, 2025

Mr. Chuck Rapelje
Public Works Director
Odell Sanitary District
3700 Dethman Ridge Rd.
Hood River, OR 97031

RE: Pre-Enforcement Notice
Odell Sanitary District
2025-PEN-9792
File #63062, NPDES permit #100669
EPA Reference Number: OR0022471
Hood River County

Dear Chuck Rapelje:

The Odell Sanitary District operates a domestic wastewater treatment plant with discharge to Odell Creek under National Pollutant Discharge Elimination System (NPDES) Permit #100669. DEQ has reviewed submitted Discharge Monitoring Reports (DMRs) for the period of January 2024 – November 2024.

Based on this review, DEQ has concluded that the Odell Sanitary District is responsible for the following six (6) violations of its permit and Oregon environmental law:

Violation: Effluent Limit Exceedances for 5-Day Biochemical Oxygen Demand

Schedule A, Condition 1 of the permit establishes effluent limits required for the facility discharge to Odell Creek. This includes limits for 5-Day Biochemical Oxygen Demand (BOD₅) in effluent discharged as follows from Table A1 of the permit:

SCHEDULE A: WASTE DISCHARGE LIMITS

1. Outfall 001 – Permit Limits

a. BOD₅ and TSS

- i. May 1 – October 31. During this time period the permittee must comply with the limits in the following table:

Table A1: BOD₅ and TSS Limits

Parameter	Average Effluent Concentrations, mg/L		Monthly Average lbs/day	Weekly Average lbs/day	Daily Maximum lbs/day
	Monthly	Weekly			
BOD ₅	10	15	35	52	70
TSS	10	15	35	52	70

The facility failed to meet the required permit limits on the violation dates shown in the table, below.

Table: Effluent Limit Exceedances

Effluent Limit	Reported Result	Permit Limit	Violation Date	Violation Class
BOD ₅ Average Weekly Concentration	46.2 mg/L	15 mg/L (208% Exceedance)	Week of June 9-15, 2024	I
BOD ₅ Weekly Average Load	80.5 lb/day	52 lb/day (55% Exceedance)	Week of June 9-15, 2024	I
BOD ₅ Average Monthly Concentration	13 mg/L	10 mg/L (30% Exceedance)	June 2024	II
BOD ₅ Daily Maximum Load	80.5 lb/day	70 lb/day (15% Exceedance)	June 12, 2024	III

The BOD₅ effluent limits in your permit are technology based effluent limits (TBELs). Violating a TBEL for BOD₅ in an NPDES permit by more than 50% is a Class I violation (OAR 340-0055(1)(k)). Violating a TBEL for BOD₅ in an NPDES permit by 20% or more but less than 50% is a Class II violation (OAR 340-0055(2)(a)). Violating a TBEL for BOD₅ in an NPDES permit by less than 20% is a Class III violation (OAR 340-0055(3)(b)).

The District must ensure compliance with the terms and conditions of the issued NPDES permit.

Violation: Failure to Monitor

In accordance with Schedule B, Table B2 and Table B3 of the District's permit, the following analyses are to be conducted at the specified frequencies for Total Suspended Solids (TSS):

Table B2: Influent Monitoring Requirements					
Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action (See note a.)	Report Statistic (See note b.)
Flow (50050)	MGD	Year-round	Daily	Metered	1. Monthly Average 2. Daily Maximum
BOD ₅ (00310)	mg/L	Year-round	1/month	24-hour composite	Monthly Average
TSS (00530)	mg/L	Year-round	2/week	24-hour composite	Monthly Average

Table B3: Effluent Monitoring Requirements					
Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)
TSS (00530)	mg/L	Year-round	2/week	24-hour composite	1. Monthly Average 2. Maximum Weekly Average
TSS (00530)	lb/day	Year-round	2/week	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average

The facility did not complete the required monitoring on the dates specified in the table below.

Missed Required Monitoring	Date	Total Missed Sampling Events
Influent TSS (00530)	Week of November 3rd – 9th, 2024	2
Effluent TSS (00530)		

Only one sample for influent and effluent TSS was analyzed for the week in the table above. Per reporting by the permittee, the second sample was collected but not analyzed by the contracted laboratory due to a miscommunication and the TSS could not be analyzed because it was past holding time. Missing data due to QA/QC failures, where resampling did not occur to replace the missed monitoring is considered a failure to monitor. The facility has reported that the issue with the lab has been addressed.

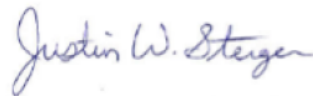
In accordance with DEQ's Enforcement Rules, failure to monitor as required by Schedule B of a permit is a Class I violation. See OAR 340-012-0055(1)(o). Class I violations are considered to be the most serious violations; Class III violations are the least serious.

Summary

The violations cited above have been referred to the DEQ's Office of Compliance and Enforcement for formal enforcement action. Formal enforcement action may result in assessment of civil penalties and/or a Department order. A formal enforcement action may include a civil penalty assessment 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) 633-2016.

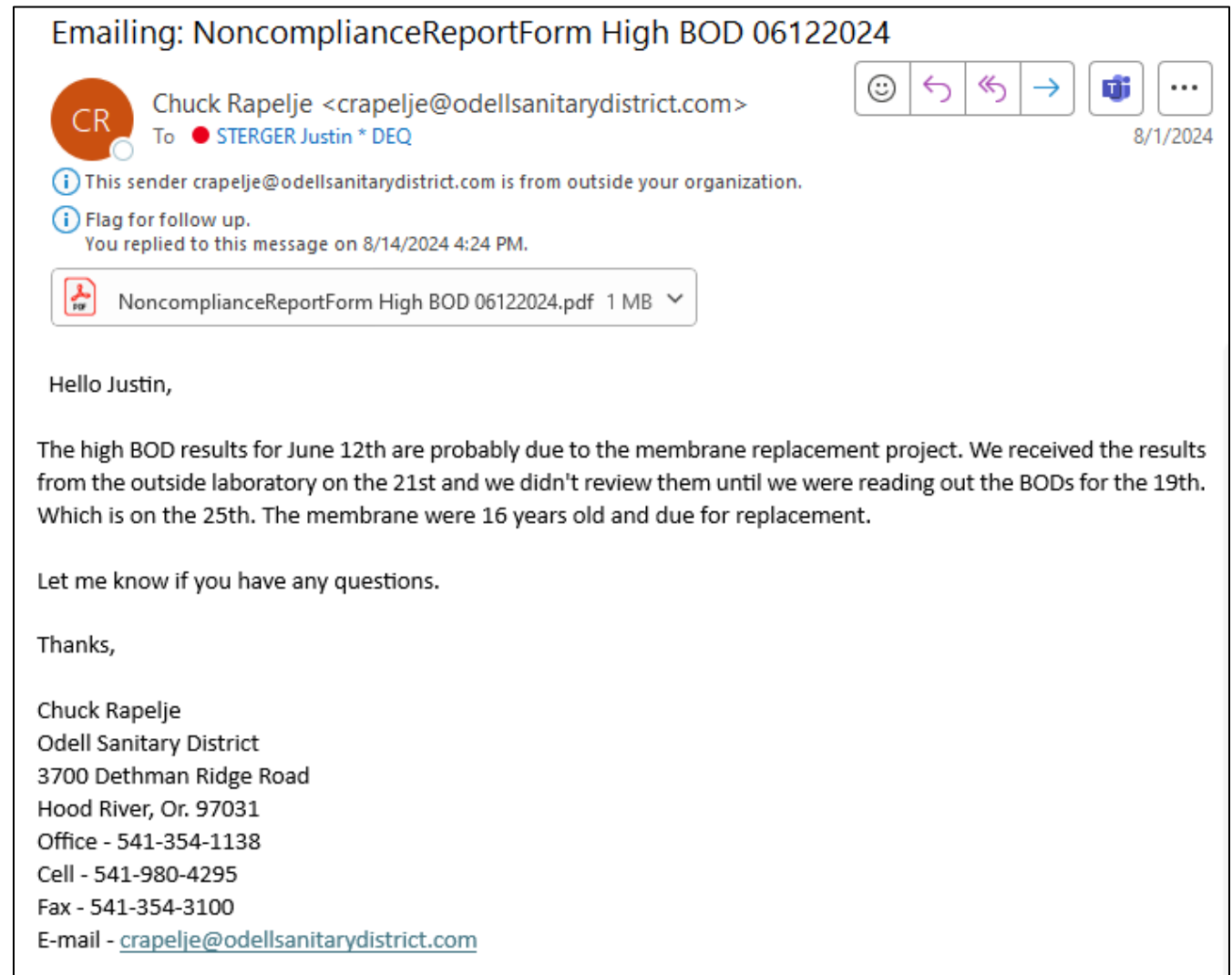
Sincerely,

A handwritten signature in blue ink that reads "Justin W. Sterger".

Justin W. Sterger
Senior Water Quality Permit Writer

cc: Mike Hiatt, DEQ
Anna Morgan-Hayes, DEQ
Alyssa Witt, DEQ
Oregon Records Management System
DEQ Water Quality Data Team

Appendix I: June 2024 BOD Compliance Email from OSD



Odell Sanitary District

3700 Dethman Ridge Rd. Hood River, Or. 97031 | (541)354-1138 | crapelje@odellsanitarydistrict.com

November 2024 Report

EPA Ref. Number: OR0022471

Permit Number: 100669

File Number: 63062

To Whom it May Concern,

The first week of November OSD is required by permit to perform 2/tss analysis per week. The contract laboratories did not perform the second day tss analysis as indicated in the Chain of Custody. (see attached)

The second week we contacted the contract laboratories and notified them that they did not perform the second day tss analysis as indicated in the Chain of Custody for the first week of November. So, they corrected the problem and all samples for the second week were taken and analyzed.

The third week all samples were taken and analyzed.

The fourth week all samples were taken and analyzed.

Quarterly Effluent Alkalinity was 87.5 mg/l and Odell Creek Alkalinity was 67.5 mg/l Ammonia was 0.324 mg/l.

All samples taken were compliant with the permit for the month of November.

Best regards,
Chuck Rapelje