

DEQ Announces Penalties Totaling \$310,826 in December 2011

The Oregon Department of Environmental Quality announces 18 penalties totaling \$310,826 for December 2011. In 2011, DEQ issued a total of 158 penalties totaling \$1,426,420. In 2010, DEQ issued 201 penalties totaling \$2,474,584.

A complete list of penalties issued throughout Oregon in December 2011 is attached in a table on the following pages of this news release.

(Note to editors and reporters: *These civil penalty actions reflect alleged violations of state and/or federal laws designed to protect human health and the environment. The parties listed have the option to appeal the assessed penalty. Penalties are for violations of permits or prohibited activities affecting air or water quality, or the safe handling and disposal of hazardous or solid wastes. Penalty amounts vary depending on a variety of factors. These include magnitude of the violation, response of the penalized party to correct the violation, and whether there had been other violations in the past. Oregon law requires that, with minor exceptions, DEQ penalties are deposited directly into the state's General Fund. DEQ enforces both state laws and some federal laws delegated to the state by the U.S. Environmental Protection Agency.*)



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Penalties Announced By DEQ During December 2011

(All data is current as of the date of this news release)

Date Penalty Delivered	Responsible Party and Approximate Location of Violation	Violation(s)	Assessed Penalty Amount	Case Status
Dec. 6	City of Portland Portland (Multnomah County)	Violating wastewater discharge permit by allowing sanitary sewer overflows into Willamette River – mostly in the southwest Portland Burlingame basin – from the city’s sewage system on at least 11 separate occasions in late 2010 and early 2011	\$75,000 (total)	City seeking to perform a supplement environmental project, pending DEQ approval, which could lower monetary penalty to \$15,000
Dec. 8	R & J Metal Fabricators Inc. Portland (Multnomah County)	Violating stormwater discharge permit for metal fabricating facility at 9939 N. Vancouver Way by failing to visually monitor discharges into Columbia Slough monthly as required for seven months from July 2010 to June 2011	\$5,181	Appealed 12/20/11
Dec. 8	Kenneth Romano Pastega Corvallis (Benton County)	Disposing of hazardous waste (lead-containing paint chips) on ground during renovation of commercial building at 244 NW Second St. in September 2011	\$1,750	Did not appeal by 12/28/11 deadline but is negotiating with DEQ to complete a Supplemental Environmental Project
Dec. 15	H.J. Heinz Company LP/dba Heinz Frozen Food Co. Ontario (Malheur County)	Violating water quality-based effluent limitation for total phosphorous discharge in waste discharge permit for frozen vegetable processing plant at 175 NE 6 th Ave. on July 26, 2011	\$8,000	Did not appeal by 1/4/12 deadline

Dec. 15	Conway Construction Company Portland (Multnomah County)	Violating state law by placing wastes (pieces of lead-containing paint, metal slag and other wastes) from construction work on Morrison Bridge in a location where they were likely to be carried into state waters (the Willamette River), on at least nine separate days in July 2011	\$3,600	Appealed 12/19/11
Dec. 16	Jacobson Warehouse Company Inc. Portland (Multnomah County)	Violating stormwater discharge permit for warehousing and storage facility at 7425 N. Leadbetter Road by failing to conduct required monthly visual discharge monitoring in June 2010 and May and June 2011 (\$4,200 penalty); violating above-listed permit by failing to submit corrective action plans to DEQ within 30 days after exceeding its discharge benchmarks for <i>e. coli</i> bacteria and total suspended solids (\$2,956 penalty)	\$7,156 (total)	Appealed 1/3/12
Dec. 16	Baker Commodities Inc. Portland (Multnomah County)	Violating stormwater discharge permit for animal byproducts recycling and grease collection transfer facility at 9901 N. Hurst Ave. by failing to submit corrective action plans to DEQ within 30 days after exceeding permit's benchmarks for <i>e. coli</i> bacteria, total suspended solids and total phosphorus on March 24 and April 25, 2011	\$2,950	Did not respond by 1/5/12 deadline; penalty amount due
Dec. 19	Douglas County Public Works Department Roseburg (Douglas County)	Violating wastewater treatment and discharge permit for municipal solid waste landfill on Roseburg Landfill Road by exceeding daily and monthly effluent limit for zinc concentration	\$7,200	Paid 1/9/12
Dec. 19 (approx.)	Wurdinger Recycling Inc. Island City (Union County)	Establishing a waste tire storage site without a permit at automotive wrecking and salvage facility at 10300 N. McAlister Road (\$11,729 penalty); violating Oregon law by establishing a waste tire storage pile exceeding six feet in height and failing to include 50-foot fire lanes around pile perimeters at above-listed site (\$8,507 penalty); failing to immediately clean up releases and threatened release of oil at above-listed site (\$8,800 penalty)	\$29,036 (total)	Appealed 12/30/11

Dec. 19	Stutzman Excavating Inc. Albany (Linn County)	Installing a septic system on property at 840 Scenic Wood Place NW without a permit in September 2011	\$1,125	Appealed 1/6/12
Dec. 20	Wymore Transfer Co. Clackamas (Clackamas County)	Violating stormwater discharge permit for trucking and warehouse facility at 12651 SE Capps Road by failing to perform all required discharge sampling from July 1, 2010 to June 30, 2011	\$8,665	Paid 12/23/11
Dec. 28	Rodda Paint Co. Portland (Multnomah County)	Failing to determine if residue (spent paint filters containing the solvents xylene and methyl ethyl ketone) generated at business at 6123 N. Marine Drive was hazardous waste	\$2,187	Response due 1/17/12
Dec. 28	Gurband Singh Mann dba/Monitor Market & Deli Woodburn (Marion County)	Failing to investigate a petroleum release from an underground storage tank system at 15324 Woodburn- Monitor Road NE by failing to install groundwater monitoring wells, conduct quarterly groundwater monitoring and collect soil samples to determine extent of contamination	\$95,743	Appealed 1/3/12
Dec. 29	Troy Anthony Turney dba/Smith River Store Reedsport (Douglas County)	Failing to submit application for underground tank closure or change in status for tank on property at 16334 Lower Smith River Road (\$2,260 penalty); failing to operate, test and maintain tank corrosion protection equipment every three years as required (\$1,417 penalty); failing to submit a modification application after change in ownership of above-listed tank (\$218 penalty)	\$3,895 (total)	Response due 1/18/12
Dec. 30	David James Stafford dba/Dave Stafford Excavating Newport (Lincoln County)	Performing an unlicensed asbestos project (removing approximately 500 square feet of asbestos-containing surface texturing material from house at 724 NW Second St.) in October 2011	\$7,200	Response due 1/19/12

Dec. 30	SIC Processing USA Management Corp. Portland (Multnomah County)	Violating stormwater discharge permit for business at 6949 N. Cutter Circle by failing to conduct required visual monitoring of its stormwater discharge as required in October 2010 and January 2011	\$4,213	Response due 1/19/12
Dec. 30	Chris King Enterprises LLC Salem (Marion County)	Installing an onsite sewage disposal system on 6092 Macleay Road SE in September 2011 without a permit	\$1,125	Paid 1/6/12
Dec. 30	Washington Demilitarization Company LLC Hermiston (Umatilla County)	Violating hazardous waste storage and treatment facility permit standard operating procedures for Umatilla Chemical Agent Disposal Facility by failing to replace air monitoring system mustard agent sampling tubes in Munitions Demilitarization Building's HVAC filter (\$10,000 penalty); violating permit by failing to conduct continuous nerve agent monitoring for 10 hours due to equipment oversight (needle valves in off position) involving air monitoring system (\$10,400 penalty); violating permit by failing to conduct continuous nerve agent monitoring for five hours due to an inoperable sequencer (\$10,400 penalty); violating facility's renewal permit by failing to meet carbon monoxide emission limit during incineration of mustard agent containers in facility's metal parts furnace in September 2011 (\$16,000 penalty)	\$46,800 (total)	Response due 1/19/12