



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

April 7, 2026

CERTIFIED MAIL: 9589 0710 5270 0110 6025 11

Oak Lodge Water Services District
c/o David Hawkins
Plant Superintendent
14496 SE River Road
Oak Grove, Oregon 97267

Re: Notice of Civil Penalty Assessment and Order
Case No. WQ/M-NWR-2024-089

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$7,200 for violations of the National Pollutant Discharge Elimination System (NPDES) permit issued to the District's wastewater treatment plant. Specifically, the District exceeded effluent limitations in the Permit for Total Suspended Solids (TSS).

DEQ issued this penalty because compliance with the effluent limitations set forth in your NPDES Permit is essential to protecting water quality, and Oak Lodge continues to have issues maintaining compliance with its permit. This is the second enforcement action you have been the subject of in recent years after Case No. WQ/M-NWR-2022-049.

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.

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 229– 503--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 <http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx> or by calling the number below.

If you have any questions, please contact Tori Heroux at 971-808-7046 or Tori.Heroux@deq.oregon.gov.

Sincerely,



Erin Saylor, Manager
Office of Compliance and Enforcement

Enclosures

cc: Mark Bentz, DEQ
Tiffany Yelton-Bram, DEQ
Accounting, DEQ

1 BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

2 OF THE STATE OF OREGON

3)
4 IN THE MATTER OF:) NOTICE OF CIVIL PENALTY
OAK LODGE WATER SERVICES DISTRICT) ASSESSMENT AND ORDER
5 Respondent.) CASE NO. WQ/M-NWR-2024-089

6 I. AUTHORITY

7 The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment
8 and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100, ORS 468.126 through 468.140,
9 ORS Chapters 183 and 468B, and Oregon Administrative Rules (OAR) Chapter 340, Divisions 011, 012,
10 041, and 045.

11 II. FINDINGS OF FACT

12 1. Respondent holds a National Pollutant Discharge Elimination System (NPDES) Waste
13 Discharge Permit (Permit Number 100986) (the Permit) which authorizes the Respondent to operate the
14 Oak Lodge Water Services Wastewater Treatment Plant located at 14496 SE River Road in Oak Grove,
15 Oregon (the Facility) and to discharge treated wastewater into the Willamette River, a water of the
16 state, in conformance with the requirements, limitations and conditions set forth in the Permit.

17 2. Schedule A of the Permit requires Respondent to meet a monthly average effluent limit
18 of 10 mg/L for Total Suspended Solids (TSS).

19 3. Schedule A of the Permit requires Respondent to meet a weekly average effluent limit of
20 15 mg/L for TSS.

21 4. In July 2023, Respondent reported a monthly average effluent concentration of 12.8
22 mg/L. This is a 28% exceedance of the average monthly effluent concentration limit for TSS.

23 5. In July 2023, Respondent reported a weekly average effluent concentration of 18.5
24 mg/L. This is a 23% exceedance of the average weekly effluent concentration limit for TSS.

25 6. In August 2023, Respondent reported a monthly average effluent concentration of 21.2
26 mg/L. This is a 112% exceedance of the average monthly effluent concentration limit for TSS.

27 7. In August 2023, Respondent reported a weekly average effluent concentration of 25.4

1 mg/L. This is a 69% exceedance of the average weekly effluent concentration limit for TSS.

2 8. Pursuant to Schedule F, Condition A.1 of the Permit, “[t]he Permittee must comply with
3 all conditions of this permit. Any permit noncompliance constitutes a violation of Oregon Revised
4 Statutes (ORS) 468B.025 and is grounds for enforcement action”

5 III. CONCLUSIONS

6 1. Respondent violated ORS 468B.025(2) and Schedule A of the Permit by failing to meet the
7 TSS effluent limits as described in Section II, Paragraphs 2-9 above. Specifically, Respondent violated
8 the monthly and weekly average effluent concentration limit for TSS in July and August 2024. These
9 are two Class I violations pursuant to OAR 340-012-0055(1)(k)(A) and two Class II violations pursuant to
10 OAR 340-012-0055(2)(a)(A). DEQ has assessed a \$7,200 civil penalty for these violations.

11 IV. ORDER TO PAY CIVIL PENALTY

12 Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondent is
13 hereby ORDERED TO:

14 1. Pay a total civil penalty of \$7,200. The determination of the civil penalties is attached as
15 Exhibit 1 and is incorporated as part of this Notice.

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

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

23 Pay by check or money order: Make check payable to “Department of Environmental Quality”
24 and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with
25 your check or money order and note the case number on your check.

26 \\\

27 \\\

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

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

16 Active duty Service members have a right to stay proceedings under the federal Service
17 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-
18 452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed
19 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military
20 Department does not have a toll free telephone number.

21 \\\n22 \\\n23 \\\n24 \\\n25 \\\n26 \\\n27 \\\n

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

7
8 4/7/2026



9 Date

Erin Saylor, Manager
Office of Compliance and Enforcement

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

EXHIBIT 1

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

VIOLATION NO.1: Respondent violated ORS 468B.025(2) and Schedule A of the Permit by exceeding the Total Suspended Solids (TSS) effluent limits four times.

CLASSIFICATION: Of the four violations, two are Class I violations pursuant to OAR 340-012-0055(1)(k)(A), and two are Class II violations pursuant to OAR 340-012-0055(2)(a)(A). Pursuant to OAR 340-012-0145(4)(e), the penalty is calculated as a Class I penalty.

MAGNITUDE: The magnitude of the violation is minor pursuant to OAR 340-012-0135(2)(a)(C)(i), because Respondent's effluent was diluted by a factor of 10 or more by the receiving stream.

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 \$3,000 for a Class I, minor magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(iii) and applicable pursuant to OAR 340-012-0140(4)(a)(F)(i) because Respondent has a NPDES Permit for a municipal sewage treatment facility with a permitted flow of more than five million gallons per day.

"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 8 according to OAR 340-012-0145(2) because Respondent has a prior significant action consisting of seven Class I equivalent violations stemming from Case No. WQ/M-NWR-2022-049.

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

"O" is whether the violation was repeated or ongoing, and receives a value of 2 according to OAR 340-012-0145(4)(b) because there were more than one but less than seven occurrences of the violation. Each day of a violation with a duration of more than one day is a separate occurrence per OAR 340-012-0145(4). Respondent violated the TSS effluent limits in the Permit on four occasions in July and August 2023.

"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. The TSS limits are an express condition of the Permit. By failing to take necessary actions to comply with the limits,

Respondent failed to exercise reasonable care to avoid the foreseeable risk a permit violation would occur.

"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 there is insufficient information to make a finding under paragraphs (6)(a) through (6)(e).

"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 because there is insufficient information on which to make an estimate.

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

$$\begin{aligned} &= \$3,000 + [(0.1 \times \$3,000) \times (8 + 0 + 2 + 4 + 0)] + \$0 \\ &= \$3,000 + (\$300 \times 14) + \$0 \\ &= \$3,000 + \$4,200 + \$0 \\ &= \$7,200 \end{aligned}$$

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



State of Oregon
DEQ Department of Environmental Quality

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

CIVIL PENALTY - ORS 468.135(2)

DATE:	April 7, 2026
RESPONSE DATE*:	June 16, 2026
TOTAL PENALTY:	\$7,200.00

Account Name:	OAK LODGE WATER SERVICES WATER RECLAMATION FACILITY		
Account Type:	Government Local	Reference Number:	CPGFD2600096
SubSystem ID:	191876	FIMS Acct. ID:	2746

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 7,200.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 7,200.00

*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.	CPGFD2600096		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	June 16, 2026
FIMS ACCT. ID:	2746	TOTAL PENALTY DUE:	\$7200.00

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 0095000027462CPGFD260009600007200006



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
4/6/2026	2024-089 WQ-M-NWR-2024-089	\$7,200.00

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-M-NWR-2024-089 upon:

9589 0710 5270 0110 6025 11

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 \$ _____		
Oak Lodge Water Services District c/o David Hawkins Plant Superintendent 14496 SE River Road Oak Grove, Oregon 97267		
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 April 7, 2026

Isaac Griffith

Isaac Griffith, Case Coordinator
Office of Compliance & Enforcement
Department of Environmental Quality