



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office

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Salem, OR 97302

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TTY 711

July 18, 2025

Daniel Branum, Board President
Lakewood Homeowners, Inc.
PO Box 250
Aurora, OR 97002

Re: Pre-Enforcement Notice
Lakewood Homeowners Wastewater Treatment Facility
2025-PEN-9912 - AMENDED
NPDES Permit #101781, EPA ID OR0027570
File 96110
WQ-Marion County

Dear Mr. Branum,

On March 6, 2025, DEQ conducted a compliance evaluation inspection at the Lakewood Homeowners, Inc. wastewater treatment plant. The purpose of the inspection was to determine compliance with the conditions of National Pollutant Discharge Elimination System permit number 101781, issued by DEQ on May 28, 2020. The findings are summarized below. I have enclosed a copy of the inspection report checklist that provides additional information.

Please note this notice was originally dated June 11, 2025, and has been amended to remove the violation for failure to monitor the discharge to surface waters from a faulty mechanical plug in the effluent line. The permittee videoed the effluent line and determined that groundwater infiltration was the cause of the discharge. DEQ has viewed the video and agreed with this assessment.

Site Visit

I met with Kenneth E. Johannes with NW Natural Waster Services and Puttman Infrastructure, Inc. Also present during the inspection was Neha Ghosh, DEQ NPDES Permit Writer. In general, the plant needs attention. The influent flume structure is crumbling, the tertiary pond is completely full of solids, there is a layer of slime growing in the chlorine contact chamber and on the effluent weir, a plug has been placed in the discharge line without DEQ approval, lab equipment is out of date, and lab chemicals are expired. In addition to the poor condition of the plant, the effluent is being irrigated onto the plant landscaping area, but the recycled water use rules are not being followed.

Records Review

DEQ reviewed records from November 2023 through January 2025. Lakewood Homeowners, Inc. has submitted all monthly discharge monitoring reports (DMR) on time in NetDMR. All DMRs are complete and include a daily data attachment.

Permit Violations

DEQ has concluded that Lakewood Homeowners, Inc. is responsible for violations of its permit as follows. 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).

Schedule B Violations

1. Schedule B of the permit lists the minimum monitoring and reporting requirements. Lakewood Homeowners, Inc violated requirements as shown in Tables 1 and 2 below. Failing to timely submit a report or plan as required by permit is a Class II violation per OAR 340-012-0055(2)(b). Failing to collect monitoring data required in Schedule B of the permit is a Class I violation per OAR 340-012-0055(1)(o).

Other Schedule B Violations

2. Schedule B, condition 2c of the permit requires Lakewood Homeowners, Inc. to use a QA/QC program to analyze samples in the laboratory. Lakewood Homeowners, Inc. failed to create and follow a QA/QC plan. This is a Class II violation per OAR 340-012-0055 (2)(d).

Schedule D Violation

3. Schedule D, condition 3 of the permit allows Lakewood Homeowners, Inc. to reuse wastewater as exempted in OAR 340-055. Lakewood Homeowners, Inc. failed to follow the regulations for exempted wastewater reuse. One of the requirements of exempted wastewater reuse is the water to be used as a beneficial need for the landscaped areas. Lakewood Homeowners, Inc. is watering the landscaped areas more than is needed for beneficial use. This is a Class I violation per OAR 340-012-0055(1)(c).

Schedule F Violations

4. Schedule F, condition B1 of the permit requires Lakewood Homeowners, Inc. to properly operate and maintain all facilities and systems of treatment and control that are installed or used by the permittee to achieve compliance with the conditions of this permit. Lakewood Homeowners failed to remove solids from the tertiary pond as needed and therefore is not properly operating or maintaining a portion of the facility. This is a Class II violation per OAR 340-012-0053(2).

5. Making unauthorized changes, modifications, or alterations to a facility operating under a NPDES permit is prohibited by Schedule F, condition D1. Per OAR 340-012-0055(1)(g); this is a Class I violation. Lakewood Homeowners, Inc. violated this condition when it failed to receive DEQ approval to install a mechanical plug in the line for Outfall 001 to circumvent the DEQ-approved wastewater treatment facility and chose instead to irrigate landscaping over the course of the entire year rather than just for beneficial use.

Requested Corrective Actions

Please submit documentation that the following issues have been corrected:

1. Cease irrigation of plant landscaping from November 1 to May 31. Treated effluent can be used for landscaping irrigation in plant process areas to promote plant growth. Plant growth during the winter months is minimal and providing treated effluent during that time is not providing agronomic benefit.
2. Remove solids from polishing pond immediately. This treatment pond should be empty of solids. Pond solids levels should be tracked over time to ensure enough treatment capacity is always available. When solids levels rise, plans should be made to remove solids from the site to ensure treatment capability of the ponds for future treatment.
3. By August 1, 2025, submit a water balance evaluation for treatment facility. Ensure that there is enough water storage on-site to meet permit winter-only discharge schedule. If there is not enough storage capacity, then complete the following:
 - a. I&I study
 - b. Improvements to prevent I&I
 - c. Treatment plant improvements with a schedule for those improvements
4. By September 1, 2025, update and submit the written Emergency Response and Public Notification Plan. Please use the checklist listed in the inspection checklist document. It must be kept on hand at the treatment plant, distributed to staff, and updated whenever necessary.
5. By November 1, 2025, develop and submit a QA/QC program. This plan must be implemented prior to the next discharge season in 2025.
6. By December 31, 2025, submit engineering plans to DEQ. Find or recreate engineering plans and designs for the treatment facility. Plans should include the floor drain piping in the lab building and all piping located within the treatment plant. Include the pipe running along the north-west edge of the property connecting the tertiary pond to the storage pond.
7. By December 31, 2025, develop and submit Operations and Maintenance manual.

Recommendations

DEQ has the following recommendations for Lakewood Homeowners, Inc.:

1. If the plug in the discharge line is to be kept in place, provide DEQ with engineered plans for review and approval. While awaiting DEQ review, ensure that the plug in the discharge line for outfall 001 is not allowing water to seep past it. Should be checked and logged each day the plug is in place. Add this check to the data collected in the daily logbook.
2. Ensure that slime buildup in the chlorine contact chamber and on the effluent weir are removed and not allowed to build up in the future. Add a regular check and cleaning schedule to the facility maintenance schedule.
3. Develop a replacement or repair plan for the influent flume and any other failing concrete structures within the facility.
4. Document temperatures of composite samples while on treatment plant property. Suggestion is to take temps at the start, in the middle and at the end of the sampling times to ensure the samples are kept within QA temperature range.
5. Ensure that all personnel conducting laboratory sampling are following proper QA/QC procedures in the sampling plan, including using standards, blanks and duplicates.
6. Ensure all laboratory equipment is cleaned and properly maintained following proper QA/QC procedures and manufacturer recommendations.
7. Remove, or store away from laboratory area, any lab equipment that is no longer used or usable.
8. Document that all thermometers used for sampling are certified annually using a NIST thermometer.
9. Document that pH buffers used for sampling are within expiration dates.
10. Document that pH meters are calibrated using a 3-point calibration prior to each daily use.
11. Distilled water should be used for any rinsing of sampling or analysis equipment, including pH probes and chlorine test vials.
12. Ensure that the last three years of DMRs are available. These can be electronically available or in hard copy paper form.
13. Utilize the storage pond for times when plant landscape irrigation and direct discharge to Mill Creek is unavailable. Plans should be developed as to when the storage pond is used to hold water until the next discharge season and how to move water out of the storage pond for discharge.
14. Post signs at edge of property where recycled water is in use.

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These are serious violations and, accordingly, they are being referred 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 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 the new information you submit and take appropriate action.

If you have any questions, please contact me in writing at brenda.kuiken@deq.oregon.gov or by phone at (503) 893-0924.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Kuiken', with a stylized flourish at the end.

Brenda Kuiken

WQ Compliance Specialist

cc: DEQ Salem Office file
ec: Ranei Nomura, Manager, Western Region DEQ
Oregon Records Management Solutions
Ken Johannes, NW Natural Water Services
Neha Ghosh, DEQ NPDES Permit Writer

Table 1 – Failure to Report Violations

Failed to submit the following reports:

Monitoring Period	Parameter	Monitoring Event Missed	Violation Class
November 2023	Influent testing	No noncompliance report submitted	II
December 2023	Influent testing	No noncompliance report submitted	II
January 2024	Influent testing	No noncompliance report submitted	II
February 2024	Influent testing	No noncompliance report submitted	II
March 2024	Influent testing	No noncompliance report submitted	II
April 2024	Influent testing	No noncompliance report submitted	II
November 2024	Influent testing	No noncompliance report submitted	II
December 2024	Influent testing	No noncompliance report submitted	II

Table 2 – Failure to Monitor Violations

Failed to conduct the following monitoring:

Monitoring Period	Parameter	Monitoring Event Missed	Violation Class
November 2023	Influent BOD, mg/l	1x/month	I
November 2023	Influent TSS, mg/L	1x/month	I
Week of Oct 29, 2023	Influent pH, SU	2x/week – missing both	I
Week of Nov 5, 2023	Influent pH, SU	2x/week – missing both	I
Week of Nov 12, 2023	Influent pH, SU	2x/week – missing both	I
Week of Nov 19, 2023	Influent pH, SU	2x/week – missing both	I
Week of Nov 26, 2023	Influent pH, SU	2x/week – missing both	I
December 2023	Influent BOD, mg/l	1x/month	I
December 2023	Influent TSS, mg/L	1x/month	I
Week of Dec 3, 2023	Influent pH, SU	2x/week – missing both	I
Week of Dec 10, 2023	Influent pH, SU	2x/week – missing both	I
Week of Dec 17, 2023	Influent pH, SU	2x/week – missing both	I
Week of Dec 24, 2023	Influent pH, SU	2x/week – missing both	I
Week of Dec 31, 2023	Influent pH, SU	2x/week – missing both	I
January 2024	Influent BOD, mg/l	1x/month	I
January 2024	Influent TSS, mg/L	1x/month	I
Week of Jan 7, 2024	Influent pH, SU	2x/week – missing both	I
Week of Jan 14, 2024	Influent pH, SU	2x/week – missing both	I
Week of Jan 21, 2024	Influent pH, SU	2x/week – missing both	I
Week of Jan 28, 2024	Influent pH, SU	2x/week – missing both	I
February 2024	Influent BOD, mg/l	1x/month	I
February 2024	Influent TSS, mg/L	1x/month	I
Week of Feb 4, 2024	Influent pH, SU	2x/week – missing both	I

Monitoring Period	Parameter	Monitoring Event Missed	Violation Class
Week of Feb 11, 2024	Influent pH, SU	2x/week – missing both	I
Week of Feb 18, 2024	Influent pH, SU	2x/week – missing both	I
Week of Feb 25, 2024	Influent pH, SU	2x/week – missing both	I
March 2024	Influent BOD, mg/l	1x/month	I
March 2024	Influent TSS, mg/L	1x/month	I
Week of Mar 3, 2024	Influent pH, SU	2x/week – missing both	I
Week of Mar 10, 2024	Influent pH, SU	2x/week – missing both	I
Week of Mar 17, 2024	Influent pH, SU	2x/week – missing both	I
Week of Mar 24, 2024	Influent pH, SU	2x/week – missing both	I
Week of Mar 31, 2024	Influent pH, SU	2x/week – missing both	I
April 2024	Influent BOD, mg/l	1x/month	I
April 2024	Influent TSS, mg/L	1x/month	I
Week of April 7, 2024	Influent pH, SU	2x/week – missing both	I
Week of April 14, 2024	Influent pH, SU	2x/week – missing both	I
Week of April 21, 2024	Influent pH, SU	2x/week – missing both	I
Week of April 28, 2024	Influent pH, SU	2x/week – missing both	I
Week of Oct 27, 2024	Influent, pH, SU	2x/week – missing both	I
Week of Nov 3, 2024	Influent, pH, SU	2x/week – missing both	I
Week of Nov 10, 2024	Influent, pH, SU	2x/week – missing both	I
December 2024	Influent BOD, mg/l	1x/month	I
December 2024	Influent TSS, mg/L	1x/month	I