

2020 ENFORCEMENT ACTIONS & PENALTIES

2ND QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
4/1/2020	Balfour Beatty Construction, LLC	Breaking a structural component of a sewer or green street: Cross-boring damage to mainline from tiebacks	II	17.32.30	ENB-4.22	NOV-20-012-32	X
4/1/2020	Balfour Beatty Construction, LLC	Breaking a structural component of a sewer or green street: Cross-boring damage to mainline from tiebacks	II	17.32.30	ENB-4.22	NOAC-20-003-32	
5/21/2020	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Molybdenum = 1.7 ppm (1.21x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-095	X
4/1/2020	Del Monte Fresh Produce NA, Inc	Discharge of process wastewater, including washwater (no endangerment): Loading dock overspray & leaking chemicals to storm conveyance system	II	17.39.40	ENB-4.13	NOV-20-061-39	X
5/28/2020	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Silver > DML 0.484 mg/L v 0.4 mg/L (1.2x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-096	X
5/28/2020	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Nickel > DML 6.96 mg/L v 2.8 mg/L (2.49x permit limit)	I	17.34.40	ENB-4.03	NOV-2020-097	X
4/16/2020	Extra Space Storage – NE Columbia	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Rags/paper towels discharged via private lateral to sewer system	II	17.34.30	ENB-4.03	NOV-20-013-34	X
6/5/2020	Gutterman's Supply Corporation of America	Visible sheen: Diesel spill flowed off private property to Slough	II	17.39.40	ENB-4.13	NOV-20-060-39	X
6/5/2020	Hoffman Southwest Corp.	Access any City sewer or drainage system component without authorization (Enter public system for any reason without Sewer Access or Public Works Permit): Accessed manhole to discharge hauled sewage	II	17.32.30	ENB-4.22	NOV-19-220-32	X
6/5/2020	Hoffman Southwest Corp.	Discharge contained unauthorized trucked or hauled wastes: Accessed manhole to discharge hauled sewage	I	17.34.30	ENB-4.03	NOV-19-221-34	X
5/29/2020	IFCO Systems US, LLC	Improper sampling location, sample type, analysis, collection methods detected Chain of Custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Representative sampling for continuous pH at interval >2 minutes	III	17.34.80	ENB-4.03	NOV-2020-099	X
4/22/2020	Kanto Corporation	Failure to notify City within 24 hours of violation	II	17.34.90	ENB-4.03	NOV-2020-090	X
4/16/2020	Lennar Multifamily Builders, LLC	Breaking a structural component of a sewer or green street: Tieback damage to combined main sewer	II	17.32.30	ENB-4.22	NOV-19-215-32	X
4/16/2020	Lennar Multifamily Builders, LLC	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Grout discharge to combined during construction	II	17.34.30	ENB-4.03	NOV-19-216-34	X
6/5/2020	Modern Northwest, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment from construction site and dropbox	II	17.39.40	ENB-4.13	NOV-20-093-39	X
5/21/2020	Oil Re-Refining Company, Inc	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): improper analytical method used (2nd occurrence)	III	17.34.80	ENB-4.03	NOV-2020-094	X
5/28/2020	Osram Opto Semiconductors, Inc.	Failure to sample - ≥ 2 offenses within cycle of violation: Failure to sample the pH of a batch discharge	III	17.34.80	ENB-4.03	NOV-2020-098	X
5/22/2020	Pacific Coast Fruit Company	Settlement agreement: VCA for continuous pH compliance	II	17.34.110	ENB-4.15	VCA-2020-003 ²	
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $30 < t \leq 60$ mins. in a calendar day (continuous monitoring)	II	17.34.40	ENB-4.03	NOV-2020-070	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $30 < t \leq 60$ mins. in a calendar day (continuous monitoring)	II	17.34.40	ENB-4.03	NOV-2020-071	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-072	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH > 11.5$ for cumulative time (t), where $30 < t \leq 60$ mins. in a calendar day (continuous monitoring)	II	17.34.40	ENB-4.03	NOV-2020-073	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-074	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-075	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH > 11.5$ for cumulative time (t), where $t > 60$ mins. in a calendar day (continuous monitoring)	I	17.34.40	ENB-4.03	NOV-2020-076	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH > 11.5$ for cumulative time (t), where $15 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-077	X
4/10/2020	Pacific Coast Fruit Company	$pH < 5.0$ for cumulative time (t), where $30 < t \leq 60$ mins. in a calendar day (continuous monitoring)	II	17.34.40	ENB-4.03	NOV-2020-078	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $30 < t \leq 60$ mins. in a calendar day (continuous monitoring)	II	17.34.40	ENB-4.03	NOV-2020-079	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-080	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH > 11.5$ for cumulative time (t), where $15 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-081	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $t > 60$ mins. in a calendar day (continuous monitoring)	I	17.34.40	ENB-4.03	NOV-2020-082	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH > 11.5$ for cumulative time (t), where $15 < t \leq 30$ mins. in a calendar day (continuous monitoring)	III	17.34.40	ENB-4.03	NOV-2020-083	X
4/10/2020	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $pH < 5.0$ for cumulative time (t), where $t > 60$ mins. in a calendar day (continuous monitoring)	I	17.34.40	ENB-4.03	NOV-2020-084	X
4/10/2020	Pacific Coast Fruit Company	Failure to notify City within 24 hours of violation: Multiple pH violations	II	17.34.90	ENB-4.03	NOV-2020-085	X

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
4/23/2020	Patriot Environmental	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit, all pollutants except pH & statistical standards: Chloroform = 0.218 mg/L (1.09x permit limit)	III	17.34.40	ENB-4.03	NOV-2020-091	X
4/15/2020	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH & statistical standards: Titanium = 0.688 mg/L (7.26x permit limit)	I	17.34.40	ENB-4.03	NOV-2020-088	X
4/17/2020	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH & statistical standards: Titanium = 0.541 mg/L (5.71x permit limit)	I	17.34.40	ENB-4.03	NOV-2020-089	X
6/5/2020	Renaissance Custom Homes, 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: Turbid water from dewatering at construction site	II	17.32.30	ENB-4.22	NOV-20-092-32	X
6/5/2020	Renaissance Custom Homes, LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Erosion from residential construction site	II	17.39.40	ENB-4.13	NOV-20-015-39	X
6/9/2020	Space Age Fuel, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Fuel spill during fuel station transfer	II	17.39.40	ENB-4.13	NOV-20-047-39	X
6/5/2020	Terry P. Carney, Inc.	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater discharged to a green street	II	17.39.40	ENB-4.13	NOV-20-103-39	
4/15/2020	United States Bakery - Franz	Slug load: 1200 gallons of cream yeast (pH = 4.7 SU)	I	17.34.30	ENB-4.03	NOV-2020-087	X
4/14/2020	Viper Technologies	Violated Pretreatment discharge standard where $\text{pH} < 4.0$ or $\text{pH} > 12.5$: City Grab Sample: pH = 2.7 SU	I	17.34.40	ENB-4.03	NOV-2020-086	X

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 ¹
 VCA = Voluntary Compliance Agreement

No. of Actions Issued	Cumulative Penalty Assessment
43	\$27,850

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.

¹ 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). 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.

² Indicates an update to the outcome of an enforcement case as the result of an Administrative Review or Code Hearing.