



Oregon

Tina Kotek, Governor

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August 11, 2025

Heather Daggett, Public Works
City of Union
P.O. Box 259
Union, Oregon 97883

RE: Warning Letter with Opportunity to Correct
City of Union STP
NPDES permit #101624
EPA OR ID# OR0029939
2025-WLOCT-9972
WQ – Union County

Dear Mrs. Daggett:

Department of Environmental Quality (DEQ) has completed an audit of required reporting submitted by the City of Union in accordance with National Pollution Discharge Elimination System (NPDES) permit #101624. Based on review of Discharge Monitoring Reports (DMRs), DEQ found the City to be in violation of the NPDES permit for failing to monitor and submitting late reports. There are sixty-nine (69) violations described in the following warning letter with opportunity to correct.

Violation: Late Submittal of DMR

Schedule B.1, Table B1 of the NPDES permit requires the City to submit DMRs no later than the 15th day of the month following the monitoring period. The City submitted the April 2025 DMRs on July 14, 2025, approximately twenty-nine days later than the due date of June 15, 2025.

Based on review of the DMR, this is a violation of the permit and Oregon environmental law.

Due Date	Violation	Violation Class	Number of Violations
June 15, 2025 (April 2025 DMR)	Failing to timely submit a report or plan as required by rule, permit, or license, unless otherwise classified; OAR 340-012-0055(2)(b).	I	1

Violations: Failure to Monitor

Schedule B.3, Table B2 of the NPDES permit provides minimum monitoring requirements for influent at the treatment facility.

Table B2: Influent Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action See note a.	Report Statistic See note b.
Flow (50050)	MGD	Year-round	Daily	Metered	Monthly Average Daily Maximum
BOD ₅ (00310)	mg/L	Oct. 1 – Jun. 30	2/week	24-hour composite	Monthly Average
TSS (00530)	mg/L	Oct. 1 – Jun. 30	2/week	24-hour composite	Monthly Average
pH (00400)	SU	Oct. 1 – Jun. 30	3/week	Grab	Monthly Maximum Monthly Minimum
Notes:					
a. 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.					
b. When submitting DMRs electronically, the permittee must submit all data used to determine summary statistics in a DEQ-approved format as a spreadsheet via electronic reporting unless otherwise directed by DEQ.					

DMRs submitted for the months listed in the table below indicated that the City failed to monitor for influent 5-day biochemical oxygen demand (BOD₅) and total suspended solids (TSS) at the required frequency of twice weekly.

Based on review of the DMRs, there are sixty-eight (68) violations of the permit and Oregon environmental law.

Due Date	Violation	Violation Class	Number of Violations
June 2024 (4 weeks)	Failure to collect influent BOD ₅ monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8

Due Date	Violation	Violation Class	Number of Violations
June 2024 (4 weeks)	Failure to collect influent TSS monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8
March 2025 (week 4)	Failure to collect influent BOD ₅ monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	2
March 2025 (week 4)	Failure to collect influent TSS monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	2
April 2025 (4 weeks)	Failure to collect influent BOD ₅ monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8
April 2025 (4 weeks)	Failure to collect influent TSS monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8
May 2025 (4 weeks)	Failure to collect influent BOD ₅ monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8
May 2025 (4 weeks)	Failure to collect influent TSS monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8
June 2025 (4 weeks)	Failure to collect influent BOD ₅ monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8
June 2025 (4 weeks)	Failure to collect influent TSS monitoring twice weekly as required by Schedule B of the permit. Failing to collect monitoring is a violation; OAR 340-012-0055(1)(o).	I	8

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

Environmental Impact of Violations

Fulfilling the mandatory reporting requirements is an important obligation. Submittal of the required information is to ensure the facility meets the final ammonia limit or is making plans to evaluate alternatives to meet the required limit.

Required Corrective Action

The City must ensure compliance with the terms and conditions of the issued NPDES permit, including all monitoring, reporting, and Schedule B requirements. The City must submit noncompliance reports for all instances of noncompliance. Additionally, the following corrective action is required:

1. **By October 15, 2025**, the City must resubmit DMRs in NetDMR using the correct NODI Code for failing to sample (NODI E) for influent BOD and TSS for the following months identified:
 - a. June 2024
 - b. April 2025
 - c. May 2025
 - d. June 2025

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 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
Eastern Region

cc: Alyssa Witt, DEQ, WQ Permitting & Compliance
Mike Hiatt, DEQ, WQ Permitting & Compliance
Oregon Records Management Solution