



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

February 24, 2026

CERTIFIED MAIL: 9589 0710 5270 3236 6724 82

Boise Cascade Wood Products, LLC
c/o CT Corporation System
780 Commercial St., SE, Suite 100
Salem, OR 97301

Re: Notice of Civil Penalty Assessment and Order
Case No. WQ/SW-ER-2025-539

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$9,600 for violating a state water quality standard. Specifically, on February 19, 2025, you discharged turbid stormwater from your Elgin, Oregon facility to Phillips Creek causing the creek to turn dark in color.

DEQ issued this penalty because water quality standards are set to protect the beneficial uses of Oregon waters. Discolored water degrades the aesthetic quality of water bodies and can have a negative impact on fish and other aquatic life by blocking the amount of sunlight that is able to penetrate the water.

You may pay the civil penalty as follows:

Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here: <https://ydo.oregon.gov>. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the Invoice number and Account ID included on the attached payment slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges, or

Pay by check or money order: Make checks payable to "Department of Environmental Quality" and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order.

If you wish to appeal this matter, DEQ must receive a request for a hearing within 20 calendar days from your receipt of this letter. The hearing request must be in writing. Send your request to DEQ Office of Compliance and Enforcement:

Via mail – 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232

Via email – DEQappeals@deq.oregon.gov

Via fax – 503-229-6762

Once DEQ receives your request, we will arrange to meet with you to discuss this matter. If DEQ does not receive a timely written hearing request, the penalty will become due.

The attached Notice further details DEQ's reasons for issuing the penalty and provides further instructions for appealing the penalty. Please review and refer to it when discussing this case with DEQ.

DEQ may allow you to resolve part of your penalty through the completion of a Supplemental Environmental Project (SEP). SEPs are environmental improvement projects that you sponsor instead of paying a portion of your penalty. Further information is available by calling the number below or at <http://www.oregon.gov/deq/Regulations/Pages/SEP.aspx>.

DEQ's rules are available at <https://www.oregon.gov/deq/Regulations/Pages/Administrative-Rules.aspx> or by calling the number below.

If you have any questions, please contact Jeff Bachman at 503-229-5950 or toll free in Oregon at 800-452-4011, extension 5950.

Sincerely,



Erin Saylor, Manager
Office of Compliance and Enforcement

Enclosures

cc: Martha Cruse, DEQ
Sara Slater, DEQ
Accounting, DEQ

1 BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
2 OF THE STATE OF OREGON

3 IN THE MATTER OF:) NOTICE OF CIVIL PENALTY
4 BOISE CASCADE WOOD) ASSESSMENT AND ORDER
5 PRODUCTS, LLC,)
6 a Delaware limited liability company,) CASE NO. WQ/SW-ER-2025-539
7 Respondent.)

7 I. AUTHORITY

8 The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment
9 and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100, ORS 468.126 through 468.140,
10 ORS Chapters 183 and Oregon Administrative Rules (OAR) Chapter 340, Divisions 011, 012, and 041.

11 II. FINDINGS OF FACT

12 1. At all relevant times, Respondent operated a sawmill and wood products manufacturing
13 facility on South 21st Street in Elgin, Oregon.

14 2. Respondent was authorized pursuant to a National Pollutant Discharge Elimination
15 System General Permit 1200-Z (Permit) issued and administered by DEQ to discharge industrial
16 stormwater from the facility to waters of the state only in conformance with the limitations,
17 requirements of and conditions of the Permit.

18 3. The Permit does not authorize Respondent to discharge stormwater that causes or
19 contributes to an exceedance of an instream water quality standard established in OAR Chapter 340,
20 Division 41.

21 4. OAR 340-41-0007(12) states: "Objectionable discoloration, scum, oily sheens, or
22 floating solids, or coating of aquatic life with oil films may not be allowed."

23 5. OAR 340-041-0007(13) states: "Aesthetic conditions offensive to the human senses of
24 sight, taste, smell, or touch may not be allowed."

25 6. On February 19, 2025, Respondent discharged turbid stormwater to Phillips Creek
26 causing the creek to turn dark in color.

27 \\\

1 III. CONCLUSION

2 Respondent violated ORS 468B.025(1)(b) by discharging a waste, as defined in ORS
3 468B.005(9), to Phillips Creek, a water of the state as defined in ORS 468B.005(10), that reduced the
4 quality of Phillips Creek below a water quality standard established by the Environmental Quality
5 Commission, as described in Section II, above. This is a Class I violation pursuant to OAR 340-012—
6 0055(1)(b). DEQ assesses a \$9,600 civil penalty for this violation.

7 IV. ORDER TO PAY CIVIL PENALTY

8 Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondent is
9 hereby ORDERED TO: Pay a total civil penalty of \$9,600. The determination of the civil penalty is
10 attached as Exhibit 1 and is incorporated as part of this Notice.

11 If you do not file a request for hearing as set forth in Section V below, please pay the penalty as
12 follows:

13 Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here:
14 <https://ydo.oregon.gov>. Select Register Account or Login, then select Pay Invoices/Fees on your account
15 dashboard. Enter the Reference Number and FIMS Account ID included on the attached payment slip.
16 Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no
17 additional charges.

18 Pay by check or money order: Make checks payable to “Department of Environmental
19 Quality” and mail to the address on the enclosed payment slip. Please make sure to include the payment
20 slip with your check or money order.

21 V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

22 You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ
23 must receive your request for hearing **within 20 calendar days** from the date you receive this Notice. If
24 you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached
25 exhibit, you must do so in your request for hearing, as factual matters not denied will be considered
26 admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for
27 further information about requests for hearing.) You must send your request to: **DEQ, Office of**

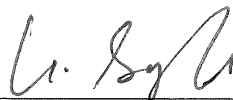
1 **Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232**, fax
2 it to **503-229-6762** or email it to **DEQappeals@deq.oregon.gov**. An administrative law judge
3 employed by the Office of Administrative Hearings will conduct the hearing, according to ORS
4 Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be
5 represented by an attorney at the hearing, however you are not required to be. If you request a hearing,
6 you will be notified of the time and place of the hearing and you will be given information on the
7 procedures, and other rights of parties relating to the conduct of the hearing before commencement of
8 the hearing. If you are an individual, you may represent yourself. If you are a corporation, partnership,
9 limited liability company, unincorporated association, trust or government body, you must be
10 represented by an attorney or a duly authorized representative, as set forth in OAR 137-003-0555.

11 Active duty Service members have a right to stay proceedings under the federal Service
12 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-
13 452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed
14 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military
15 Department does not have a toll free telephone number.

16 If you fail to file a timely request for hearing, the Notice will become a final order by default
17 without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later
18 withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the
19 hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates
20 the relevant portions of its files, including information submitted by you, as the record for purposes of
21 proving a prima facie case.

22
23
24
25 2/24/2020

26 Date



27
Erin Saylor, Manager
Office of Compliance and Enforcement

EXHIBIT 1

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY
PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION NO. 1 Reducing the quality of state waters below a water quality standard established by the Environmental Quality Commission in violation of ORS 468B.025(1)(b),

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0055(1)(b).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is: $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$4,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(3)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(E)(iii) because Respondent has coverage under the NPDES 1200-Z General Permit.

"P" is whether Respondent has any prior significant actions, as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 10 pursuant to OAR 340-012-0145(2)(a), because Respondent has prior significant actions consisting of more than 9 Class I violations as established in Case Nos. WQ/I-ER-2021-186, WQ/SW-ER-2021-132, WQ/I-ER-2017-089 and WQ/I-ER-2016-047.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is insufficient information on which to base a finding under paragraphs (3)(a) or (b).

"O" is whether the violation was repeated or ongoing and receives a value of 0 according to OAR 340-012-0145(4)(a) because there was only one occurrence of the violation.

"M" is the mental state of the Respondent and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. According to OAR 340-012-0030(15), negligent means the respondent failed to take reasonable care to avoid a foreseeable risk of conduct constituting or resulting in a violation. Respondent knew or should have known that it cannot discharge turbid stormwater that results in a creek turning dark in color. In discharging its stormwater, Respondent failed to exercise reasonable care to avoid the foreseeable risk of committing the violation.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of 0 according to OAR 340-012-0145(6)(f) because the violation or the effects of the violation could not be corrected or minimized.

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of \$0 as DEQ has insufficient information on which to base a finding.

PENALTY CALCULATION: $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$

$$\begin{aligned} &= \$4,000 + [(0.1 \times \$4,000) \times (10 + 0 + 0 + 4 + 0)] + \$0 \\ &= \$4,000 + (\$400 \times 14) + \$0 \\ &= \$4,000 + \$5,600 + \$0 \\ &= \$9,600 \end{aligned}$$

Oregon Department of Environmental Quality
 700 NE Multnomah Street, Suite 600
 Portland, OR 97232-4100



State of Oregon
Department of Environmental Quality

Phone: 503-229-5437
 Fax: 503-229-5850

CIVIL PENALTY - ORS 468.135(2)

DATE:	February 24, 2026
RESPONSE DATE*:	May 5, 2026
TOTAL PENALTY:	\$9,600.00

Account Name:	BOISE CASCADE - ELGIN COMPLEX		
Account Type:	Vendor/Organization/Company	Reference Number:	CPGFD2600078
SubSystem ID:	179770	FIMS Acct. ID:	844

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 9,600.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 9,600.00

*This is the date the penalty is due if you do not exercise your right to appeal the attached order. Payment of this penalty is subject to the exercise of your options or right to appeal as described in the enclosed enforcement documents.

To Pay Online with ACH or Credit Card Visit <https://ydo.oregon.gov> and select 'Register Account'

----- ✂
 PLEASE RETURN THIS PORTION WITH YOUR PAYMENT



REFERENCE NO.	CPGFD2600078		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	May 5, 2026
FIMS ACCT. ID:	844	TOTAL PENALTY DUE:	\$9600.00

AMOUNT ENCLOSED:

MAKE CHECK PAYABLE TO: Department of Environmental Quality

DEQ FINANCIAL SERVICES - LBX4244
 PO BOX 4244
 PORTLAND OR 97208-4244

Check this box if updated address information has been provided on the back of the form.

00401 7400 10040 74001 0500 000000 0095000008444CPGFD260007800009600000



State of Oregon
Department of
Environmental
Quality

State of Oregon Department of Environmental Quality

CIVIL PENALTY - ORS 468.135(2)

700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100
Phone: 503-229-5437
Fax: 503-229-5850

Penalty Detail

Transaction Date	Description	Amount
2/23/2026	2025-539 WQ-SW-ER-2025-539	\$9,600.00

SFMS Agencies Use:

Trans Code	Treasury Fund	SFMS	Index	PCA (5)	Agency Object	Project #	Phase
723	00401	7400	10040	74001	0500	00000	00

Address Changes

Please visit <https://ydo.oregon.gov> to update your mailing address online or provide the following information:

Name _____
Address _____
City, State, Zip _____

CERTIFICATE OF MAILING

I hereby certify that I served DEQ Case No. WQ/SW-ER-2025-539 upon:

9589 0710 5270 3236 6724 82

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Boise Cascade Wood Products, LLC c/o CT Corporation System 780 Commercial St., SE Suite 100 Salem, OR 97301	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

By mailing a true copy of the above by placing it in a sealed envelope, with postage prepaid at the DEQ/DAS mail services in Portland, Oregon on February 24, 2026

Isaac Griffith

Isaac Griffith, Case Coordinator

Office of Compliance & Enforcement

Department of Environmental Quality