



Oregon

Tina Kotek, Governor

Department of Environmental Quality
Agency Headquarters
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February 6, 2026

Jolene Willis-Lujan
City of Albany
Environmental Services Manager
310 Waverly Drive NE
Albany, Oregon 97321
Sent via YDO on: February 6, 2026
Enforcement Number 2025-WLOTC-9947

Re: **Warning Letter with Opportunity to Correct**
City of Albany
NPDES Permit No.: 102024 File No.: 1098
Linn County

Dear City of Albany,

During the Pretreatment Compliance Audit (PCA) from April 15, 2025, through April 17, 2025, a violation was noted by DEQ. For the city-issued permits for Oregon Freeze Dry Plant #3, although the permits contained the Maximum daily discharge of 33.5 mg/L for Cyanide as required by 40 CFR 439.37(b), neither the 2020-2025 nor the 2025-2029 permits contained the average monthly discharge limit of 9.4 mg/l required by 40 CFR 439.37(b). Both permits had "NA" listed under the Monthly Average Maximum/Average Monthly Discharge Must Not Exceed. The City of Albany is required to update the current Oregon Freeze Dry Plant #3 permit to include all parameters required by 40 CFR 439.37(b).

Violations:

(1) 40 CFR 439.37(b); NPDES OR0028801 Section E 5. Class II: Violating any management, monitoring, or operational plan established pursuant to a waste discharge permit, unless otherwise classified

Class I violations are the most serious violations; Class III violations are the least serious.

This is a Class II violation of Section E 5. in permit OR0028801. This notice is a Warning Letter with Opportunity to Correct. 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 can be assessed for each day of violation.

Corrective Action Required

- 1) Within 30 business days of the date of this letter, reissue the Oregon Freeze Dry Plant #3 permit, updated to contain the average monthly discharge limit of 9.4 mg/l required by 40 CFR 439.37(b).
- 2) Submit evidence of the re-issued permit to DEQ

If you believe any of the facts in this Warning Letter with Opportunity to Correct are in error, you may provide written information to DEQ at the address shown at the top of the letter. The Department will consider new information you submit and take appropriate action.

If you have any questions, please contact me at 971-282-7057 or at Nicole.Morris@deg.oregon.gov.

Sincerely,



Nicole Morris
Oregon DEQ Pretreatment Coordinator

cc: Aubree Kerr, DEQ Hazardous Waste
Bradley Eagleson, DEQ Western Region Inspector/Engineer

Non-discrimination statement

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