

2022 ENFORCEMENT ACTIONS & PENALTIES

2ND QUARTER

DATE ISSUED	RESPONSIBLE PARTY	VIOLATION DESCRIPTION	VIOLATION CLASS	CITY CODE VIOLATED	ADMINISTRATIVE RULE	ENFORCEMENT ACTION	CIVIL PENALTY
05/25/2022	09-140690-CO	Modification of a stormwater management facility without prior BES approval: Modified inlet drainage - bypass to overflow	III	17.38.41	ENB-4.31	NOV-22-044-38	
04/28/2022	Abel Painting 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 washwater to right-of-way	II	17.32.30	ENB-4.22	NOV-22-057-32	X
04/27/2022	Accurate Concrete Cutting, Inc.	Prohibited discharge of process wastewater, including washwater (no endangerment): Concrete cutting wastewater discharged to right-of-way	II	17.39.40	ENB-4.13	NOV-22-049-39	X
04/18/2022	Apex Anodizing, Inc	Violated Pretreatment discharge standard where $1.0 < x = 1.2$ times the limit (Zinc = 3.18 mg/L @1.2x maximum daily limit)	III	17.34.40	ENB-4.03	NOV-2022-062	X
04/13/2022	Babica Hen Cafe	Settlement agreement: 180 day extension to install grease interceptor		17.34.110	ENB-4.15	VCA-22-002-34	
04/04/2022	Brenntag Pacific, Inc	Violated Pretreatment discharge standard pH < 4.0 or pH > 12.5: (grab sample) pH = 3.5 SU	I	17.34.40	ENB-4.03	NOV-2022-043	X
04/04/2022	Brenntag Pacific, Inc	Failure to notify City within 24 hours of becoming aware of a violation: Failure to notify the City of Zinc exceedance	II	17.34.90	ENB-4.03	NOV-2022-046	X
04/27/2022	Brenntag Pacific, Inc	Failure to meet Compliance Schedule - Milestone Deadlines >30 days late: Missing Engineering Report from progress report #1	I	17.34.110	ENB-4.03	NOV-2022-076	X
05/13/2022	Casa Colima, Inc.	Prohibited discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Discharge caused fats, oils, and grease buildup in City sewer	II	17.34.30	ENB-4.03	NOV-22-080-34	X
06/27/2022	Chinna Prudvi and Sreedevi Pitta	All other prohibited discharges as stated in 17.39 (no damage to storm system): Cross connection resulting in sanitary discharge to storm sewer system	II	17.39.40	ENB-4.13	NOV-22-106-39	X
06/27/2022	Chinna Prudvi and Sreedevi Pitta	Allow or cause a connection that results in the discharge of sanitary sewage into a City storm sewer and drainage system without authorization: Cross connection - was notified of requirement	I	17.32.30	ENB-4.22	NOV-22-107-32	X
06/27/2022	Chinna Prudvi and Sreedevi Pitta	Allow or cause a connection that results in the discharge of sanitary sewage into a City storm sewer and drainage system without authorization: Cross connection resulting in sanitary discharge to storm sewer system	I	17.32.30	ENB-4.22	CO-22-001-32	
06/29/2022	Columbia Sales and Service Inc.	Failure to obtain permit or other legal agreement to make a permanent or hard-plumbed connection with the City sewer, storm sewer or drainage system: Connected a private catch basin to City storm or sanitary	I	17.32.30	ENB-4.22	NOV-22-113-32	X
04/26/2022	D.P. Excavating, 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 sediment to right-of-way	II	17.32.30	ENB-4.22	NOV-22-053-32	X
05/03/2022	E Flat LLC	Failure to provide repair or maintenance on aged or otherwise structurally compromised private facilities within the right-of-way: Lack of private maintenance caused sewage release	II	17.32.70	ENB-4.22	NOV-22-065-32	X
04/28/2022	E Flat LLC	All other prohibited discharges as stated in 17.34 (no damage to sewer system): Sewage release to right-of-way and combined sewer catch basin	II	17.34.30	ENB-4.03	NOV-22-064-34	X
06/09/2022	E Flat LLC	All other prohibited discharges as stated in 17.34 (no damage to sewer system): Sewage release to right-of-way and combined sewer catch basin	II	17.34.30	ENB-4.03	VCA-22-005-34	
04/08/2022	East Side Plating, Inc - Plant #4	Failure to maintain records – 1st offense: Failure to maintain continuous pH calibration logs	III	17.34.120	ENB-4.03	NOV-2022-060	X
04/07/2022	East Side Plating, Inc - Plants #1-3	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Zinc = 2.04 mg/L @1.38x limit)	II	17.34.40	ENB-4.03	NOV-2022-052	X
04/05/2022	EcoLube Recovery, LLC	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit: monthly average exceedance (Tin = 0.175 mg/L @1.23x limit)	II	17.34.40	ENB-4.03	NOV-2022-050	X
05/26/2022	EcoLube Recovery, LLC	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit: monthly average exceedance (Tin = 0.173 mg/L @1.22x limit)	II	17.34.40	ENB-4.03	NOV-2022-097	X
06/03/2022	Emerson House Portland	Placing materials/soil in a green street that reduces facility capacity: Deposited rocks to green street	II	17.32.30	ENB-4.22	NOV-22-100-32	X
04/26/2022	Emmett Phair Construction	Visible discoloration, except for testing dyes used or approved by the City: Turbid discharge from construction site	II	17.39.40	ENB-4.13	NOV-22-061-39	X
06/01/2022	Eternal Rock Construction Inc.	Failure to install or implement an appropriate physical, chemical, structural, managerial best management practices, as required by Erosion Control Manual: No erosion control measures installed onsite	II	10.30.20	ENB-4.30	NOV-22-084-30	X
06/01/2022	Eternal Rock Construction Inc.	Tracking, depositing, discharging, or flushing sediments or construction-related material into the City right-of-way or Storm Sewer Drainage System: Sediment in right-of-way	II	10.30.20	ENB-4.30	NOV-22-085-30	X
05/03/2022	Fine Craft Masonry, Inc.	Tracking, depositing, discharging, or flushing sediments or construction-related material into the City right-of-way or Storm Sewer Drainage System: Soil discharge to right-of-way	II	10.30.20	ENB-4.30	NOV-22-074-30	X
05/03/2022	Fine Craft Masonry, Inc.	Failure to secure, stabilize, or cover sediment, soil, or construction-related material stockpiles - 1st offense: Failure to cover stockpile	III	10.30.20	ENB-4.30	NOV-22-075-30	X
04/13/2022	Gubanc's Pub	Settlement agreement: 180-day extension to install grease interceptor		17.34.110	ENB-4.15	VCA-22-003-34	
06/01/2022	Harlow Hotel	Direct water, from any source, on private property to run onto any City sidewalk, street, easement or right of way without authorization or approval: Directing water from basement to sidewalk	II	17.32.30	ENB-4.22	NOV-22-088-32	X
05/03/2022	Hertzz Designz	Placement of substance or materials with the potential to, or result in minor obstruction, blockage or damage to City system: Oil and sediment discharge to City sewer required cleaning	II	17.39.40	ENB-4.13	NOV-22-041-39	X

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

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05/03/2022	Hertzz Designz	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Oil and sediment discharge City sewer required cleaning	II	17.39.40	ENB-4.13	NOAC-22-001-39	
05/03/2022	Hertzz Designz	Visible sheen: Discharge with oil sheen to storm system	II	17.39.40	ENB-4.13	NOV-22-042-39	X
06/22/2022	IBC Recon Services	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Zinc = 12.8 mg/L @3.45x limit)	I	17.34.40	ENB-4.03	NOV-2022-112	X
06/01/2022	Jake's Mobile Mix, 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 oil leak to the right-of-way	II	17.32.30	ENB-4.22	NOV-22-086-32	X
06/01/2022	Jake's Mobile Mix, LLC	Visible sheen: Discharge with sheen from oil leak to right-of-way	II	17.39.40	ENB-4.13	NOV-22-087-39	X
05/25/2022	Kostas Scrap Metals	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Zinc =4.96ppm @1.34x limit)	II	17.34.40	ENB-4.03	NOV-2022-095	X
04/12/2022	Luc Lac Vietnamese Kitchen	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Greasy water to right-of-way and catch basin	II	17.39.40	ENB-4.13	NOV-22-045-39	X
05/24/2022	M & M Construction Services, Inc.	Failure to eliminate or control materials or system entry points with spill or prohibited discharge potential: Failure to implement track out controls	II	17.39.50	ENB-4.13	NOV-22-082-39	X
05/24/2022	M R Pallet Co	Visible discoloration, except for testing dyes used or approved by the City: Sheet flow to green street and onsite catch basin to City outfall	II	17.39.40	ENB-4.13	NOV-22-081-39	X
06/09/2022	Maxim Foster Care LLC	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Sewage release from private system to right-of-way and Municipal Separate Storm Sewer System	II	17.39.40	ENB-4.13	NOV-22-091-39	X
06/27/2022	MLK Auto Sales, LLC	Placement of substance or materials with the potential to or result in minor obstruction, blockage or damage to City system: Green colored soapy discharge from driveway	II	17.39.40	ENB-4.13	NOV-22-103-39	X
06/09/2022	Oil Re-Refining Company, Inc	Failure to sample according to established schedule – 1st offense: Failure to sample Non-Polar Oil & Grease	II	17.34.80	ENB-4.03	NOV-2022-105	X
04/28/2022	Oil Re-Refining Company, Inc	Improper sampling location, sample type, analysis, collection methods and chain of custody, or other Quality Assurance, Quality Control Protocol violations – Repeat offense: Improper sample preservation, 4th offense	II	17.34.80	ENB-4.03	NOV-2022-078	X
04/04/2022	Oil Re-Refining Company, Inc	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Non-Polar Oil & Grease = 145ppm @1.45x limit)	II	17.34.40	ENB-4.03	NOV-2022-038	X
04/04/2022	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, 3rd offense	III	17.34.80	ENB-4.03	NOV-2022-039	X
05/25/2022	Oil Re-Refining Company, Inc	2nd late reporting incident in calendar year: written response to NOV-2022-038 <30 day late	III	17.34.90	ENB-4.03	NOV-2022-094	X
04/13/2022	Oregon Pool Plastering 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: Draining pool water to right-of-way	II	17.32.30	ENB-4.22	NOV-22-056-32	X
05/12/2022	Pak-Sel, Inc.	Failure to comply with a Notice of Violation: failure to comply with NOV-2022-031	II	17.34.110	ENB-4.15	NOV-2022-083	X
05/25/2022	Patriot Environmental	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Arsenic = 0.30 mg/L @1.2x limit)	II	17.34.40	ENB-4.03	NOV-2022-096	X
04/05/2022	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit: (Zinc = 2.94 mg/L MAL @ 4.58x MAL)	I	17.34.40	ENB-4.03	NOV-2022-054	X
04/05/2022	Patriot Environmental	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Copper = 0.437 mg/L @1.8x limit)	II	17.34.40	ENB-4.03	NOV-2022-055	X
06/03/2022	Patriot Environmental	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Titanium = 0.349 mg/L @3.685x maximum daily limit)	I	17.34.40	ENB-4.03	NOV-2022-102	X
06/10/2022	PCC Structurals, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Non-Polar Oil & Grease = 517 mg/L @5.7x limit)	I	17.34.40	ENB-4.03	NOV-2022-104	X
05/24/2022	PCC Structurals, Inc	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Non-Polar Oil & Grease = 317 mg/L @3.17x limit)	I	17.34.40	ENB-4.03	NOV-2022-089	X
05/24/2022	PCC Structurals, Inc	Failure to notify City within 24 hours of becoming aware of a violation: Failure to Notify Non-Polar Oil & Grease violation	II	17.34.90	ENB-4.03	NOV-2022-090	X
05/24/2022	Pentagon Technologies, Inc.	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Copper = 25.4 mg/L @9.07x limit)	I	17.34.40	ENB-4.03	NOV-2022-093	X
06/02/2022	Pentagon Technologies, Inc.	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Copper = 16.1 mg/L @5.75x limit)	I	17.34.40	ENB-4.03	NOV-2022-099	X
04/20/2022	Pentagon Technologies, Inc.	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Copper = 4.62 mg/L @1.65x limit)	II	17.34.40	ENB-4.03	NOV-2022-067	X
04/18/2022	Pentagon Technologies, Inc.	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Copper = 78.7 mg/L @28.1x limit)	I	17.34.40	ENB-4.03	NOV-2022-063	X
04/18/2022	Pentagon Technologies, Inc.	Violated Pretreatment discharge standard where $x > 2.0$ times the limit (Copper = 33.4 mg/L @11.93x limit)	I	17.34.40	ENB-4.03	NOV-2022-066	X
05/06/2022	Pentagon Technologies, Inc.	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Copper = 4.73 mg/L @1.69x limit)	II	17.34.40	ENB-4.03	NOV-2022-079	X
06/27/2022	Portland General Electric	Visible sheen: discharge with oil from transformer equipment malfunction to storm system	II	17.39.40	ENB-4.13	NOV-22-111-39	X
04/04/2022	Precision Powder Coating, Inc.	Violated Pretreatment discharge standard where $1.20 < x = 2.0$ times the limit (Zinc = 1.48 mg/L MAL @1.3x MAL)	II	17.34.40	ENB-4.03	NOV-2022-051	X

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06/02/2022	Primo Electric, Inc.	Removing >50% of the vegetation in a green street or stormwater facility or causing damage to >50% of the vegetation within a surface conveyance improvement: Damage to grassy swale	II	17.32.30	ENB-4.22	NOV-22-098-32	X
04/28/2022	Randall W Kreutz	Placement of substance or materials with the potential to, or result in minor obstruction, blockage or damage to City system: Voluntary Compliance Agreement in follow up to NOV-22-024-39 - sewage release	II	17.39.40	ENB-4.13	VCA-22-004-39	
05/03/2022	Robert J Peterson & Dianna L Martin-Peterson	All other prohibited discharges as stated in 17.34 (no damage to sewer system): Sewage release to right-of-way	II	17.34.30	ENB-4.03	NOV-22-077-34	
04/28/2022	Stocks Development Group LLC	Tracking, depositing, discharging, or flushing sediments or construction-related material into the City right-of-way or Storm Sewer Drainage System: Soil stockpile and sediment in right-of-way	II	10.30.20	ENB-4.30	NOV-22-069-30	X
04/28/2022	Stocks Development Group LLC	Failure to install or implement an appropriate physical, chemical, structural, managerial best management practices, as required by Erosion Control Manual: No Erosion Control measures onsite prior to disturbance	II	10.30.20	ENB-4.30	NOV-22-070-30	X
04/28/2022	Stocks Development Group LLC	Modifying conveyance or storage capacity of stormwater facilities: Stockpile in right-of-way interfered with sewer system	II	17.32.30	ENB-4.22	NOV-22-071-32	X
04/28/2022	Stocks Development Group LLC	Tracking, depositing, discharging, or flushing sediments or construction-related material into the City right-of-way or Storm Sewer Drainage System: Sediment in right-of-way as a result of ground disturbance	II	10.30.20	ENB-4.30	NOV-22-072-30	X
04/28/2022	Stocks Development Group LLC	Failure to install or implement an appropriate physical, chemical, structural, managerial best management practices, as required by Erosion Control Manual: No inlet protection installed at catch basin	II	10.30.20	ENB-4.30	NOV-22-073-30	X
06/27/2022	Tina Lilly	Failure to install or implement an appropriate physical, chemical, structural, managerial best management practices, as required by Erosion Control Manual: No erosion control best management practices - no Bureau of Development Services permits	II	10.30.20	ENB-4.30	NOV-22-114-30	X
06/27/2022	Tina Lilly	Tracking, depositing, discharging, or flushing sediments or construction-related material into the City right-of-way or Storm Sewer Drainage System: Sediment in right-of-way, no Bureau of Development Services permit	II	10.30.20	ENB-4.30	NOV-22-115-30	X
06/27/2022	Tina Lilly	Modifying conveyance or storage capacity of stormwater facilities: Soil stockpile interfering with flow of water	II	17.32.30	ENB-4.22	NOV-22-116-32	X
04/07/2022	Viper Technologies	Violated Pretreatment discharge standard where 4.0 <= pH < 4.5 or 12.0 < pH <= 12.5 (grab sample) pH = 4.0 SU	II	17.34.40	ENB-4.03	NOV-2022-040	X
04/13/2022	Walsh Construction Co.	Prohibited discharge of solid or viscous substance(s) in amount(s) which will cause flow obstruction: Discharge of concrete related materials	II	17.34.30	ENB-4.03	NOV-22-058-34	X
04/13/2022	Walsh Construction Co.	Modifying conveyance or storage capacity of stormwater facilities: Release of concrete materials that may cause interference	II	17.32.30	ENB-4.22	NOV-22-059-32	X
06/07/2022	Wood Waste Management, LLC	Placement of substance or materials with the potential to, or result in minor obstruction, blockage or damage to City system: Sediment drag out to right-of-way	II	17.39.40	ENB-4.13	NOV-22-092-39	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*
 VCA = Voluntary Compliance Agreement

No. of Actions Issued	Cumulative Penalty Assessment
78	\$48,800

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.