



# Oregon

Tina Kotek, Governor

## Department of Environmental Quality

Western Region Salem Office  
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February 6, 2025

Gary Marks, Public Works Director  
City of Dallas  
P.O. Box 67  
Dallas, Oregon 97338

RE: **Pre-Enforcement Notice**  
City of Dallas  
NPDES permit #101518, EPA ID# OR0020737  
WQ file #22546  
2025-PEN-9831  
WQ – Polk County

Dear Mr. Marks:

I recently reviewed the June 2024 through September 2024 discharge monitoring reports for the above referenced facility. The City of Dallas reported violating permit limits for ammonia monthly average concentration and pH. The City of Dallas failed to include noncompliance reports with the associated DMRs.

### Violations

#### *Effluent Limit Violations*

Based on this review, DEQ has concluded that the City of Dallas is responsible for the following violations of Schedule A of its permit. Class I violations are considered the most serious violations; Class III violations are the least serious. Compliance with your permit is required by Oregon Revised Statute 468B.025(2).

Date	Violation	Permit Limit	Type	Class
June 2024	pH 4.15 SU daily minimum	$\geq 6$ SU	TBEL	Class II <sup>1</sup>
June 2024	9.71 mg/L monthly average ammonia	$\leq 6$ mg/L	WQBEL	Class I <sup>2</sup>
July 2024	8.64 mg/L monthly average ammonia	$\leq 2.5$ mg/L	WQBEL	Class I <sup>2</sup>
August 2024	9.97 mg/L monthly average ammonia	$\leq 2.5$ mg/L	WQBEL	Class I <sup>2</sup>
September 2024	17.02 mg/L monthly average ammonia	$\leq 2.5$ mg/L	WQBEL	Class I <sup>2</sup>

Notes:

1. Violating a pH limit by less than 2 pH units, but more than 1 unit is a Class II violation per OAR 340-012-0055(2)(a)(B).
2. Violating a WQBEL (water quality-based effluent limit) is a Class I violation per OAR 340-012-0055(1)(l).

**Failure to Submit Complete Reports**

Schedule F, condition D6 of your NPDES permit requires you to submit a written report of all instances of noncompliance. Submitting an incomplete report is a Class III violation per OAR 340-012-0055(3)(a).

1. The city exceeded a pH limit in June 2024 but did not include a complete noncompliance report with the discharge monitoring report.
2. The city exceeded monthly average ammonia limits in June, July, August, and September 2024 but did not include noncompliance reports with the associated discharge monitoring reports.

**Environmental Impact of Violations**

Excess ammonia can reduce dissolved oxygen levels in waterways, which can cause fish kills. Discharging water outside permitted pH ranges can harm aquatic life as well. Discharging outside permit limits can negatively impact stream habitat and aquatic species due to reduced in-stream dissolved oxygen concentrations.

**Requested Corrective Action**

By March 8, 2025, please submit complete noncompliance reports for each of the violations cited above. A noncompliance report form is available at:

<https://www.oregon.gov/deq/FilterDocs/NoncomplianceReportForm.pdf>

**Referral for DEQ Formal Enforcement Action**

The violations cited above are serious violations. Accordingly, we are referring these violations to DEQ's Office of Compliance and Enforcement for formal enforcement action. Formal enforcement action may result in assessment of a civil penalty and/or DEQ order. Civil penalties can be assessed for each day of violation.

If you believe any of the facts in this notice are in error, you may provide information to me at [Kenzie.Billings@deq.oregon.gov](mailto:Kenzie.Billings@deq.oregon.gov) by March 8, 2025. I will consider any new information you submit and take appropriate action.

If you have any questions, please contact me in writing or at 971-344-1055.

Sincerely,



Kenzie Billings, P.E.  
Senior Environmental Engineer

cc: compliance folder, DEQ Salem Office file

ec: Caleb Trammell, Project Manager, Jacobs  
Ranei Nomura, Manager, Western Region, DEQ  
Cecilia Mitchell, Permit Data Specialist, DEQ  
Oregon Records Management Solution