

Stormwater Enforcement – Revised City Code and Administrative Rules

**Marveita Redding -Environmental Compliance
Manager**

Dawn Hottenroth – Regulatory / Policy Section



City of Portland, Oregon
BUREAU OF ENVIRONMENTAL SERVICES

Control of Illegal Discharges

These code changes and rules are proposed to enhance the City's ability to protect sewer and drainage related systems.



Main Purposes of Changes

- Clarification
 - Types of Enforcement Tools
 - Systems Covered
 - Language Clean Up
- Equity for those who are complying with regulations
- To address the recalcitrant 5% who refuse to comply with the regulations.



Proposed Regulations to be Changed

- City Code Titles
 - 17.34 – Sewer discharge control code
 - 17.38 – Stormwater development code
 - 17.39 – Stormwater discharge control code
- Administrative Rules (not coming before Council – under director's signature)
 - Sanitary Discharge Control – revision
 - Stormwater Discharge Control - new

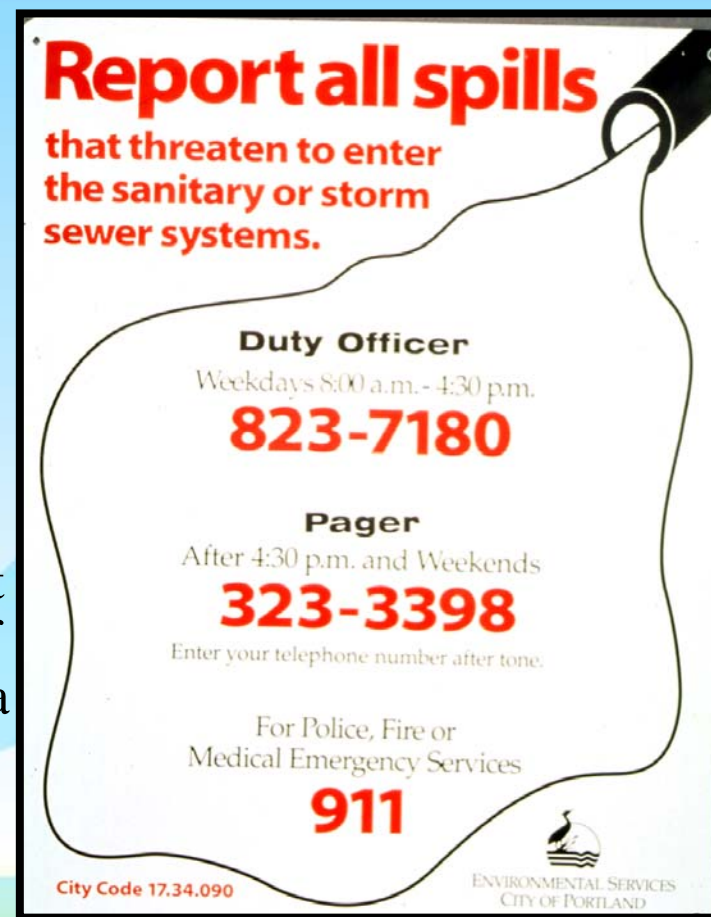
Example Cases – Case #1

Issue

- A resident is painting a single family home and washes their paintbrush out in the gutter of the street in front of their house. A neighbor calls them into the 3-7180 BES Spill Hotline number

Response

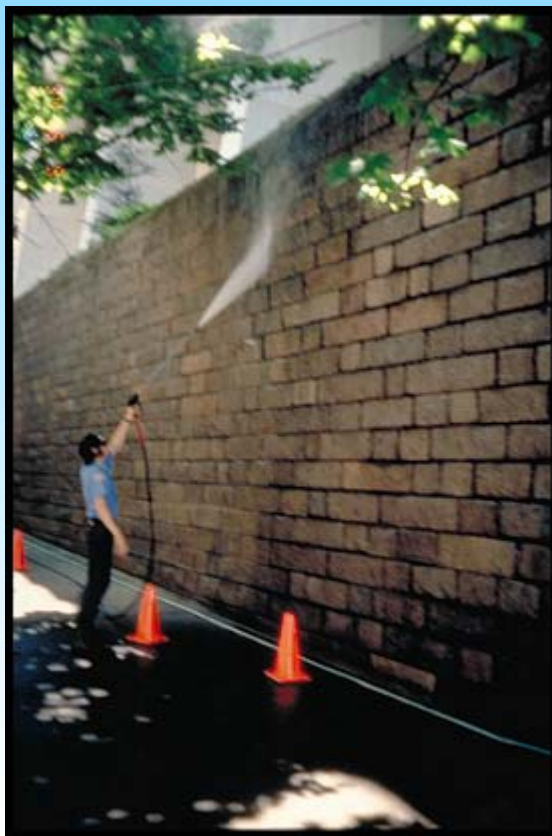
- Staff respond. Check to see if a repeat violator. If not, provide education. If repeat, then issue a field citation and a small penalty. (up to \$100)



Example Cases – Case #2

Issue

•A building washer was caught by City staff dumping his waste tank into the City sewer without prior approval. They refuse to use the appropriate best management practices to control their discharge, such as inlet plug and wastewater collection vacuum systems. This is the third instance in which this washer has failed to use appropriate measures.



Response

•Violator receives a field citation, associated penalty (\$500 to \$1,000) and is mailed a notice of an administrative hearing with BES program managers. This is the washer's opportunity to appeal the penalty and/or negotiate a compliance agreement with BES. If washer does not show up, case will be filed with the Code Hearings Officer and a lien will be let against the property to pay the penalty.

Performance Measures

- Database Tracking:
 - Nature & Date of Violation
 - Enforcement or Follow up Actions Taken
- Annual Reporting
 - Number of Sites on Permit / Authorization
 - Number of New Sites on Permit / Authorization
 - Number of Complaint Responses
 - Number of Compliance Actions

Implementation



- Rules and Code both effective 30 days from passage
- Will continue to outreach to affected groups
- Enforcement grace period for three months until July 2006

March 22, 2006

Questions???



City of Portland, Oregon
BUREAU OF ENVIRONMENTAL SERVICES