

2021 ENFORCEMENT ACTIONS & PENALTIES

1ST QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
3/12/2021	Apex Anodizing, Inc	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc = 4.28 mg/L (1.6x permit limit)	II	17.34.40	ENB-4.03	NOV-2021-036	X
3/11/2021	Bremik Construction, Inc.	Visible discoloration, except for testing dyes used or approved by the City: Sediment and discolored water to storm system at catch basin	II	17.39.40	ENB-4.13	NOV-21-033-39	X
3/2/2021	Brenntag Pacific, Inc	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Wrong sample time listed on Chain of Custody form - January Self-Monitoring Report	III	17.34.80	ENB-4.03	NOV-2021-032	X
1/4/2021	Brenntag Pacific, Inc	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Incorrect sample time recorded on Chain of Custody form	III	17.34.80	ENB-4.03	NOV-2020-201	X
2/4/2021	Brian Clopton Excavating, Inc	Visible discoloration, except for testing dyes used or approved by the City: Turbid discharge from construction site to storm sewer	II	17.39.40	ENB-4.13	NOV-20-160-39	X
3/16/2021	Citycraft Development LLC	Discharge of process wastewater, including washwater (no endangerment): Concrete slurry from construction site to storm system	II	17.39.40	ENB-4.13	NOV-20-142-39	X
3/17/2021	Cochran, Inc	Obstructing, interfering, blocking outlets, inlets, or overflow structures, or otherwise preventing conveyance: Building vault installation caused sag in sewer mainline. *City rescinded NOV-20-142-32 and associated NOAC-20-008-32	I	17.32.30	ENB-4.22	NOV-20-104-32 ²	
1/28/2021	Concrete Star LLC	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater discharged to storm system at right-of-way	II	17.39.40	ENB-4.13	NOV-20-186-39	X
1/19/2021	Craft Brewers Alliance, Inc.	Violated Pretreatment discharge standard where $\text{pH} > 11.5$ for cumulative time (t), where $15 < t \leq 30$ minutes in a calendar day (continuous monitoring): Continuous $\text{pH} > 11.5$ SU for 27 minutes	III	17.34.40	ENB-4.03	NOV-2021-011	X
1/27/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $\text{pH} < 5.0$ for cumulative time (t), where $t > 60$ minutes in a calendar day (continuous monitoring): Continuous $\text{pH} = 3.62$ SU for 135 minutes	I	17.34.40	ENB-4.03	NOV-2021-015	X
3/2/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: Total Metals = 10.96 mg/L (1.04x permit limit)	III	17.34.40	ENB-4.03	NOV-2021-028	X
3/2/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: City Sample, Chromium = 6.45 mg/L (1.82x permit limit)	II	17.34.40	ENB-4.03	NOV-2021-029	X
3/2/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: City Sample, Nickel = 6.36 mg/L (2.27x permit limit)	I	17.34.40	ENB-4.03	NOV-2021-030	X
3/2/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: City Sample, Zinc = 25.4 mg/L (9.7x permit limit)	I	17.34.40	ENB-4.03	NOV-2021-031	X
3/30/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $\text{pH} < 5.0$ for cumulative time (t), where $30 < t \leq 60$ minutes in a calendar day (continuous monitoring): Continuous $\text{pH} = 4.37$ SU for 51 minutes	II	17.34.40	ENB-4.03	NOV-2021-052	X
3/19/2021	Electro-Chem Metal Finishing	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Nickel, Chromium, Total Metals exceedances in 2020	I	17.34.40	ENB-4.03	CO-2021-001	
2/17/2021	Electro-Chem Metal Finishing	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Chromium = 11 ppm (3.1x permit limit)	I	17.34.40	ENB-4.03	NOV-2021-019	X
2/17/2021	Electro-Chem Metal Finishing	Failure to notify within 24 hours of violation: Chromium exceedance, failed to notify BES	II	17.34.90	ENB-4.03	NOV-2021-020	X
2/17/2021	Electro-Chem Metal Finishing	General & Special Conditions not addressed by other enforcement response: Failure to submit complete analytical results	III	17.34.080	ENB-4.03	NOV-2021-021	X
2/17/2021	Electro-Chem Metal Finishing	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit : Total Metals = 12.8 ppm (1.2x permit limit)	III	17.34.40	ENB-4.03	NOV-2021-022	X
1/13/2021	Electro-Chem Metal Finishing	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: Nickel = 3.15 ppm (1.1x permit limit)	III	17.34.40	ENB-4.03	NOV-2021-001	X
1/13/2021	Electro-Chem Metal Finishing	Any late reporting incident >30 days late: October Self-Monitoring report >30 days late	I	17.34.90	ENB-4.03	NOV-2021-005	X
1/26/2021	Enviroad LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Road coating oil flowed into storm system	II	17.39.40	ENB-4.13	NOV-20-191-39	X
2/4/2021	Environmental Works LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharge to storm sewer system	II	17.39.40	ENB-4.13	NOV-21-003-39	X
1/26/2021	Eternal Rock Construction 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: Pressure washing sediment to storm system	II	17.32.30	ENB-4.22	NOV-20-184-32	X
1/26/2021	Eternal Rock Construction Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharged to storm system from construction	II	17.39.40	ENB-4.13	NOV-20-185-39	X
3/3/2021	Eternal Rock Construction Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharged to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-027-39	X
2/4/2021	Fairfield Development LP	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater to storm system	II	17.39.40	ENB-4.13	NOV-20-188-39	X
3/12/2021	FDR Construction, Inc.	Discharge of process wastewater, including washwater (no endangerment): Discharged construction wastewater to storm system	II	17.39.40	ENB-4.13	NOV-21-017-39	X
3/12/2021	FDR Construction, 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 construction wastewater to storm system	II	17.32.30	ENB-4.22	NOV-21-018-32	X
3/12/2021	J&J Concrete	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-034-39	X

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

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3/17/2021	JLE Truckwash, Inc.	Settlement Agreement: Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc exceedance in May 2020 and November 2020.	II	17.34.40	ENB-4.03	VCA-2021-001 ²	
3/11/2021	John L Calhoun Contracting	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-035-39	X
3/25/2021	Karman Auto Inc.	Discharge of process wastewater, including washwater (no endangerment): Washwater discharge to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-041-39	X
3/16/2021	Lindquist Development Co., Inc.	Discharge of process wastewater, including washwater (no endangerment): Concrete cutting wastewater discharge to storm system	II	17.39.40	ENB-4.13	NOV-21-016-39	X
2/4/2021	Lorentz Bruun Co., 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: Dewatering construction site to storm system	II	17.32.30	ENB-4.22	NOV-20-195-32	X
2/4/2021	Lorentz Bruun Co., Inc.	Visible discoloration, except for testing dyes used or approved by the City: Turbid dewatering discharge from construction site to storm system	II	17.39.40	ENB-4.13	NOV-20-196-39	X
2/4/2021	Lotus Isle Homeowners Association	All other prohibited discharges as stated in 17.39 (no damage to storm system): Private sewage overflow to storm system	II	17.39.40	ENB-4.13	NOV-21-002-39	X
2/4/2021	Lotus Isle Homeowners Association	All other prohibited discharges as stated in 17.39 (no damage to storm system): Private sewage overflow to storm system	II	17.39.40	ENB-4.13	NOAC-21-001-39	
3/3/2021	Method Construction Incorporation	Discharge of refuse, rubbish, garbage, floating solids, etc.: Sediment discharge to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-025-39	X
1/25/2021	Mondelez Global, Inc	Violated Pretreatment discharge standard where $pH > 11.5$ for cumulative time (t), where $15 < t \leq 30$ minutes in a calendar day (continuous monitoring): Continuous $pH > 11.5$ SU for 17 minutes	III	17.34.40	ENB-4.03	NOV-2021-012	X
3/15/2021	Neil Kelly Co, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharge to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-039-39	X
1/26/2021	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Total Dissolved Solids = 2960 lbs/day (1.7x permit limit)	II	17.34.40	ENB-4.03	NOV-2021-013	X
1/12/2021	Schnitzer Steel	Violated Pretreatment discharge standard where $1.0 < x \leq 1.2$ times the limit: Lead = 0.715 mg/L (1.02x DML)	III	17.34.40	ENB-4.03	NOV-2021-006	X
2/23/2021	Superior Tank Wash, Inc	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Non-Polar Oil & Grease (1.5x permit limit)	II	17.34.40	ENB-4.03	NOV-2021-026	X
3/16/2021	Tyree Oil, Inc.	Visible sheen: Sheen from property discharge via stormwater to storm system	II	17.39.40	ENB-4.13	NOV-21-014-39	X
2/17/2021	WB Family Construction, Inc. dba Graffiti Removal Services	Discharge of process wastewater, including washwater (no endangerment): Discharge of graffiti cleaning wastewater to storm system	II	17.39.40	ENB-4.13	NOV-20-202-39	X
2/17/2021	WB Family Construction, Inc. dba Graffiti Removal Services	Discharge of process wastewater, including washwater (no endangerment): Discharge of graffiti cleaning wastewater to storm system	II	17.39.40	ENB-4.13	NOAC-20-016-39	
2/4/2021	West Coast Masonry Inc	All other prohibited discharges as stated in 17.39 (no damage to storm system): Mud and debris discharged to storm system at right-of-way	II	17.39.40	ENB-4.13	NOV-20-158-39	X
3/16/2021	Westgate Homes, Inc.	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater to storm system at right-of-way	II	17.39.40	ENB-4.13	NOV-20-143-39	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
49	\$30,050

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.