

2021 ENFORCEMENT ACTIONS & PENALTIES

4TH QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
12/08/2021	06-138407-SD	Failure to comply with a Notice of Violation: Failed to respond to Notice of Violation - escalation	II	17.38.45	ENB-4.31	NOV-21-236-38	
12/02/2021	13-103197-CO	Modification of drainage to or from the stormwater management facility without prior BES approval: Downspouts disconnected from flow-through planter.	III	17.38.41	ENB-4.31	NOV-21-211-38	X
12/09/2021	Advantage Dental	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-219	X
12/09/2021	Advantage Dental from Dental Quest	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-220	X
10/21/2021	Ajinomoto Foods North America, Inc.	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: (Non-Polar Oil & Grease = 121 mg/L @1.21x limit)	II	17.34.40	ENB-4.03	NOV-2021-192	X
10/07/2021	American Metal Stripping, LLC	Any late reporting incident >30 days late: Failure to submit monthly report >30 days	I	17.34.90	ENB-4.03	NOV-2021-187	X
12/10/2021	Babica Hen Cafe	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oil and grease discharge impacting City sewer	II	17.34.30	ENB-4.03	NOV-21-213-34	
12/23/2021	Best In Concrete Services	Discharge of process wastewater, including washwater (no endangerment): Concrete washwater discharge to right-of-way, catch basin and sedimentation manholes	II	17.39.40	ENB-4.13	NOV-21-210-39	X
12/23/2021	Best In Concrete Services	Discharge of process wastewater, including washwater (no endangerment): City initiated cleaning of right-of-way, catch basin and sedimentation manholes	II	17.39.40	ENB-4.13	NOAC-21-013-39	
10/11/2021	Blackline, Inc	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit, all pollutants except pH: City Composite (Molybdenum = 1.41ppm @1.0x limit)	III	17.34.40	ENB-4.03	NOV-2021-179	X
12/09/2021	Brad King DMD PC	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-221	X
11/08/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: Repeat Violations for Molybdenum, Chromium, Zinc, and Nickel	II	17.34.40	ENB-4.03	CO-2021-003	
11/04/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: (Zinc = 8.6ppm @2.3x limit)	I	17.34.40	ENB-4.03	NOV-2021-195	X
11/04/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: (Nickel = 5.6ppm @2.0x limit)	II	17.34.40	ENB-4.03	NOV-2021-196	X
11/04/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: (Chromium = 14ppm @3.9x limit)	I	17.34.40	ENB-4.03	NOV-2021-197	X
11/04/2021	Brenntag Pacific, Inc	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: (Molybdenum = 1.86ppm @1.3x limit)	II	17.34.40	ENB-4.03	NOV-2021-198	X
11/04/2021	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): Chain of custody missing sample time, repeat issue	III	17.34.80	ENB-4.03	NOV-2021-199	X
12/09/2021	Columbia Square Dental	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-223	X
12/09/2021	Concorde Career College - Dental	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-224	X
12/09/2021	Dental Dynamics	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-225	X
12/08/2021	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: (Lead = 1.09 mg/L @1.58x limit)	II	17.34.40	ENB-4.03	NOV-2021-235	X
12/11/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: Self sample (Total Cyanide = 3.0 mg/L @2.5x limit)	I	17.34.40	ENB-4.03	NOV-2021-215	X
10/14/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: City sample (Total Metals = 21.3 mg/L @2.0x limit)	I	17.34.40	ENB-4.03	NOV-2021-189	X
10/14/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: Self sample (Nickel = 45 mg/L @16.07x limit) (TMET exceedance)	I	17.34.40	ENB-4.03	NOV-2021-191	X
10/6/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: Self sample (Nickel = 45 mg/L @16.1x limit)	I	17.34.40	ENB-4.03	NOV-2021-184	X
10/6/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: Self sample (Total Cyanide = 1.5 mg/L @1.3x limit)	II	17.34.40	ENB-4.03	NOV-2021-185	X
10/6/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: Self sample (Total Cyanide = 7.5 mg/L @6.3x limit)	I	17.34.40	ENB-4.03	NOV-2021-186	X
12/11/2021	East Side Plating, Inc - Plant #4	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit, all pollutants except pH: Self sample (Total Cyanide = 1.4 mg/L @1.1x limit)	III	17.34.40	ENB-4.03	NOV-2021-216	X
12/09/2021	Endodontic Associates	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-226	X
10/5/2021	Fleetwash, Inc.	Failure to maintain records – unintentional: Failed to keep Operation & Maintenance Plan Log	III	17.34.120	ENB-4.03	NOV-2021-178	X
12/09/2021	Gentech Dentist	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-227	X
10/01/2021	Glass to Glass	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Discharge of industrial material to storm sewer	II	17.39.40	ENB-4.13	NOV-21-175-39	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
12/10/2021	Gubanc's Pub	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oils and grease discharge impacting City sewer	II	17.34.30	ENB-4.03	NOV-21-212-34	
12/09/2021	Isomendodontics	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-228	X
11/29/2021	John Hyland Const., Inc.	All other prohibited discharges as stated in 17.39 (no damage to storm system): Concrete wastewater discharge to green street	II	17.39.40	ENB-4.13	NOV-21-160-39	X
12/07/2021	METRO Central Transfer Station	Violated Pretreatment discharge standard where $4.5 \leq \text{pH} < 5.0$ or $11.5 < \text{pH} \leq 12.0$ (grab): pH grab = 4.9 SU	III	17.34.40	ENB-4.03	NOV-2021-209	X
12/02/2021	Northwest Natural Gas Company dba NW Natural	Causing structural damage to parts of the improvement, including cutting or shearing of an improvement: Damage to BES assets during excavation	II	17.32.30	ENB-4.22	NOV-21-206-32	X
12/02/2021	Northwest Natural Gas Company dba NW Natural	Breaking a structural component of a sewer or green street: Damage to catch basin inlet	II	17.32.30	ENB-4.22	NOAC-21-012-32	
10/04/2021	NRC Environmental Services, Inc.	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit, all pollutants except pH: City sample (Lead = 0.8 mg/L @1.1x limit)	III	17.34.40	ENB-4.03	NOV-2021-180	X
10/04/2021	NRC Environmental Services, Inc.	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: City sample (Molybdenum = 1.7 mg/L @1.2x limit)	II	17.34.40	ENB-4.03	NOV-2021-181	X
12/09/2021	OHSU Russell Street Dental Clinic	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-229	X
11/30/2021	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit, all pollutants except pH: (Total Dissolved Solids =1744 lbs/day @1.01x limit)	III	17.34.40	ENB-4.03	NOV-2021-208	X
11/09/2021	Oil Re-Refining Company, Inc	Improper sampling location, sample type, analysis, collection methods detected chain of custody or other Quality Assurance, Quality Control Protocol Violations – repeat offense(s): Improper sample preservation, 2nd offense	III	17.34.80	ENB-4.03	NOV-2021-202	X
12/09/2021	Oregon Health & Science Univ School of Dentistry	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-230	X
11/10/2021	Owens Brockway Glass Container, Inc.	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: (Non-Polar Oil & Grease = 160 mg/L @1.6x limit)	II	17.34.40	ENB-4.03	NOV-2021-201	X
10/04/2021	Pacific Coast Fruit Company	Violated Pretreatment discharge standard where $\text{pH} < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring): Continuous pH 4.9 SU for 20 minutes	III	17.34.40	ENB-4.03	NOV-2021-182	X
10/28/2021	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: (Titanium = 0.272 mg/L @2.9x maximum daily limit)	I	17.34.40	ENB-4.03	NOV-2021-193	X
10/13/2021	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: (Zinc = 7.74 mg/L @2.1x maximum daily limit)	I	17.34.40	ENB-4.03	NOV-2021-190	X
10/28/2021	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: (Non-Polar Oil & Grease = 471 mg/L @4.7x maximum daily limit)	I	17.34.40	ENB-4.03	NOV-2021-194	X
12/09/2021	PDX Smile Design PC	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-231	X
11/20/2021	Portland Bottling Company	2nd late reporting incident in a calendar year (same type), <30 days late: 2nd self-monitoring report late submittal	III	17.34.90	ENB-4.03	NOV-2021-204	X
11/09/2021	Portland Hospital Service Corporation	Violated Pretreatment discharge standard where $\text{pH} < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring): Continuous pH < 5 for t= 19 mins	III	17.34.40	ENB-4.03	NOV-2021-203	X
11/30/2021	Portland Hospital Service Corporation	Violated Pretreatment discharge standard where $\text{pH} < 5.0$ for cumulative time (t), where $5 < t \leq 30$ mins. in a calendar day (continuous monitoring): Continuous pH < 5 for t=13 mins	III	17.34.40	ENB-4.03	NOV-2021-207	X
12/29/2021	Portland Housework's Inc	Discharge of process wastewater, including washwater (no endangerment): Concrete wastewater to right-of-way, catch basin and sedimentation manhole	II	17.39.40	ENB-4.13	NOV-21-240-39	X
12/29/2021	Portland Housework's Inc	Discharge of process wastewater, including washwater (no endangerment): Concrete wastewater to right-of-way, catch basin and sedimentation manhole	II	17.39.40	ENB-4.13	NOAC-21-018-39	
12/15/2021	Portland Water Bureau	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Sediment discharge to right-of way, to catch basin and Underground Injection Control system.	II	17.39.40	ENB-4.13	NOV-21-214-39	
12/15/2021	Portland Water Bureau	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Sediment discharge to right-of-way, to catch basin and Underground Injection Control system.	II	17.39.40	ENB-4.13	NOAC-21-014-39	
12/09/2021	Raleigh Hills Dental	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-232	X
11/17/2021	Schnitzer Steel	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: (Zinc = 5.67 mg/L @1.53x daily maximum limit)	II	17.34.40	ENB-4.03	NOV-2021-007	X
12/07/2021	Silver Eagle Manufacturing Company	Any late reporting incident >30 days late: Late Self Monitoring Report	I	17.34.90	ENB-4.03	NOV-2021-218	X
12/15/2021	Teresa Nguyen	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Sewage release to right-of-way, catch basin, sedimentation manhole and Underground Injection Control system.	II	17.39.40	ENB-4.13	NOV-21-237-39	
12/15/2021	Teresa Nguyen	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Sewage release to right-of-way, catch basin, sedimentation manhole and Underground Injection Control system.	II	17.39.40	ENB-4.13	NOAC-21-016-39	

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
10/08/2021	Tualatin Valley Water District	All other prohibited discharges as stated in 17.39 (no damage to storm system): Water tank discharge to Municipal Separate Storm Sewer System and natural channel	II	17.39.40	ENB-4.13	NOV-21-172-39	X
10/08/2021	Tualatin Valley Water District	Failing to obtain or apply for a City Permit or Authorization: Drained water tank without authorization	III	17.39.60	ENB-4.13	NOV-21-183-39	X
12/29/2021	Unifirst Corporation	Failure to meet Compliance Schedule deadlines – >30 days late, within IU’s control & no extenuating circumstances: Failure to comply with compliance schedule set forth in NOV-2021-200	I	17.34.110	ENB-4.03	NOV-2021-238	X
11/05/2021	Unifirst Corporation	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit, all pollutants except pH: City sample (Non-Polar Oil & Grease = 125 mg/L @1.25x limit)	II	17.34.40	ENB-4.03	NOV-2021-200	X
11/20/2021	Ventura Foods LLC	Discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Fats, oil and grease discharge	II	17.34.30	ENB-4.03	NOV-2021-205	X
12/09/2021	Veterans Affairs Portland Health Care System	Any late reporting incident >30 days late	I	17.34.90	ENB-4.03	NOV-2021-233	X
10/04/2021	Viper Technologies	Violated Pretreatment discharge standard where $pH < 4.0$ or $pH > 12.5$ (grab): city grab, $pH = 3.7$ SU	I	17.34.40	ENB-4.03	NOV-2021-176	X
10/04/2021	Viper Technologies	Violated Pretreatment discharge standard where $x > 2.0$ times the limit, all pollutants except pH: City sample (Lead = 6.98ppm @10.1x limit)	I	17.34.40	ENB-403	NOV-2021-177	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
70	\$60,750

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.