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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

CENTER FOR FOOD SAFETY, a California non-profit corporation; and NORTHWEST ENVIRONMENTAL DEFENSE CENTER, an Oregon non-profit corporation, Plaintiffs, v. PACIFIC BIO PRODUCTS - WARRENTON, LLC, an Oregon corporation, Defendant.	Case No. _____ COMPLAINT (Clean Water Act Enforcement)

INTRODUCTION

1. Plaintiffs Center for Food Safety and Northwest Environmental Defense Center ("Plaintiffs") bring this civil action against Defendant Pacific Bio Products - Warrenton, LLC ("Pacific") for Pacific's past and continuing violations of the Clean Water Act, 33 U.S.C. § 1251 *et seq*. ("CWA") at Pacific's fish product processing facility located on or about 1935 NW Warrenton Drive, Warrenton, Oregon 97146 (the "Facility"). The Facility uses fish and shrimp and crab shells to manufacture bulk seafood products, including fishmeal, which are then used as (or in) aquaculture feed, pet food additives, and livestock feed.

2. Pacific has discharged and continues to discharge pollutants to the Columbia River in violation of Sections 301 and 402 of the CWA, 33 U.S.C. §§ 1311, 1342. Pacific has violated and will continue to violate the CWA and the terms and conditions of its National Pollutant Discharge Elimination System ("NPDES") Permit No. 101804 (the "Permit"), issued under the CWA by the Oregon Department of Environmental Quality ("ODEQ").

3. Pacific is owned by the industrial seafood and aquaculture giant Pacific Seafood. Pacific Seafood is a leading market force in seafood product processing and confined industrial fish farming.[1] Pacific Seafood, along with its subsidiaries, has a pattern of polluting the waters of the western United States and the Pacific Northwest in particular. Over the past several years, Pacific Seafood and its subsidiaries have been fined for water pollution violations at a number of their other facilities across Washington, Oregon, and California, amounting to hundreds of thousands of dollars of civil penalties. Pacific Seafood and its subsidiaries have also been subject

[1] To illustrate Pacific Seafood's size, this Court issued a temporary restraining order and then a preliminary injunction in 2015, enjoining the corporation from acquiring its largest competitor in the region to avert a potential market monopoly. *Boardman v. Pac. Seafood Grp.*, No. 1:15-108-CL, 2015 WL 13357739, at *1 (D. Or. Mar. 6, 2015), *aff'd*, 822 F.3d 1011 (9th Cir. 2016).

to numerous other CWA lawsuits, including one in which this Court enjoined violations at a separate Warrenton processing facility[2] and another ongoing case related to pollution of the Columbia River from commercial net-pen aquaculture facilities.[3]

4. Pacific's CWA and Permit violations at the Facility are frequent and egregious. Since April 2022, Pacific has violated its Permit at least 6,180 times. Permit violations of limits for total residual chlorine include monthly average discharges over roughly 4,000% of the Permit's limits, and daily maximum discharges over roughly 73,000% of the Permit's limits. Chlorine is directly toxic to aquatic life and can also interact with natural organic material in water to form toxic disinfection byproducts such as trihalomethanes. Despite this fact, Pacific repeatedly touts the supposed sustainability of its Facility. In reality, Plaintiffs, their members, and many others are harmed by Pacific's repeated and ongoing CWA and Permit violations that pollute the Columbia River and adversely impact human health, the environment, and aquatic life.

5. As authorized by the CWA's citizen suit provision, Section 505 of the CWA, 33 U.S.C. § 1365(a), Plaintiffs seek declaratory and injunctive relief, civil penalties, an award of litigation costs, attorneys' fees, and other relief that the Court deems proper for Pacific's repeated and ongoing violations of the Permit and the CWA.

[2] *Or. State Pub. Int. Rsch. Grp. v. Pac. Coast Seafoods Co.*, 374 F. Supp. 2d 902, 903 (D. Or. 2005).
[3] Complaint, *Ctr. for Food Safety et al. v. Pacific Aquaculture – Nespelem, LLC, et al.*, No. 2:25-CV-00236 (E.D. Wash. July 2, 2025), Dkt. No. 14.

JURISDICTION AND VENUE

6. The Court has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question) and 33 U.S.C. § 1365 (CWA citizen suit provision). The requested relief is authorized by Sections 309(d) and 505 of the CWA, 33 U.S.C. §§ 1319(d) and 1365, and 28 U.S.C. §§ 2201 and 2202.

7. In compliance with Section 505(b)(1)(A) of the CWA, 33 U.S.C. § 1365(b)(1)(A), and its implementing regulations, 40 C.F.R. § 135.2(a)(1), Plaintiffs gave notice to Pacific and its registered agent of Pacific's violations of the Permit and the CWA, and of Plaintiffs' intent to sue for those violations. Notice was sent via U.S. certified mail, with return receipt requested (the "Notice Letter"), on October 14, 2025. The Notice Letter was mailed to the following addresses, all listed with the Oregon Secretary of State: Pacific's principal place of business address (which is the Facility address); Pacific's mailing address at 16797 SE 130th Avenue, Clackamas, Oregon 97015; and the registered agent of Pacific, Robert J. Preston, 707 SW Washington Street, Ste 1500, Portland, Oregon 97205. On the same date, also in accordance with 33 U.S.C. § 1365(b)(1)(A), Plaintiffs mailed copies of the Notice Letter to the Administrator of the U.S. Environmental Protection Agency ("EPA"), the Administrator of EPA Region 10, and the Director of ODEQ via certified mail, with return receipt requested. The Notice Letter is attached to this Complaint as **Exhibit 1**.

8. More than sixty days have passed since Plaintiffs served the Notice Letter. On information and belief, neither EPA nor ODEQ has commenced or is diligently prosecuting any civil or criminal action to redress the CWA and Permit violations Plaintiffs alleged in the Notice Letter. Moreover, neither EPA nor ODEQ has commenced an administrative penalty action under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), or a comparable state law, to adequately

redress the violations within the Notice Letter. Pacific's violations of the CWA and the Permit are repeated, ongoing, and likely to recur absent judicial relief.

9. Venue is appropriate in the District of Oregon under 33 U.S.C. § 1365(c)(1), because the Facility, which is the source of the violations complained of in the Notice Letter, is located in this District, in Clatsop County, Oregon.

10. A copy of this Complaint will be served on the Attorney General of the United States, the Administrator of the EPA, and the Administrator of EPA Region 10, as required by 33 U.S.C. § 1365(c)(3) and 40 C.F.R. § 135.4(a).

PARTIES

11. Plaintiff Center for Food Safety ("CFS") is a membership-based non-profit 501(c)(3) organization headquartered in California with offices in Portland, Oregon, San Francisco, California, and Washington, D.C. CFS has over a million members, covering every state in the country and including tens of thousands that live in Oregon. CFS is suing on behalf of itself and its members. Since its inception in 1997, CFS's mission has been to empower people, support farmers, and protect the environment by addressing the harmful impacts of industrial agriculture. Accordingly, for now over a quarter century, CFS's mission activities have focused on the environmental, human health, and economic impacts of the development and commercialization of agriculture and food processing technologies. Principal among these activities are analyses and actions to mitigate the impact of industrial agriculture and industrial aquaculture on public health and the environment. CFS seeks to protect the natural habitats and wildlife that its staff and members enjoy from industrial animal agriculture, including aquaculture. Since its inception, CFS has had a flagship program on industrial aquaculture, including science, legal, and policy staff. CFS combines multiple tools and strategies in pursuing

its mission, including public and policymaker education, outreach, and campaigning. Additionally, and when necessary, CFS leads public interest litigation to address the impacts of industrial food production on its members, the environment, and the public interest, and to ensure that agencies follow the law.

12. Plaintiff Northwest Environmental Defense Center ("NEDC") is a membership organization suing on behalf of itself and its members. NEDC is an independent non-profit corporation organized and existing under the laws of the State of Oregon. NEDC maintains its principal place of business in Multnomah County, Oregon. Since 1969, the staff, student volunteers, and members of NEDC have advocated for cleaner water and air and for the preservation of public lands and wildlife habitat across the Pacific Northwest. The mission of NEDC is to preserve and protect the natural environment of the Pacific Northwest. NEDC and its members have a particular interest in, and derive aesthetic, recreational, and other benefits from, Oregon's rivers, streams, lakes, and bays, including the Columbia River—the receiving water for Pacific's discharges—as well as the aquatic species that use and rely on those waters. NEDC and its members also work to conserve and protect Oregon's water resources and aquatic species.

13. Plaintiffs have representational standing to bring this lawsuit. Plaintiffs and their members are "citizens" as defined by Section 505(g) of the Act, 33 U.S.C. § 1365(g). Plaintiffs are membership organizations with some members that are injured by Pacific's violations addressed herein. Plaintiffs' members live near, visit, use, and enjoy the waters and the surrounding areas that are adversely impacted by Pacific's discharges. Plaintiffs' members use these areas for, among other things, fishing, swimming, hiking, walking, photography, boating, and observing wildlife. Plaintiffs' members derive scientific, cultural, educational, recreational, health, environmental, and aesthetic benefits from the local environment impacted by Pacific's

pollution discharges, the surrounding areas, and from the existence of natural, wild, and healthy ecosystems. Plaintiffs' members intend to continue to visit these areas on a regular basis, including in the coming months and beyond.

14. The environmental, health, aesthetic, scientific, cultural, educational, and/or recreational interests of Plaintiffs' members have been, are being, and will be adversely affected by Pacific's violations of the Permit and CWA addressed herein, and by the members' reasonable concerns related to the effects of the violations and pollutant discharges. Pacific has repeatedly violated the conditions of the Permit by, among other things, exceeding the Permit's numeric effluent limitations and failing to monitor and report discharges in the manner required. Plaintiffs and their members have serious concerns about the impacts of Pacific's operations and effluent discharges on the Columbia River. Plaintiffs' members' uses of the Columbia River and nearby areas are thereby diminished, adversely affected, and suppressed. These injuries include reduced enjoyment of time spent in and around parts of the Columbia River impacted by Pacific's discharges and refraining from engaging in certain activities while visiting these areas. These injuries are fairly traceable to Pacific and Pacific's activities and violations described herein, and the relief sought in this lawsuit can redress the injuries to Plaintiffs and to their members' interests.

15. For example, at least one CFS member resides in Astoria, Oregon and has for many years visited and recreated in the area near the Facility. The Facility is directly adjacent to the Columbia River and the Warrenton Waterfront Trail and is located less than half a mile from Carruthers Park. This member regularly uses the Columbia River and nearby recreational areas, which have experienced direct and indirect impacts from Pacific's conduct. For example, this member frequently alters or interrupts their hikes on the Warrenton Waterfront Trail to avoid

seeing, smelling, and being exposed to Pacific's unlawful discharges into the river, which emit a chemical and foul odor and, at times, have caused the member to physically retch. Pacific's conduct and this member's knowledge of the violations at issue and their resulting impact have adversely impacted the member's ability to use and enjoy the area surrounding the Facility. Although they wish to return, this member is hesitant to plan future visits due to reduced enjoyment and ongoing disturbance resulting from Pacific's failure to comply with its Permit, and uncertainty regarding the health of the surrounding ecosystem and impacts to human health and wildlife.

16. NEDC's membership also includes individuals who live or recreate near Pacific's facility. For example, at least one of NEDC's members lives in Warrenton and frequently uses—and hopes to continue to use—the Warrenton Waterfront Trail and nearby areas for recreational purposes. While using the trail, this member has complained of multiple instances of pollution, including odors, emanating from Pacific's facility. This member is aware of the violations discussed herein and has significant concerns about the water quality impacts of Pacific's failure to comply with its Permit, about the overall health of the Columbia River ecosystem as a result of Pacific's conduct, and about the direct and indirect impacts of Pacific's unlawful discharges on the human and non-human communities relying on this portion of the Columbia River. As such, Pacific's operations and this member's knowledge of the violations discussed herein have adversely impacted the member's use and enjoyment of the Warrenton Waterfront Trail.

17. Plaintiffs also both have organizational standing to bring this action. Plaintiff NEDC has been actively engaged in a variety of advocacy efforts to improve water quality in, and to address sources of water quality degradation to, the Columbia River and Oregon Coast. NEDC's organizational interests have been adversely affected by Pacific's Permit violations.

Pacific has failed to fulfill the monitoring, reporting, and other obligations necessary for compliance with the Permit and the CWA. As a result, NEDC is deprived of information that would further its efforts to serve its members by disseminating information and taking appropriate action to improve water quality in the Columbia River and the Oregon Coast. NEDC's efforts to educate and advocate for greater environmental protection for the benefit of its members are thereby obstructed. These injuries are fairly traceable to Pacific's violations and are redressable by this Court.

18. Plaintiff CFS has been actively engaged in a variety of educational and advocacy efforts related to the harmful environmental and ecological impacts caused by commercial aquaculture, as well as the industries that support commercial aquaculture such as fishmeal processing. Industrial aquaculture has become one of the most significant threats to our waters and the health of aquatic organisms, endangered species, and human health. Industrial aquaculture carries a flotilla of well-known adverse environmental and intertwined socioeconomic consequences, including the pollution of ocean ecosystems from the inputs (e.g., drugs, pesticides, fungicides, algaecides) and outputs (wastes) of industrial aquaculture. Pacific's failure to comply with the Permit deprives CFS of information that it would otherwise use to further its mission. For example, Pacific's failure to comply with permit requirements on effluent monitoring and reporting has deprived CFS of information on impacts from the Facility that otherwise would be available and used in its educational and advocacy efforts. This information could assist CFS in its ongoing efforts to educate the public and advocate for greater restraints on commercial aquaculture and associated processing facilities in order to protect wild fish and the environment. As such, Plaintiff CFS's organizational interests have also been and are being

adversely affected by Pacific's violations. These injuries are fairly traceable to Pacific's violations and redressable by the Court.

19. Defendant Pacific Bio Products - Warrenton, LLC is a corporation organized and existing under the laws of the state of Oregon. Pacific operates a processing facility located at or about 1935 NW Warrenton Drive, Warrenton, Oregon 97146. Pacific's Facility discharges pollutants via point sources to the Columbia River.

LEGAL BACKGROUND

20. Congress enacted the CWA to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." 33 U.S.C. § 1251(a).

21. Section 505(a) of the CWA, 33 U.S.C § 1365(a), provides that any citizen may commence a civil action against any person alleged to be in violation of an effluent standard or limitation. Section 505(f), 33 U.S.C. § 1365(f), defines "effluent standard or limitation" to include, among other things, an act unlawful under section 301(a) of the CWA, 33 U.S.C. § 1311, or a "permit or condition of a permit" issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

22. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits "the discharge of any pollutant by any person" unless such discharge is authorized by an NPDES permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

23. The CWA defines the term "discharge of a pollutant" to mean, in part, "any addition of any pollutant to navigable waters from any point source." 33 U.S.C. § 1362(12).

24. The CWA defines the term "person" to mean "an individual, corporation, partnership, association, State, municipality, commission, or political subdivision of a State, or any interstate body." 33 U.S.C. § 1362(5).

25. Section 402(a) of the CWA provides that EPA, or other permit-issuing authority, may issue NPDES permits authorizing the discharge of any pollutant directly into waters of the United States, upon the condition that such discharge will meet all applicable requirements of the CWA and such other conditions as the permitting authority determines necessary to carry out the provisions of the CWA. 33 U.S.C. § 1342(a).

26. Federal and state regulations require any person who discharges or proposes to discharge pollutants to waters of the United States to apply for an NPDES permit. 40 C.F.R. § 122.21(a); Oregon Administrative Rules ("OAR") 340-045-0015(2) & (5). EPA may delegate administration of the NPDES permit program to states with regulatory programs meeting applicable criteria. U.S.C. § 1342(b); 40 C.F.R. Part 123. The State of Oregon has established a federally approved NPDES program administered by ODEQ and thus may issue NPDES permits authorizing the discharge of pollutants.

27. In an action brought under Section 505(a) of the CWA, 33 U.S.C. § 1365(a), the district court has jurisdiction to order the defendant to comply with the CWA and to assess civil penalties.

28. Under Section 505(d) of the CWA, 33 U.S.C. § 1365(d), the court "may award costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or substantially prevailing party, whenever the court determines such award is appropriate."

29. Section 309(d) of the CWA, 33 U.S.C. § 1319(d), provides that any person who violates Section 301 of the CWA, 33 U.S.C. § 1311, or violates any permit condition or limitation issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, "shall be subject to a civil penalty" payable to the United States for each violation.

30. Pursuant to the Federal Civil Penalties Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Public Law 114-74, this Court may assess a civil penalty of up to $68,445 per day for each violation that occurred after November 2, 2015 and for which penalties are assessed after January 8, 2025. 40 C.F.R. § 19.4.

FACTS

I. Pacific's NPDES Permit

31. Pacific is authorized to discharge effluent from the Facility under the Permit, issued by ODEQ on February 17, 2022. The Permit has an effective date of April 1, 2022. It was amended on October 9, 2024, and has an expiration date of January 31, 2027. The only amendments to the Permit on October 9, 2024, were the removal of numerical effluent limitations for mercury for Outfalls 002 and 003.[4]

32. The Permit authorizes the Facility to, within Permit limits and conditions, discharge effluent containing pollutants directly into the lower Columbia River, a water of the United States, from three separate point source conveyances called "outfalls." The Columbia River is a navigable water of the United States within the meaning of 33 U.S.C. § 1362(7) and 33 C.F.R. § 328.3(a)(1).

33. Effluent from the Facility consists of boiler blowdown and stormwater (from

[4] The February 17, 2022, issuance of the Permit was to "Bio-OREGON Protein, Inc.," which was the name of Pacific until it changed to its current name ("Pacific Bio Products - Warrenton, LLC") on November 27, 2018. The October 9, 2024, issuance of the Permit was to Pacific's current name. For both the February 2022 and October 2024 issuances of the Permit, the address of the permitted entity on the Permit is the same: 1935 NW Warrenton Drive, Warrenton, OR 97146. Additionally, for both the February 2022 and October 2024 issuances of the Permit, the "Facility Location" is listed as "Bio-OREGON Protein, Inc., PO Box 429, Warrenton, OR 97146."

Outfall 001), fish meal, crab shell, and shrimp shell process effluent, cooling effluent, and stormwater (from Outfall 002), and wet scrubber effluent (from Outfall 003).

34. The Permit imposes terms and conditions intended to protect water quality, including restrictions on discharges, discharge monitoring and reporting requirements, and operation and maintenance requirements.

35. The Permit prohibits any discharge to waters of the state that is not in compliance with the terms and conditions of the Permit. At Schedule F.A1, the Permit states that "[f]ailure to comply with any permit condition is a violation of Oregon Revised Statutes (ORS) 468B.025 and the federal Clean Water Act and is grounds for an enforcement action." At Schedule F.A2, the Permit also states that it "is enforceable by DEQ or EPA, and in some circumstances also by third-parties under the citizen suit provisions of 33 USC § 1365."

II. Pacific has Violated and is Violating the Permit

36. Pacific is discharging pollutants from the Facility to the Columbia River, in violation of the terms and conditions of the Permit. Pacific's violations of the Permit and the CWA are set forth in Section II of the Notice Letter. In particular, and among the other violations described in the Notice Letter, Pacific has violated the Permit by exceeding the Permit's numeric effluent limitations, failing to properly monitor and report discharges, and failing to comply with the Permit's general conditions. Pacific's violations of the Permit constitute violations of an "effluent standard or limitation" under the CWA. 33 U.S.C. § 1365(a), (f).

A. Pacific's violations of numeric effluent limitations

37. Schedule A of the Permit requires Pacific to comply with numeric effluent limitations at all times. Schedule F.A1 also states that Pacific "must comply with all conditions

of this permit." Schedule C.1 of the Permit requires Pacific to achieve compliance with the final effluent limitations for total residual chlorine in Schedule A of the Permit by December 1, 2024.

38. The Permit sets the following specific numeric effluent limitations (among others), identified in Table 1 below.[5]

Table 1: Permit Numeric Effluent Limitations

Outfall	Parameter	Units	Average Monthly	Daily Maximum
001	Chlorine, total residual	mg/L	0.01	0.02
001	pH	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0	
002	Chlorine, total residual	mg/L	0.05	0.09
002	pH	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0	
003	Chlorine, total residual	mg/L	0.01	0.02
003	pH	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0	

39. As shown in Table 2 below, Pacific has repeatedly violated and continues to violate the numeric effluent limitations imposed by Schedule A of the Permit, totaling at least 128 Permit violations. Pacific has also violated the requirement of Schedule C.1 of the Permit to achieve compliance with the final effluent limitations for total residual chlorine in Schedule A of the Permit by December 1, 2024.

[5] Although the Permit specifies that the average monthly total residual chlorine limit for Outfalls 001 and 003 is 0.01 mg/L, and the daily maximum total residual chlorine limit for Outfalls 001 and 003 is 0.02 mg/L, ODEQ has established a minimum Quantitation Limit for total residual chlorine at 0.05 mg/L. This 0.05 mg/L Quantitation Limit is used by ODEQ as the compliance evaluation level for total residual chlorine.

Table 2: Pacific's Violations of the Permit's Numeric Effluent Limitations

Date of Violation	Outfall	Pollutant	Limit Type	Unit	Limit	Result
August 13, 2022	002	pH	Instantaneous Maximum	SU	9	9.77
August 14, 2022	003	pH	Instantaneous Maximum	SU	9	9.44
August 28, 2022	001	pH	Instantaneous Minimum	SU	6	5.40
January 22, 2023	001	pH	Instantaneous Maximum	SU	9	10.16
January 25, 2023	001	pH	Instantaneous Maximum	SU	9	9.35
February 7, 2023	003	pH	Instantaneous Maximum	SU	9	9.21
September 26, 2024	001	pH	Instantaneous Maximum	SU	9	9.06
November 10, 2024	001	pH	Instantaneous Maximum	SU	9	9.26
December 3, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<5.00
December 3, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
December 11, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<5.00
December 11, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.38
December 19, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<5.00
December 19, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.47
December 24, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	1.00
December 24, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
December 31, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
December 31, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.58
December 2024	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<3.60

December 2024	003	Chlorine, total residual	Monthly Average	mg/L	0.01	2.17
January 7, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 7, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.34
January 14, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 14, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.59
January 21, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.15
January 21, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 21, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
January 29, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 29, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.38
January 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.08
January 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<2.00
January 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	2.38
February 2, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
February 2, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.67
February 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	3.0
February 11, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.41
February 18, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
February 18, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.71
February 28, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	6.0
February 28, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
February 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<3.25
February 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	2.50

March 4, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.20
March 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	22.00
March 11, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.30
March 20, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	18.00
March 20, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.81
March 26, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	8.00
March 26, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.08
March 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<12.01
March 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.60
April 1, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.06
April 1, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	1.00
April 1, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
April 8, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.10
April 16, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
April 16, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.11
April 23, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	3.00
April 23, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
April 30, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	1.00
April 30, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.48
April 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	1.40
April 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.62
May 8, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.33
May 9, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.34

May 13, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
May 14, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.11
May 20, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
May 20, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.55
May 26, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.14
May 26, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	7.00
May 26, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.75
May 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.13
May 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	2.26
May 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.21
June 2, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 2, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.07
June 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 11, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.31
June 12, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.07
June 16, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 16, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.04
June 24, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 28, 2025	001	pH	Instantaneous Maximum	SU	9	10.23
June 29, 2025	001	pH	Instantaneous Maximum	SU	9	9.36
June 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<2.00
June 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.86
July 2, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	6.00

July 2, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.81
July 10, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.07
July 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
July 15, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
July 15, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.97
July 21, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
July 21, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.11
July 27, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
July 27, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.18
July 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<2.80
July 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	0.63
August 14, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	66.00
August 19, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	22.00
August 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<22.01
September 2, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	21.00
September 3, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.06
September 8, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.51
September 9, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
September 15, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.79
September 16, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
September 22, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.06
September 22, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.25
September 23, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	20.00

September 30, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.06
September 30, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	48.00
September 30, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.07
September 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	18.60
September 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	0.73
October 7, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
October 8, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	24.00
October 13, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.27
October 14, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
October 14, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.08
October 21, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
October 21, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.43
October 28, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.67
October 30, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	34.00
October 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.11
October 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<15.50
October 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.35

40. Table 2 above accurately identifies monitoring data reported by Pacific under the requirements of the Permit.

41. The Permit's numeric effluent limitation requirements and Pacific's violations thereof are described in Section II.A of the Notice Letter, except for the violations in September and October 2025. Plaintiffs obtained records of the September and October 2025 violations from ODEQ after the Notice Letter was sent on October 14, 2025.

B. Pacific's violations of discharge monitoring and reporting requirements

42. Schedule B of the Permit includes several monitoring and reporting requirements. Per Schedules B.1 and B.2.a of the Permit, Pacific is required to submit monthly effluent monitoring and receiving stream results to ODEQ by the 15th of the following month via ODEQ-approved web-based Discharge Monitoring Reports ("DMRs").

43. Schedules B.3, B.4, B.5, and B.7 of the Permit prescribe monitoring requirements for Outfall 001, Outfall 002, Outfall 003, and the receiving stream, respectively. These include, but are not limited to, the monitoring requirements identified in Table 3, below.

Table 3: Effluent and Receiving Stream Monitoring Requirements

Outfall	Parameter	Units	Time Period	Minimum Frequency	Report Statistic
001	Flow	MGD	Year-round	1/day	Monthly Average & Daily Maximum
001	pH	SU	Year-round	1/day	Daily Maximum & Daily Minimum
001	Chlorine, total residual	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
001	Temperature	°C	Year-round	1/hour	Daily Average & Daily Maximum & 7-day Rolling Average of Daily Maximum
001	Total Lead	mg/L	Year-round	1/month	Daily Maximum & Monthly Average
001	Chlorine Used	lbs/day	Year-round	Daily	Daily Maximum
002	Flow	MGD	Year-round	1/day	Monthly Average & Daily Maximum
002	pH	SU	Year-round	1/day	Daily Maximum & Daily Minimum
002	Chlorine, total residual	mg/L	Year-round	1/week	Daily Maximum & Monthly Average

002	Temperature	°C	Year-round	1/hour	Daily Average & Daily Maximum & 7-day Rolling Average of Daily Maximum
002	Total Ammonia	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
002	Chlorine Used	lbs/day	Year-round	Daily	Daily Maximum
003	Flow	MGD	Year-round	1/day	Monthly Average & Daily Maximum
003	pH	SU	Year-round	1/day	Daily Maximum & Daily Minimum
003	Chlorine, total residual	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
003	Temperature	°C	Year-round	1/hour	Daily Average & Daily Maximum & 7-day Rolling Average of Daily Maximum
003	Total Ammonia	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
003	Hardness	mg/L	Year-round	1/month	Monthly Maximum
003	Chlorine Used	lbs/day	Year-round	Daily	Daily Maximum
Receiving Stream	Alkalinity as $CaCO_3$	mg/L	Year-round	1/month	Monthly Maximum

44. Pacific has repeatedly violated, and continues to violate, these monitoring and reporting requirements by failing to conduct all required monitoring and to timely submit complete and accurate DMRs containing all required monitoring data to ODEQ.

45. The Permit's monitoring and reporting requirements, and Pacific's violations thereof, are described in Section II.B and in the Appendix of the Notice Letter. Violations specified in the Notice Letter, as well as additional violations that occurred in September and October 2025, are listed in **Exhibit 2**. Specifically, **Exhibit 2** identifies every date that Pacific has failed to monitor under Schedules B.3, B.4, B.5, and B.7 of the Permit, totaling at least 949 Permit violations.

46. Each instance identified in **Exhibit 2** is also a violation of Schedules B.1 and B.2a of the Permit. Each violation of Schedules B.1 and B.2.a of the Permit occurred on the 15th of the month following the month in which the monitoring violation occurred (*e.g.*, if Pacific failed to monitor for a parameter on April 1, 2022, Pacific violated the corresponding reporting requirements on May 15, 2022), totaling at least 949 Permit violations. These violations are ongoing and reasonably likely to recur.

47. Pacific has also violated the temperature monitoring and reporting requirements of the Permit. As identified in Table 3 above, Schedules B.3, B.4, and B.5 of the Permit require Pacific to monitor for temperature at Outfalls 001, 002, and 003 hourly year-round. For each outfall, every month Pacific must report three statistics on its monthly DMR: (1) daily average; (2) daily maximum; and (3) 7-day rolling average of daily maximum. Pacific has violated the monitoring and reporting requirements for temperature under Schedules B.1, B.2.a, B.3, B.4, and B.5 of the Permits.

48. For example, and at a minimum, Pacific has failed to monitor and report the daily average, or alternatively the daily maximum, for temperature at Outfalls 001, 002, and 003. All of Pacific's DMRs from April 2022 through October 2025 indicate that Pacific only monitors and reports for two of those three required statistics. Therefore, each and every day since and including April 1, 2022, through at least October 31, 2025, Pacific has violated the monitoring requirements of Schedules B.3, B.4, and B.5 of the Permit by failing to monitor the daily average, or alternatively the daily maximum, for temperature at Outfalls 001, 002, and 003, totaling at least 1,310 Permit violations.

49. For the same reasons, Pacific has violated the reporting requirements in Schedules B.1 and B.2.a of the Permit on the 15th of every month since and including May 15, 2022,

through at least November 15, 2025, by failing to report the daily average, or alternatively the daily maximum, for temperature at Outfalls 001, 002, and 003, totaling at least 1,310 Permit violations.

50. Pacific has also repeatedly violated the reporting and monitoring requirements in Schedule B.2.d of the Permit. Schedule B.2.d of the Permit requires the analyses Pacific performs on the samples it collects for monitoring and reporting to be completed with a testing method that is sufficiently sensitive. In particular, Schedule B.2.d requires that the Laboratory Quantitation Limit (QL) "for analyses performed to demonstrate compliance with permit limits" must meet at least one of the following five requirements:

i. The QL is at or below the level of the water quality criterion for the measured parameter.
ii. The QL is above the water quality criterion but the amount of the pollutant in a facility's discharge is high enough that the method detects and quantifies the level of the parameter in the discharge.
iii. The QL has the lowest sensitivity of the analytical methods procedure specified in 40 CFR 136.
iv. The QL is at or below those defined in Oregon DEQ list of quantitation limits posted online at the DEQ permitting website.
v. Matrix effects are present that prevent the attainment of QLs and these matrix effects are demonstrated according to procedures described in EPA's "Solutions to Analytical Chemistry Problems with Clean Water Act Methods", March 2007. If using alternative methods and taking appropriate steps to eliminate matrix effects does not eliminate the matrix problems, DEQ may authorize in writing re-sampling or allow a higher QL to be reported.

51. ODEQ has established a minimum QL for total residual chlorine of 0.05 mg/L, which is noted in the Permit at Schedule A. The permit limit for the daily maximum of total residual chlorine from Outfall 002 is less than or equal to (≤) 0.09 mg/L. On information and belief, ODEQ has not authorized Pacific to use a higher QL because of matrix effects.

52. Pacific has repeatedly reported a total residual chlorine result with a less than qualifier (<) and a quantity greater than the permit limit for discharges from Outfall 002, which

indicates that the testing method used was not sufficiently sensitive to demonstrate permit compliance, in violation of Schedule B.2.d. Pacific has violated this requirement at least 18 times. These violations are listed in Table 4 below.

Table 4: Pacific's Violations of Schedule B.2.d

Date of Violation	Outfall	Total Residual Chlorine Reported Result	Limit
December 3, 2024	002	< 5.0 mg/L	≤ 0.09 mg/L
December 11, 2024	002	< 5.0 mg/L	≤ 0.09 mg/L
December 19, 2024	002	< 5.0 mg/L	≤ 0.09 mg/L
January 7, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
January 14, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
January 21, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
January 29, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
February 2, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
February 18, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
June 2, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
June 11, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
June 16, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
June 24, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
July 15, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
July 21, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
July 27, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
October 14, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L
October 21, 2025	002	< 2.0 mg/L	≤ 0.09 mg/L

53. Pacific has also violated the reporting requirements at Schedule B.2.f of the Permit, which require Pacific to report the laboratory Detection Limit (DL) and QL for total residual chlorine. For each month from September 2024 through September 2025, Pacific has not

listed the DL or QL for the total residual chlorine analyses performed in its monthly DMRs, totaling at least 13 Permit violations.

54. These violations are ongoing and reasonably likely to recur.

C. Pacific's violations of the wastewater solids reporting requirements

55. Schedule D.1 of the Permit requires that Pacific submit a Wastewater Solids Annual Report by February 19 of each year documenting the removal of wastewater solids from the Facility during the previous calendar year using the ODEQ-approved wastewater solids annual report form. The report must include the volume of material removed and the name of the permitted facility that received the solids.

56. Pacific has violated these requirements by failing to timely submit complete and accurate Wastewater Solids Annual Reports using the ODEQ-approved form for each year since and including 2022 (which report was due February 19, 2023). Pacific has violated this requirement at least three times.

57. These reporting requirements and Pacific's violations thereof are described in Section II.C of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

D. Pacific's violation of the Permit's outfall inspection requirements

58. Schedule D.5 of the Permit requires that Pacific inspect Outfalls 001 to 003, including the submerged portions and diffuser, to document their integrity and to determine whether they are operating as designed. The inspection must determine whether diffuser ports are intact, clear, and fully functional and verify the latitude and longitude of diffusers. Pacific must submit a written report to ODEQ by January 15, 2023, detailing the results of the inspection, including a description of the outfalls as originally constructed, a description of the current

condition of the outfalls, and identification of any repairs needed to return the outfalls to satisfactory condition.

59. Pacific has violated this requirement by failing to timely conduct an inspection in the manner required and by failing to timely submit a complete and accurate written report that includes all required information.

60. This inspection and reporting requirement and Pacific's violation thereof is described in Section II.D of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

E. Pacific's violation of the quality assurance and control plan requirements

61. Schedule B.2.e of the Permit requires that Pacific develop and implement a written Quality Assurance and Quality Control Plan that details the facility sampling procedures, equipment calibration and maintenance, analytical methods, quality control activities and laboratory data handling and reporting. The plan must conform to the requirements of 40 C.F.R. § 136.7.

62. On information and belief, based on Pacific's repeated violations of the Permit's effluent monitoring and reporting requirements, Pacific has violated the Permit by failing to develop and implement a Quality Assurance and Quality Control Plan in accordance with these requirements.

63. This requirement and Pacific's violation thereof is described in Section II.E of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

F. Pacific's violations of the chlorine compliance schedule requirements

64. Schedule C.1 of the Permit requires that Pacific submit to ODEQ for approval an evaluation of the sources of residual chlorine in the effluent for all outfalls by December 1, 2022.

The submission must also include a plan and schedule to reduce residual chlorine in the effluent and comply with the final total residual chlorine limits in Schedule A of the Permit. Further, Pacific was required to submit a status report to ODEQ by January 15 of each year outlining the progress made towards completion of the improvements. Pacific was required to achieve compliance with the final effluent limits for total residual chlorine in Schedule A of the Permit by December 1, 2024.

65. Pacific violated these requirements by failing to timely submit an evaluation, plan, and schedule that comply with the Permit's requirements, by failing to achieve compliance with the final effluent limits for total residual chlorine in Schedule A of the Permit by December 1, 2024, and by failing to timely submit the status reports due January 15, 2023, January 15, 2024, and January 15, 2025 outlining progress, if any, towards meeting the improvement requirements of the Permit. This constitutes at least five Permit violations.

66. Schedule C.2 of the Permit requires that, no later than fourteen days following each compliance date listed in Schedule C.1 of the Permit, Pacific must notify ODEQ in writing of its compliance or noncompliance. Any report of noncompliance must include the cause of noncompliance, any remedial actions taken, and a discussion of the likelihood of meeting the next scheduled requirement(s).

67. Pacific violated Schedule C.2 of the Permit by failing to timely notify ODEQ in writing of compliance or noncompliance, and by failing to timely provide the information required for notifications of noncompliance, for its total residual chlorine evaluation, plan, and schedule due December 1, 2022, for its status reports for total residual chlorine requirements due January 15, 2023, January 15, 2024, and January 15, 2025, and for its compliance with the total

residual chlorine final effluent limits due December 1, 2024. This constitutes at least five further Permit violations.

68. These requirements and Pacific's violations thereof are described in Section II.F of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

G. Pacific's violations of the ammonia and temperature compliance schedule requirements

69. Schedule C.1 of the Permit requires that Pacific submit to ODEQ by March 1, 2024, for review and approval a feasibility study designed to identify treatment, source control, and other options to treat the effluent at Outfalls 002 and 003 to meet the final effluent limits of the Permit for temperature and total ammonia as nitrogen (N). The study was required to identify key activities and milestones, include a preliminary design, and include an estimated timeline to achieve the milestones. By June 1, 2024, Pacific was required to select a treatment, source control, or other option and submit for approval to ODEQ a 30% design of modifications/improvements to implement the selected option. Pacific was required to also submit a status report to ODEQ by January 15 of each year outlining the progress, if any, made towards completion of the improvements.

70. Pacific violated these requirements by failing to timely submit a feasibility study that included all required components, by failing to timely select improvements and to timely submit a 30% design for those improvements, and by failing to timely submit the status report due January 15, 2025, outlining progress. This constitutes at least three Permit violations.

71. Schedule C.2 of the Permit requires that, no later than fourteen days following each compliance date listed in Schedule C.1 of the Permit, Pacific must notify ODEQ in writing of its compliance or noncompliance. Any report of noncompliance must include the cause of

noncompliance, any remedial actions taken, and a discussion of the likelihood of meeting the next scheduled requirement(s).

72. Pacific violated Schedule C.2 of the Permit by failing to timely notify ODEQ in writing of compliance or noncompliance, and by failing to timely provide the information required for notifications of noncompliance, for its feasibility study due March 1, 2024, for its selection of improvements and submission of a 30% design for those improvements by June 1, 2024, and for its status report due January 15, 2025. This constitutes at least three further Permit violations.

73. These requirements and Pacific's violations thereof are described in Section II.G of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

H. Pacific's violations of the noncompliance notification requirements

74. Schedule F.D5 of the Permit requires that Pacific report orally via telephone to ODEQ any Permit noncompliance that may endanger health or the environment within 24 hours of becoming aware of the circumstances. Such incidents include, but are not limited to, any violation of the Permit's maximum daily discharge limits. Pacific must also submit a written report within five days of becoming aware of the circumstances that contains: (1) a description of the noncompliance and its cause; (2) the period of noncompliance, including exact dates and times; (3) the estimated time noncompliance is expected to continue if it has not been corrected; (4) steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance; and (5) public notification steps taken in accordance with Permit requirements.

75. Pacific has violated these requirements by failing to timely provide the required 24-hour notice and by failing to timely submit complete and accurate written reports that contain all required information each time since Apri1 1, 2022, that Pacific became aware of Permit

noncompliance that may endanger health or the environment. Such incidents include, but are not limited to, the exceedances of maximum daily discharge limits for total residual chlorine and violations of the instantaneous discharge limits for pH, as identified in Table 2 above. As such, Pacific has violated these requirements at least 128 times.

76. Schedule F.D6 of the Permit requires that Pacific report all other Permit noncompliance at the time its monitoring reports are submitted. The report must include: (1) a description of the noncompliance and its cause; (2) the period of noncompliance, including exact dates and times; (3) the estimated time noncompliance is expected to continue if it has not been corrected; and (4) steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance.

77. Pacific has violated these requirements by failing to timely submit complete and accurate reports that contain all required information for all violations identified in this Complaint (except those subject to the 24-hour reporting requirements identified above). Such violations that required reporting under Schedule F.D6 of the Permit include, but are not limited to, the exceedances of monthly average discharge limits identified in Table 2 above and the reporting violations identified in **Exhibit 2**. Accordingly, Pacific has violated these requirements at least 43 times. Additionally, to the extent that violations of the instantaneous discharge limits for pH do not require 24-hour reporting under Schedule F.D5 of the Permit, those violations required reporting under Schedule F.D6 of the Permit and are identified in Table 2 above.

78. These noncompliance notification requirements and Pacific's violations thereof are described in Section II.H of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

I. Pacific's violations of the requirement to properly operate and maintain facilities and systems used for Permit compliance

79. Schedule F.B1 of the Permit requires that Pacific at all times properly operate and maintain all facilities and systems of treatment and control that are installed or used to achieve compliance with the Permit.

80. On information and belief, including based on knowledge of the numerous effluent limit violations and monitoring and reporting violations identified herein, Pacific has violated these requirements each and every day since April 1, 2022 through at least October 31, 2025. This is at least 1,310 Permit violations.

81. These requirements and Pacific's violations thereof are described in Section II.I of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

J. Pacific's violations of the duty to mitigate

82. Pacific is also required, per Schedule F.A3 of the Permit, to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the Permit.

83. Pacific has violated this requirement by failing to take all reasonable steps to minimize or prevent discharges that violate the Permit numeric effluent limits, including all such discharges identified in Table 2 above.

84. This requirement and Pacific's violations thereof are described in Section II.J of the Notice Letter, and all allegations in that section are hereby incorporated by reference.

III. Pacific's Violations of Section 301(a) of the CWA

85. The Permit authorizes Pacific to discharge wastewater "only from the authorized discharge point or points in Schedule A in conformance with the requirements, limits, and conditions set forth in this permit." As detailed above, Pacific has repeatedly violated the Permit since at least April 2022, including by exceeding numeric effluent limitations, failing to monitor

and report discharges as required, failing to develop and/or implement plans intended to control and prevent pollution, and failing to ensure proper operations and maintenance in the Facility. These and the other violations identified above nullify the Permit's authorization to discharge.

86. Accordingly, Pacific has violated section 301(a) of the CWA, 33 U.S.C. § 1311(a), by discharging effluent from the Facility, including from Outfalls 001 to 003, to the Columbia River in a manner not authorized by the Permit or any other NPDES permit. The pollutants discharged include, but are not limited to, chlorinated condensed scrubber wastewater and seafood processing wastewater. These illegal discharges have occurred each and every day since April 1, 2022, and they continue to occur.

IV. Pacific's Permit and CWA Violations Degrade the Environment and Could Have Been Avoided

87. As described herein and in the Notice Letter, the Permit requires that Pacific timely submit detailed and accurate reports and information to ODEQ. Plaintiffs and their counsel have submitted multiple requests for such records to ODEQ under the Oregon Public Records Law, ORS 192.311. Plaintiffs have reviewed the records provided by ODEQ. The allegations of violations herein are based primarily on those records.

88. Pacific's unlawful discharges degrade the environment and the water quality of the Columbia River. Discharges from the Facility contribute to the ecological impacts that result from the polluted condition of these waters and to Plaintiffs' and their members' injuries resulting therefrom.

89. Pacific's unlawful discharges of pollutants and Permit violations would have been avoided had Pacific been diligent in overseeing and controlling operations, maintenance, monitoring, and compliance with the law.

90. Pacific has benefitted economically from its unlawful discharges of pollutants and permit violations.

91. Without the imposition of appropriate civil penalties and the issuance of an injunction, Pacific is likely to continue to violate its NPDES Permit and the CWA to the further injury of Plaintiffs, their members, and others.

CAUSE OF ACTION
Pacific's Violations of the CWA

92. Plaintiffs allege and incorporate by reference all of the preceding paragraphs.

93. Since at least August 13, 2022, Pacific has discharged and continues to discharge pollutants from point sources (Outfalls 001 to 003 of the Facility) into the Columbia River in excess of the effluent limits in its NPDES Permit. Each of these instances is a standalone violation of the CWA, subject to the maximum daily civil penalty.

94. Since at least April 1, 2022, Pacific has also violated and continues to violate the conditions of the Permit by failing to comply with the Permit's monitoring, reporting, inspection, compliance schedule, and notification requirements. Each of these instances is a standalone violation of the CWA, subject to the maximum daily civil penalty.

95. Additionally, Pacific has violated and continues to violate the requirements and conditions of the Permit by failing to comply with the Permit's directives to develop and maintain a Quality Assurance and Control Plan, to properly operate and maintain its facilities and systems used to achieve Permit compliance, and to take all reasonable steps to minimize or prevent discharges that violate the Permit. Each day of this noncompliance represents a standalone violation of the CWA, subject to the maximum daily civil penalty.

96. Pacific's discharges of pollutants from point sources to the Columbia River from the Facility as described herein in a manner not authorized by the Permit or any other NPDES

permit constitute violations of Sections 301(a) and 505(f) of the CWA, 33 U.S.C. §§ 1311(a) and 1365(f). These illegal discharges have occurred each and every day since April 1, 2022. Each day represents a standalone violation of the CWA, subject to the maximum daily civil penalty.

97. Pacific's violations of the CWA described herein and in the Notice Letter constitute violations of an "effluent standard or limitation" as defined by section 505(f) of the CWA, 33 U.S.C. § 1365(f). As such, Pacific's past and continuing violations of the CWA, including violations of the requirements and conditions of the Permit, are subject to enforcement through the citizen suit provision of Section 505(a)(1) of the CWA. 33 U.S.C. § 1365(a)(1).

98. The violations committed by Pacific are continuing or are reasonably likely to continue to recur. Any and all additional violations of the Permit or the CWA that occur after the date of the Notice Letter, but before a final decision in this action, should be considered continuing violations subject to this Complaint.

99. Plaintiffs are entitled to their litigation expenses, including reasonable attorneys' and expert witness fees, pursuant to Section 505(d) of the CWA, 33 U.S.C. § 1365(d).

RELIEF REQUESTED

Wherefore, Plaintiffs respectfully request that this Court grant the following relief:

A. Declare that Pacific has violated and continues to be in violation of its NPDES Permit and Sections 301 and 402 of the CWA, 33 U.S.C. §§ 1311 and 1342;

B. Enjoin Pacific from operating its Facility in a manner that results in further violations of its NPDES Permit or the CWA;

C. Order Pacific to immediately comply with all terms and conditions, including effluent limitations, monitoring and reporting requirements, and operations and management requirements, of the Permit;

D. Order Pacific to provide Plaintiffs, for a period beginning on the date of the Court's Order and running for one year after Pacific achieves compliance with all of the conditions of the Permit, with copies of all reports and other documents that Pacific submits to or receives from ODEQ and/or EPA regarding Pacific's coverage under the Permit, at the same time those documents are submitted to or received from ODEQ and/or EPA;

E. Order Pacific to take specific actions to evaluate and remediate the environmental harm and ongoing impacts caused by its violations;

F. Grant such other preliminary and/or permanent relief as Plaintiffs may from time to time request during the pendency of this case;

G. Order Pacific to pay civil penalties pursuant to Sections 309(d) and 505(a) of the CWA, 33 U.S.C. §§ 1319(d) and 1365(a), and 40 C.F.R. § 19.4;

H. Award Plaintiffs their litigation expenses, including reasonable attorneys' and expert witness fees, as authorized by Section 505(d) of the CWA, 33 U.S.C. § 1365(d); and

I. Grant such other relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED this 20th day of January 2026.

By: s/ Karl G. Anuta_____

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Exhibit 1

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October 14, 2025

Managing Agent
Pacific Bio Products — Warrenton, LLC
16797 SE 130th Avenue
Clackamas, OR 97015

Managing Agent
Pacific Bio Products — Warrenton, LLC
1935 NW Warrenton Dr.
Warrenton, OR 97146

Re: NOTICE OF INTENT TO SUE UNDER THE CLEAN WATER ACT

Dear Managing Agent(s):

This letter provides you with 60 days' notice of Center for Food Safety and Northwest Environmental Defense Center's intent to file a citizen suit against Pacific Bio Products — Warrenton, LLC ("Pacific") under section 505 of the Clean Water Act ("CWA"), 33 U.S.C § 1365, for the violations described below.

Pacific owns and operates a facility used to manufacture bulk products including fishmeal and shrimp and crab shell products that are used as (or in) pet food additives, livestock and aquaculture feed, and fish oils located at or about 1935 NW Warrenton Drive, Warrenton, Oregon 97146 (46.1948°N, 123.9354°W) (the "Facility"). The Facility discharges effluent directly into the lower Columbia River, a water of the United States, from three separate outfalls.[1] This effluent consists of boiler blowdown and stormwater (from Outfall 001), fish meal, crab shell, and shrimp shell process effluent, cooling effluent, and stormwater (from Outfall 002), and wet scrubber effluent (from Outfall 003).

The Facility is authorized to discharge effluent within the limits and under the conditions detailed in its National Pollutant Discharge Elimination System ("NPDES") Permit No. 101804 (the "Permit") issued by the Oregon Department of Environmental Quality ("ODEQ").[2] The NPDES is the mechanism by which much of the CWA is administered. 33 U.S.C. § 1342. The U.S. Environmental Protection Agency ("EPA") may delegate this permitting system to states, and EPA has done so with Oregon. *See id*. § 1342(b); 40 C.F.R. § 123.61. ODEQ is the state

[1] At the point the Facility discharges to the Columbia River, it has the state waterbody ID OR_LK_1708000605_04_100323. The Columbia River at this location is listed on Oregon's CWA section 303(d) impaired waterway list, as it fails to meet water quality standards for several designated uses (Fish and Aquatic Life, Fishing, Private Domestic Water Supply, and Public Domestic Water Supply).

[2] In the current amended iteration of the Permit, the Facility location is listed as Bio-OREGON Protein, Inc., PO Box 429, Warrenton, Oregon 97146. Bio-OREGON Protein, Inc. changed its name to Pacific Bio Products — Warrenton, LLC on November 27, 2018.

agency authorized to issue and enforce the NPDES permitting program in Oregon. The Permit was issued by ODEQ on February 17, 2022, has an effective date of April 1, 2022, was amended on October 9, 2024, and has an expiration date of January 31, 2027.[3]

Pacific is required to strictly adhere to the numeric effluent limits and other terms and conditions in the Permit. But, over the past several years, Pacific has consistently failed to do so. Pacific has violated, and continues to violate, the terms and conditions of the Permit, including effluent standards and limitations under section 505(a)(1)(A) and (f)(7) of the CWA, 33 U.S.C. §§ 1365(a)(1)(A), f(7). Pacific has also violated and continues to violate section 301(a) of the CWA, 33 U.S.C. § 1311(a), by discharging pollutants from the Facility to waters of the United States in a manner unauthorized by its Permit.

I. CENTER FOR FOOD SAFETY AND NORTHWEST ENVIRONMENTAL DEFENSE CENTER ARE COMMITTED TO PROTECTING ECOSYSTEMS AND COMMUNITIES FROM HARMFUL AQUACULTURE PRACTICES

Center for Food Safety's mission is to empower people, support farmers, and protect the Earth from the harmful impacts of industrial agriculture, including aquaculture. Center for Food Safety is dedicated to protecting public health and the environment from the harms of industrial aquaculture. Northwest Environmental Defense Center's mission is to preserve and protect the natural environment of the Pacific Northwest, which it accomplishes, in part, by enforcing environmental laws to hold regulators and companies accountable. Center for Food Safety and Northwest Environmental Defense Center are non-profit membership organizations with members who live, recreate, and work throughout the Columbia River Basin, including near and downstream of the Facility's discharges into the lower Columbia River.

II. PACIFIC'S ONGOING VIOLATIONS OF THE PERMIT

A. Pacific's Violations of the Permit's Numeric Effluent Limits

Schedule A of the Permit requires Pacific to comply with numeric effluent limits at all times. Schedule F.A1 also states that Pacific "must comply with all conditions of this permit." Schedule C.1 of the Permit requires Pacific to achieve compliance with the final effluent limits for total residual chlorine in Schedule A of the Permit by December 1, 2024. The Permit sets the following numeric effluent limits (among others):[4]

Outfall 001

- total residual chlorine: monthly average 0.01 mg/L, daily maximum 0.02 mg/L (*limit effective December 1, 2024*)
- pH: instantaneous limit between a daily minimum of 6.0 SU and daily maximum of 9.0 SU

[3] The only amendments to the Permit on October 9, 2024, were the removal of numerical effluent limits for mercury for Outfalls 002 and 003.

[4] The italicized sections note Permit limits that are included in the Compliance Schedule at Schedule C of the Permit.

Outfall 002

- total residual chlorine: monthly average 0.05 mg/L, daily maximum 0.09 mg/L (*limit effective December 1, 2024*)
- pH: instantaneous limit between a daily minimum of 6.0 SU and daily maximum of 9.0 SU

Outfall 003

- total residual chlorine: monthly average 0.01 mg/L, daily maximum 0.02 mg/L (*limit effective December 1, 2024*)
- pH: instantaneous limit between a daily minimum of 6.0 SU and daily maximum of 9.0 SU

As shown in the table below, Pacific has repeatedly violated the numeric effluent limits imposed by Schedule A the Permit, and Pacific has violated the requirement of Schedule C.1 of the Permit to achieve compliance with the final effluent limits for total residual chlorine in Schedule A of the Permit by December 1, 2024:

Violations of the Permit's Numeric Effluent Limit Reported by Pacific

Date of Violation	Outfall	Pollutant	Limit Type	Unit	Limit	Result
August 13, 2022	002	pH	Instantaneous Maximum	SU	9	9.77
August 14, 2022	003	pH	Instantaneous Maximum	SU	9	9.44
August 28, 2022	001	pH	Instantaneous Minimum	SU	6	5.40
January 22, 2023	001	pH	Instantaneous Maximum	SU	9	10.16
January 25, 2023	001	pH	Instantaneous Maximum	SU	9	9.35
February 7, 2023	003	pH	Instantaneous Maximum	SU	9	9.21
September 26, 2024	001	pH	Instantaneous Maximum	SU	9	9.06
November 10, 2024	001	pH	Instantaneous Maximum	SU	9	9.26
December 3, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<5.00
December 3, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
December 11, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<5.00
December 11, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.38
December 19, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<5.00
December 19, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.47
December 24, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	1.00
December 24, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
December 31, 2024	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
December 31, 2024	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.58
December 2024	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<3.60
December 2024	003	Chlorine, total residual	Monthly Average	mg/L	0.01	2.17
January 7, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 7, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.34

January 14, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 14, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.59
January 21, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.15
January 21, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 21, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
January 29, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
January 29, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.38
January 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.08
January 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<2.00
January 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	2.38
February 2, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
February 2, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.67
February 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	3.0
February 11, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.41
February 18, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
February 18, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.71
February 28, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.05
February 28, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	6.0
February 28, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
February 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.03
February 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<3.25
February 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	2.50
March 4, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.20
March 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	22.00
March 11, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.30
March 20, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	18.00
March 20, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.81
March 26, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	8.00
March 26, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.08
March 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<12.01
March 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.60
April 1, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.06
April 1, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	1.00
April 1, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
April 8, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.10
April 16, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
April 16, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.11
April 23, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	3.00
April 23, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
April 30, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	1.00
April 30, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.48

April 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.03
April 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	1.40
April 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.62
May 8, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.33
May 9, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.34
May 13, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.20
May 14, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.11
May 20, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	2.00
May 20, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.55
May 26, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.14
May 26, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	7.00
May 26, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.75
May 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.13
May 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	2.26
May 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	1.21
June 2, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 2, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.07
June 11, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 11, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	1.31
June 12, 2025	001	Chlorine, total residual	Daily Maximum	mg/L	0.02	0.07
June 16, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 16, 2025	003	Chlorine, total residual	Daily Maximum	mg/L	0.02	2.04
June 24, 2025	002	Chlorine, total residual	Daily Maximum	mg/L	0.09	<2.00
June 28, 2025	001	pH	Instantaneous Maximum	SU	9	10.23
June 29, 2025	001	pH	Instantaneous Maximum	SU	9	9.36
June 2025	001	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.03
June 2025	002	Chlorine, total residual	Monthly Average	mg/L	0.05	<2.00
June 2025	003	Chlorine, total residual	Monthly Average	mg/L	0.01	<0.86
July 2, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	6.00
July 2, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	0.81
July 10, 2025	001	Chlorine	Daily Maximum	mg/L	0.02	0.03
July 10, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	0.07
July 11, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	2.00
July 15, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	<2.00
July 15, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	1.97
July 21, 2025	001	Chlorine	Daily Maximum	mg/L	0.02	0.04
July 21, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	<2.00
July 21, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	0.11
July 27, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	<2.00
July 27, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	0.18
July 2025	001	Chlorine	Monthly Average	mg/L	0.01	0.03

July 2025	002	Chlorine	Monthly Average	mg/L	0.05	<2.80
July 2025	003	Chlorine	Monthly Average	mg/L	0.01	0.63
August 12, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	0.03
August 14, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	66.00
August 19, 2025	002	Chlorine	Daily Maximum	mg/L	0.09	22.00
August 25, 2025	003	Chlorine	Daily Maximum	mg/L	0.02	0.03
August 2025	002	Chlorine	Monthly Average	mg/L	0.05	<22.01
August 2025	003	Chlorine	Monthly Average	mg/L	0.01	<0.03

B. Pacific's Violations of Discharge Monitoring and Reporting Requirements

The Permit includes several monitoring and reporting requirements, detailed at Schedule B of the Permit. Per Schedules B.1 and B.2.a of the Permit, Pacific is required to submit monthly effluent monitoring and receiving stream results to ODEQ by the 15th of the following month via ODEQ-approved web-based discharge monitoring reports ("DMRs").

Schedules B.3, B.4, B.5, and B.7 of the Permit prescribe monitoring requirements for Outfall 001, Outfall 002, Outfall 003, and the receiving stream, respectively. These include, but are not limited to, the monitoring requirements identified in the following table:

Effluent and Receiving Stream Monitoring Requirements

Outfall	Parameter	Units	Time Period	Minimum Frequency	Report Statistic
001	Flow	MGD	Year-round	1/day	Monthly Average & Daily Maximum
001	pH	SU	Year-round	1/day	Daily Maximum & Daily Minimum
001	Chlorine, total residual	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
001	Temperature	°C	Year-round	1/hour	Daily Average & Daily Maximum & 7-day Rolling Average of Daily Maximum
001	Total Lead	mg/L	Year-round	1/month	Daily Maximum & Monthly Average
001	Chlorine Used	lbs/day	Year-round	Daily	Daily Maximum
002	Flow	MGD	Year-round	1/day	Monthly Average & Daily Maximum
002	pH	SU	Year-round	1/day	Daily Maximum & Daily Minimum
002	Chlorine, total residual	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
002	Temperature	°C	Year-round	1/hour	Daily Average & Daily Maximum & 7-day Rolling Average of Daily Maximum
002	Total Ammonia	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
002	Chlorine Used	lbs/day	Year-round	Daily	Daily Maximum

003	Flow	MGD	Year-round	1/day	Monthly Average & Daily Maximum
003	pH	SU	Year-round	1/day	Daily Maximum & Daily Minimum
003	Chlorine, total residual	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
003	Temperature	°C	Year-round	1/hour	Daily Average & Daily Maximum & 7-day Rolling Average of Daily Maximum
003	Total Ammonia	mg/L	Year-round	1/week	Daily Maximum & Monthly Average
003	Hardness	mg/L	Year-round	1/month	Monthly Maximum
003	Chlorine Used	lbs/day	Year-round	Daily	Daily Maximum
Receiving Stream	Alkalinity as $CaCO_3$	mg/L	Year-round	1/month	Monthly Maximum

Pacific has violated the Permit's monitoring and reporting requirements by failing to monitor effluent and the receiving stream and by failing to report the results to ODEQ as required by the Permit. These violations are identified in the tables attached hereto as the Appendix. Specifically, the Appendix identifies every date that Pacific has failed to monitor under Schedules B.3, B.4, B.5, and B.7 of the Permit. Each instance identified in the Appendix is also a violation of Schedules B.1 and B.2a of the Permit. Each violation of Schedules B.1 and B.2.a of the Permit occurred on the 15th of the month following the month in which the monitoring violation occurred (e.g., if Pacific failed to monitor for a parameter on April 1, 2022, Pacific violated the corresponding reporting requirements on May 15, 2022).

Further, Pacific has violated the temperature monitoring and reporting requirements of the Permit. As identified in the table above, Schedules B.3, B.4, and B.5 of the Permit require Pacific to monitor for temperature at Outfalls 001, 002, and 003 hourly year-round. For each outfall, every month Pacific must report three statistics on its monthly DMR: (1) daily average; (2) daily maximum; and (3) 7-day rolling average of daily maximum. Pacific has violated the monitoring and reporting requirements for temperature under Schedules B.1, B.2.a, B.3, B.4, and B.5 of the Permits. For example, and at a minimum, Pacific has failed to monitor and report the daily average, or alternatively the daily maximum, for temperature at Outfalls 001, 002, and 003. All of Pacific's DMRs since April 2022 indicate that Pacific only monitors and reports for two of those three required statistics. Therefore each and every day since and including April 1, 2022, Pacific has violated the monitoring requirements of Schedules B.3, B.4, and B.5 of the Permit by failing to monitor the daily average, or alternatively the daily maximum, for temperature at Outfalls 001, 002, and 003. For the same reasons, Pacific has violated the reporting requirements in Schedules B.1 and B.2.a of the Permit on the 15 of every month since and including May 15, 2022 by failing to report the daily average, or alternatively the daily maximum, for temperature at Outfalls 001, 002, and 003.

C. Pacific's Violations of the Wastewater Solids Reporting Requirements

Schedule D.1 of the Permit requires that Pacific submit a Wastewater Solids Annual Report by February 19 of each year documenting the removal of wastewater solids from the

Facility during the previous calendar year using the ODEQ-approved wastewater solids annual report form. The report must include the volume of material removed and the name of the permitted facility that received the solids. Pacific has violated these requirements by failing to timely submit complete and accurate Wastewater Solids Annual Reports using the ODEQ-approved form for each year since and including 2022 (which report was due February 19, 2023).

D. Pacific's Violations of the Permit's Outfall Inspection Requirements

Schedule D.5 of the Permit requires that Pacific inspect Outfalls 001–003, including the submerged portions and diffuser, to document their integrity and to determine whether they are operating as designed. The inspection must determine whether diffuser ports are intact, clear, and fully functional and verify the latitude and longitude of diffusers. Pacific must submit a written report to ODEQ by January 15, 2023, detailing the results of the inspection, including a description of the outfalls as originally constructed, a description of the current condition of the outfalls, and identification of any repairs needed to return the outfalls to satisfactory condition. Pacific has violated these requirements by failing to timely conduct inspections in the manner required and by failing to timely submit a complete and accurate written report that includes all required information.

E. Pacific's Violations of the Quality Assurance and Control Plan Requirements

Schedule B.2.e of the Permit requires that Pacific develop and implement a written Quality Assurance and Quality Control Plan that details the facility sampling procedures, equipment calibration and maintenance, analytical methods, quality control activities and laboratory data handling and reporting. The plan must conform to the requirements of 40 C.F.R. § 136.7. Upon information and belief, including Pacific's repeated violations of the Permit's effluent monitoring and reporting requirements, Pacific has violated the Permit by failing to develop and implement a Quality Assurance and Quality Control Plan in accordance with these requirements.

F. Pacific's Violations of the Chlorine Compliance Schedule Requirements

Schedule C.1 of the Permit requires that Pacific submit to ODEQ for approval an evaluation of the sources of residual chlorine in the effluent for all outfalls by December 1, 2022. The submission must also include a plan and schedule to reduce residual chlorine in the effluent and comply with the final total residual chlorine limits in Schedule A of the Permit. Further, Pacific must submit a status report to ODEQ by January 15 of each year outlining the progress made towards completion of the improvements. Pacific must achieve compliance with the final effluent limits for total residual chlorine in Schedule A of the Permit by December 1, 2024. Pacific violated these requirements by failing to timely submit an evaluation, plan, and schedule that comply with the Permit's requirements, by failing to achieve compliance with the final effluent limits for total residual chlorine in Schedule A of the Permit by December 1, 2024, and by failing to timely submit the status reports due January 15, 2023, January 15, 2024, and January 15, 2025 outlining progress.

Schedule C.2 of the Permit requires that, no later than fourteen days following each compliance date listed in Schedule C.1 of the Permit, Pacific must notify ODEQ in writing of its compliance or noncompliance. Any report of noncompliance must include the cause of noncompliance, any remedial actions taken, and a discussion of the likelihood of meeting the next scheduled requirement(s). Pacific violated Schedule C.2 of the Permit by failing to timely notify ODEQ in writing of compliance or noncompliance, and by failing to timely provide the information required for notifications of noncompliance, for its total residual chlorine evaluation, plan, and schedule due December 1, 2022, for its status reports for total residual chlorine requirements due January 15, 2023, January 15, 2024, and January 15, 2025, and for its compliance with the total residual chlorine final effluent limits due December 1, 2024.

G. Pacific's Violations of the Ammonia and Temperature Compliance Schedule Requirements

Schedule C.1 of the Permit requires that Pacific submit to ODEQ by March 1, 2024, for review and approval a feasibility study designed to identify treatment, source control, and other options to treat the effluent at Outfalls 002 and 003 to meet the final effluent limits of the Permit for total ammonia as N and temperature. The study must identify key activities and milestones, include a preliminary design, and include an estimated timeline to achieve the milestones. By June 1, 2024, Pacific must select treatment, source control, or other options and submit for approval to ODEQ a 30% design of modifications/improvements to implement the selected options. Pacific must also submit a status report to ODEQ by January 15 of each year outlining the progress made towards completion of the improvements. Pacific violated these requirements by failing to timely submit a feasibility study that included all required components, by failing to timely select improvements and to timely submit a 30% design for those improvements, and by failing to timely submit the status report due January 15, 2025 outlining progress.

Schedule C.2 of the Permit requires that, no later than fourteen days following each compliance date listed in Schedule C.1 of the Permit, Pacific must notify ODEQ in writing of its compliance or noncompliance. Any report of noncompliance must include the cause of noncompliance, any remedial actions taken, and a discussion of the likelihood of meeting the next scheduled requirement(s). Pacific violated Schedule C.2 of the Permit by failing to timely notify ODEQ in writing of compliance or noncompliance, and by failing to timely provide the information required for notifications of noncompliance, for its feasibility study due March 1, 2024, for its selection of improvements and submission of a 30% design for those improvements, and for its status report due January 15, 2025.

H. Pacific's Violations of the Noncompliance Notification Requirements

Schedule F.D5 of the Permit requires that Pacific report orally via telephone to ODEQ any Permit noncompliance that may endanger health or the environment within 24 hours of becoming aware of the circumstances. Such incidents include, but are not limited to, any violation of the Permit's maximum daily discharge limits. Pacific must also submit a written report within five days of becoming aware of the circumstances that contains: (1) a description of the noncompliance and its cause; (2) the period of noncompliance, including exact dates and times; (3) the estimated time noncompliance is expected to continue if it has not been corrected;

(4) steps taken on planned to reduce, eliminate and prevent recurrence of the noncompliance; and (5) public notification steps taken in accordance with Permit requirements. Pacific has violated these requirements by failing to timely provide the required 24-hour notice and by failing to timely submit complete and accurate written reports the contain all required information each time since Apri1 1, 2022 that Pacific became aware of Permit noncompliance that may endanger health or the environment. Such incidents include, but are not limited to, the exceedances of maximum daily discharge limits for total residual chlorine and violations of the instantaneous discharge limits for pH, as identified in the table above in section II.A of this notice of intent to letter.

Schedule F.D6 of the Permit requires that Pacific report all other Permit noncompliance at the time its monitoring reports are submitted. The report must include: (1) a description of the noncompliance and its cause; (2) the period of noncompliance, including exact dates and times; (3) the estimated time noncompliance is expected to continue if it has not been corrected; and (4) steps taken on planned to reduce, eliminate and prevent recurrence of the noncompliance. Pacific has violated these requirements by failing to timely submit complete and accurate reports that contain all required information for all violations identified in this notice of intent to sue letter (except those subject to the 24-hour reporting requirements identified above). Such violations that required reporting under Schedule F.D6 of the Permit include, but are not limited to, the exceedances of monthly average discharge limits identified in the table above in section II.A of this notice of intent to letter and the reporting violations identified in the Appendix to this notice of intent to sue letter. Additionally, to the extent that violations of the instantaneous discharge limits for pH do not require 24-hour reporting under Schedule F.D5 of the Permit, those violations required reporting under Schedule F.D6 of the Permit and are identified in the table above in section II.A of this notice of intent to letter.

I. Pacific's Violations of the Requirement to Properly Operate and Maintain Facilities and Systems Used for Permit Compliance

Schedule F.B1 of the Permit requires that Pacific at all times properly operate and maintain all facilities and systems of treatment and control that are installed or used to achieve compliance with the Permit. On information and belief, including knowledge of the numerous effluent limit violations and monitoring and reporting violations identified herein, Pacific has violated these requirements each and every day since April 1, 2022.

J. Pacific's Violations of the Duty to Mitigate

Pacific is also required, per Schedule F.A3 of the Permit, to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the Permit. Pacific has violated this requirement by failing to take all reasonable steps to minimize or prevent discharges that violate the Permit numeric effluent limits, including all such discharges identified in the table above in section II.A of this notice of intent to letter.

III. PACIFIC HAS VIOLATED SECTION 301(a) OF THE CWA

The Permit authorizes Pacific to discharge wastewater "only from the authorized discharge point or points in Schedule A in conformance with the requirements, limits, and conditions set forth in this permit." As detailed above, Pacific has repeatedly violated the Permit since at least August 2022, including by exceeding numeric effluent limitations, failing to monitor and report discharges as required, failing to develop and/or implement plans intended to control and prevent pollution, and failing to ensure proper operations and maintenance in the Facility. These and the other violations identified above nullify the Permit's authorization to discharge.

Accordingly, Pacific has violated section 301(a) of the CWA, 33 U.S.C. § 1311(a), by discharging effluent from the Facility, including from Outfalls 001–003, to the Columbia River, in a manner not authorized by the Permit or any other NPDES permit. The pollutants discharged include, but are not limited to, chlorinated condensed scrubber wastewater and seafood processing wastewater. These illegal discharges have occurred each and every day since August 1, 2022 and they continue to occur.

IV. PARTIES GIVING NOTICE OF INTENT TO SUE

The full names, addresses, and telephone numbers of the parties giving notice are:

Center for Food Safety
2009 NE Alberta Street, Suite 207
Portland, Oregon 97211
(971) 271-7372

Northwest Environmental Defense Center
10101 S. Terwilliger Boulevard
Portland, Oregon 97219
(503) 768-6726

V. ATTORNEYS REPRESENTING CENTER FOR FOOD SAFETY AND NORTHWEST ENVIRONMENTAL DEFENSE CENTER

The attorneys representing Center for Food Safety and Northwest Environmental Defense Center in this matter are:

Holly Bainbridge
Chelsea Bowling*
(202) 595-8816
FarmSTAND
712 H Street NE Suite 2534
Washington, DC 20002
holly@farmstand.org
chelsea@farmstand.org
*Admitted in Tennessee only. Practicing under the supervision of D.C. Bar members.

Brian A. Knutsen
Emma Bruden
Kampmeier & Knutsen, PLLC
1300 S.E. Stark Street, Suite 202
Portland, Oregon 97214
(503) 841-6515 (Knutsen)
(503) 719-5641 (Bruden)
brian@kampmeierknutsen.com
emma@kampmeierknutsen.com

Kingsly Alec McConnell
Center for Food Safety
2009 N.E. Alberta St., Suite 207
Portland, Oregon 97211
(971) 271-7372
kmcconnell@centerforfoodsafety.org

Mary Stites
Northwest Environmental Defense Center
10101 S. Terwilliger Blvd.
Portland, Oregon 97219
(503) 768-6726
mary@nedc.org

VI. CONCLUSION

The above-described violations reflect those indicated by the information currently available to Center for Food Safety and Northwest Environmental Defense Center based on their review of the public record. These violations are continuous and ongoing. Center for Food Safety and Northwest Environmental Defense Center intend to sue for all violations, including those yet to be uncovered and those committed after the date of this Notice of Intent to Sue.

Under section 309(d) of the CWA, 33 U.S.C § 1319(d), Pacific is subject to a separate daily penalty assessment for each violation. The current maximum daily penalty assessment for each violation is $68,445. 40 C.F.R. § 19.4. In addition to civil penalties, Center for Food Safety and Northwest Environmental Defense Center will seek injunctive relief to prevent further violations under section 505(a) of the CWA, 33 U.S.C. § 1365(a), and such other relief as is permitted by law. Section 505(d) of the CWA, 33 U.S.C. § 1365(d), further authorizes prevailing parties to recover costs, including attorneys' fees.

Center for Food Safety and Northwest Environmental Defense Center believe that this Notice of Intent to Sue sufficiently states grounds for filing suit. Center for Food Safety and Northwest Environmental Defense Center intend, at the close of the 60-day notice period, or shortly thereafter, to file a citizen suit against Pacific Bio Products – Warrenton, LLC under section 505(a) of the CWA for the violations described herein.

Center for Food Safety and Northwest Environmental Defense Center are willing to discuss effective remedies for the violations described in this letter during the 60-day notice period. If you believe that any of the allegations in this Notice of Intent to Sue are incorrect or based on incomplete information in the public record, please bring those facts to our attention. Thank you for your prompt attention to this matter.

Sincerely,

FARMSTAND

By: _____
Holly Bainbridge
Chelsea Bowling

KAMPMEIER & KNUTSEN, PLLC

By: _____
Emma A. O. Bruden
Brian A. Knutsen

CERTIFICATE OF SERVICE

I, Emma A. O. Bruden, declare under penalty of perjury of the laws of the State of Oregon and the United States that I am co-counsel for Center for Food Safety and Northwest Environmental Defense Center and that on October 14, 2025, I caused copies of the foregoing Notice of Intent to Sue Under the Clean Water Act and the following Appendix to be served on the following by depositing them with the United States Postal Service, certified mail, return receipt requested, postage prepaid:

Managing Agent
Pacific Bio Products — Warrenton, LLC
16797 SE 130th Avenue
Clackamas, OR 97015

Managing Agent
Pacific Bio Products — Warrenton, LLC
1935 NW Warrenton Dr.
Warrenton, OR 97146

Robert J. Preston
Registered Agent for Pacific Bio Products - Warrenton, LLC
707 SW Washington Street, Ste 1500
Portland, OR 97205

Administrator Lee Zeldin
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
(Mail Code 1101A)
Washington, DC 20460

Regional Administrator Emma Pokon
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

Director Leah Feldon
Oregon Department of Environmental Quality
700 NE Multnomah St, Ste 600
Portland, OR 97232

Emma Bruden

Appendix

Violations of Daily Monitoring Requirements Based on Pacific's DMR Data					
DMR Month	**Outfall**	**Parameter**	**Minimum Frequency**	**Report Statistic**	**Dates of Monitoring Violations**
April 2022	001	pH	1/day	Daily Maximum & Daily Minimum	April 5, 7, 10, 11, 17, 19, 24
	002	Chlorine Used	Daily	Daily Maximum	April 1, 3, 4, 10, 11 12, 14, 17, 18, 19, 20, 21, 22, 24, 25, 27, 28, 29, 30
May 2022	002	pH	1/day	Daily Maximum & Daily Minimum	May 7, 8
		Chlorine Used	Daily	Daily Maximum	May 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 19, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31
June 2022	002	pH	1/day	Daily Maximum & Daily Minimum	June 7
September 2022	001	Flow	1/day	Monthly Average and Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
		Chlorine Used	Daily	Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
	002	Flow	1/day	Monthly Average & Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
		Chlorine Used	Daily	Daily Maximum	September 30
	003	Flow	1/day	Monthly Average & Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
		Chlorine Used	Daily	Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
October 2022	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 30
		pH	1/day	Daily Maximum & Daily Minimum	October 30
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 25, 26, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	October 25, 26, 30

	003	Flow	1/day	Monthly Average & Daily Maximum	October 11, 30, 31
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 11, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	October 30, 31
November 2022	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 9, 13, 16, 17, 18, 21, 23, 24, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	November 9, 13, 16, 17, 18, 21, 23, 24, 28, 30
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 3, 4, 6, 7, 10, 12, 13, 17, 20, 24
		pH	1/day	Daily Maximum & Daily Minimum	November 2, 6, 7, 10, 12, 13, 14, 17, 20, 24
	003	Flow	1/day	Monthly Average & Daily Maximum	November 4, 6, 10, 12, 13, 17, 20, 24
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 4, 6, 7, 10, 12, 13, 17, 20, 24
		pH	1/day	Daily Maximum & Daily Minimum	November 4, 6, 7, 10, 12, 13, 17, 20, 24
December 2022	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 3, 4, 5, 7, 9, 10, 11, 17, 18, 22, 23, 24, 25, 26, 27, 28, 29
		pH	1/day	Daily Maximum & Daily Minimum	December 3, 4, 5, 7, 9, 10, 11, 17, 18, 22, 23, 24, 25, 26, 27, 28, 29
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 3, 4, 5, 7, 10, 18, 23, 24, 25, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	December 2, 3, 4, 5, 7, 10, 18, 23, 24, 25, 26, 27
	003	Flow	1/day	Monthly Average & Daily Maximum	December 4, 5, 10, 18, 23, 24, 25, 26, 27

		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 4, 5, 7, 10, 18, 23, 24, 25, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	December 4, 5, 7, 10, 18, 23, 24, 25, 26, 27
January 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 23, 26
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 23, 26
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 8, 9, 14, 15, 16, 23, 24
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 8, 15, 16, 23, 24
	003	Flow	1/day	Monthly Average & Daily Maximum	January 1, 2, 8, 9, 15, 16
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 8, 9, 15, 16
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 8, 9, 15, 16
February 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 8, 12, 23
		pH	1/day	Daily Maximum & Daily Minimum	February 8, 12, 23
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 15, 23
		pH	1/day	Daily Maximum & Daily Minimum	February 15, 23
	003	Flow	1/day	Monthly Average & Daily Maximum	February 23
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 23

		pH	1/day	Daily Maximum & Daily Minimum	February 23
March 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 1, 2, 6, 12, 23
		pH	1/day	Daily Maximum & Daily Minimum	March 1, 2, 6, 12, 23
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 21
		pH	1/day	Daily Maximum & Daily Minimum	March 21
April 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 1, 4, 5, 7, 8, 11, 17, 18, 19, 20, 25, 26, 30
		pH	1/day	Daily Maximum & Daily Minimum	April 1, 4, 5, 7, 8, 11, 17, 18, 19, 20, 25, 26, 30
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 3, 6, 9, 11, 13, 17, 18, 20, 21, 25
		pH	1/day	Daily Maximum & Daily Minimum	April 11, 17, 21, 25
	003	Flow	1/day	Monthly Average & Daily Maximum	April 11, 17, 25
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 11, 17, 25
		pH	1/day	Daily Maximum & Daily Minimum	April 11, 17, 25
		Chlorine Used	Daily	Daily Maximum	April 1
May 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 1, 4, 6, 15
		pH	1/day	Daily Maximum & Daily Minimum	May 1, 4, 6, 15

	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 1, 5, 6
		pH	1/day	Daily Maximum & Daily Minimum	May 1, 6, 15, 24
	003	Flow	1/day	Monthly Average & Daily Maximum	May 1, 6
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 1, 6
		pH	1/day	Daily Maximum & Daily Minimum	May 1, 6, 15
June 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	June 3, 6, 11, 14, 22, 25, 27
		pH	1/day	Daily Maximum & Daily Minimum	June 3, 6, 11, 14, 22, 25, 27
	002	pH	1/day	Daily Maximum & Daily Minimum	June 6
	003	pH	1/day	Daily Maximum & Daily Minimum	June 6
July 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	July 4, 11, 20, 28, 31
		pH	1/day	Daily Maximum & Daily Minimum	July 4, 11, 20, 28, 31
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	July 4
		pH	1/day	Daily Maximum & Daily Minimum	July 4
	003	Flow	1/day	Monthly Average & Daily Maximum	July 4
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	July 4

		pH	1/day	Daily Maximum & Daily Minimum	July 4
August 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	August 1, 6, 8, 22, 23
		pH	1/day	Daily Maximum & Daily Minimum	August 1, 6, 8, 22, 23
September 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	September 14, 17, 25, 26, 27, 29, 30
		pH	1/day	Daily Maximum & Daily Minimum	September 14, 17, 25, 26, 27, 29, 30
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	September 26, 29
		pH	1/day	Daily Maximum & Daily Minimum	September 26, 29
	003	Flow	1/day	Monthly Average & Daily Maximum	September 26
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	September 26
		pH	1/day	Daily Maximum & Daily Minimum	September 26, 29
October 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 1, 8, 12, 14, 17, 20, 21, 22, 24, 26, 31
		pH	1/day	Daily Maximum & Daily Minimum	October 1, 8, 12, 14, 17, 20, 21, 22, 24, 26, 31
	002	pH	1/day	Daily Maximum & Daily Minimum	October 1
	003	pH	1/day	Daily Maximum & Daily Minimum	October 1
November 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 1, 6, 7, 10, 12, 13, 15, 16, 17, 20, 21, 23, 27, 30

		pH	1/day	Daily Maximum & Daily Minimum	November 1, 6, 7, 10, 12, 13, 15, 16, 17, 20, 21, 23, 27, 30
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 5, 7, 10, 12, 13, 16, 17, 19, 20, 21, 23, 25, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	November 1, 7, 10, 12, 13, 15, 16, 17, 19, 20, 21, 23, 25, 26, 27
	003	Flow	1/day	Monthly Average & Daily Maximum	November 12, 13, 16, 17, 21, 25, 26
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 7, 12, 13, 16, 17, 21, 25, 26
		pH	1/day	Daily Maximum & Daily Minimum	November 1, 7, 10, 12, 13, 15, 16, 17, 19, 21, 23, 25, 26, 27
December 2023	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 2, 4, 5, 10, 13, 23, 24, 25, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	December 2, 4, 5, 10, 13, 23, 24, 25, 30, 31
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 4, 10, 20, 22, 23, 24, 25, 28, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	December 4, 10, 11, 13, 14, 17, 19 20, 22, 23, 24, 25, 28, 30, 31
	003	Flow	1/day	Monthly Average & Daily Maximum	December 10, 20, 23, 24, 25, 30, 31
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 10, 20, 23, 24, 25, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	December 4, 10, 13, 20, 23, 24, 25, 28, 30, 31
January 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 7, 8, 9, 13, 14, 15, 16, 20, 21, 22, 23, 24, 29, 30
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 7, 8, 9, 13, 14, 15, 16, 20, 21, 22, 23, 24, 28, 29, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	January 1, 2, 7, 8, 9, 13, 14, 22, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 7, 8, 9, 13, 14, 22, 30
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 7, 8, 9, 13, 14, 15, 16, 20, 23, 30, 31
February 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 1, 2, 3, 4, 5, 8, 11, 13, 15, 21, 23, 25, 28
		pH	1/day	Daily Maximum & Daily Minimum	February 1, 2, 3, 4, 5, 8, 11, 13, 15, 21, 23, 25, 28
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 1, 4, 6, 16, 24
		pH	1/day	Daily Maximum & Daily Minimum	February 1, 4, 6, 16, 24
	003	pH	1/day	Daily Maximum & Daily Minimum	February 4
March 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 1, 3, 4, 6, 10, 11, 13, 14, 17, 19, 21, 24, 27, 29, 31
		pH	1/day	Daily Maximum & Daily Minimum	March 1, 3, 4, 6, 10, 11, 13, 14, 17, 19, 21, 24, 27, 29, 31
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 3, 4, 9, 10, 14, 16, 17, 18, 21, 23, 24, 25, 31
		pH	1/day	Daily Maximum & Daily Minimum	March 3, 4, 9, 10, 14, 16, 17, 18, 21, 23, 24, 25, 31
	003	Flow	1/day	Monthly Average & Daily Maximum	March 10, 17, 18

		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 10, 17, 18
		pH	1/day	Daily Maximum & Daily Minimum	March 4, 10, 14, 17, 18, 21, 24
April 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 1, 8, 11, 12, 14, 17, 18, 20, 23, 24, 25, 26, 27, 28, 29, 30
		pH	1/day	Daily Maximum & Daily Minimum	April 1, 8, 11, 12, 14, 17, 18, 20, 23, 24, 25, 26, 27, 28, 29, 30
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 2, 3, 6, 7, 8, 14, 15, 20, 21
		pH	1/day	Daily Maximum & Daily Minimum	April 2, 3, 6, 7, 8, 14, 15, 20, 21
	003	Flow	1/day	Monthly Average & Daily Maximum	April 8, 14, 15
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 7, 8, 14, 15
		pH	1/day	Daily Maximum & Daily Minimum	April 2, 3, 7, 8, 14, 15, 20, 28
May 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 16, 17, 19, 26, 28, 29, 31
		pH	1/day	Daily Maximum & Daily Minimum	May 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 16, 17, 19, 26, 28, 29, 31
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 5
		pH	1/day	Daily Maximum & Daily Minimum	May 3, 5
	003	pH	1/day	Daily Maximum & Daily Minimum	May 6
June 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	June 10, 11, 21, 24, 27

		pH	1/day	Daily Maximum & Daily Minimum	June 10, 11, 21, 24, 27
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	June 17
		pH	1/day	Daily Maximum & Daily Minimum	June 3, 17
July 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	July 18, 23, 31
		pH	1/day	Daily Maximum & Daily Minimum	July 18, 23, 31
August 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	August 2, 5, 22
		pH	1/day	Daily Maximum & Daily Minimum	August 2, 5, 22
	003	Chlorine Used	Daily	Daily Maximum	August 1
September 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	September 1, 3, 5, 11, 13, 14
		pH	1/day	Daily Maximum & Daily Minimum	September 1, 3, 5, 11, 13, 14
	002	pH	1/day	Daily Maximum & Daily Minimum	September 1
October 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 6, 9, 13, 20, 24, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	October 6, 9, 13, 20, 24, 28, 30
	002	Flow	1/day	Monthly Average & Daily Maximum	October 6, 8, 22, 24, 27, 28, 30
		Temperature	1/hour	Daily Maximum*	October 4, 5, 6, 8, 22, 24, 27, 28, 30
		Temperature	1/hour	7-day Rolling Average of Daily Maximum	October 6, 8, 22, 24, 27, 28, 30

		pH	1/day	Daily Maximum & Daily Minimum	October 6, 8, 22, 24, 27, 28, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	October 27, 28, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 27, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	October 22, 27, 28, 30
November 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 1, 9, 11, 18, 19, 28
		pH	1/day	Daily Maximum & Daily Minimum	November 1, 9, 11, 18, 19, 28
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 1, 2, 4, 7, 10, 11, 16, 17, 18, 19, 21, 25, 28
		pH	1/day	Daily Maximum & Daily Minimum	November 1, 2, 4, 7, 10, 11, 16, 17, 18, 19, 21, 25, 28
	003	Flow	1/day	Monthly Average & Daily Maximum	November 2, 10, 19, 25, 28
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 2, 10, 19, 25, 28
		pH	1/day	Daily Maximum & Daily Minimum	November 2, 10, 11, 19, 25, 28
December 2024	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 3, 7, 8, 9, 10, 14, 15, 18, 22, 25, 30
		pH	1/day	Daily Maximum & Daily Minimum	December 3, 7, 8, 9, 10, 14, 15, 18, 22, 25, 30
	002	Flow	1/day	Monthly Average & Daily Maximum	December 1, 2, 5, 9, 10, 12, 15, 16, 18, 22, 23, 25, 26, 29, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 1, 2, 5, 9, 10, 12, 15, 16, 18, 22, 23, 25, 26, 29, 30

		pH	1/day	Daily Maximum & Daily Minimum	December 1, 2, 5, 9, 10, 12, 15, 16, 18, 22, 23, 25, 26, 29, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	December 1, 2, 9, 17, 18, 25, 29
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 1, 2, 9, 17, 18, 25, 29
		pH	1/day	Daily Maximum & Daily Minimum	December 1, 2, 9, 10, 12, 16, 18, 23, 25, 29, 30
January 2025	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 6, 19
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 6, 19
	002	Flow	1/day	Monthly Average & Daily Maximum	January 4, 5, 6, 13, 19, 20, 28, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 4, 5, 6, 13, 19, 20, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 4, 5, 6, 13, 19, 20, 28, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	January 1, 6, 13, 19
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 6, 13, 19
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 6, 13, 19, 28, 30
February 2025	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 3, 4, 13, 24
		pH	1/day	Daily Maximum & Daily Minimum	February 3, 4, 13, 24
	002	Flow	1/day	Monthly Average & Daily Maximum	February 1, 3, 4, 6, 7, 8, 9, 10, 20, 21, 23, 24, 26, 27

		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 1, 3, 4, 6, 7, 8, 9, 10, 20, 21, 23, 24, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	February 1, 3, 4, 6, 7, 8, 9, 10, 20, 21, 23, 24, 26, 27
	003	Flow	1/day	Monthly Average & Daily Maximum	February 3, 4, 10, 24, 26, 27
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 3, 4, 10, 24, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	February 3, 4, 10, 20, 24, 26, 27
March 2025	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 5, 15, 16, 23
		pH	1/day	Daily Maximum & Daily Minimum	March 5, 15, 16, 23
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 2, 3, 5, 9, 10, 15, 16, 17, 19, 21, 23, 24, 25, 27, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	March 2, 3, 5, 9, 10, 15, 16, 17, 19, 21, 23, 24, 25, 27, 30, 31
	003	Flow	1/day	Monthly Average & Daily Maximum	March 15, 16, 23, 24
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 15, 16, 23, 24, 31
		pH	1/day	Daily Maximum & Daily Minimum	March 10, 15, 16, 17, 23, 24, 31
April 2025	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 3, 6, 7, 9, 13, 14, 15, 18, 20, 21, 22, 26, 27, 28
		pH	1/day	Daily Maximum & Daily Minimum	April 3, 6, 7, 9, 13, 14, 15, 18, 20, 21, 22, 26, 27, 28
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 3, 6, 7, 9, 10, 13, 14, 15, 18, 20, 21, 22, 26, 27, 28

		pH	1/day	Daily Maximum & Daily Minimum	April 3, 6, 7, 9, 10, 13, 14, 15, 18, 20, 21, 22, 26, 27, 28
	003	Flow	1/day	Monthly Average & Daily Maximum	April 3, 13, 14, 20, 21, 22, 26, 27, 28
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 3, 7, 13, 14, 20, 21, 22, 26, 27, 28
		pH	1/day	Daily Maximum & Daily Minimum	April 3, 7, 9, 13, 14, 18, 20, 21, 22, 26, 27, 28
May 2025	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 7, 11
		pH	1/day	Daily Maximum & Daily Minimum	May 7, 11
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 2, 4, 6, 11, 19
		pH	1/day	Daily Maximum & Daily Minimum	May 2, 4, 6, 11, 19
June 2025	001	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	June 6, 7
		pH	1/day	Daily Maximum & Daily Minimum	June 6, 7
	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	June 6
		pH	1/day	Daily Maximum & Daily Minimum	June 6
	003	pH	1/day	Daily Maximum & Daily Minimum	June 6

* Each reference to "Daily Maximum" for the report statistic for temperature in the table above assumes that the "Temperature" column on Pacific's monthly DMRs refers to the daily maximum for temperature. To the extent the "Temperature" column on Pacific's monthly DMRs refers to the Daily Average, the report statistic of "Daily Average" is substituted for each reference to "Daily Maximum" for temperature in the table above.

Violations of Weekly and Monthly Monitoring Requirements Based on Pacific's DMR Data				
Outfall	**Parameter**	**Minimum Frequency**	**Reporting Statistic**	**Period of Monitoring Violation**
Receiving Stream	Alkalinity as $CaCO_3$	1/month	Monthly Maximum	August 2022
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	January 29-February 4, 2023
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	January 29-February 4, 2023
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	October 29-November 4, 2023
001	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	January 14-January 20, 2024
001	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	January 21-January 27, 2024
002	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	January 28-February 3, 2024
003	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	January 28-February 3, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	March 17-March 23, 2024
001	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	March 31-April 6, 2024
002	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	March 31-April 6, 2024
003	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	March 31-April 6, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
002	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
003	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 4-August 10, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 11-August 17, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 18-August 24, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 25-August 31, 2024
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 4-August 10, 2024
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 11-August 17, 2024
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 18-August 24, 2024
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	August 25-August 31, 2024
001	Total Lead	1/month	Daily Maximum & Monthly Average	August 2024
003	Hardness	1/month	Monthly Maximum	August 2024
Receiving Stream	Alkalinity as $CaCO_3$	1/month	Monthly Maximum	August 2024

Exhibit 2

Exhibit 2

Violations of Daily Monitoring Requirements Based on Pacific's DMR Data					
DMR Month	**Outfall**	**Parameter**	**Minimum Frequency**	**Report Statistic**	**Dates of Monitoring Violations**
April 2022	002	Chlorine Used	Daily	Daily Maximum	April 1, 3, 12, 14, 18, 20, 21, 22, 25, 27, 28, 29, 30
May 2022	002	pH	1/day	Daily Maximum & Daily Minimum	May 7, 8
		Chlorine Used	Daily	Daily Maximum	May 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 19, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31
June 2022	002	pH	1/day	Daily Maximum & Daily Minimum	June 7
September 2022	001	Flow	1/day	Monthly Average and Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
		Chlorine Used	Daily	Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
	002	Flow	1/day	Monthly Average & Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

		Chlorine Used	Daily	Daily Maximum	September 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
October 2022	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	October 30
	003	Flow	1/day	Monthly Average & Daily Maximum	October 11, 30, 31
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 11, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	October 30, 31
November 2022	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 3, 4, 6, 7, 10, 12, 13, 17, 20
		pH	1/day	Daily Maximum & Daily Minimum	November 2, 6, 7, 10, 12, 13, 14, 17, 20
	003	Flow	1/day	Monthly Average & Daily Maximum	November 4, 6, 10, 12, 13, 17, 20, 24
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 4, 6, 10, 12, 13, 17, 20, 24
		pH	1/day	Daily Maximum & Daily Minimum	November 4, 6, 10, 12, 13, 17, 20, 24

December 2022	002	pH	1/day	Daily Maximum & Daily Minimum	December 2
	003	Flow	1/day	Monthly Average & Daily Maximum	December 4, 5, 10, 18, 23, 24, 25, 26, 27
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 4, 5, 10, 18, 23, 24, 25, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	December 4, 5, 10, 18, 23, 24, 25, 26, 27
January 2023	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 9, 14
	003	Flow	1/day	Monthly Average & Daily Maximum	January 1, 2, 8, 9, 15, 16
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 8, 9, 15, 16
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 8, 9, 15, 16
February 2023	003	Flow	1/day	Monthly Average & Daily Maximum	February 23
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 23
		pH	1/day	Daily Maximum & Daily Minimum	February 23

March 2023	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 21
		pH	1/day	Daily Maximum & Daily Minimum	March 21
April 2023	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 3, 6, 9, 13, 18, 20
	003	Flow	1/day	Monthly Average & Daily Maximum	April 11, 17, 25
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 11, 17, 25
		pH	1/day	Daily Maximum & Daily Minimum	April 11, 17, 25
		Chlorine Used	Daily	Daily Maximum	April 1
May 2023	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 5
		pH	1/day	Daily Maximum & Daily Minimum	May 15
	003	Flow	1/day	Monthly Average & Daily Maximum	May 1, 6
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	May 1, 6
		pH	1/day	Daily Maximum & Daily Minimum	May 1, 6, 15

June 2023	002	pH	1/day	Daily Maximum & Daily Minimum	June 6
	003	pH	1/day	Daily Maximum & Daily Minimum	June 6
July 2023	003	Flow	1/day	Monthly Average & Daily Maximum	July 4
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	July 4
		pH	1/day	Daily Maximum & Daily Minimum	July 4
September 2023	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	September 26, 29
		pH	1/day	Daily Maximum & Daily Minimum	September 26, 29
	003	Flow	1/day	Monthly Average & Daily Maximum	September 26
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	September 26
		pH	1/day	Daily Maximum & Daily Minimum	September 26, 29
October 2023	002	pH	1/day	Daily Maximum & Daily Minimum	October 1
	003	pH	1/day	Daily Maximum & Daily Minimum	October 1

November 2023	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 5, 7, 10, 12, 13, 16, 17, 19, 20, 21, 25, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	November 1, 7, 10, 12, 13, 15, 16, 17, 19, 20, 21, 25, 26, 27
	003	Flow	1/day	Monthly Average & Daily Maximum	November 12, 13, 16, 17, 21, 25, 26
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 12, 13, 16, 17, 21, 25, 26
		pH	1/day	Daily Maximum & Daily Minimum	November 1, 10, 12, 13, 15, 16, 17, 19, 21, 23, 25, 26, 27
December 2023	003	Flow	1/day	Monthly Average & Daily Maximum	December 10, 20, 23, 24, 25, 30, 31
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 10, 20, 23, 24, 25, 30, 31
		pH	1/day	Daily Maximum & Daily Minimum	December 4, 10, 13, 20, 23, 24, 25, 28, 30, 31
January 2024	002	pH	1/day	Daily Maximum & Daily Minimum	January 28
	003	Flow	1/day	Monthly Average & Daily Maximum	January 1, 2, 7, 8, 9, 13, 14, 22, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 2, 7, 8, 9, 13, 14, 22, 30
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 2, 7, 8, 9, 13, 14, 15, 16, 20, 23, 30, 31

February 2024	003	pH	1/day	Daily Maximum & Daily Minimum	February 4
March 2024	003	Flow	1/day	Monthly Average & Daily Maximum	March 10, 17, 18
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 10, 17, 18
		pH	1/day	Daily Maximum & Daily Minimum	March 4, 10, 14, 17, 18, 21, 24
April 2024	003	Flow	1/day	Monthly Average & Daily Maximum	April 8, 14, 15
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 8, 14, 15
		pH	1/day	Daily Maximum & Daily Minimum	April 2, 3, 8, 14, 15, 20, 28
May 2024	002	pH	1/day	Daily Maximum & Daily Minimum	May 3
	003	pH	1/day	Daily Maximum & Daily Minimum	May 6
June 2024	002	pH	1/day	Daily Maximum & Daily Minimum	June 3
August 2024	003	Chlorine Used	Daily	Daily Maximum	August 1
September 2024	002	pH	1/day	Daily Maximum & Daily Minimum	September 1

October 2024	002	Flow	1/day	Monthly Average & Daily Maximum	October 6, 8, 22, 24, 27, 28, 30
		Temperature	1/hour	Daily Maximum*	October 4, 5, 6, 8, 22, 24, 27, 28, 30
		Temperature	1/hour	7-day Rolling Average of Daily Maximum	October 6, 8, 22, 24, 27, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	October 6, 8, 22, 24, 27, 28, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	October 27, 28, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 27, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	October 22, 27, 28, 30
November 2024	003	Flow	1/day	Monthly Average & Daily Maximum	November 2, 10, 19, 25, 28
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	November 2, 10, 19, 25, 28
		pH	1/day	Daily Maximum & Daily Minimum	November 2, 10, 11, 19, 25, 28
December 2024	002	Flow	1/day	Monthly Average & Daily Maximum	December 1, 2, 5, 9, 10, 12, 15, 16, 18, 22, 23, 25, 26, 29, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 1, 2, 5, 9, 10, 12, 15, 16, 18, 22, 23, 25, 26, 29, 30
		pH	1/day	Daily Maximum & Daily Minimum	December 1, 2, 5, 9, 10, 12, 15, 16, 18, 22, 23, 25, 26, 29, 30

	003	Flow	1/day	Monthly Average & Daily Maximum	December 1, 2, 9, 17, 18, 25, 29
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	December 1, 2, 9, 17, 18, 25, 29
		pH	1/day	Daily Maximum & Daily Minimum	December 1, 2, 9, 10, 12, 16, 18, 23, 25, 29, 30
January 2025	002	Flow	1/day	Monthly Average & Daily Maximum	January 4, 5, 6, 13, 19, 20, 28, 30
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 2, 4, 5, 6, 13, 19, 20, 28, 30
		pH	1/day	Daily Maximum & Daily Minimum	January 2, 4, 5, 6, 13, 19, 20, 28, 30
	003	Flow	1/day	Monthly Average & Daily Maximum	January 1, 6, 13, 19
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	January 1, 6, 13, 19
		pH	1/day	Daily Maximum & Daily Minimum	January 1, 6, 13, 19, 28, 30
February 2025	002	Flow	1/day	Monthly Average & Daily Maximum	February 1, 3, 4, 6, 7, 8, 9, 10, 20, 21, 23, 24, 26, 27
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 1, 3, 4, 6, 7, 8, 9, 10, 20, 21, 23, 24, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	February 1, 3, 4, 6, 7, 8, 9, 10, 20, 21, 23, 24, 26, 27

	003	Flow	1/day	Monthly Average & Daily Maximum	February 3, 4, 10, 24, 26, 27
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	February 3, 4, 10, 24, 26, 27
		pH	1/day	Daily Maximum & Daily Minimum	February 3, 4, 10, 20, 24, 26, 27
March 2025	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 2, 3, 27
		pH	1/day	Daily Maximum & Daily Minimum	March 2, 3, 27
	003	Flow	1/day	Monthly Average & Daily Maximum	March 15, 16, 23, 24
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	March 15, 16, 23, 24, 31
		pH	1/day	Daily Maximum & Daily Minimum	March 10, 15, 16, 17, 23, 24, 31
April 2025	003	Flow	1/day	Monthly Average & Daily Maximum	April 3, 13, 14, 20, 21, 22, 26, 27, 28
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	April 3, 13, 14, 20, 21, 22, 26, 27, 28
		pH	1/day	Daily Maximum & Daily Minimum	April 3, 9, 13, 14, 18, 20, 21, 22, 26, 27, 28
September 2025	002	pH	1/day	Daily Maximum & Daily Minimum	September 21
	003	pH	1/day	Daily Maximum & Daily Minimum	September 21

October 2025	002	Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 22
	003	Flow	1/day	Monthly Average & Daily Maximum	October 25, 26
		Temperature	1/hour	Daily Maximum* & 7-day Rolling Average of Daily Maximum	October 25, 26
		pH	1/day	Daily Maximum & Daily Minimum	October 25, 26, 29

* Each reference to "Daily Maximum" for the report statistic for temperature in the table above assumes that the "Temperature" column on Pacific's monthly DMRs refers to the daily maximum for temperature. To the extent the "Temperature" column on Pacific's monthly DMRs refers to the Daily Average, the report statistic of "Daily Average" is substituted for each reference to "Daily Maximum" for temperature in the table above. When "Daily Maximum* & 7-day Rolling Average of Daily Maximum" are combined within one row (as for all months and outfalls other than October 2024 Outfall 002), each listed date or monitoring violation for Temperature counts twice (once for the missing Daily Maximum and once for the missing 7-day Rolling Average of Daily Maximum).

Violations of Weekly and Monthly Monitoring Requirements Based on Pacific's DMR Data				
Outfall	**Parameter**	**Minimum Frequency**	**Reporting Statistic**	**Period of Monitoring Violation**
Receiving Stream	Alkalinity as CaCO3	1/month	Monthly Maximum	August 2022
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	January 29-February 4, 2023
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	January 29-February 4, 2023
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	October 29-November 4, 2023
002	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	January 28-February 3, 2024
003	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	January 28-February 3, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	March 17-March 23, 2024
001	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	March 31-April 6, 2024
002	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	March 31-April 6, 2024
003	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	March 31-April 6, 2024
002	Total Ammonia	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
002	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
003	Total Ammonia	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024
003	Chlorine, total residual	1/week	Daily Maximum & Monthly Average	April 28-May 4, 2024