



Oregon

Tina Kotek, Governor

Department Environmental Quality
Eastern Region Pendleton Office
800 SE Emigrant Ave., Suite 330
Pendleton, OR 97801
(541) 276-4062

August 7, 2025

John Frieboes, Mayor
Ralph Riomondo, Designated Operator
City of North Powder
P.O. Box 309
North Powder, OR 97867

RE: **Warning Letter with Opportunity to Correct**
City of North Powder
2025-WLOTC-9971
WPCF permit #103297
WQ – Union County

Dear Mayor Frieboes and Mr. Riomondo:

The City of North Powder (City) operates a sewage treatment facility permitted under Water Pollution Control Facilities (WPCF) Permit No. 103297. On July 29, 2025, DEQ conducted an inspection of the City's treatment facility. In preparation for that inspection, a review of Discharge Monitoring Reports (DMRs) and annual reports was completed for January 2023 through June 2025.

Based on the review, DEQ has documented twenty-one (21) violations related to reporting and monitoring. These violations are described further in this warning letter with opportunity to correct.

Failure to Submit Complete Monitoring Reports:

Schedule B.3(b) of the WPCF permit provides minimum lagoon monitoring requirements, five days per week:

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action See note b.	Report Statistic See note a.
Treatment and Storage Lagoon Depths	feet	Year-round	1/week	Record	Weekly Maximum
Perimeter Inspection	N/A	Year-round	5 days/week	Observation	Record Observations
Notes: a. When submitting DMRs electronically, all data used to determine summary statistics shall be submitted in a DEQ approved format as an attachment unless otherwise directed by DEQ. If submitting paper DMRs, all data collected shall be reported on each DMR. b. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If new equipment cannot be immediately deployed, the permittee must perform grab measurements. If the failure or loss is for continuous temperature monitoring equipment, the permittee must perform grab measurements daily between 2 PM and 4 PM until continuous monitoring equipment is redeployed.					

Although DMRs were submitted for the months of January 2023 through January 2025, the City failed to report perimeter inspections on the DMRs.

Schedule B.1, Table B.1 of the WPCF permit requires the permittee to submit Wastewater Solids and Biosolids Annual Report by February 19th of each year. The City did submit a form, however, this form was incomplete as submitted, missing crucial information to determine compliance.

DEQ has determined that the City is in violation of the WPCF permit and Oregon environmental law for the incomplete reporting:

Monitoring Period	Violation	Class	Number of Violations
November 2023 - January 2025 (15 months)	Failing to submit monitoring for lagoon perimeter, required 5/week. Failing to submit a complete DMR is a violation of the permit; OAR 340-012-0055(3)(a).	III	15
2024 (due February 19, 2025)	Failing to submit a complete Wastewater Solids and Biosolids Annual Report for 2024. Failing to submit a complete report is a violation of the permit; OAR 340-012-0055(3)(a).	III	1

Failure to Submit Discharge Monitoring Reports (DMRs) Violations:

Schedule B, Table B1 of the WPCF permit requires the permittee to submit DMRs by the 15th of the month following the monitoring period. The permittee failed to submit DMRs for the months of February 2025 through June 2025.

Monitoring Period	Violation	Class	Number of Violations
February 2025 – June 2025 (5 months)	The permittee failed to submit a required report, OAR 340-012-0055(2)(b).	II	5

Class I violations are considered to be the most serious violations; Class III violations are the least serious.

Environmental Consequences

Fulfilling the mandatory monitoring and reporting requirements is an important obligation. Without timely submittal of reports with required monitoring data, the City, DEQ, and the public are unable to promptly evaluate the wastewater system.

Required Corrective Actions

The City must ensure compliance with the terms and conditions of the issued WPCF permit, including all Schedule B monitoring and reporting requirements and complete the following:

- 1- **By October 15, 2025**, the City must resubmit a statement of compliance, providing perimeter monitoring confirmation for January 2023 – January 2025 (25 months). All future DMRs must include perimeter monitoring confirmation five days per week, as described in Schedule B of the permit. The statement must be sent to anna.morgan-hayes@deq.oregon.gov.
- 2- **By October 15, 2025**, the City must submit a monthly DMR to DEQ for:
 - a. February 2025
 - b. March 2025
 - c. April 2025
 - d. May 2025
 - e. June 2025DMRs should be submitted to anna.morgan-hayes@deq.oregon.gov and Alyssa.witt@deq.oregon.gov.
- 3- **By October 15, 2025**, the City must submit a complete biosolids annual report in accordance with condition B.5 and D.6 of the City's permit. Please submit the annual report to anna.morgan-hayes@deq.oregon.gov and carl.makepeace@deq.oregon.gov.

Summary

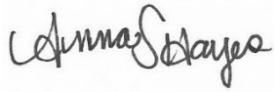
This notice is a Warning Letter. DEQ does not intend to take formal enforcement action at this time. However, should you repeat any of these violations or fail to complete the required

City of North Powder
August 7, 2025
Page 4 of 4

corrective action listed in this letter, this matter may be referred to the Department's Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a Department 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. I will consider any new information you submit and take appropriate action. If you have any questions, please contact me at anna.morgan-hayes@deq.oregon.gov or at 541-246-4562.

Sincerely,



Anna Morgan-Hayes
Water Quality Permit Writer

cc: Mike Hiatt, DEQ
Alyssa Witt, DEQ
Carl Makepeace, DEQ
Oregon Records Management Solution