

2021 ENFORCEMENT ACTIONS & PENALTIES

3RD QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
09/15/2021	06-138407-SD	Failure to comply with a Warning Notice	III	17.38.45	ENB-4.15	NOV-21-168-38	
07/13/2021	12-218056-CO	Failure to construct stormwater management facility to Stormwater Management Manual standards and as approved by BES: Flow-control manhole missing structural components	II	17.38.40	ENB-4.31	NOV-21-134-38	X
09/28/2021	15-124695-CO	Modification of a stormwater management facility without prior BES approval: Infiltration planter modified without approval	III	17.38.41	ENB-4.31	NOV-21-173-38	X
08/06/2021	Ajinomoto Toyo Frozen Noodles, Inc.	Failure to meet Compliance Schedule deadlines: <= 30 days late, within IU's control & no extenuating circumstances	III	17.34.110	ENB-4.03	NOV-2021-147	X
09/27/2021	American Metal Stripping, LLC	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-171	X
08/05/2021	Association of Unit Owners of Village at Multnomah Condominiums	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage overflow of private sanitary to City storm system	II	17.39.40	ENB-4.13	NOV-21-145-39	X
08/05/2021	Association of Unit Owners of Village at Multnomah Condominiums	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage discharge from private cleanout	II	17.39.40	ENB-4.13	NOV-21-139-39	X
08/05/2021	Association of Unit Owners of Village at Multnomah Condominiums	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage discharge from private cleanout	II	17.39.40	ENB-4.13	NOV-21-138-39	X
08/05/2021	Association of Unit Owners of Village at Multnomah Condominiums	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage discharge from private cleanout	II	17.39.40	ENB-4.13	NOV-21-137-39	X
09/30/2021	Banette Properties LLC	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oils and grease discharge impacting sanitary sewer	II	17.34.30	ENB-4.03	NOV-21-150-34	X
07/12/2021	Brenntag Pacific, Inc	2nd late reporting incident in a calendar year (same type), <30 days late: Self Monitoring Report	III	17.34.90	ENB-4.03	NOV-2021-132	X
08/24/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Zinc = 5.31ppm @1.4x limit)	II	17.34.40	ENB-4.03	NOV-2021-153	X
08/24/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit (Chromium = 4.0ppm @1.1x limit)	III	17.34.40	ENB-4.03	NOV-2021-152	X
07/01/2021	Cameron Carmack	Visible sheen: Discharge with sheen from residential vehicle to storm system	II	17.39.40	ENB-4.13	NOV-21-107-39	X
08/06/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Cyanide = 19.4 mg/L @16.2x limit)	I	17.34.40	ENB-4.03	NOV-2021-143	X
08/06/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Nickel = 5.0 mg/L @1.8x limit)	II	17.34.40	ENB-4.03	NOV-2021-142	X
08/06/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Copper = 3.3 mg/L @1.2x limit)	II	17.34.40	ENB-4.03	NOV-2021-141	X
08/06/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Nickel = 5.5 mg/L @2x limit)	II	17.34.40	ENB-4.03	NOV-2021-140	X
09/10/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Nickel = 18.7 mg/L @6.7x limit)	I	17.34.40	ENB-4.03	NOV-2021-162	X
09/14/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Cyanide = 7.7 mg/L @6.4x limit)	I	17.34.40	ENB-4.03	NOV-2021-164	X
09/14/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Nickel = 5.7 mg/L @2.0x limit)	I	17.34.40	ENB-4.03	NOV-2021-163	X
09/30/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Zinc = 21.4 mg/L)	I	17.34.40	ENB-4.03	NOV-2021-174	X
09/08/2021	Freightwest International	Discharge of process wastewater, including washwater (no endangerment): Truck washwater with soap discharged to right-of-way	II	17.39.40	ENB-4.13	NOV-21-161-39	X
09/16/2021	Kanto Corporation	Violated Pretreatment discharge standard 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-2021-169	X
09/16/2021	Kanto Corporation	Violated Pretreatment discharge standard 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-2021-166	X
08/24/2021	Legacy Property Management	Fats, oils and grease fixtures disconnected from grease removal interceptor: No fats, oils and grease bearing fixtures plumbed to hydromechanical grease interceptor	I	17.34.50	ENB-4.26	NOV-21-155-34	X
09/16/2021	Mary's Harvest Fresh Foods	Violated Pretreatment discharge standard $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ (grab sample): pH = 11.8 SU	III	17.34.40	ENB-4.03	NOV-2021-165	X
07/01/2021	MEI Group	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharged to right-of-way and curblane gutter	II	17.39.40	ENB-4.13	NOV-21-087-39	X
07/01/2021	MEI Group	Prohibited discharge with visible discoloration, except for testing dyes used or approved by the City: Pumping of turbid water from construction area to storm sewer and drainage system	II	17.39.40	ENB-4.13	NOV-21-086-39	X
07/01/2021	MEI Group	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment discharge to right-of-way and curblane gutter	II	17.39.40	ENB-4.13	NOV-21-085-39	X
07/01/2021	MEI Group	Prohibited discharge with visible discoloration, except for testing dyes used or approved by the City: Turbid discharge at outfall from discharge to City storm sewer catch basin	II	17.39.40	ENB-4.13	NOV-21-084-39	X
07/20/2021	Ocean City Seafood Restaurant, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage release from property to storm sewer system	II	17.39.40	ENB-4.13	NOAC-21-007-39	
07/20/2021	Ocean City Seafood Restaurant, Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage overflow from property to storm sewer system	II	17.39.40	ENB-4.13	NOV-21-089-39	X
09/08/2021	Pacific Coast Fruit Company	Violated Pretreatment discharge standard 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-2021-159	X
09/08/2021	Pacific Coast Fruit Company	Violated Pretreatment discharge standard 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-2021-158	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
07/07/2021	Pacific Stars General Contractor LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Discharge of turbid water from site dewatering to the right-of-way and storm sewer system	II	17.39.40	ENB-4.13	NOV-21-114-39	X
07/07/2021	Pacific Stars General Contractor 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: Unauthorized dewatering activities	II	17.32.30	ENB-4.22	NOV-21-113-32	X
09/02/2021	Patriot Environmental	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit (Arsenic = 1.05x daily maximum limit)	III	17.34.40	ENB-4.03	NOV-2021-157	X
09/30/2021	Pioneer Waterproofing Company, Inc.	Prohibited discharge of process wastewater, including washwater (no endangerment): Discolored pressure washing discharge to storm sewer system	II	17.39.40	ENB-4.13	NOV-21-167-39	X
09/29/2021	Reese Cleaners Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage overflow to street and storm system	II	17.39.40	ENB-4.13	NOAC-21-011-39	
08/30/2021	Reese Cleaners Inc.	Prohibited discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oils, and grease from food cart pod impacting sanitary sewer	II	17.34.30	ENB-4.03	NOV-21-154-34	X
08/30/2021	Reese Cleaners Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sewage overflow to right-of-way and storm sewer system	II	17.39.40	ENB-4.13	NOV-21-156-39	X
08/11/2021	Superior Tank Wash, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Non-polar oil & grease = 188 ppm)	I	17.34.40	ENB-4.03	NOV-2021-149	X
07/07/2021	Swan Island Dairy	Violated Pretreatment discharge standard 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-2021-128	X
09/03/2021	The Kroger Co.	Prohibited discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Trash items discharge from private lateral to City sanitary sewer system	II	17.34.30	ENB-4.03	NOV-21-146-34	X
07/12/2021	Unifirst Corporation	General & Special Conditions not addressed by other enforcement response: Inaccurate average daily flow reporting on Self-Monitoring Reports	III	17.34	ENB-4.03	NOV-2021-130	X
08/24/2021	Unifirst Corporation	Violated Pretreatment discharge standard 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-2021-151	X
07/14/2021	Univar USA Inc	2nd late reporting incident in a calendar year (same type), <30 days late: Failed to submit Accidental Spill Prevention Plan	III	17.34.90	ENB-4.03	NOV-2021-133	X
08/11/2021	Ventura Foods LLC	Prohibited discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oils and grease discharge to sanitary sewer	II	17.34.30	ENB-4.03	NOV-2021-148	X
08/06/2021	WB Family Construction, Inc. dba Graffiti Removal Services	Prohibited discharge of process wastewater, including washwater (no endangerment): Discharge of graffiti cleaning wastewater with suds to storm sewer system	II	17.39.40	ENB-4.13	NOV-21-136-39	X
07/07/2021	Wood Waste Management, LLC	Prohibited discharge with visible discoloration, except for testing dyes used or approved by the City: Turbid discharge to storm sewer system	II	17.39.40	ENB-4.13	NOV-21-102-39	X
07/07/2021	Wood Waste Management, LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment drag-out to City right-of-way	II	17.39.40	ENB-4.13	NOV-21-103-39	X
07/07/2021	Wood Waste Management, LLC	Prohibited discharge with visible discoloration, except for testing dyes used or approved by the City: Turbid discharge to City green street facility	II	17.39.40	ENB-4.13	NOV-21-104-39	X
07/07/2021	Wood Waste Management, LLC	Prohibited discharge with visible discoloration, except for testing dyes used or approved by the City: Turbid discharge to City green street facility	II	17.39.40	ENB-4.13	NOV-21-105-39	X
07/07/2021	Wood Waste Management, LLC	All other prohibited discharges as stated in 17.39 (no damage to storm system): Sediment drag-out to City right-of-way	II	17.39.40	ENB-4.13	NOV-21-106-39	X
08/03/2021	ZINKPOWER-Portland LLC	Violated pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Zinc = 5.5 mg/L @1.5x limit)	II	17.34.40	ENB-4.03	NOV-2021-144	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*
 VCA = Voluntary Compliance Agreement

No. of Actions Issued	Cumulative Penalty Assessment
56	\$34,700

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.