

## 2016 ENFORCEMENT ACTIONS & PENALTIES

### 4<sup>TH</sup> QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	CITY CODE VIOLATED	ADMINISTRATIVE RULE	VIOLATION CATEGORY	ENFORCEMENT ACTION	CIVIL PENALTY
10/05/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard pH < 4.0 or pH > 12.5 (grab, pH = 13.79 SU)	17.34.040	4.03	I	NOV-2016-359	☒
10/05/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard pH < 4.0 or pH > 12.5 (grab, pH = 13.21 SU)	17.34.040	4.03	I	NOV-2016-361	☒
10/05/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard 4.0 ≤ pH < 4.5 or 12.0 < pH ≤ 12.5 (grab, pH = 12.3 SU)	17.34.040	4.03	II	NOV-2016-374	☒
10/05/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard 4.0 ≤ pH < 4.5 or 12.0 < pH ≤ 12.5 (grab, pH = 12.51 SU)	17.34.040	4.03	II	NOV-2016-375	☒
10/05/2016	PPV Inc.	Failure to sample - ≥2 offenses within 12-month cycle of violation	17.34.080	4.03	III	NOV-2016-350	☒
10/12/2016	Rusco Inc. dba Dura Industries	Submitted a required report >30 days late	17.34.090	4.03	I	NOV-2016-348	☒
10/13/2016	Portland Bottling Company	Settlement agreement for NOV-2016-080 through NOV-2016-227	17.34.110	4.15		VCA-2016-004	☒
10/18/2016	Lease Crutcher Lewis LLC	Failure to obtain permit or other legal agreement to make hard-plumbed connection with the City sewer, storm sewer or drainage system	17.32.030	4.22	I	NOV-16-353-32	☒
10/18/2016	Lease Crutcher Lewis LLC	Discharge caused pass-through or interference (SNC)	17.34.030	4.03	I	NOV-16-358-34	☒
10/18/2016	Oil Re-Refining Company, Inc.	Settlement agreement for NOV-2016-260 through NOV-2016-292, NOV-2016-294, & NOV-2016-311	17.34.110	4.15	III	VCA-2016-005	☒
10/31/2016	CC Coatings, Inc.	Submitted a required report >30 days late	17.34.090	4.03	I	NOV-2016-356	☒
10/31/2016	CC Coatings, Inc.	Submitted a required report >30 days late	17.34.090	4.03	I	NOV-2016-357	☒
11/02/2016	American Inks and Coatings Company	Violated pretreatment discharge standard x > 2.0 times the limit (Copper = 9.28 mg/L)	17.34.040	4.03	I	NOV-2016-390	☒
11/10/2016	Cintas Corporation	Violated pretreatment discharge standard 4.5 ≤ pH < 5.0 or 11.5 < pH ≤ 12.0 (grab, pH = 11.7 SU)	17.34.040	4.03	III	NOV-2016-437	☒
11/14/2016	Cooper Mountain Vineyards, LLC	Cost recovery due to a failure to obtain permit or other legal agreement to make hard-plumbed connection with the City sewer, storm sewer or drainage system	17.32.030	4.22	I	NOAC-16-007-32	☒
11/14/2016	D.P. Excavating, Inc.	Cost recovery due to a failure to obtain permit or other legal agreement to make hard-plumbed connection with the City sewer, storm sewer or drainage system Comment(s): DP Excavation removed city storm sewer.	17.32.030	4.22	I	NOAC-16-008-32	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-393	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-395	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-397	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-400	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-401	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-403	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-405	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-407	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-409	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-410	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-411	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-412	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-413	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-414	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-415	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-416	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-421	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-426	☒
11/14/2016	PPV Inc.	Unauthorized discharge without a permit or batch discharge authorization (knowing)	17.34.030	4.03	I	NOV-2016-427	☒
11/17/2016	Lease Crutcher Lewis LLC	Cost recovery due to a failure to obtain permit or other legal agreement to make hard-plumbed connection with the City sewer, storm sewer or drainage system	17.32.030	4.22	I	NOAC-16-009-32	☒
11/18/2016	13-130031	Failure to operate & maintain stormwater management facility in accordance with O&M Plan – escalation	17.38.040	4.31	III	NOV-16-436-38	☒
11/21/2016	East Side Plating, Inc. - Plant #5	Violated pretreatment discharge standard x > 2.0 times the limit (Nickel = 6.19 mg/L)	17.34.040	4.03	I	NOV-2016-385	☒
11/21/2016	Oil Re-Refining Company, Inc.	Violated pretreatment discharge standard x > 2.0 times the limit (Non-polar Oil & Grease = 264 mg/L)	17.34.040	4.03	I	NOV-2016-430	☒

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11/21/2016	Oil Re-Refining Company, Inc.	Violated pretreatment discharge standard $x > 2.0$ times the limit (Pentachlorophenol = 0.41 mg/L)	17.34.040	4.03	I	NOV-2016-434	☒
11/21/2016	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard $1.20 < x \leq 2.0$ times the limit (Zinc = 4.14 mg/L)	17.34.040	4.03	II	NOV-2016-386	☒
11/21/2016	Oil Re-Refining Company, Inc.	Violated pretreatment discharge standard $1.20 < x \leq 2.0$ times the limit (Molybdenum = 2.55 mg/L)	17.34.040	4.03	II	NOV-2016-431	☒
11/21/2016	Oil Re-Refining Company, Inc.	Violated pretreatment discharge standard $1.20 < x \leq 2.0$ times the limit (n-Octadecane = 2.1 mg/L)	17.34.040	4.03	II	NOV-2016-435	☒
11/21/2016	Steiner Corporation - ALSICO	pH < 5.0 for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	17.34.040	4.03	III	NOV-2016-432	☒
11/21/2016	Steiner Corporation - ALSICO	pH > 11.5 for cumulative time (t), where $15 < t \leq 30$ mins. in a calendar day (continuous monitoring)	17.34.040	4.03	III	NOV-2016-433	☒
11/21/2016	Sunshine Dairy Foods LLC	pH < 5.0 for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	17.34.040	4.03	III	NOV-2016-438	☒
12/01/2016	Chris Nichols	Caused damage to the vegetation within a surface conveyance improvement	17.32.030	4.22	II	NOV-16-009-32	☒
12/01/2016	Chris Nichols	Caused damage to the vegetation within a surface conveyance improvement	17.32.030	4.22	II	NOAC-16-010-32	☒
12/02/2016	Mt. Hood Solutions	Violated pretreatment discharge standard $x > 2.0$ times the limit (Non-polar Oil & Grease = 283 mg/L)	17.34.040	4.03	I	NOV-2016-449	☒
12/02/2016	Kanto Corporation	Failure to notify within 24 hours of violation	17.34.090	4.03	II	NOV-2016-447	☒
12/05/2016	09-180261	Failure to operate & maintain stormwater management facility in accordance with O&M Plan – escalation	17.38.040	4.31	III	NOV-16-448-38	☒
12/06/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ (grab, pH = 11.75 SU)	17.34.040	4.03	III	NOV-2016-450	☒
12/07/2016	Alpenrose Dairy	Prohibited discharge to City storm sewer and drainage system (Discharge of process wastewater, including washwater (no endangerment))	17.39.040	4.13	II	NOV-16-451-39	☒
12/12/2016	Mt. Hood Solutions	Violated pretreatment discharge standard pH < 4.0 or pH > 12.5 (grab, pH = 1.6 SU)	17.34.040	4.03	I	NOV-2016-454	☒
12/14/2016	Mortenson Construction Inc.	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	17.39.040	4.13	II	NOV-16-229-39	☒
12/15/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ (grab, pH 4.7 SU)	17.34.040	4.03	III	NOV-2016-377	☒
12/15/2016	Mary's Harvest Fresh Foods	Violated pretreatment discharge standard $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ (grab, pH 11.95 SU)	17.34.040	4.03	III	NOV-2016-455	☒
12/16/2016	Del Monte Fresh Produce NA, Inc.	Violated pretreatment discharge standard $4.0 \leq \text{pH} < 4.5$ or $12.0 < \text{pH} \leq 12.5$ (grab, pH = 4.29 SU)	17.34.040	4.03	II	NOV-2016-459	☒
12/19/2016	Kayvon LLC	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction	17.34.030	4.03	II	NOV-16-443-34	☒
12/20/2016	Vigor Industrial LLC	Violated pretreatment discharge standard $x > 2.0$ times the limit (Copper = 16.7 mg/L)	17.34.040	4.03	I	NOV-2016-461	☒
12/20/2016	Vigor Industrial LLC	Violated pretreatment discharge standard $x > 2.0$ times the limit (Zinc = 15.9 mg/L)	17.34.040	4.03	I	NOV-2016-462	☒
12/20/2016	Steiner Corporation - ALSICO	pH < 5.0 for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	17.34.040	4.03	III	NOV-2016-460	☒
12/21/2016	Mary's Harvest Fresh Foods	Compliance Order for violating pretreatment discharge standard for pH	17.34.040	4.03	II	CO-2016-009	☐
12/21/2016	The Dannon Company	pH < 5.0 for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	17.34.040	4.03	III	NOV-2016-466	☒
12/27/2016	Silver Eagle Manufacturing Company	Violated pretreatment discharge standard $1.0 < x \leq 1.2$ times the limit (Zinc = 2.77 mg/L)	17.34.040	4.03	III	NOV-2016-467	☒
12/28/2016	Sunshine Dairy Foods, LLC	Violation of a Compliance Order	17.34.110	4.03	I	NOV-2016-468	☒
12/28/2016	The Kroger Company	Prohibited discharge to City storm sewer and drainage system (Discharge of process wastewater, including washwater (no endangerment))	17.39.040	4.13	II	NOV-16-463-39	☒
12/28/2016	The Kroger Company	Failure to immediately report to BES a spill or uncontrolled discharge of hazardous, toxic or prohibited substances	17.39.050	4.13	II	NOV-16-464-39	☒
12/28/2016	The Kroger Company	Prohibited discharge to City storm sewer and drainage system (Discharge of process wastewater, including washwater (no endangerment))	17.39.040	4.13	II	NOV-16-465-39	☒
12/28/2016	Vigor Industrial LLC	Violated pretreatment discharge standard $1.20 < x \leq 2.0$ times the limit (Zinc = 5 mg/L)	17.34.040	4.03	II	NOV-2016-469	☒
12/30/2016	Paradise Restored Landscaping	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	17.39.040	4.13	II	NOV-16-470-39	☒

LEGEND: CO = Compliance Order      NOV = Notice of Violation  
NA = Not Applicable      NT = Notice of Termination  
NOAC = Notice of Assessment of Costs      SNC = Significant Non-Compliance\*

Total Actions Issued	Cumulative Penalty Assessments
<b>71</b>	<b>\$116,237</b>

VIOLATION CATEGORY:

- Class I A class I violation is one that has a high degree of deviation from the regulations or that poses a substantial threat to human health and safety, property, or the environment.
- Class II A class II violation is one that has a moderate degree of deviation from the regulations or that poses a significant threat to human health and safety, property, or the environment.
- Class III A class III violation is one that is not a class I or class II violation, is a minor deviation from the regulations, or poses a minimal threat to human health and safety, property, or the environment.

\*Significant Non-Compliance (SNC) – Any significant industrial user or any other discharger who violates one or more of the criteria described in PCC 17.34.110(B) is considered to be in SNC. Federal pretreatment regulations 40 CFR 403.8(f)(2)(vii) require the City to publish annually a list of industries that were in significant non-compliance with local, state or federal pretreatment requirements.