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 25, 2026

CERTIFIED MAIL: 9589 0710 5270 0110 6042 70

True Organic Products, LLC
77996 Tower Road
Boardman, OR 97818

Re: Notice of Civil Penalty Assessment and Order
Case No. WQ/I-ER-2026-666

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of $5,400 for storing nitrogen-rich manure in a manner where nitrogen is likely to be carried into waters of the state, specifically into groundwater in the Lower Umatilla Basin Ground Water Management Area (LUBGWMA).

DEQ issued this penalty because storage of nitrogen-rich manure outdoors poses a risk of nitrogen run-off and leaching to groundwater, where it can negatively impact human health and the environment. Groundwater is a source of drinking water for many communities; high levels of nitrates in drinking water can cause long- and short-term health effects, particularly to infants. In addition, your facility is located within the LUBGWMA, an area that was designated as a groundwater management area specifically because of nitrate contamination.

Included in Section IV are several orders requiring you to provide a written update to DEQ on the installation of the impervious liner material by September 30, 2026, to submit monthly reports documenting progress on the liner installation beginning on November 1, 2026, to submit a report documenting complete placement of the impervious liner and compliance plan by July 1, 2027, and consent to a site compliance inspection with DEQ by November 1, 2027.

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 Alex Bookout at 503-229-9816 or toll free in Oregon at 800-452-4011, extension 9816.

Sincerely,

Erin Saylor, Manager
Office of Compliance and Enforcement

Enclosures

cc: Justin Sterger, Bend
Mike Hiatt, DEQ
Accounting, DEQ

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

OF THE STATE OF OREGON

IN THE MATTER OF:	)	NOTICE OF CIVIL PENALTY ASSESSMENT AND ORDER
TRUE ORGANIC PRODUCTS, LLC,	)	
Respondent.	)	CASE NO. WQ/I-ER-2026-666

I. AUTHORITY

The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100, ORS 468.126 through 468.140, ORS Chapter 468B, ORS Chapter 183 and Oregon Administrative Rules (OAR) Chapter 340, Divisions 011, 012, 040, and 045.

II. FINDINGS OF FACT

1. Respondent owns and operates a facility that produces liquid phosphorous and nitrogen-based fertilizer products for market sale located at 77996 Tower Rd in Boardman, Oregon (the Facility).

2. DEQ has not issued Respondent any wastewater, stormwater, or solid waste permits for the Facility.

3. The Facility is located within the Lower Umatilla Ground Water Management Area (LUBGWMA), which was designated a groundwater management area because nitrate-nitrogen concentrations exceed the federal safe drinking water standard.

4. Pursuant to ORS 468B.005(10), "waters of the state" includes all bodies of surface and underground waters.

5. Pursuant to OAR 340-040-0020(3), all groundwaters of the state shall be protected from pollution that could impair existing or potential beneficial uses.

6. Pursuant to ORS 468B.025(1)(a), no person shall cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means.

7. On September 5, 2025, DEQ inspected the Facility after receiving a citizen complaint that alleged strong odors from the property.

8. The inspection revealed that Respondent stores chicken manure in large volumes on an unlined surface.

9. On May 28, 2026, DEQ issued a pre-enforcement notice to Respondent which required Respondent to either: 1) provide to DEQ an evaluation for the installation of impermeable or low-permeability liner systems below the facility's manure storage areas with a proposed schedule for design and installation; 2) cease the practice of outdoor storage of manure at the facility; or 3) apply to DEQ for an individual wastewater permit.

10. On June 30, 2026, Respondent submitted a letter to DEQ committing to install an impervious liner beneath all outdoor stored material by July 1, 2027.

11. DEQ previously issued a Warning Letter to Respondent on October 12, 2023, for storing liquid materials in an area where discharge to waters of the state was likely to occur.

III. CONCLUSION

1. Respondent violated ORS 468B.025(1)(a) by placing wastes where they are likely to be carried into waters of the state. Specifically, Respondent failed to take appropriate measures to ensure its chicken manure is stored in a manner that reduces the likelihood of nitrogen discharging to groundwater in a groundwater management area, as described in Section II, Paragraphs 3–7. This is a Class II violation, according to OAR 340-012-0055(2)(c). DEQ hereby assesses a $5,400 civil penalty for this violation.

IV. ORDER TO PAY CIVIL PENALTY AND TO COMPLY

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

1. Pay a total civil penalty of $5,400. The determination of the civil penalty is attached as Exhibit 1 and is incorporated as part of this Notice.

If you do not file a request for hearing as set forth in Section V below, please pay the 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 reference 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 check 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 and note the case number on your check.

2. By September 30, 2026, submit to DEQ a written update on the installation of the liner material beneath all newly received manure before that material is staged outdoors. The written update must include the technical specifications of the liner material, a map depicting all areas where the liner has and has not yet been installed, and photographs of the areas documenting the installation of the liner.

3. Beginning November 1, 2026, submit to DEQ a monthly report to include photographs and a map of all areas of manure storage, narrative regarding coverage of the manure piles, and locations with a map of impervious liner installation areas. This monthly report is due by the first of each calendar month until the impervious liner is installed across all manure storage areas.

4. By July 1, 2027, the facility must submit to DEQ a report documenting complete placement of the impervious liner beneath all outdoor stored manure material, including existing stockpiles, maintenance of top covers, edge containment, stormwater controls, and grading. The report must also include a narrative description and photographs of all outdoor liquid and solid product storage areas to ensure containers are properly labeled, intact, and are not a source of release to site soils.

5. By July 1, 2027, provide a Compliance Plan for DEQ review. The plan must include an ongoing routine inspection, repair, and replacement schedule for continued maintenance of the liner to ensure it remains intact and to document such maintenance activities. The plan must also include updated spill response and notification procedures. The facility must implement the plan upon DEQ approval.

6. Agree to conduct a site compliance inspection with DEQ of the manure storage areas by November 1, 2027.

7. Reports and documentation demonstrating Respondent's compliance must be sent to Justin Sterger at Justin.Sterger@deq.oregon.gov.

V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

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

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

If you fail to file a timely request for hearing, the Notice will become a final order by default without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates

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the relevant portions of its files, including information submitted by you, as the record for purposes of proving a prima facie case.

8/25/2026
Date

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 — Placing wastes where they are likely to be carried into waters of the state in violation of ORS 468B.025(1)(a).

CLASSIFICATION: — This is a Class II violation pursuant to OAR 340-012-0055(2)(c).

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 $3,000 for a Class II, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(B)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(D) because Respondent has violated ORS 468B.025(1)(a) and does not have a NPDES 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 0 according to OAR 340-012-0145(2)(a)(A), because there are no prior significant actions.

"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 no prior history.

"O" is whether the violation was repeated or ongoing, and receives a value of 4 according to OAR 340-012-0145(4)(d) because there were more than 28 occurrences of the violation. The violation is ongoing and each day Respondent has not placed an impervious liner under the stored manure is a separate occurrence of the violation. Since being notified of the violation on May 28, 2026, Respondent has not remedied its 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. On October 12, 2023, Respondent received a Warning Letter from DEQ for the same violation in the same media. Respondent is aware that its Facility is in the LUBGWMA, a sensitive groundwater management area due to nitrate pollution in the groundwater. Despite this, Respondent

stored nitrogen-rich chicken manure on an unlined surface where it is likely to be carried into waters of the state.

"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), or (6)(g).

"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 DEQ has insufficient information to arrive at a reasonable estimate of avoided or delayed compliance costs.

PENALTY CALCULATION: Penalty = BP + [(0.1 x BP) x (P + H + O + M + C)] + EB
= $3,000 + [(0.1 x $3,000) x (0 + 0 + 4 + 4 + 0)] + $0
= $3,000 + ($300 x 8) + $0
= $3,000 + $2,400 + $0
= $5,400

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:	August 25, 2026
RESPONSE DATE*:	November 3, 2026
TOTAL PENALTY:	$5,400.00

Account Name:	TRUE ORGANIC PRODUCTS, LLC		
Account Type:	Vendor/Organization/Company	Reference Number:	**CPGFD2700015**
SubSystem ID:	318660	FIMS Acct. ID:	32691

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
$ 5,400.00	$ 0.00	$ 0.00	$ 0.00	$ 5,400.00

*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

DEQ

REFERENCE NO.	CPGFD2700015		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	November 3, 2026
FIMS ACCT. ID:	32691	TOTAL PENALTY DUE:	$5400.00

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 00950003269197CPGFD2700015000054000003

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
8/24/2026	2026-666 WQ-I-ER-2026-666	$5,400.00

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:

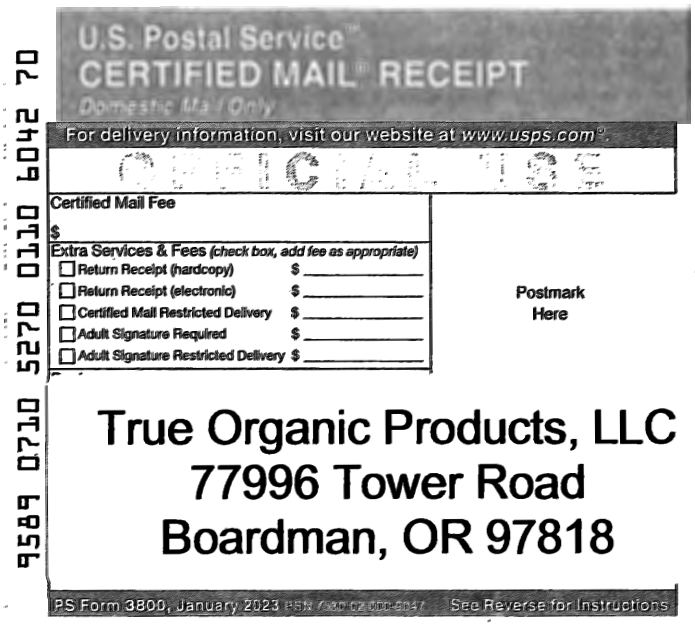
Name _____

Address _____

City, State, Zip _____

CERTIFICATE OF MAILING

I hereby certify that I served DEQ Case No. WQ/I-ER-2026-666 upon:



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 August 25, 2026.

Isaac Griffith

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