



Oregon

Tina Kotek, Governor

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

December 18, 2025

Joyce Bornstedt, Public Works Director
Baker City
PO Box 650
Baker City, OR 97814

RE: **Warning Letter 2025-WL-10067**
Baker City
NPDES Permit #101632, EPA OR ID# OR0020699
WQ FIS ID# 213395
WQ – Baker County

Dear Mrs. Bornstedt:

Baker City (City) operates a wastewater collection and treatment system under the National Pollution Discharge Elimination System (NPDES) Permit No. 101632. DEQ conducted review of Discharge Monitoring Reports (DMRs) associated with the NPDES permit in addition to noncompliance report forms provided by the City for the following monitoring period: January 2025 to October 2025. Based on this review, the City has reported six (6) violations. These are described in the following warning letter.

Violations: Exceeding design capacity for lagoons

Schedule D, Section B.1 of the NPDES permit requires that the permittee properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. The City self-reported five (5) instances of exceeding design capacity at the wastewater treatment lagoons for January, February, March, September, and October 2025 (Attachments 1-3). The City cited frozen pond conditions as the reason for exceeding capacity.

Based on review of the DMRs and noncompliance reports, DEQ has concluded that Baker City is responsible for the following five (5) violations of the NPDES permit:

Monitoring Period Date	Violation	Class
January 2025	Violating any otherwise unclassified requirement; OAR 340-012-0053(2).	II

Monitoring Period Date	Violation	Class
February 2025	Violating any otherwise unclassified requirement; OAR 340-012-0053(2).	II
March 2025	Violating any otherwise unclassified requirement; OAR 340-012-0053(2).	II
September 2025	Violating any otherwise unclassified requirement; OAR 340-012-0053(2).	II
October 2025	Violating any otherwise unclassified requirement; OAR 340-012-0053(2).	II

Violations: Effluent limits

Schedule A.1 of the NPDES permit provides the City with effluent limits for total suspended solids (TSS) percent removal efficiency.:

BOD ₅ and TSS percent removal efficiency	Shall not be less than 65% monthly average on a concentration basis.
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In July 2025, the City reported a monthly TSS percent removal efficiency of 64 percent (Attachment 4). This is less than the required limit and is a violation of the NPDES permit:

Monitoring Period Date	Violation	Class
July 2025	Failing to achieve a removal efficiency established in an NPDES permit; OAR 340-012-0055(3)(c).	III

Class I violations are considered to be the most serious violations; Class III violations are the least serious. Compliance with your permit is required by Oregon Revised Statute 468B.025(2).

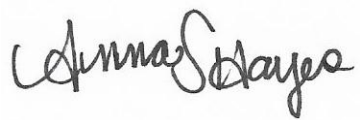
Summary

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 the matter may be referred to DEQ’s Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a DEQ order. Civil penalties may 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 in writing, at anna.morgan-hayes@deq.oregon.gov, or at 541-246-4562.

Baker City
December 18, 2025
Page 3 of 11

Sincerely,

A handwritten signature in black ink that reads "Anna Morgan-Hayes". The signature is written in a cursive style with a large initial 'A'.

Anna Morgan-Hayes
Permit Writer and Compliance Specialist
Water Quality Permitting

cc: Mike Hiatt, Manager, Eastern Region, DEQ
Rick Owens, Wastewater Supervisor, Baker City
John France, City Manager, Baker City
Oregon Records Management Solution

Attachment 1: Baker City, Oregon – Noncompliance Report Form, January 28, 2025



Oregon Department of Environmental Quality
Noncompliance Reporting Form

For all permit violations, including monitoring requirements.

Use this form to report all instances of noncompliance *except* sanitary sewage overflows. Fill out all fields and sign. You may attach additional information to this report to explain the circumstances of noncompliance. This information may include but is not limited to maintenance records and monitoring results.


FACILITY / CONTACT INFORMATION		
Name of Permittee: Baker City WWTP		
Contact Name: Rick Owens		
Phone: 541-403-2140	Email: rowens@bakercity.gov	Date: 1/28/2025
DEQ Permit #: 101632	DEQ File #: 5324	EPA ID #: OR 0002069-9
Has non-compliance been corrected?: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Expected time noncompliance is expected to continue: Until we discharge		
Date/Time Started: 1/27/2025 7:00am		Date/Time Stopped : N/A
Description of Noncompliance: Exceeding design capacity of lagoon ponds.		
AGENCY AND PUBLIC NOTIFICATION		
Was the non-compliance one of the following:		
• A noncompliance which may endanger health or the environment	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An unanticipated bypass which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An upset which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• Violation of a maximum daily discharge limitation	Yes <input type="radio"/>	No <input checked="" type="radio"/>
If yes to any of the above, complete the rest of this section.		
OERS Number:		
Signs posted? Where?:		
Media contacted? Who?:		
List any other steps taken to notify the public and/or state and federal agencies:		
CAUSE(S)		
Cause or suspected cause(s): We have run out of design capacity with frozen ponds and extreme cold weather preventing us from discharging.		

Oregon DEQ Noncompliance Reporting Form

continued

RAINFALL DATA	
Rainfall (for storm-related noncompliance): N/A inches	Design Storm: N/A inches
Source of rainfall data: N/A	
CORRECTIVE ACTIONS	
List actions taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.	
Actions taken (describe): We will begin discharging when conditions permit. Plans are in process to utilize reclaimed water storage pond as well as sludge removal from lagoon ponds to increase storage capacity.	
Actions planned and schedule for those actions (describe): We will begin discharging as soon as possible.	
COMMENTS	
Comments: We had a stubborn algae bloom that held on through late fall causing poor treatment. The ponds have frozen over, so we stopped discharging before we were out of compliance. There was simply not enough storage to accommodate the long lasting frozen weather.	

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Authorized Signature

Rick Owens

Name (print)

Wastewater Specialist III

Title (print)

1/29/2025

Date

541-403-2140

Phone

rowens@bakercity.gov

Email

Attachment 2: Baker City, Oregon – Noncompliance Report Form, February 28, 2025



Oregon Department of Environmental Quality

Noncompliance Reporting Form

For all permit violations, including monitoring requirements.

Use this form to report all instances of noncompliance *except* sanitary sewage overflows. Fill out all fields and sign. You may attach additional information to this report to explain the circumstances of noncompliance. This information may include but is not limited to maintenance records and monitoring results.

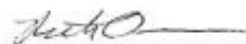
FACILITY / CONTACT INFORMATION		
Name of Permittee: Baker City WWTP		
Contact Name: Rick Owens		
Phone: 541-403-2140	Email: rowens@bakercity.gov	Date: 2/28/2025
DEQ Permit #: 101632	DEQ File #: 5324	EPA ID #: OR 0002069-9
Has non-compliance been corrected?: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Expected time noncompliance is expected to continue: 03/31/2025		
Date/Time Started: 02/01/2025 12:00am Date/Time Stopped : 02/28/11:59pm		
Description of Noncompliance: Exceeding design capacity of lagoon ponds		
AGENCY AND PUBLIC NOTIFICATION		
Was the non-compliance one of the following:		
• A noncompliance which may endanger health or the environment	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An unanticipated bypass which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An upset which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• Violation of maximum a daily discharge limitation	Yes <input type="radio"/>	No <input checked="" type="radio"/>
If yes to any of the above, complete the rest of this section.		
OERS Number:		
Signs posted? Where?:		
Media contacted? Who?:		
List any other steps taken to notify the public and/or state and federal agencies:		
CAUSE(S)		
Cause or suspected cause(s): We have run out of design capacity with frozen ponds and extreme cold weather preventing us from discharging.		

Oregon DEQ Noncompliance Reporting Form

continued

RAINFALL DATA	
Rainfall (for storm-related noncompliance): N/A inches	Design Storm: N/A inches
Source of rainfall data: N/A	
CORRECTIVE ACTIONS	
List actions taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.	
Actions taken (describe): Weather has permitted us to start discharging. Plans are in process to utilize reclaimed water storage pond as well as sludge removal from lagoon ponds to increase storage capacity.	
Actions planned and schedule for those actions (describe): We will continue discharging to make more storage room.	
COMMENTS	
Comments: We had a stubborn algae bloom that held on through late fall causing poor treatment. The ponds have frozen over, so we stopped discharging before we were out of compliance. There was simply not enough storage to accommodate the long lasting frozen weather.	

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



 Authorized Signature
Rick Owens

 Name (print)
Wastewater Specialist III

 Title (print)

03/13/2025

 Date
541-403-2140

 Phone
rowens@bakercity.gov

 Email

Attachment 3: Baker City, Oregon – Noncompliance Report Form, April 15, 2025



Oregon Department of Environmental Quality

Noncompliance Reporting Form

For all permit violations, including monitoring requirements.

Use this form to report all instances of noncompliance *except* sanitary sewage overflows. Fill out all fields and sign. You may attach additional information to this report to explain the circumstances of noncompliance. This information may include but is not limited to maintenance records and monitoring results.


FACILITY / CONTACT INFORMATION		
Name of Permittee: Baker City WWTP		
Contact Name: Rick Owens		
Phone: 541-403-2140	Email: rowens@bakercity.gov	Date: 04/15/2025
DEQ Permit #: 101632	DEQ File #: 5324	EPA ID #: OR 0002069-9
Has non-compliance been corrected?: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Expected time noncompliance is expected to continue:		
Date/Time Started: 03/01/2025 12:00am Date/Time Stopped : 03/15/2025 11:59pm		
Description of Noncompliance: Exceeding design capacity of lagoon ponds		
AGENCY AND PUBLIC NOTIFICATION		
Was the non-compliance one of the following:		
• A noncompliance which may endanger health or the environment	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An unanticipated bypass which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An upset which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• Violation of a maximum daily discharge limitation	Yes <input type="radio"/>	No <input checked="" type="radio"/>
If yes to any of the above, complete the rest of this section.		
OERS Number:		
Signs posted? Where?:		
Media contacted? Who?:		
List any other steps taken to notify the public and/or state and federal agencies:		
CAUSE(S)		
Cause or suspected cause(s): We have run out of design capacity with frozen ponds and extreme cold weather preventing us from discharging.		

Oregon DEQ Noncompliance Reporting Form

continued

RAINFALL DATA	
Rainfall (for storm-related noncompliance): N/A inches	Design Storm: N/A inches
Source of rainfall data: N/A	
CORRECTIVE ACTIONS	
List actions taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.	
Actions taken (describe): Weather has permitted us to discharge. Plans are in process to utilize reclaimed water storage pond as well as sludge removal from lagoon ponds to increase storage capacity.	
Actions planned and schedule for those actions (describe): We will continue discharging to make more storage room.	
COMMENTS	
Comments: We had a stubborn algae bloom that held on through late fall causing poor treatment. The ponds had frozen over, so we stopped discharging before we were out of compliance. There was simply not enough storage to accommodate the long lasting frozen weather.	

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Authorized Signature
Rick Owens
 Name (print)
Wastewater Specialist III
 Title (print)

04/15/2025

Date
541-403-2140
 Phone
rowens@bakercity.gov
 Email

Attachment 4: Baker City, Oregon – Noncompliance Report Form, August 13, 2025



Oregon Department of Environmental Quality

Noncompliance Reporting Form

For all permit violations, including monitoring requirements.

Use this form to report all instances of noncompliance *except* sanitary sewage overflows. Fill out all fields and sign. You may attach additional information to this report to explain the circumstances of noncompliance. This information may include but is not limited to maintenance records and monitoring results.


FACILITY / CONTACT INFORMATION		
Name of Permittee: Baker City WWTP		
Contact Name: Rick Owens		
Phone: 541-403-2140	Email: rowens@bakercity.gov	Date: 8/13/2025
DEQ Permit #: 101632	DEQ File #: 5324	EPA ID #: OR 0002069-9
Has non-compliance been corrected?: <input checked="" type="radio"/> Yes <input type="radio"/> No		
Expected time noncompliance is expected to continue:		
Date/Time Started: 7/23/2025 9:20am		Date/Time Stopped: 7/23/2025 9:20am
Description of Noncompliance: TSS percent removal efficiency was below the minimum of 65% by less than 1%.		
AGENCY AND PUBLIC NOTIFICATION		
Was the non-compliance one of the following:		
• A noncompliance which may endanger health or the environment	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An unanticipated bypass which exceeds any effluent limitation in this permit	Yes <input type="radio"/>	No <input checked="" type="radio"/>
• An upset which exceeds any effluent limitation in this permit	Yes <input checked="" type="radio"/>	No <input type="radio"/>
• Violation of a maximum daily discharge limitation	Yes <input type="radio"/>	No <input checked="" type="radio"/>
If yes to any of the above, complete the rest of this section.		
OERS Number: N/A		
Signs posted? Where?: N/A		
Media contacted? Who?: N/A		
List any other steps taken to notify the public and/or state and federal agencies: N/A		
CAUSE(S)		
Cause or suspected cause(s): Unexpected low influent TSS affected the overall monthly average for percent removal efficiency.		

Oregon DEQ Noncompliance Reporting Form

continued

RAINFALL DATA			
Rainfall (for storm-related noncompliance): N/A	inches	Design Storm: N/A	inches
Source of rainfall data: N/A			
CORRECTIVE ACTIONS			
List actions taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.			
Actions taken (describe): Stopped discharging.			
Actions planned and schedule for those actions (describe): Continue to sample per permit requirements.			
COMMENTS			
Comments:			

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Authorized Signature
Rick Owens

Name (print)
Wastewater Specialist III

Title (print)

8/13/2025

Date
541-403-2140

Phone
rownes@bakercity.gov

Email