



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Medford Office

221 Stewart Avenue, Suite 201

Medford, OR 97501

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TTY 711

January 15, 2025

Nichole Rutherford, City Manager
City of Coos Bay
500 Central Avenue
Coos Bay, OR 97420

Re: **WARNING LETTER WITH OPPORTUNITY TO CORRECT**
2025-WLOC-9797
Permit Violation
Coos Bay STP #2
NPDES Permit 100771/EPA OR0023582
File 19821
WQ-Coos County

Dear Ms. Rutherford:

Schedule B, Table B1 and *Schedule D, Condition 2* of your NPDES permit requires an outfall inspection report be submitted to DEQ by January 15, 2023. The City submitted the report on January 13, 2023. The report documented multiple issues with the outfall, including missing diffusers and heavy corrosion.

The City provided an e-mail update on January 6th, 2025. The City is mobilising to repair the outfall, and plans to have it complete before the end of February 2025, when the in-water work window closes.

Violation

Schedule F, Condition B1 states in part:

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit.

Failure to properly maintain the outfall is a Class II violation per OAR 340-012-0053(2). 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

DEQ requests that the City repair the outfall by end of February 2025 as planned and notify DEQ when the repair is completed. If the repair cannot be completed due to safety concerns (e.g., dangerous weather or bay conditions) or for a reason beyond the reasonable control of the City, DEQ will extend the completion date to the end of February 2026 (the following in-water work period).

Environmental Impact of Violations

A damaged outfall structure may cause insufficient dilution of the effluent, which in turn may be detrimental to sea life in the area.

DEQ Action

This notice is a warning letter. DEQ does not intend to take formal enforcement action at this time. However, should you repeat 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 may be assessed for each day of violation.

If you believe any of the facts in this letter are in error, you may provide information to me at andy.ullrich@deq.oregon.gov. I 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: Coos Bay 2 compliance folder, DEQ Medford Office files

ec: Ranei Nomura, Manager, Western Region, DEQ
Helen Sanders, Western Region, DEQ
Jennifer Wirsing, Coos Bay Public Works Director
Mike Morgan, Coos Bay Water Quality Supervisor
Rishia Latta, Coos Bay Environmental Specialist
Oregon Records Management Solution