

## 2020 ENFORCEMENT ACTIONS & PENALTIES

### 3RD QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
8/20/2020	05-147713-SD	Failure to install required stormwater management facility: Infiltration basin never installed	II	17.38.40	ENB-4.31	NOV-20-131-38	X
9/29/2020	Aramark Uniform Services, Inc	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Non-representative continuous pH recorded > 2 minutes	III	17.34.80	ENB-4.03	NOV-2020-149	X
8/19/2020	Brian Clausen dba Better Clean	Discharge of process wastewater, including washwater (no endangerment): Discharged carpet cleaning waste into storm UIC system	II	17.39.40	ENB-4.13	NOV-20-123-39	X
8/19/2020	Brian Clausen dba Better Clean	Discharge of process wastewater, including washwater (no endangerment): Discharged carpet cleaning wastewater into storm sewer	II	17.39.40	ENB-4.13	NOAC-20-011-39	
7/16/2020	Cochran, Inc	Obstructing, interfering, blocking outlets, inlets, or overflow structures, or otherwise preventing conveyance: Building vault installation caused sag in sewer mainline	I	17.32.30	ENB-4.22	NOV-20-104-32	X
9/28/2020	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Self sample: Cadmium 1.09 mg/L (1.56 x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-147	X
9/28/2020	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Self sample: Zinc 5.23 mg/L (1.41x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-148	X
8/6/2020	IFCO Systems US, LLC	Violated Pretreatment discharge standard where $< 5.0$ for cumulative time (t), where $5 < t \leq 30$ minutes in a calendar day (continuous monitoring): Continuous pH $< 5.0$ for 6 minutes	III	17.34.40	ENB-4.03	NOV-2020-120	X
8/3/2020	Kostas Scrap Metals	Violated Pretreatment discharge standard where $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ (grab): pH grab sample = 4.8 SU	III	17.34.40	ENB-4.03	NOV-2020-117	X
8/21/2020	Krieger's Stump Removal, Inc.	Visible sheen: Business truck leaking to right-of-way	II	17.39.40	ENB-4.13	NOV-20-129-39	X
9/2/2020	Master Muffler, Inc.	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval: Hosing off business parking lot	II	17.32.30	ENB-4.22	NOV-20-130-32	X
8/25/2020	Mesa Products, Inc.	Breaking a structural component of a sewer or green street: Utility subcontractor drilled into top of storm sewer main	II	17.32.30	ENB-4.22	NOV-20-119-32	X
8/25/2020	Mesa Products, Inc.	Breaking a structural component of a sewer or green street: Utility sub-contractor drilled into top of storm sewer main	II	17.32.30	ENB-4.22	NOAC-20-010-32	
9/4/2020	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Total Dissolved Solids (TDS) = 2252 lbs/day (1.3x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-138	X
7/16/2020	Owen Gabbert LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment from construction site dropbox to storm system	II	17.39.40	ENB-4.13	NOV-20-106-39	X
7/16/2020	Pacific Power	All other prohibited discharges as stated in 17.39 (no damage to storm system): Vehicle crash with power pole causing transformer oil discharge to storm system	II	17.39.40	ENB-4.13	NOV-20-100-39	X
7/16/2020	Pacific Power	All other prohibited discharges as stated in 17.39 (no damage to storm system): Vehicle crash with power pole causing transformer oil discharge to storm system	II	17.39.40	ENB-4.13	NOV-20-101-39	X
7/16/2020	Pacific Power	Failure to immediately report to BES a spill or uncontrolled discharge of hazardous, toxic, or prohibited substances: Failure to notify BES of transformer oil spill to storm system	II	17.39.50	ENB-4.13	NOV-20-102-39	X
7/16/2020	Pacific Power	All other prohibited discharges as stated in 17.39 (no damage to storm system): Vehicle crash with power pole causing transformer oil discharge to storm system	II	17.39.40	ENB-4.13	NOAC-20-007-39	
9/11/2020	Parker Concrete, Inc.	Failure to obtain permit or other legal agreement to make a permanent or hard-plumbed connection with the City sewer, storm sewer or drainage system: Tapped main sewer without a permit to connect to existing branch sewer	I	17.32.30	ENB-4.22	NOV-20-137-32	X
7/23/2020	Patriot Environmental	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: n-octadecane = 0.15 mg/L (1.6x DML)	II	17.34.40	ENB-4.03	NOV-2020-111	X
8/17/2020	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Copper exceedance: (2.42x DML)	I	17.34.40	ENB-4.03	NOV-2020-124	X
8/17/2020	Patriot Environmental	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: Titanium exceedance: (0.96x DML)	III	17.34.40	ENB-4.03	NOV-2020-125	X
8/6/2020	PLI Systems, Inc.	Obstructing, interfering, blocking outlets, inlets, or overflow structures, or otherwise preventing conveyance: Grout obstruction in combined line from shoring.	I	17.32.30	ENB-4.22	VCA-20-002-32 <sup>2</sup>	
7/16/2020	Rockwood Water People's Utility District	Visible sheen: Sheen from cold patch at water line repair	II	17.39.40	ENB-4.13	NOV-20-107-39	X
7/16/2020	Rockwood Water People's Utility District	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharge from water line repair	II	17.39.40	ENB-4.13	NOV-20-108-39	X
9/1/2020	Rose City Concrete Repair and Construction LLC	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater discharge	II	17.39.40	ENB-4.13	NOV-20-128-39	
8/18/2020	Rose City Towing, LLC	Discharge of process wastewater, including washwater (no endangerment): Vehicle washwater discharging to storm system	II	17.39.40	ENB-4.13	NOV-20-126-39	X
8/19/2020	Seabold Construction Co., Inc.	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Concrete discharge via construction site lateral	II	17.34.30	ENB-4.03	NOV-20-024-34	X
8/19/2020	Seabold Construction Co., Inc.	Obstructing, interfering, blocking outlets, inlets, or overflow structures, or otherwise preventing conveyance: Concrete in mainline obstructing flow causing sewer backups	I	17.32.30	ENB-4.22	NOV-20-025-32	X
8/19/2020	Seabold Construction Co., Inc.	Obstructing, interfering, blocking outlets, inlets, or overflow structures, or otherwise preventing conveyance: Concrete in mainline obstructing flow causing sewer backups	I	17.32.30	ENB-4.22	NOAC-20-004-32	
8/3/2020	Silver Eagle Manufacturing Company	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: City Sample Zinc = 5.54 mg/L (2.1 x permit limit)	I	17.34.40	ENB-4.03	NOV-2020-118	X
9/14/2020	Silver Eagle Manufacturing Company	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Composite sample not representative of discharge	III	17.34.80	ENB-4.03	NOV-2020-132	X

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

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9/14/2020	Silver Eagle Manufacturing Company	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Chain of Custody time lapse - composite sample	III	17.34.80	ENB-4.03	NOV-2020-133	X
9/14/2020	Silver Eagle Manufacturing Company	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Chain of Custody time lapse - grab sample	III	17.34.80	ENB-4.03	NOV-2020-134	X
9/14/2020	Silver Eagle Manufacturing Company	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Failure to preserve metal sample	III	17.34.80	ENB-4.03	NOV-2020-135	X
9/23/2020	Silver Eagle Manufacturing Company	2nd late reporting incident in a calendar year (same type), <30 days late: Failed to submit cause and correction report	III	17.34.90	ENB-4.03	NOV-2020-146	X
7/22/2020	Turner Construction Company	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Grout discharge via lateral from construction site	II	17.34.30	ENB-4.03	NOV-20-112-34	X
7/22/2020	Turner Construction Company	Obstructing, interfering, blocking outlets, inlets, or overflow structures, or otherwise preventing conveyance: Partial obstruction caused by discharge of construction-related grout	I	17.32.30	ENB-4.22	NOV-20-113-32	X
9/10/2020	U.S. General Services Administration	Denial of entry for inspection, surveying, sampling, testing, photographic documentation, record examination, copying, and installation of devices: Denied BES entry for inspection & cleaning of storm sewer catch basin	I	17.32.130	ENB-4.22	NOV-20-139-32	X
9/10/2020	U.S. General Services Administration	Entry to premises denied: Denied BES entry for inspection & cleaning of storm sewer catch basin	I	17.39.70	ENB-4.13	NOV-20-140-39	X
7/23/2020	Unifirst Corporation	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Oil & Grease = 142 mg/L (1.42x DML)	II	17.34.40	ENB-4.03	NOV-2020-109	X
7/23/2020	Unifirst Corporation	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Pentachlorophenol = 0.12 mg/L (3x Local Limit)	I	17.34.40	ENB-4.03	NOV-2020-110	X
8/11/2020	Unifirst Corporation	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Non-Polar Oil & Grease = 552 mg/mL (5.52x DML)	I	17.34.40	ENB-4.03	NOV-2020-122	X
9/3/2020	United States Bakery - Franz	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: City sample, Non-Polar Oil & Grease = 154 mg/L (1.54 x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-136	X
8/14/2020	Ventura Foods LLC	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: fats, oils, and grease was discharged during City sampling	II	17.34.30	ENB-4.03	NOV-2020-127	X
7/29/2020	West Pacific Drilling, Inc.	Breaking a structural component of a sewer or green street: Directional drilling of lateral under right-of-way	II	17.32.30	ENB-4.22	NOV-20-115-32	X
7/29/2020	West Pacific Drilling, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Drilling mud entered main via drilled lateral	II	17.39.40	ENB-4.13	NOV-20-116-39	X
7/29/2020	West Pacific Drilling, Inc.	Breaking a structural component of a sewer or green street: Drilled into lateral and discharged drilling mud	II	17.32.30	ENB-4.22	NOAC-20-009-32	

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<sup>1</sup>  
 VCA = Voluntary Compliance Agreement

No. of Actions Issued	Cumulative Penalty Assessment
<b>49</b>	<b>\$64,100</b>

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.

<sup>1</sup> Significant Non-Compliance (SNC) – Any significant industrial user or any other discharger who violates one or more of the criteria as 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.

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