



# Oregon

Tina Kotek, Governor

## Department of Environmental Quality

Western Region Salem Office  
4026 Fairview Industrial Drive SE  
Salem, OR 97302  
(503) 378-8240  
FAX (503) 373-7944  
TTY 711

March 10, 2025

Amy Wentworth  
Pacific Seafood – Charleston  
PO Box 97  
Clackamas, OR 97015-0097

Re: Pre-Enforcement Notice  
Pacific Seafood - Charleston  
NPDES general 900-J permit  
WQ file #15878  
2024-PEN-9394  
WQ – Curry County

Dear Amy:

### Background

I recently reviewed the January 2019 through December 2024 discharge monitoring reports for the above referenced facility. Pacific Seafood reported violating permit limits for total suspended solids, oil & grease, biochemical oxygen demand, and failed to monitor for total residual chlorine in August 2020 and for all parameters in May 2023 and April 2024. There were also benchmark exceedances for pH, chlorine, ammonia, temperature and alkalinity.

DEQ documented violations and omissions as detailed below and in the attached tables.

### Violations

#### *Violation of a Department Order*

Mutual Agreement and Order WQ/I-WR-2017-013, as amended, required you to install, in accordance with the terms of the Order, a wastewater treatment system at your facility by April 15, 2023. To date, Pacific Seafood – Charleston has not installed the treatment system. Violating a Department Order is a Class I violation pursuant to OAR 340-012-0053(1)(a).

#### *Schedule A – effluent limit violations*

DEQ has concluded that Pacific Seafood – Charleston is responsible for the attached *Schedule A* effluent violations of its NPDES permit. Biochemical Oxygen Demand violations are documented in Table 1, Total Suspended Solids violations in Table 2 and Oil and Grease violations in Table 3. These are Technology Based Effluent Limits (TBEL).

Exceeding a TBEL by 50 percent or more is a Class I violation per Oregon Administrative Rule (OAR) 340-012-0055(1)(k)(A). Exceeding a TBEL by 20 percent or more but less than 50 percent is a Class II violation per OAR 340-012-0055(2)(a)(A). Exceeding a TBEL by less than 20 percent is a Class III violation per OAR 340-012-0055(3)(b)(A).

### ***Schedule B - Reporting/Monitoring Violations***

DEQ has concluded that the facility failed to conduct the monitoring required by *Schedule B* as documented in Table 5. Failing to collect monitoring data required in *Schedule B* are Class I violations per OAR 340-012-0055(1)(o).

Class I violation 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).

### **Environmental Impact of Violations**

Exceeding mass load limits for biochemical oxygen demand (BOD) and total suspended solids (TSS) can have negative impacts on the receiving stream and aquatic species by reducing in stream dissolved oxygen concentrations and increasing solids deposition.

Exceeding limits for oil and grease can have negative impacts to the public health, associated biota, aquatic species, and receiving stream by adding biological and chemical oxygen demand. Oil and grease is toxic to aquatic organisms, coats fish gills, and can clog drainage facilities. Limitations on the pollutant are also in place to prevent a visible oily sheen from occurring in waterbodies which has a negative aesthetic impact.

### **Schedule A – Benchmark exceedances**

DEQ had concluded that Pacific Seafood – Charleston is responsible for *Schedule A* benchmark exceedances as documented in the attached Table 4.

### **Referral for Formal Enforcement Action**

We are referring this matter to DEQ's Office of Compliance and Enforcement for formal enforcement action. Formal enforcement action may result in assessment of 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 the address shown at the top of this letter or at [Jennifer.Maglante-Timbrook@deq.oregon.gov](mailto:Jennifer.Maglante-Timbrook@deq.oregon.gov). DEQ will consider any new information you submit and take appropriate action.

If you have any questions, please contact me at (541) 743-1663.

Pacific Seafood -Charleston

2025-PEN-9839

March 10, 2025

Page 3 of 6

Sincerely,

A handwritten signature in black ink that reads "Jennifer MAGLINTE-TIMBROOK". The signature is written in a cursive style with some capital letters.

Jennifer Maglinte-Timbrook  
Wastewater Compliance Specialist  
Water Quality - Western Region

cc: Pacific Seafood – Charleston- file #15878, Enforcement, Salem, DEQ  
ec: Amy Wentworth, Pacific Seafood  
Brian McClarrin, Pacific Seafood - Charleston  
Ranei Nomura, WQ manager, Western Region, DEQ  
ORMS

**Table 1: Biochemical Oxygen Demand Concentration and Loading Limit Violations**

Exceeded monthly average concentrations and daily loading limits. These are technology-based effluent limit violations.

Year	Month or Date	Species	Pollutant	Type	Units	Limit	Reported value	Percent exceedance	Class
2024	December	Crab, Bottom Fish (conventional)(BFC)	BOD	Monthly Average	lbs/day	3.8	5.8	34.48%	II
2024	February	Crab, BFC	BOD	Monthly Average	lbs/day	4.1	6.7	38.80%	II
2024	January	Crab	BOD	Monthly Average	lbs/day	4.1	8.6	110%	II
2023	November	Crab, BFC	BOD	Monthly Average	lbs/day	62	64.1	3%	III
2023	August		BOD	Monthly Average	lbs/day	62	67.9	10%	III
2023	May	Crab, BFC	BOD	Monthly Average	lbs/day	.7	.8	14%	III
2022	March-3	Crab, Squid, BFC	BOD	Daily Maximum	lbs/day	10.2	7	31%	II

**Table 2: Total Suspended Solids (TSS) Loading Limit Violations**

Exceeded monthly average concentrations and daily limits. These are technology-based effluent limit violations.

Year	Month or Date	Species	Pollutant	Type	Units	Limit	Reported Value	Percent exceedance	Class
2024	September	Shrimp, Tuna, BFC	TSS	Monthly Average	lbs/day	13.7	16.5	16.96%	III
2024	August	Shrimp, Salmon (hand butchered), Tuna	TSS	Monthly Average	lbs/day	14.2	14.8	4.05%	III
2024	February	Crab, BFC	TSS	Monthly Average	lbs/day	.7	.8	12.5%	III
2024	January	Crab	TSS	Monthly Average	lbs/day	4.1	8.6	110%	I
2023	August-16	Shrimp, BFC	TSS	Daily Maximum	lbs/day	38	46.6	23%	II

Year	Month or Date	Species	Pollutant	Type	Units	Limit	Reported Value	Percent exceedance	Class
2023	August	Shrimp, BFC	TSS	Monthly Average	lbs/day	15	35.6	137%	I

**Table 3: Oil & Grease Concentration Limit Violations**

Exceeded monthly average concentrations and daily limits. These are technology-based effluent limit violations.

Year	Month or Date	Species	Pollutant	Type	Units	Limit	Reported Value	Percent exceedance	Class
2024	October	Salmon Shrimp, BFC	O&G	Monthly Average	mg/L	5.7	9.96	42.77%	II
2024	October-17	Salmon Shrimp, BFC	O&G	Daily Maximum	mg/L	14	18.19	23%	II
2024	September	Shrimp, Tuna, BFC	O&G	Monthly Average	mg/L	5.16	21.04	75.47%	I
2024	September -11	Shrimp, Tuna, BFC	O&G	Daily Maximum	mg/L	13.01	20.63	36.9%	II
2024	August	Shrimp, Salmon, Tuna	O&G	Monthly Average	mg/L	5.36	9.04	40.70%	II
2024	June	Shrimp, BFC	O&G	Monthly Average	mg/L	5.7	5.96	4.36%	III
2024	February-14	Crab, BFC	O&G	Daily Maximum	mg/L	.25	.31	19.35%	III
2024	January	Crab	O&G	Monthly Average	mg/L	.1	.18	80%	I
2024	January-23	Crab	O&G	Daily Maximum	mg/L	.25	.31	24%	II
2023	November	Shrimp, BFC	O&G	Monthly Average	mg/L	5.7	14.7	158%	I
2023	November-1	Shrimp, BFC	O&G	Daily Maximum	mg/L	14	18.67	33%	II
2023	August -16	Shrimp,	O&G	Daily Maximum	mg/L	>14	>24.8	77%	I
2023	August	Shrimp, BFC	O&G	Monthly Average	mg/L	>5.7	>21	268%	I

**Table 5: Monitoring Violations**

Year	Month /Date	Schedule B Violation	Class
2024	Week of April 21st	1 missed monitoring for the following parameters: BOD, TSS, O&G, total residual chlorine, ammonia, pH, E. coli, and fecal coliform.	I
2023	May	11 /12 Missed monitoring for the following parameters: BOD, TSS, O&G, total residual chlorine, ammonia, pH, E. coli, and fecal coliform.	I