

2020 ENFORCEMENT ACTIONS & PENALTIES

4TH QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
10/20/2020	13-115738-CO	Voluntary Compliance Agreement for stormwater pond rehabilitation - Including removal of invasive plants and replanting of vegetation	NA	17.38.45	ENB-4.15	VCA-20-008-38	
11/24/2020	Apex Anodizing, Inc	Any late reporting incident >30 days late: Failure to submit permit renewal application	I	17.34.90	ENB-4.03	NOV-2020-187	X
10/29/2020	Brenntag Pacific, Inc	Failure to notify within 24 hours of violation: Failure to notify BES of permit limit exceedance in September Self-Monitoring Report	II	17.34.90	ENB-4.03	NOV-2020-169	X
11/3/2020	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: City grab sample, Molybdenum = 3.6 ppm (permit limit = 1.4 ppm)	I	17.34.40	ENB-4.03	NOV-2020-170	X
11/3/2020	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: Self-composite sample: Molybdenum = 1.6 ppm (permit limit = 1.4 ppm)	III	17.34.40	ENB-4.03	NOV-2020-171	X
11/3/2020	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: City grab sample: Chromium = 8.8 ppm (1.7x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-172	X
11/3/2020	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: City grab sample, Nickel = 6.9 ppm (2.4x permit limit)	I	17.34.40	ENB-4.03	NOV-2020-173	X
11/3/2020	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: City grab sample: Zinc = 4.7 ppm (permit limit = 3.7 ppm)	III	17.34.40	ENB-4.03	NOV-2020-174	X
10/15/2020	Darigold, Inc	Violated Pretreatment discharge standard where $\text{pH} < 5.0$ for cumulative time (t), where $5 < t \leq 30$ minutes in a calendar day (continuous monitoring): Low pH excursion: $\text{pH} = 4.59$ SU for 9 minutes	III	17.34.40	ENB-4.03	NOV-2020-145	X
12/2/2020	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: CNT= 1.57 mg/L (1.3x limit)	II	17.34.40	ENB-4.03	NOV-2020-190	X
10/20/2020	East Side Plating, Inc - Plants #1-3	Failure to meet Compliance Schedule deadlines – ≤ 30 days late, within IU's control & no extenuating circumstances: Failed to complete Compliance Order by 10/1/2020 (without extension)	III	17.34.110	ENB-4.03	NOV-2020-159	X
11/5/2020	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc = 1.98 mg/L (1.34x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-175	X
12/4/2020	EcoLube Recovery, LLC	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Non-Polar Oil & Grease= 301 mg/L; exceeds maximum daily limit	I	17.34.40	ENB-4.03	NOV-2020-192	X
12/4/2020	EcoLube Recovery, LLC	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc = 5.9 mg/L (1.59x categorical limit)	II	17.34.40	ENB-4.03	NOV-2020-193	X
12/4/2020	EcoLube Recovery, LLC	Violated Pretreatment discharge standard where $\text{pH} < 4.0$ or $\text{pH} > 12.5$ (grab): $\text{pH} < 4.0$ SU	I	17.34.40	ENB-4.03	NOV-2020-194	X
11/19/2020	Five Aces Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Truck diesel leak to storm system	II	17.39.40	ENB-4.13	NOV-20-180-39	X
11/19/2020	Five Aces Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Truck diesel leak to storm system	II	17.39.40	ENB-4.13	NOAC-20-015-39	
12/23/2020	JLE Truckwash, Inc.	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc= 5.73 mg/L (1.55x permit limit)	II	17.34.40	ENB-4.03	NOV-2020-200	X
11/17/2020	Liberty NW Homes, LLC	Visible discoloration, except for testing dyes used or approved by the City: Turbid water discharge from construction site to storm sewer system	II	17.39.40	ENB-4.13	NOV-20-153-39	X
11/17/2020	Mudd Dawg Concrete Pumping 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: Hosing off concrete equipment in right-of-way to storm system	II	17.32.30	ENB-4.22	NOV-20-154-32	X
11/17/2020	Mudd Dawg Concrete Pumping LLC	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater discharge to storm system	II	17.39.40	ENB-4.13	NOV-20-155-39	X
12/15/2020	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Zinc = 8.6 ppm	I	17.34.40	ENB-4.03	NOV-2020-197	X
10/21/2020	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ Grab Sample: $\text{pH} = 4.8$ SU	III	17.34.40	ENB-4.03	NOV-2020-161	X
10/21/2020	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: Molybdenum = 1.61 ppm (1.15x permit limit)	III	17.34.40	ENB-4.03	NOV-2020-162	X
10/21/2020	Oil Re-Refining Company, Inc	Failure to notify w/n 24 hours of violation: Failure to notify of Molybdenum exceedance within 24 hours	II	17.34.90	ENB-4.03	NOV-2020-163	X
11/30/2020	Pacific Coast Fruit Company	Pollutant discharge violation during Show Compliance Period (daily, monthly, etc.): Continuous $\text{pH} 4.46$ SU for 22 minutes	I	17.34.110	ENB-4.03	NOV-2020-189	X
11/6/2020	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Titanium = 0.286 mg/L (3x permit limit)	I	17.34.40	ENB-4.03	NOV-2020-181	X
11/17/2020	Pot of Gold	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right-of-way without authorization or approval: Discharged cannabis processing wastewater to right-of-way	II	17.32.30	ENB-4.22	NOV-20-156-32	X
11/17/2020	Pot of Gold	Discharge of process wastewater, including washwater (no endangerment): Cannabis process wastewater discharged to right-of-way	II	17.39.40	ENB-4.13	NOV-20-157-39	X
10/29/2020	Rockwood Water People's Utility District	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment & sheen discharge to storm system from water line repair	II	17.39.40	ENB-4.13	VCA-20-005-39 ²	
12/15/2020	Schnitzer Steel	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc = 4.88 mg/L (1.31x DML)	II	17.34.40	ENB-4.03	NOV-2020-198	X
10/29/2020	Silver Eagle Manufacturing Company	2nd late reporting incident in a calendar year (same type), <30 days late: Late Operations & Maintenance Plan	III	17.34.90	ENB-4.03	NOV-2020-168	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
11/10/2020	Super Clean LLC	Discharge of process wastewater, including washwater (no endangerment): Vehicle washwater to the storm sewer system	II	17.39.40	ENB-4.13	NOV-20-141-39	X
11/10/2020	Van Eerden Trucking Company, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Truck diesel leak to storm sewer system	II	17.39.40	ENB-4.13	NOV-20-179-39	X
11/10/2020	Van Eerden Trucking Company, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Truck diesel leak to storm sewer system	II	17.39.40	ENB-4.13	NOAC-20-014-39	
11/3/2020	Ventura Foods LLC	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oils, and grease build-up in point of compliance	II	17.34.30	ENB-4.03	NOV-2020-152	X
12/17/2020	WB Family Construction, Inc. dba Graffiti Removal Services	Discharge of process wastewater, including washwater (no endangerment): Graffiti cleaning wastewater discharge to storm sewer system	II	17.39.40	ENB-4.13	NOV-20-151-39	X
12/17/2020	WB Family Construction, Inc. dba Graffiti Removal Services	Discharge of process wastewater, including washwater (no endangerment): Graffiti cleaning wastewater discharge to storm sewer system	II	17.39.40	ENB-4.13	NOAC-20-012-39	

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 ¹
VCA = Voluntary Compliance Agreement

No. of Actions Issued	Cumulative Penalty Assessment
38	\$31,200

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.