



# Oregon

Tina Kotek, Governor

Department of Environmental Quality  
Office of Compliance and Enforcement  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100  
(503) 229-5696  
FAX (503) 229-5100  
TTY 711

August 3, 2023

CERTIFIED MAIL 7016 2710 0000 4221 2953

City of Junction City  
c/o Jason Knope, City Administrator  
PO Box 250  
Junction City, OR 97448

Re: Final Order and Stipulated Penalty Demand Notice  
Case No. WQ/M-WR-2023-033

This letter is to inform you that the Department of Environmental Quality (DEQ) has issued you a Final Order and Stipulated Penalty Demand Notice for violations of the Mutual Agreement and Final Order (MAO) you signed with DEQ on February 28, 2013. The City of Junction City violated both monthly average concentration and daily maximum concentration limits for ammonia repeatedly.

As described in the MAO, upon receipt of a written notice from DEQ for any violation of the MAO you are required to pay \$250, \$125, and \$40 for each Class I, Class II, and Class III limit violation, respectively. Descriptions of these classes are found at OAR 340-012-0055. This letter and the attached Order serve as notice that the violations occurred, the penalty for the violations is \$3,250, and is now due.

Please be advised that further violations of the Permit or MAO are subject to additional civil penalties. Your right to appeal the Order is outlined in the document as well as in the MAO.

If you have any questions about the attached Order please contact Jeff Bachman in DEQ's Office of Compliance and Enforcement at 503-229-5950. Questions about compliance with the permit and MAO should be directed to Brad Eagleson at 971-258-6458.

Sincerely,

Kieran O'Donnell, Manager  
Office of Compliance and Enforcement

Enclosure

cc: Brad Eagleson, DEQ  
Ranei Nomura, DEQ  
Accounting, DEQ

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

OF THE STATE OF OREGON

1  
2  
3 IN THE MATTER OF: ) FINAL ORDER AND STIPULATED  
4 CITY OF JUNCTION CITY, ) PENALTY DEMAND NOTICE  
5 )  
6 Respondent. ) CASE NO. WQ/M-WR-2023-033

7 I. FINDINGS OF FACT AND CONCLUSIONS

- 8 1. On February 28, 2013, Respondent and the Department of Environmental Quality (DEQ)  
9 entered into Mutual Agreement and Final Order No. WQ/M-WR-13-024 (the MAO).  
10 2. Paragraph 7, Section C of the MAO establishes an interim effluent limit for monthly average  
11 Ammonia concentration of  $\leq 6.0$  milligrams per liter (mg/L).  
12 3. Respondent exceeded the interim effluent limit for Ammonia monthly average concentration as  
13 follows:  
14 a. In November 2019, Respondent discharged effluent with a monthly average Ammonia  
15 concentration of 23 mg/L.  
16 b. In December 2019, Respondent discharged effluent with a monthly average Ammonia  
17 concentration of 23 mg/L.  
18 c. In February 2020, Respondent discharged effluent with a monthly average Ammonia  
19 concentration of 9 mg/L.  
20 d. In March 2020, Respondent discharged effluent with a monthly average Ammonia  
21 concentration of 10 mg/L.  
22 e. In November 2022, Respondent discharged effluent with a monthly average Ammonia  
23 concentration of 7 mg/L.  
24 f. In December 2022, Respondent discharged effluent with a monthly average Ammonia  
25 concentration of 8 mg/L.  
26 g. In January 2023, Respondent discharged effluent with a monthly average Ammonia  
27 concentration of 8 mg/L.  
4. Paragraph 7, Section C of the MAO establishes an interim effluent limit for daily maximum

1 Ammonia concentration  $\leq$  10.0 mg/L.

2 5. Respondent exceeded the interim effluent limit for Ammonia daily maximum concentration as  
3 follows:

4 a. On November 6, 2019, Respondent discharged effluent with a maximum Ammonia  
5 concentration of 23 mg/L.

6 b. On November 20, 2019, Respondent discharged effluent with a maximum Ammonia  
7 concentration of 23 mg/L.

8 c. On December 4, 2019, Respondent discharged effluent with a maximum Ammonia  
9 concentration of 25 mg/L.

10 d. On December 18, 2019, Respondent discharged effluent with a maximum Ammonia  
11 concentration of 20 mg/L.

12 e. On January 2, 2020, Respondent discharged effluent with a maximum Ammonia  
13 concentration of 20 mg/L.

14 f. On January 15, 2020, Respondent discharged effluent with a maximum Ammonia  
15 concentration of 18 mg/L.

16 6. As stated in Paragraph 7, Section E of the MAO, Respondent is required to pay \$250, \$125,  
17 and \$40 for each Class I, Class II, and Class III violation, respectively, of an interim waste discharge  
18 limitation set forth in Paragraph 7, Section C of the MAO. Class I, Class II, and Class III are  
19 described at OAR 340-012-0055.

20 7. The penalty for Respondent's violation(s), as described in Section I, paragraphs 2-6 above, is  
21 \$3,250.

## 22 II. ORDER TO PAY CIVIL PENALTY

23 Based upon the foregoing FINDINGS OF FACT AND CONCLUSIONS, Respondent is  
24 hereby ORDERED TO: Pay a total civil penalty of \$3,250.

25 If you do not file a request for hearing as set forth in Section III below, your check or money  
26  
27

1 order must be made payable to "State Treasurer, State of Oregon" and sent to the DEQ,  
2 **Business Office, 700 NE Multnomah Street, Suite #600, Portland, Oregon 97232.**

3 III. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

4 You have a right to a contested case hearing on this Final Order and Stipulated Penalty  
5 Demand Notice. **As described in paragraph 17 of the MAO, the issue shall be limited to**  
6 **Respondent's compliance or non-compliance with the MAO.** DEQ must receive the written  
7 request for hearing **within 20 calendar days** from the date you receive this Final Order and  
8 Stipulated Penalty Demand Notice. If you have any affirmative defenses or wish to dispute any  
9 allegations of fact in this Order, you must do so in your request for hearing, as factual matters not  
10 denied will be considered admitted, and failure to raise a defense will be a waiver of the defense.  
11 (See OAR 340-011-0530 for further information about requests for hearing.) You must send your  
12 request to: **DEQ, Office of Compliance and Enforcement, 700 NE Multnomah Street, Suite**  
13 **600, Portland, Oregon 97232**, fax it to **503-229-6762** or email it to  
14 **[DEQappeals@deg.oregon.gov](mailto:DEQappeals@deg.oregon.gov)**. An administrative law judge employed by the Office of  
15 Administrative Hearings will conduct the hearing, according to ORS Chapter 183, OAR Chapter  
16 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be represented by an  
17 attorney at the hearing, however you are not required to be. If you are an individual, you may  
18 represent yourself. If you are a corporation, partnership, limited liability company,  
19 unincorporated association, trust or government body, you must be represented by an attorney or  
20 a duly authorized representative, as set forth in OAR 137-003-0555.

21 Active duty Service members have a right to stay proceedings under the federal Service  
22 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-  
23 8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed  
24 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military  
25 Department does not have a toll free telephone number.

1 If you fail to file a request for hearing in writing within 20 calendar days of receipt of this  
2 Order, the Order will become a final order by default without further action by DEQ as per OAR  
3 340-011-0535(5). DEQ designates the relevant portions of its files, including information  
4 submitted by you, as the record for purposes of proving a prima facie case.  
5  
6  
7

8 8/3/2023

9 Date



Kieran O'Donnell, Manager  
Office of Compliance and Enforcement