



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office

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TTY 711

January 22, 2026

Nathan Frarck, City Administrator
City of Amity
PO Box 159
Amity, OR 97101-0159

Re: Pre-Enforcement Notice
Amity Wastewater Treatment Plant
2026-PEN-10090
NPDES Permit #101924, EPA ID OR0026212
File 2772 Site RID 21566
WQ-Yamhill County

Dear Mr. Frarck,

DEQ has completed a records review for the City of Amity to determine compliance with the conditions of the National Pollutant Discharge Elimination System permit number 101924, effective on April 1, 2025. The findings are summarized below.

Permit Violations

DEQ has concluded the City of Amity is responsible for violations of its permit as follows. Class I violations are the most serious violations; Class III are the least serious. Compliance with your permit is required by Oregon Revised Statute 468B.025(2).

Records Review

I reviewed records from January 2025 through December 2025. The city has not submitted all monthly discharge monitoring reports (DMR) on time in NetDMR.

Table 1: DMR Submittal Data

Schedule B of the permit requires that DMRs are submitted by the 15th of the following month.

| Monthly DMR Due | Date Submitted | Number of days late |
|-----------------------------|----------------|---------------------|
| April 2025: Receiving Water | 05/30/2025 | 15 |
| April 2025: Influent | 05/27/2025 | 12 |
| May 2025: Effluent | 06/18/2025 | 2 |
| May 2025: Influent | 06/16/2025 | 1 |
| June 2025: Effluent | 07/16/2025 | 1 |
| June 2025: Influent | 07/16/2025 | 1 |

Failing to timely submit a report or plan as required by rule, permit or license is a Class II violation of the permit per OAR 340-012-0055(2)(b).

Schedule A Violations

Schedule A of the permit lists the waste discharge limitations. City of Amity violated these limits as shown in Table 2 below.

Table 2 – BOD Load Limit Violations

Exceeded monthly average, weekly average, and/or daily maximum limits of 39, 58, and 78 pounds per day, respectively, as follows:

| Monitoring Period | Limit | Reported or Corrected Value | Percentage Over Limit | Violation Class |
|------------------------|-----------------|-----------------------------|-----------------------|-----------------|
| January 2025 | Monthly average | 40 | 3% | III |
| Week of Dec 29, 2024 | Weekly average | 64 | 10% | III |
| March 2025 | Monthly average | 74 | 90% | I |
| Week of March 16, 2025 | Weekly average | 76 | 31% | II |
| April 10, 2025 | Daily maximum | 118 | 51% | I |
| Week of Apr 6, 2025 | Weekly average | 118 | 103% | I |

Violating BOD loading limits is a Class I violation if the discharge level exceeds the limit by 50% or more per OAR 340-012-0055(1)(k)(A); a Class II violation if the discharge level exceeds the limit by 20% or more but less than 50% per OAR 340-012-0055(2)(a)(A); and a Class III violation if the discharge level exceeds the limit by less than 20% per OAR 340-012-0055(3)(b)(A).

Schedule B Violations

Schedule B of the permit lists the monitoring and reporting requirements. City of Amity violated these reporting requirements as listed in Table 3 and Table 4 below.

Table 3 – Failure to Report Violations

Failed to submit the following reports:

| Monitoring Period or Due date | Parameter | Monitoring Event Missed | Violation Class |
|-------------------------------|-------------|-------------------------------------------|-----------------|
| April 2025 | BOD loading | Noncompliance form is missing from NetDMR | II |

Failing to timely submit a report or plan as required by permit is a Class II violation per OAR 340-012-0055(2)(b).

Table 4 – Failure to Monitor Violations

Failed to conduct the following monitoring:

| Monitoring Period | Parameter | Monitoring Event Missed | Violation Class |
|-------------------|-----------|----------------------------------------------------------|-----------------|
| Quarter 3, 2025 | All | Quarterly nutrient sampling for recycled water discharge | I |

Failing to collect monitoring data required in Schedule B of the permit is a Class I violation per OAR 340-012-0055(1)(o).

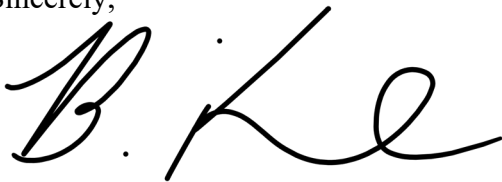
Referral for Formal Enforcement Action

These are serious violations and, accordingly, it is 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 Solution