



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office

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TTY 711

January 28, 2026

Rice Hill Lagoon East, LLC
581 John Long Road
Oakland, OR 97462

Re: Pre-Enforcement Notice
Rice Hill East Lagoon
2026-PEN-10093
NPDES Permit #101158, EPA ID OR0029564
File 73705, Site RID 21532
WQ-Douglas County

Dear Rice Hill Lagoon East, LLC:

On November 12, 2025, DEQ conducted a compliance evaluation inspection at the Rice Hill Lagoon East LLC wastewater treatment plant. The purpose of the inspection was to determine compliance with the conditions of National Pollutant Discharge Elimination System permit number 101158, issued by DEQ on November 1, 2023. The findings are summarized below. I have enclosed a copy of the inspection report checklist that provides additional information.

Site Visit

I met with four representatives of the LLC including Tim, Dave, Brian and Ike. Also present during the inspection was Trinh Hansen, WQ Permit Coordinator. The facility looks to be in good shape with the grounds cared for and equipment running.

Records Review

DEQ reviewed records from January 2025 through December 2025. Rice Hill Lagoon East, LLC has submitted all monthly discharge monitoring reports (DMR) on time in NetDMR.

Schedule A Violations

Schedule A of the permit lists the waste discharge limitations. Rice Hill Lagoon East, LLC violated these limitations as shown in Tables 1-3 below.

Table 1 – BOD Load Limit Violations

Exceeded monthly average, weekly average, and/or daily maximum limits of 2.5, 3.8, and 5.0 pounds per day, respectively, as follows.

Monitoring Period	Limit	Reported Value	Percentage Over Limit	Violation Class
April 2025	Monthly average	4.8	92%	I
Week of Mar 30, 2025	Weekly average	4.8	26%	II

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)).

Table 2 – BOD and TSS Percent Removal Limit Violations

Failed to achieve minimum percent removal efficiency of 85 percent for BOD and TSS, as follows:

Monitoring Period	Parameter	Reported or Corrected Value	Violation Class
January 2025	BOD % Removal	71%	III
January 2025	TSS % Removal	47%	III

Failing to achieve a removal efficiency established in a permit is a Class III violation per OAR 340-012-0055(3)(c).

Table 3 – pH Limit Violations

Exceeded the compliance range of 6.5 to 8.5 as follows:

Monitoring Period	Parameter	Reported Value	Over/Under Limit by how much?	Violation Class
Jan 26, 2025	pH daily minimum	6.3	0.2	III
Mar 5, 2025	pH daily minimum	6.4	0.1	III
Mar 12, 2025	pH daily minimum	6.4	0.1	III
Mar 17, 2025	pH daily minimum	6.4	0.1	III

If the discharge is outside the permitted pH range by more than 2 pH units, it is a Class I violation per OAR 340-012-0055(1)(k). If the discharge is outside the permitted pH range by more than 1 but less than or equal to 2 pH units, it is a Class II violation per OAR 340-012-0055(2)(a). If the discharge is outside the permitted pH range by 1 pH unit or less, it is a Class III violation per OAR 340-012-0055(3)(b)(B).

Schedule B Violations

1. Schedule B Table B1 of the permit requires Rice Hill Lagoon East, LLC to submit a Lagoon Leak Test by 12/15/2025. Rice Hill Lagoon East, LLC failed to submit that test. This is a Class II violation per OAR 340-012-0055(2)(b).

2. Schedule B Table B3 of the permit requires Rice Hill Lagoon East, LLC to monitor for BOD₅ (concentration, loading and percent removal), TSS (concentration, loading and percent removal), and *E. coli* on a monthly basis and monitor effluent for alkalinity on a quarterly basis. Rice Hill Lagoon East, LLC failed to monitor for these parameters in the month of December 2025. This is a Class I violation per OAR 340-012-0055(1)(o).

Schedule F Violations

Schedule F Condition D6 of the permit requires Rice Hill Lagoon East, LLC to provide a report on all instances of noncompliance at the time DMRs are submitted. Rice Hill Lagoon East, LLC failed to submit a noncompliance report in March 2025. This is a Class II violation per OAR 340-012-0055(2)(b).

Corrective Actions

By November 1, 2026, please submit documentation that the following issues have been corrected:

1. Submit a Lagoon Leak Test to DEQ.
2. Submit a noncompliance report for the March 2025 permit violations.
3. Consult with a certified operator who will train owners/operators on the proper testing procedures/timing for the treatment facility and the proper reporting requirements listed in the permit.
4. Consult with a certified operator who will give guidance on proper operation of the treatment facility to eliminate future permit limit violations.

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,



Brenda Kuiken

WQ Compliance Specialist

Rice Hill Lagoon East, LLC

January 28, 2026

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cc: DEQ Salem Office file

ec: Ranei Nomura, Manager, Western Region DEQ
Oregon Records Management Solutions