Wastewater Enforcement: Oregon Department of Environmental Quality Notice of Civil Penalty Assessment/Order Addressing Boardman Fertilizer Product Marketing Facility



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The Oregon Department of Environmental Quality ("ODEQ") issued a August 25th Notice of Civil Penalty Assessment and Order ("Notice") to True Organic Products, LLC, ("TOP") addressing an alleged unpermitted discharge of wastewater to waters of the state. See Case No. WQ/I-ER-2026-666.

The Notice states that TOP owns and operates a facility that produces liquid phosphorous and nitrogen-based fertilizer products for market sale located in Boardman, Oregon.

ODEQ is stated to have not issued TOP any wastewater, stormwater, or solid waste permits for the facility.

ODEQ is stated to have inspected the facility on September 5, 2025, after receiving a citizen complaint that alleged strong odors from the property. The inspection is stated to have indicated that TOP stores chicken manure in large volumes on an unlined surface.

ODEQ is stated to have issued a pre-enforcement notice to TOP which required the company to either:

1. Provide to ODEQ 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 ODEQ for an individual wastewater permit.

The facility submitted a letter to ODEQ on June 30th committing to install an impervious liner beneath all outdoor stored material by July 1, 2027.

TOP is alleged to have violated ORS 468B.025(1)(a) by placing wastes where they are likely to be carried into waters of the state.

The Notice proposed a civil penalty of $5,400. Certain appeal rights are provided.

A copy of the Notice can be found here.