



# Oregon

Kate Brown, Governor

## Department of Environmental Quality

Eastern Region Pendleton Office

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(541)-276-4063

October 29, 2021

Nicholas Green, City Manager

City of John Day

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Re: John Day Wasterwater Facility Permit Application

Copy: G. Rabinowitz, P. Heins, R. Jones, P. Richerson, C. Crowell

Dear Mr. Green:

The Oregon Department of Environmental Quality (ODEQ) has appreciated the open and direct discussions with the City of John Day and its consultants regarding your wastewater treatment plans as facilitated by Ms. Crowell of the Governor's Office and yourself. We realize that your project is both complicated and timely and it has been very useful for our office to understand the exact nature of your proposed work ahead of the submission of your permit application.

You have presented and we have reviewed work describing the nature of the groundwater aquifer and flow regime to which your facility will be discharging. From this model analysis ODEQ considers that while it may be possible for your effluent to eventually affect the John Day River as a functional equivalent of a direct discharge, at this time it is premature to characterize it as such. Accordingly, we have determined that the most appropriate pathway for you to obtain a permit for your new wastewater treatment facility is to submit to us a new application for a Water Pollution Control Facility (WPCF). ODEQ anticipates that this regulatory approach will allow you to successfully bring your facility online for operations in a timely manner.

Please note, however, that since your groundwater model analysis suggests that your discharge may constitute a direct nexus to the John Day River, a WPCF permit will likely require monitoring of the affected groundwater and the river waters upstream and downstream of your facility's projected discharge areas. If a functional discharge to the John Day River becomes apparent through direct monitoring, you may then be required to update/upgrade your permit to a National Pollution Discharge Elimination System (NPDES) permit type.

Please let me know if you have any questions or comments regarding this letter. I thank you once again for your time and effort to work with our agency in advancing a constructive approach to permitting your facility.

Sincerely,

*Chad Gubala*

Chad P. Gubala, Ph.D.

Eastern Region Water Quality Manager

Oregon Department of Environmental Quality

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