

2017 ENFORCEMENT ACTIONS & PENALTIES

4TH QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
10/02/17	Northwest Container Services	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-154-39	☒
10/03/17	Pentagon Technologies, Inc.	Violated pretreatment discharge standard pH < 4.0 or pH > 12.5 (grab, pH < 1.0 SU)	I	17.34.040	4.03	NOV-2017-144	☒
10/05/17	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Nickel = 4.72 mg/L)	II	17.34.040	4.03	NOV-2017-155	☒
10/05/17	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard x > 2.0 times the limit (Zinc = 10.5 mg/L)	I	17.34.040	4.03	NOV-2017-156	☒
10/09/17	PCC Structural, Inc.	Failure to sample according to established schedule - ≥2 offenses	III	17.34.080	4.03	NOV-2017-157	☒
10/09/17	PCC Structural, Inc.	Failure to sample according to established schedule - ≥2 offenses	III	17.34.080	4.03	NOV-2017-158	☒
10/09/17	PCC Structural, Inc.	Failure to sample according to established schedule - ≥2 offenses	III	17.34.080	4.03	NOV-2017-159	☒
10/11/17	Univar USA, Inc.	Settlement agreement for NOV-17-133-39, NOV-17-134-39, and NOV-17-135-39	N/A	17.39.110	4.15	VCA-17-007-39	☐
10/12/17	Cardinal Club	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 5 < consecutive misses ≤ 10	II	17.34.050	4.26	NOV-17-163-34	☒
10/13/17	Be Van Sports Bar	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 5 < consecutive misses ≤ 10	II	17.34.050	4.26	NOV-17-161-34	☒
10/13/17	Oregon Plaza, LLC	Prohibited discharge of solid or viscous substance(s) to the sanitary sewer in amount(s) which will cause flow obstruction	II	17.34.030	4.03	NOV-17-162-34	☒
10/13/17	Merkato Ethiopian Food Store, LLC	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 5 < consecutive misses ≤ 10	II	17.34.050	4.26	NOV-17-165-34	☒
10/13/17	Sweet Home Bar & Grill	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 5 < consecutive misses ≤ 10	II	17.34.050	4.26	NOV-17-166-34	☒
10/16/17	El Campesino Portland, LLC	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – >10 consecutive misses	I	17.34.050	4.26	NOV-17-164-34	☒
10/16/17	American Metal Cleaning, Inc.	Violated pretreatment discharge standard 1.0 < x ≤ 1.2 times the limit (Molybdenum = 2.18 mg/L)	III	17.34.040	4.03	NOV-2017-167	☒
10/19/17	El Campesino Portland, LLC	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – >10 consecutive misses	I	17.34.050	4.26	NOV-17-160-34	☒
10/25/17	Colas Construction, Inc.	Settlement agreement for NOV-16-445-34 and NOV-16-446-32	N/A	17.34.030	4.03	VCA-2017-008	☐
11/01/17	TCI America Headquarters Building	Submitted a required report >30 days late	I	17.34.090	4.03	NOV-2017-168	☒
11/02/17	Ajinomoto Toyo Frozen Noodles, Inc.	pH < 5.0 for cumulative time (t), where 30 < t ≤ 60 mins. in a calendar day (continuous monitoring)	II	17.34.040	4.03	NOV-2017-170	☒
11/03/17	Oregon Oils, Inc.	2nd late reporting incident in a calendar year (same type), <30 days late	III	17.34.090	4.03	NOV-2017-171	☒
11/03/17	Oregon Oils, Inc.	Submitted a required report >30 days late	I	17.34.090	4.03	NOV-2017-172	☒
11/03/17	METRO Central Transfer Station	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Non-polar Oils and Grease = 215 mg/L)	II	17.34.040	4.03	NOV-2017-173	☒
11/03/17	The Dannon Company	pH < 5.0 for cumulative time (t), where t > 60 mins. in a calendar day (continuous monitoring)	I	17.34.040	4.03	NOV-2017-174	☒
11/08/17	Unifirst Corporation	Violated pretreatment discharge standard x > 2.0 times the limit (Non-polar Oils and Grease = 382 mg/L)	I	17.34.040	4.03	NOV-2017-175	☒
11/08/17	PPV, Inc.	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Vanadium = 0.274 mg/L)	II	17.34.040	4.03	NOV-2017-176	☒
11/13/17	NW Probuild, LLC	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-169-39	☒
11/15/17	Site Crew, Inc.	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-177-39	☒
11/15/17	Priority Contractor, LLC	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-179-39	☒
11/15/17	Ajinomoto Toyo Frozen Noodles, Inc.	Prohibited discharge to City storm sewer and drainage system of process wastewater, including washwater (no endangerment)	II	17.39.040	4.13	NOV-17-181-39	☒
11/22/17	GBMO, LLC dba Burger King #4670	Prohibited discharge of solid or viscous substance(s) to the sanitary sewer in amount(s) which will cause flow obstruction	II	17.34.030	4.03	NOV-17-183-34	☒
11/27/17	Trinket	Bypassed treatment system or discharge meter – unintentional, unknowing	II	17.34.030	4.03	NOV-17-178-34	☒
11/27/17	Yummy Mongolian	Bypassed treatment system or discharge meter – deliberate, knowing	I	17.34.030	4.03	NOV-17-180-34	☒
11/29/17	K. Witt Excavating, LLC	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-184-39	☒
11/30/17	Archer Daniels Midland Company	Slug load	I	17.34.030	4.03	NOV-2017-185	☒
12/01/17	Noho's Hawaiian Cafe	Settlement agreement for NOV-17-078-34	N/A	17.34.030	4.03	VCA-17-009-34	☐
12/01/17	BJS Restaurant Corp	Settlement agreement for NOV-17-052-34	N/A	17.34.030	4.03	VCA-17-010-34	☐
12/04/17	Caliber Homes, LLC	Unauthorized discharge without a City Permit or Authorization (knowing)	I	17.39.040	4.13	NOV-17-194-39	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard x > 2.0 times the limit (Titanium = 0.18 mg/L)	I	17.34.040	4.03	NOV-2017-186	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard x > 2.0 times the limit (Vanadium = 0.868 mg/L)	I	17.34.040	4.03	NOV-2017-187	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard 1.0 < x ≤ 1.2 times the limit (Chloroform = 0.217 mg/L)	III	17.34.040	4.03	NOV-2017-188	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Molybdenum = 2.36 mg/L)	II	17.34.040	4.03	NOV-2017-189	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Vanadium = 0.351 mg/L)	II	17.34.040	4.03	NOV-2017-190	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard x > 2.0 times the limit (Vanadium = 0.707 mg/L)	I	17.34.040	4.03	NOV-2017-191	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard x > 2.0 times the limit (Vanadium = 0.753 mg/L)	I	17.34.040	4.03	NOV-2017-192	☒
12/04/17	PPV, Inc.	Violated pretreatment discharge standard x > 2.0 times the limit (Vanadium = 4.74 mg/L)	I	17.34.040	4.03	NOV-2017-193	☒

CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES, ENVIRONMENTAL COMPLIANCE DIVISION
BES ENVIRONMENTAL COMPLIANCE & ENFORCEMENT PROGRAM

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
12/04/17	Plaza 205 GRF2, LLC	Directed water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval	II	17.32.030	4.22	NOV-17-195-32	☒
12/04/17	Vigor Industrial, LLC	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Zinc = 6.82 mg/L)	II	17.34.040	4.03	NOV-2017-199	☒
12/05/17	Union Pacific Railroad Company	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-196-39	☒
12/05/17	Union Pacific Railroad Company	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-197-39	☒
12/05/17	Silver Eagle Manufacturing Company	Violated pretreatment discharge standard 1.0 < x ≤ 1.2 times the limit (Cyanide = 1.42 mg/L)	III	17.34.040	4.03	NOV-2017-198	☒
12/06/17	East Side Plating, Inc. - Plant #5	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Nickel = 4.54 mg/L)	II	17.34.040	4.03	NOV-2017-200	☒
12/06/17	East Side Plating, Inc. - Plant #5	Violated pretreatment discharge standard 1.0 < x ≤ 1.2 times the limit (Nickel, avg = 3.18 mg/L)	III	17.34.040	4.03	NOV-2017-201	☒
12/07/17	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard x > 2.0 times the limit (Chromium, avg = 5.57 mg/L)	I	17.34.040	4.03	NOV-2017-203	☒
12/07/17	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard x > 2.0 (Nickel, avg = 23.6 mg/L)	I	17.34.040	4.03	NOV-2017-205	☒
12/07/17	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard x > 2.0 (Zinc, avg = 54.6 mg/L)	I	17.34.040	4.03	NOV-2017-206	☒
12/07/17	Ajinomoto Windsor, Inc.	Prohibited discharge of solid or viscous substance(s) to the sanitary sewer in amount(s) which will cause flow obstruction	II	17.34.030	4.03	NOV-2017-208	☒
12/07/17	East Side Plating, Inc. - Plants #1-3	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Copper, avg = 5.01 mg/L)	II	17.34.040	4.03	NOV-2017-204	☒
12/07/17	Pacific Coast Fruit Company	Discharge contained non-domestic material larger than 0.65 centimeters (¼ inch)	II	17.34.030	4.03	NOV-2017-182	☒
12/12/17	DeWitt Construction, Inc.	Failure to adhere to the terms of a Discharge Authorization	III	17.34.070	4.03	NOV-17-212-34	☒
12/13/17	Visionary Enterprises, Inc.	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-211-39	☒
12/15/17	Flat Fee Construction Services, LLC	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-215-39	☒
12/15/17	PLI Systems, Inc.	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-216-39	☒
12/18/17	12-183572	Failure to operate & maintain SMF in accordance with O&M Plan - escalation	III	17.38.040	4.31	NOV-17-217-38	☒
12/20/17	Unifirst Corporation	Violated pretreatment discharge standard 1.20 < x ≤ 2.0 times the limit (Non-polar Oils and Grease = 150 mg/L)	II	17.34.040	4.03	NOV-2017-218	☒
12/21/17	R. A. Roth Construction & Son, Inc.	Prohibited discharge to City storm sewer and drainage system (Visible discoloration, except for testing dyes used or approved by the City)	II	17.39.040	4.13	NOV-17-213-39	☒
12/21/17	House of Louie Restaurant & Lounge	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 2 < consecutive misses ≤ 5	III	17.34.050	4.26	NOV-17-210-34	☒
12/22/17	Sushi Ohana, Inc.	Bypassed treatment system or discharge meter – deliberate, knowing	I	17.34.030	4.03	NOV-17-214-34	☒
12/22/17	A-Hotshot Hood Cleaning & Pressure Washing Co	Prohibited discharge to City storm sewer and drainage system (pH outside the range of applicable water quality standards in OAR Division 340-041) (pH = 9.5 SU)	II	17.39.040	4.13	NOV-17-219-39	☒
12/27/17	La Carreta Mexican Restaurant and Cantina	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 5 < consecutive misses ≤ 10	II	17.34.050	4.26	NOV-17-221-34	☒
12/27/17	Thai Herbs Restaurant, LLC	Failure to clean fats, oils, and grease (FOG) removal interceptor according to standard or established schedule – 5 < consecutive misses ≤ 10	II	17.34.050	4.26	NOV-17-222-34	☒
12/29/17	Jamaican Jerk, LLC	Prohibited discharge to City storm sewer and drainage system of process wastewater, including washwater (no endangerment)	II	17.39.040	4.13	NOV-17-209-39	☒
12/29/17	Jamaican Jerk, LLC	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval	II	17.32.030	4.22	NOV-17-202-32	☒
12/29/17	Jamaican Jerk, LLC	Prohibited discharge to City storm sewer and drainage system of process wastewater, including washwater (no endangerment)	II	17.39.040	4.13	NOAC-17-010-39	☒

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

No. of Actions Issued	Cumulative Penalty Assessments
73	\$48,319

VIOLATION CLASSIFICATION SYSTEM:

- 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 regulation 40 CFR 403.8(f)(2)(vii) requires the City to publish annually a list of industries that were in significant non-compliance with local, state or federal pretreatment requirements.