

2021 ENFORCEMENT ACTIONS & PENALTIES

2ND QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
4/28/2021	05-156152-MG	Settlement agreement: New ownership - New Voluntary Compliance Agreement: Maintenance of private stormwater management facilities	NA	17.38.45	ENB-4.15	VCA-21-002-38	
6/29/2021	1st Choice Conveyors LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Discharge of hydraulic fluid to right-of-way and storm system	II	17.39.40	ENB-4.13	NOV-21-108-39	X
6/29/2021	1st Choice Conveyors LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system) Comment(s): Hydraulic fluid discharge to storm system and right of way	II	17.39.40	ENB-4.13	NOAC-21-009-39	
6/15/2021	Ajinomoto Foods North America, Inc.	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Discharge of fats, oils, and grease to the sanitary sewer	II	17.34.30	ENB-4.03	NOV-2021-119	X
4/15/2021	Albina Kazak	Encroach into a City sewer or drainage easement without authorization (Build structures, deposit material, or block access to assets): Damage to a stormwater quality facility and discharge into a stormwater quality facility	II	17.32.30	ENB-4.22	NOV-20-040-32	X
4/15/2021	Albina Kazak	Encroach into a City sewer or drainage easement without authorization (Build structures, deposit material, or block access to assets): Damage to a stormwater quality facility and discharge into a stormwater quality facility	II	17.32.30	ENB-4.22	NOAC-20-006-32	
6/15/2021	All Service Moving	Visible sheen: Leaking company box truck to storm system	II	17.39.40	ENB-4.13	NOV-21-101-39	X
4/15/2021	American Hood Cleaning 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: Discharge of process water and leaking pressure washer to storm system	II	17.32.30	ENB-4.22	NOV-20-058-32	X
4/15/2021	American Hood Cleaning LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge of mop water to storm system after food service establishment hood cleaning	II	17.39.40	ENB-4.13	NOV-20-059-39	X
5/11/2021	Angel's Donuts and Ice Cream	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 food service establishment mats on sidewalk	II	17.32.30	ENB-4.22	NOV-21-080-32	X
5/11/2021	Angel's Donuts and Ice Cream	Discharge of process wastewater, including washwater (no endangerment): Discharge from washing food service establishment mats in right-of-way to storm sewer system	II	17.39.40	ENB-4.13	NOV-21-081-39	X
4/12/2021	Balfour Beatty Construction, LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Construction site dewatered groundwater tank overflow to storm system	II	17.39.40	ENB-4.13	NOV-21-008-39	X
4/12/2021	Balfour Beatty Construction, LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Construction site dewatered groundwater tank overflow to storm system	II	17.39.40	ENB-4.13	NOV-21-009-39	X
4/12/2021	Balfour Beatty Construction, LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Comment(s): Construction site dewatered groundwater tank overflow to storm system	II	17.39.40	ENB-4.13	NOV-21-010-39	X
6/3/2021	Balwant Khatra	Discharge of process wastewater, including washwater (no endangerment): Discharge of soapy pool water to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-092-39	
6/3/2021	Balwant Khatra	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval: Discharge of soapy pool water to storm system at right-of-way and catch basin	II	17.32.30	ENB-4.22	NOV-21-093-32	
5/6/2021	Bitar Brothers	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval: Piping water from inside building to storm system at right-of-way	II	17.32.30	ENB-4.22	NOV-20-150-32	X
4/29/2021	Brenntag Pacific, Inc	General & Special Conditions not addressed by other enforcement response: Batch discharge without 48-hour notice to City	III	17.34.090	ENB-4.03	NOV-2021-088	X
4/22/2021	Chang Fa Supermarket	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval: PVC hose piped from back of site flowing into storm system at sidewalk and right-of-way	II	17.32.30	ENB-4.22	NOV-21-048-32	X
4/22/2021	Chang Fa Supermarket	Unauthorized discharge without a City Permit or Authorization (unknowing): wastewater discharge to storm system at right-of-way	II	17.39.40	ENB-4.13	NOV-21-049-39	X
4/22/2021	Crystal Springs Condominiums Owners' Association	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval: Private stormwater system piped to discharge to BES stormwater infiltration system	II	17.32.30	ENB-4.22	NOV-21-068-32	X
5/6/2021	Daniel Reynolds	Discharge of process wastewater, including washwater (no endangerment): Discharge of wastewater to storm system at catch basin from washing paint brushes	II	17.39.40	ENB-4.13	NOV-21-070-39	X
4/9/2021	Danone US LLC	General & Special Conditions not addressed by other enforcement response: Failed to address special conditions	III	17.34.070	ENB-4.03	NOV-2021-067	X
5/6/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Zinc = 2.8 mg/L (1.07x permit limit); Elevated violation class to due to Compliance Order in effect	II	17.34.40	ENB-4.03	NOV-2021-094	X
5/24/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Monthly average violation, Elevated violation class to due to Compliance Order in effect	II	17.34.40	ENB-4.03	NOV-2021-095	X
4/1/2021	EcoLube Recovery, LLC	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Non-Polar Oil & Grease = 146 mg/L	II	17.34.40	ENB-4.03	NOV-2021-056	X
4/9/2021	Edward J. Hagan Jr., DMD	Any late reporting incident >30 days late: Late Report >30 days late	I	17.34.90	ENB-4.03	NOV-2021-066	X
4/9/2021	Enterprise Rent-A-Car	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-21-046-39	X
5/4/2021	Eric Moon	Discharge of process wastewater, including washwater (no endangerment): Concrete cutting slurry water discharge to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-073-39	

CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES, ENVIRONMENTAL COMPLIANCE DIVISION
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4/13/2021	Everett Von Bodkin dba Leaky Roof Doctor & Commercial Waterproof Coatings	Discharge of process wastewater, including washwater (no endangerment): Roof coating business discharged coating washwater to storm system	II	17.39.40	ENB-4.13	NOV-21-038-39	X
4/1/2021	Five Star Laundry – Portland, LLC	2nd late reporting incident in a calendar year (same type), <30 days late: Failed to submit report <30 days late (2nd Occurrence)	III	17.34.90	ENB-4.03	NOV-2021-055	X
5/4/2021	Five Star Laundry – Portland, LLC	Violated Pretreatment discharge standard where pH > 11.5 for cumulative time (t), where 15 < t <= 30 minutes in a calendar day (continuous monitoring): Continuous pH >11.5 SU for 23 minutes	III	17.34.40	ENB-4.03	NOV-2021-082	X
4/12/2021	Giske Concrete Limited Liability Company	Discharge of process wastewater, including washwater (no endangerment): Discharge of concrete washwater to storm system	II	17.39.40	ENB-4.13	NOV-21-051-39	X
6/29/2021	Gonzales Boring & Tunneling Co., Inc.	Breaking a structural component of a sewer or green street: Sewer damage occurred during boring activity	II	17.32.30	ENB-4.22	NOV-21-118-32	X
6/29/2021	Gonzales Boring & Tunneling Co., Inc.	Breaking a structural component of a sewer or green street: Damaged sewer main from boring activity	II	17.32.30	ENB-4.22	NOAC-21-010-32	
4/13/2021	Hydro Power Wash, LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge of graffiti washwater to storm system	II	17.39.40	ENB-4.13	NOV-21-053-39	X
4/8/2021	Johnson Creek Rentals	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment in storm system at right-of-way	II	17.39.40	ENB-4.13	NOV-21-043-39	X
6/29/2021	Johnson Creek Rentals	Visible discoloration, except for testing dyes used or approved by the City: Discharge of turbid washwater from wash bay to storm system at catch basin	II	17.39.40	ENB-4.13	NOV-21-117-39	X
6/1/2021	Kimpton Hotel & Restaurant Group, LLC, A Delaware LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge of washwater to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-21-060-39	X
6/1/2021	Kimpton Hotel & Restaurant Group, LLC, A Delaware LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge of washwater to storm system at right-of-way and catch basin	II	17.39.40	ENB-4.13	NOAC-21-004-39	
6/24/2021	Kostas Scrap Metals	A substance that causes or may cause a nuisance, hazard, interference, obstruction or damage to the City's storm sewer and drainage system, City personnel, the public, receiving waters, or associated sediments: Discharge of sediment and debris to storm system	II	17.39.40	ENB-4.13	NOV-21-123-39	X
4/14/2021	Loy Clark Pipeline Co.	Breaking a structural component of a sewer or green street: Damage to sanitary mainline during vault installation	II	17.32.30	ENB-4.22	NOV-21-050-32	X
4/14/2021	Loy Clark Pipeline Co.	Breaking a structural component of a sewer or green street: Damage to sanitary mainline during vault installation	II	17.32.30	ENB-4.22	NOAC-21-003-32	
6/29/2021	Magnum Masonry Incorporated	Discharge of process wastewater, including washwater (no endangerment): Discharge of brick cutting wastewater to storm system	II	17.39.40	ENB-4.13	NOV-21-121-39	X
5/11/2021	Market Quest 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: Discharge from food service establishment of greasy water to storm system	II	17.32.30	ENB-4.22	NOV-21-075-32	
5/11/2021	Market Quest LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge from food service establishment of greasy water to storm system	II	17.39.40	ENB-4.13	NOV-21-076-39	
5/12/2021	Metropolitan Services Incorporated	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 restaurant cleaning equipment to storm system at right-of-way	II	17.32.30	ENB-4.22	NOV-20-048-32	X
5/12/2021	Metropolitan Services Incorporated	Discharge of process wastewater, including washwater (no endangerment) Comment(s): Discharge of greasy water from restaurant cleaning to storm system	II	17.39.40	ENB-4.13	NOV-20-049-39	X
5/12/2021	Metropolitan Services Incorporated	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 restaurant equipment to the storm system at right of way	II	17.32.30	ENB-4.22	NOV-20-050-32	X
5/12/2021	Metropolitan Services Incorporated	Discharge of process wastewater, including washwater (no endangerment): Discharge of water from cleaning restaurant equipment to the storm system	II	17.39.40	ENB-4.13	NOV-20-051-39	X
4/8/2021	MGA Auto Body	Visible sheen: Discharge to storm system	II	17.39.40	ENB-4.13	NOV-21-061-39	X
4/9/2021	MGA Auto Body	Discharge of refuse, rubbish, garbage, floating solids, etc: Discharge of sediment and debris to storm sewer	II	17.39.40	ENB-4.13	NOV-21-062-39	X
4/12/2021	Mountainwood Homes Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Construction sediment discharge to storm system and Ash Creek	II	17.39.40	ENB-4.13	NOV-20-144-39	X
5/6/2021	N&C Hood & Duct Cleaning	Discharge of process wastewater, including washwater (no endangerment): Discharge of hood cleaning wastewater to storm system at right of way and catch basin	II	17.39.40	ENB-4.13	NOV-21-074-39	
4/9/2021	Northwest Bark Supply Co., Ltd.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Discharge of sediment and mulch to storm system at right-of-way and green street planter	II	17.39.40	ENB-4.13	NOV-21-057-39	X
4/12/2021	O'Brien Auto Group	Discharge of process wastewater, including washwater (no endangerment): Discharge of washwater to storm sewer system at right-of-way	II	17.39.40	ENB-4.13	NOV-21-044-39	X
6/15/2021	Oregon Decorative Rock, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Discharge of turbid water to storm system	II	17.39.40	ENB-4.13	NOV-21-099-39	X
6/21/2021	Owens Brockway Glass Container, Inc.	2nd late reporting incident in a calendar year (same type), <30 days late: Failure to submit complete report for May 2021	III	17.34.90	ENB-4.03	NOV-2021-125	X
4/21/2021	Pacific Coast Fruit Company	Failure to maintain records – unintentional: Failure to maintain continuous pH meter calibration log	III	17.34.120	ENB-4.03	NOV-2021-077	X
4/21/2021	Pacific Coast Fruit Company	Failure to maintain records – unintentional: Failure to maintain Hydrogen Peroxide Treatment Log	III	17.34.120	ENB-4.03	NOV-2021-078	X

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5/13/2021	Papiliou Division LLC	Visible sheen: Discharge of oil sheen from garage to storm system at right of way, sidewalk and catch basin	II	17.39.40	ENB-4.13	NOV-21-079-39	X
5/13/2021	Papiliou Division LLC	Visible sheen: Discharge of oil sheen from garage to storm system at right of way, sidewalk and catch basin	II	17.39.40	ENB-4.13	NOAC-21-006-39	
6/4/2021	Patriot Environmental	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Copper = 2.8 mg/L (1.4x DML)	II	17.34.40	ENB-4.03	NOV-2021-109	X
6/4/2021	Patriot Environmental	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Copper = 2.8 mg/L (1.5x DML)	II	17.34.40	ENB-4.03	NOV-2021-110	X
6/4/2021	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Copper = 2.8 mg/L (4.1x DML)	I	17.34.40	ENB-4.03	NOV-2021-111	X
6/4/2021	Patriot Environmental	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Total Dissolved Solids = 6.661mg/L (1.5x DML)	II	17.34.40	ENB-4.03	NOV-2021-112	X
6/15/2021	PCC Structurals, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Oil & Grease = 211 mg/L, Upper Limit Exceedance	I	17.34.40	ENB-4.03	NOV-2021-120	X
4/15/2021	Pioneer Waterproofing Company, Inc.	Discharge of process wastewater, including washwater (no endangerment): Discharge of wet sanding water to storm system	II	17.39.40	ENB-4.13	NOV-21-040-39	X
6/2/2021	PLI Systems, Inc.	Discharge of process wastewater, including washwater (no endangerment): Discharge of concrete wastewater to storm system at catch basin	II	17.39.40	ENB-4.13	NOV-21-096-39	X
6/1/2021	Reef Parking Limited Partnership	Visible discoloration, except for testing dyes used or approved by the City: Discolored discharge to storm system from concrete work	II	17.39.40	ENB-4.13	NOV-21-098-39	X
4/22/2021	Ryder Truck Rental Inc	Discharge of process wastewater (endangerment): Soapy wastewater to the municipal storm sewer system	I	17.39.40	ENB-4.13	NOV-21-071-39	X
4/14/2021	Seabold Construction Co., Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharge from construction site to storm system	II	17.39.40	ENB-4.13	NOV-21-054-39	X
6/17/2021	SSA Pacific Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: Non-Polar Oil & Grease = 218 mg/L	I	17.34.40	ENB-4.03	NOV-2021-122	X
4/12/2021	Stancorp Financial Group, Inc.	Unauthorized discharge without a City Permit or Authorization (knowing): Discharge of pressure washing wastewater with suds to storm system	I	17.39.40	ENB-4.13	NOV-21-058-39	X
4/9/2021	Sylvan Orthodontics	Any late reporting incident >30 days late: Late report >30 days late	I	17.34.90	ENB-4.03	NOV-2021-063	X
5/13/2021	Take the Bridge Events LLC	Discharge of refuse, rubbish, garbage, floating solids, etc: Confetti from race event in storm system at right of way and catch basins	II	17.39.40	ENB-4.13	NOV-20-003-39	
5/13/2021	Take the Bridge Events LLC	Discharge of refuse, rubbish, garbage, floating solids, etc: Confetti from race event in storm system at right of way and catch basins	II	17.39.40	ENB-4.13	NOAC-20-002-39	
6/2/2021	TCI America Headquarters Building	Any late reporting incident >30 days late: Failure to submit Permit Application by due date	I	17.34.90	ENB-4.03	NOV-2021-116	X
4/15/2021	The Original Cartopia LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge of greasy power washing wastewater to storm system	II	17.39.40	ENB-4.13	NOV-21-059-39	
6/29/2021	The Original Cartopia LLC	Discharge of process wastewater, including washwater (no endangerment): Discharge from wastewater from washing dumpster area to storm system	II	17.39.40	ENB-4.13	NOV-21-124-39	X
5/12/2021	Thomas West	Discharge of process wastewater, including washwater (no endangerment): Discharge of concrete slurry discharge from residence to storm system	II	17.39.40	ENB-4.13	NOV-21-083-39	
4/9/2021	Timber Dental	Any late reporting incident >30 days late: Late Report >30 days late	I	17.34.90	ENB-4.03	NOV-2021-064	X
4/14/2021	Tony (Tuan) Truong	Visible discoloration, except for testing dyes used or approved by the City: Discharge of visible discolored water to storm system at right-of-way	II	17.39.40	ENB-4.13	NOV-21-037-39	
4/23/2021	Whispering Winds Housing LP	All other prohibited discharges as stated in 17.39 (no damage to storm system): Discharge of sewage to storm system. City rescinded enforcement action.	II	17.39.40	ENB-4.13	NOV-21-069-39 ²	
4/23/2021	Whispering Winds Housing LP	All other prohibited discharges as stated in 17.39 (no damage to storm system): City cleanup for sewage release to storm system. City rescinded enforcement action.	II	17.39.40	ENB-4.13	NOAC-21-005-39 ²	
4/9/2021	Willamette Dental Group	Any late reporting incident >30 days late: Late Report >30 days late	I	17.34.90	ENB-4.03	NOV-2021-065	X
4/20/2021	ZINKPOWER-Portland LLC	Violated Pretreatment discharge standard where $1.20 < x \leq 2.0$ times the limit: Stormwater bypass of treatment system, Zinc = 4.8 mg/L (1.3x permit limit)	II	17.34.40	ENB-4.03	NOV-2021-072	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-Compliance¹
 VCA = Voluntary Compliance Agreement

No. of Actions Issued	Cumulative Penalty Assessment
87	\$36,950

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) 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.

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