

ORDINANCE No. 183572

Authorize an Intergovernmental Agreement with the State of Oregon, Department of Environmental Quality for administration of National Pollutant Discharge Elimination System 1200-Z, 1200-COLS and 1200-A General Permits for stormwater discharges from industrial activities (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Industrial Stormwater Program was originated in 1994 to fulfill requirements in the City's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) permit to monitor and control pollutants in stormwater runoff from industrial facilities.
2. To meet this requirement, the City entered into a Memorandum of Agreement (MOA) in 1994 with the Department of Environmental Quality (DEQ) to administer the NPDES permits that discharge to the City's MS4. The MOA was revised in 1999 to include industrial facilities that discharge directly to surface waters through private outfalls within the City. To account for the additional permit administration, the MOA provided for revenue sharing of permit fees for all permits administered by the City. City staff in the program also provide support to other Bureau efforts including source investigation work for the Columbia Slough and Portland Harbor contaminated sediment programs and inspections of other non-permitted industrial properties.
3. The City of Portland has committed approximately 1.5 FTEs to management of these additional permits issued to industrial dischargers with direct discharges to surface waters using funds from the Sewer System Operating Fund in each fiscal year budget in the Bureau of Environmental Services Cost Center ESPP000003, WBS Element PUPPSCIS00000BE, Internal Order 9ESPPSC00002.
4. This agreement directs funds generated by the management of all permits by the City's Industrial Stormwater Program to be turned over to Portland's Office of Management & Finance by Oregon DEQ in support of state permit management. Revenue generated is estimated to be \$132,000 annually.
5. This agreement is to provide for streamlining of administrative procedures between the City and DEQ.
6. This agreement will become effective upon signature of approval by the City and the State of Oregon's Department of Environmental Quality. DEQ will finalize the agreement upon signature and distribution of four (4) original documents.

NOW, THEREFORE, the Council directs:

- a. The Commissioner of Public Affairs and the Auditor are authorized to execute procedures with the City of Portland Office of Management & Finance for the purpose of accepting funds as described in Section 1.

Passed by the Council,
Dan Saltzman
Commissioner of Public Affairs

Michael Pronold
January 21, 2010
ESPP000003 - 9ESPPSC00002 -ord

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Agenda No. **ORDINANCE NO. 183572**

with Title

Authorize an Intergovernmental Agreement between the State of Oregon, Department of Environmental Quality and the City for administration of National Pollutant Discharge Elimination System 1200-Z, 1200-COLS and 1200-A General Permits for stormwater discharges from industrial activities (Ordinance)

INTRODUCED BY
Commissioner/Auditor:

COMMISSIONER APPROVAL

Mayor—Finance and Administration - Adams

Position 1/Utilities – Fritz

Position 2/Works – Fish

Position 3/Affairs - Saltzman **X**

Position 4/Safety – Leonard

BUREAU APPROVAL

Bureau: BES

Bureau Head: Dean C. Marriott

Prepared by: Michael Pronold
Date Prepared: 1/20/10

Financial Impact Statement
Completed Amends Budget
Not Required

Portland Policy Document
If "Yes" requires City Policy paragraph stated in document.
Yes No

Council Meeting Date
February 24, 2010

City Attorney Approval *NE*

CLERK USE: DATE FILED **FEB 19 2010**

LaVonne Griffin-Valade
Auditor of the City of Portland

By: *[Signature]*
Deputy

ACTION TAKEN:
FEB 24 2010 PASSED TO SECOND READING MAR 03 2010 9:30 A.M.

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | |
|--------------------|---------------------------------|------|
| | YEAS | NAYS |
| 1. Fritz | 1. Fritz ✓ | |
| 2. Fish | 2. Fish ✓ | |
| 3. Saltzman | 3. Saltzman ✓ | |
| 4. Leonard | 4. Leonard _____ | |
| Adams | Adams ✓ | |