

## DEQ Announces Penalties Totaling \$102,316 in December 2006

*by Bend Weekly News Sources*

Oak Lodge Sanitary District, Milwaukie, penalized total of \$24,450 for discharges of improperly disinfected effluent into Willamette

The Oregon Department of Environmental Quality (DEQ) announced this week 18 penalties totaling \$102,316 in December 2006. For the year 2006, DEQ issued 182 penalties totaling \$1,566,223. That compares to a total of 169 penalties totaling \$2,367,485 in 2005.

The month's largest penalty, totaling \$24,450, went to the Milwaukie-based Oak Lodge Sanitary District for discharging improperly disinfected effluent from its wastewater treatment facility at 13750 SE Renton Ave. into the Willamette River on eight occasions between September 2005 and June 2006. The district has appealed the penalty.

Oak Lodge Sanitary District has a permit to operate a wastewater collection, treatment, control and disposal system and is allowed to discharge adequately treated effluent into the Willamette. However, on eight separate occasions between Sept. 25, 2005 and June 28, 2006, the district violated the terms of its National Pollutant Discharge Elimination System permit by discharging inadequately disinfected effluent. The discharges likely contained excessive levels of E. coli bacteria and other organisms potentially harmful to human health and the environment, and were caused by malfunctioning equipment and operator error.

The first discharge violation occurred Sept. 25, 2005, when district staff failed to turn on the chlorine disinfection system before discharging effluent. The discharge occurred for nearly three hours before operators discovered the error.

A similar illegal discharge that occurred for nearly four hours took place on April 24, 2006, when the plant's programmable logic controller mechanism failed, causing the automated chlorine feed system to shut down. In addition, a computerized system programmed to call designated staff during the critical process malfunctions also failed.

Another discharge of improperly treated effluent occurred for more than 16 hours beginning on June 3, 2006 when district staff left the valve of the chlorine disinfection system in the closed position. An error made by a district contractor who failed to program the facility's Supervisory Control and Data Acquisition System caused discharges for nearly four hours each on June 24, June 25 and June 26. Then, on June 28, another equipment malfunction caused failure of the automated chlorine feed system, resulting in a 30-minute discharge.

DEQ issued the district warning letters for each of the discharges through June 4, 2006. After the district allowed additional discharges later in June 2006, DEQ issued a Pre-Enforcement Notice to the district, informing its operators that the permit violations would result in a fine.

#### Penalties Announced By DEQ During December 2006

Date Served

Responsible Party and Approximate Location of Violation  
Violation(s)

Assessed Penalty Amount

Case Status

Dec. 7

Oak Lodge Sanitary District

Milwaukie (Clackamas County)

Discharging effluent from its wastewater treatment facility at 1370 SE Renton into Willamette River without proper disinfection on Sept. 23, 2005 after staff failed to turn on chlorine disinfection system (\$4,500 penalty); discharging effluent from above facility into Willamette River on several occasions between April and June 2006 without proper disinfection due to various system, staff and contractor failures (\$19,950 penalty)  
\$24,450 (total)

Appealed 12/20/06

Dec. 13

Salem-Keizer School District

Salem (Marion County)

Allowing an unlicensed contractor to perform an asbestos abatement project during kitchen remodel at Grant Elementary School, 725 Market St. NE in June 2006 (\$2,100 penalty); allowing open accumulation of asbestos-containing waste materials at above address in June 2006 (\$2,400 penalty)  
\$4,500 (total)

Appealed 12/29/06

Dec. 18

Kettle Foods Inc.

Salem (Marion County)

Discharging about 1,000 gallons of wastewater with a high acid level from food processing facility at 3125 Kettle Court into stormwater system and Mill Creek on March 29, 2006 during equipment cleaning operations  
\$5,600

Appealed 1/8/07

Dec. 19

Paul Norbert Lepinski (A&P Recycling)

The Dalles (Wasco County)

Failing to submit annual recycling and material recovery information to DEQ by Feb. 28, 2006 for facility at 280 Webber Road

\$480

Did not respond by 1/8/07 deadline; penalty amount due

Dec. 19

Reinhard Transportation LLC

Lane County

Polluting state waters on July 24, 2006 when gasoline tanker truck owned by Reinhard crashed on State Highway 126 at Milepost 40, spilling 6,170 gallons of gasoline into ground and groundwater near Elk Creek  
\$16,000

Appealed 1/5/07

Dec. 19

Woodburn Construction Co.

Salem (Marion County)

Allowing a person other than an asbestos abatement contractor to perform an asbestos abatement project (demolishing a wall at Grant Elementary School, 725 Market St. NE and creating the potential for asbestos fiber release) on June 19, 2006  
\$1,800

Did not respond by 1/8/07 deadline; penalty amount due

Dec. 19

A Plus Drywall Inc.

Salem (Marion County)

Conducting an asbestos project (demolition work at Grant Elementary School, 725 Market St. NE) on June 19, 2006, creating the potential for asbestos fiber release  
\$1,800

Appealed 12/30/06

Dec. 19

Penetrations Inc.

Salem (Marion County)

Conducting an asbestos abatement project (cutting vinyl asbestos floor at Grant Elementary School, 725 Market St. NE) on June 20, 2006 without being licensed  
\$1,800

Appealed 1/2/07

Dec. 20

Central Pipeline Inc.

Medford (Jackson County)

Open burning of prohibited materials (including plastic piping, sheeting and grease tubes) in November 2005 on property at the end of Farmington Avenue in Cedar Links subdivision  
\$1,507

Paid 1/3/07

Dec. 20

Malot Environmental Inc.

Grants Pass (Josephine County)

Failing to adequately wet asbestos-containing materials (ceiling texture) during project at 936 Cottonwood St. in August 2006 (\$2,100 penalty); failing to adequately enclose an area where friable asbestos-containing

materials were being removed at above-listed site (\$2,100 penalty); failing to properly package and store asbestos-containing waste material at above location (\$2,100 penalty)  
\$6,300 (total)

Appealed 12/29/06

Dec. 22

Klamath Cascade Group LLC

Klamath Falls (Klamath County)

Failing to immediately clean up five separate spills of diesel fuel and asphalt (oil) emulsions that occurred during mid-2006 at asphalt operations off U.S. Highway 97 near Klamath Falls (\$8,000 penalty); open burning of prohibited materials (including scrap metal, rubber products and miscellaneous plastics) on May 11, 2006 at above-listed property  
\$8,625 (total)

Appealed 1/5/07

Dec. 23

Linda Bertrand-Eisele

Mill City (Linn County)

Open burning of prohibited materials (including asphalt roofing, corrugated plastic roofing, plastic tarp and household garbage) at 267 SE Hazel St. on Dec. 12, 2005

\$800

Response due 1/12/07

Dec. 26

Pacific Coast Seafoods Co.

Warrenton (Clatsop County)

Violating National Pollutant Discharge Elimination System waste discharge permit for seafood processing facility at 450 NE Skipanon Drive on several occasions in 2005 by discharging effluent containing levels of total suspended solids and pH beyond acceptable state standards

\$2,560

Paid 1/5/07

Dec. 27

City of Tillamook

Tillamook (Tillamook County)

Failing to conduct nutrient monitoring of effluent discharged from its wastewater treatment and disposal facility in May 2006 (\$1,500 penalty); violating its wastewater discharge permit in 2005 by failing to submit a

plan by deadline for reducing infiltration and inflow into its sewage collection system (\$1,875 penalty)  
\$3,375 (total)

Response due 1/16/07

Dec. 28

Grant Gauthier

(Clackamas County)

Violated state water quality standard by allowing the formation of appreciable bottom or sludge deposits or the formation of organic or inorganic deposits harmful to fish and other aquatic life, during the May 2006 failure of an earthen barrier at Rock Creek mine pit, 15595 SE Highway 224, which resulted in the deposit of sediment into Rock Creek  
\$6,600

Response due 1/17/07

Dec. 29

S.A. Moore LLC.

Terrebonne (Deschutes County)

Failing to adequately control airborne dust from site of portable rock crusher working off Lower Bridge Way on March 2, 2006, in violation of General Air Contaminant Discharge Permit  
\$2,100 penalty

Response due 1/18/07

Dec. 29

Wyeast Laboratories Inc.

(Hood River County)

Discharging prohibited industrial waste into Odell Sanitary District sewer treatment facility in May and June 2006, causing the facility to discharge effluent with excessive amounts of total suspended solids and excessive biological oxygen demand levels into Odell Creek (\$8,444 penalty); discharging prohibited industrial waste into above facility from Aug. 4 through Aug. 14, 2006, causing discharge of effluent containing excessive total suspended solids and biological oxygen demand levels into Odell Creek (\$7,600 penalty)  
\$16,044 (total)

Response due 1/18/07

Dec. 29

Corey Harris

Happy Valley (Clackamas County)

Violating several conditions of National Pollutant Discharge Elimination Permit in May 2006 (including

discharging excessive amounts of sediment and failing to put perimeter sediment controls in place) during work at a construction site south of Fawn Drive, east of SW Hunter Drive and off SE Mountain Gate Road  
\$6,600

Response due 1/18/07

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