



COLUMBIA-WILLAMETTE  
CHAPTER

# October 2024 Membership Meeting

Welcome members and guests!



# Today's presentation

## ***Navigating DEQ's Enforcement Process Stormwater & Hazardous Waste***

**Becka Puskas & Sarah Wheeler**  
**DEQ Office of Compliance and Enforcement**

*Don't forget to complete the evaluation!*  
*CEU forms available at registration*



# Navigating DEQ's Enforcement Process: Stormwater & Hazardous Waste

Becka Puskas & Sarah Wheeler  
DEQ Office of Compliance and Enforcement

October 10, 2024

# Topics

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- Overview of DEQ Enforcement Process & Policy
- Hazardous Waste
- Stormwater
- Questions & Discussion

# Survey

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1. What permits do you have from DEQ?
2. Who has been part of a DEQ inspection?
3. Familiarity with DEQ enforcement process?

# Office of Compliance & Enforcement Overview



- *Organizational Structure*
  - Team of ten housed in the Office of the Director.
  - OCE works with *all* DEQ regulatory staff and management, from every region and every program.
- *OCE is responsible for issuing and resolving all DEQ's enforcement orders, assessing civil penalties and requiring corrective actions for violations of state law.*
- *Enforcement by the numbers*
  - OCE issues approximately 250 enforcement orders per year – half for WQ violations, one quarter for LQ violations, and one quarter for AQ violations.

# Enforcement Policy

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*Why does DEQ enforce the law?*

- Enforcement **compels compliance**, resulting in environmental and public health benefits.
- Enforcement **deters** future violations.
- Promotes **fairness** and “levels the playing field.”
- DEQ has a **duty** to enforce the law, both to the public and to EPA.



# Enforcement Policy

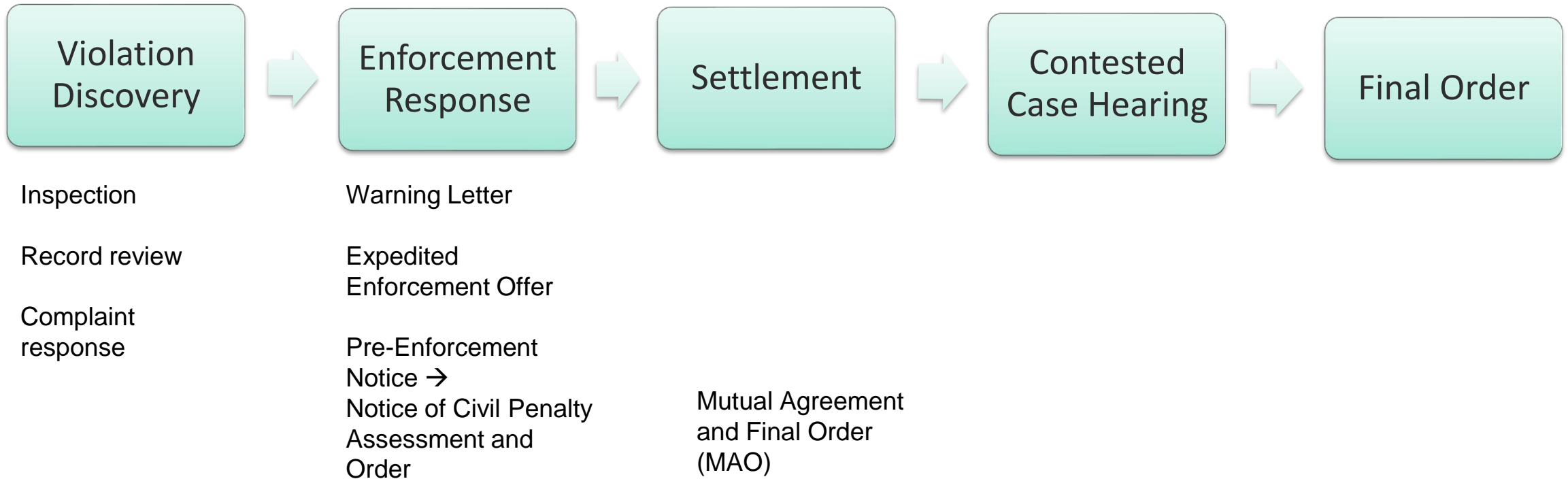
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*When does DEQ enforce the law?*

- Focus **resources** on violations that may harm public health and the environment.
- DEQ employs an **escalating** enforcement process.
- DEQ ensures a **consistent** statewide enforcement program.



# The Enforcement Process



# Hazardous Waste – Common Violations

- ✓ **Hazardous waste determination**
- ✓ **Labeling**
- ✓ **Illegal treatment**



# Hazardous Waste – Common Violations

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## Hazardous Waste Determination (OAR 340-102-0011)

- Complete
  - ✓ All applicable hazardous waste codes
- Accurate
  - ✓ ...and documented
- At point of generation
  - ✓ before mixing!

# Hazardous Waste - Free Compliance Resources

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## Technical Assistance

- Northwest Region: *Pete Anderson, 503-229-5070*
- Western Region: *Bart Collinsworth, 503-378-5071*
- Eastern Region: *Brian O'Donnell, 971-263-1619*

## Training

- Online
- In person
- Facility-specific

# Self-Disclosure & Penalty Mitigation Policy

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DEQ may reduce penalties by 50-100% if violations are self-disclosed.

- ✓ Discovery must be **voluntary**
- ✓ Disclosure must be **prompt**
- ✓ Violations must be **corrected** or under a plan to correct

# 1200-Z Industrial Stormwater Permit

## General Permit

- Administered by DEQ or Agent

Covers facilities that

- **may discharge stormwater to waters of the state**
- **stormwater associated with industrial activity, based on primary SIC code**





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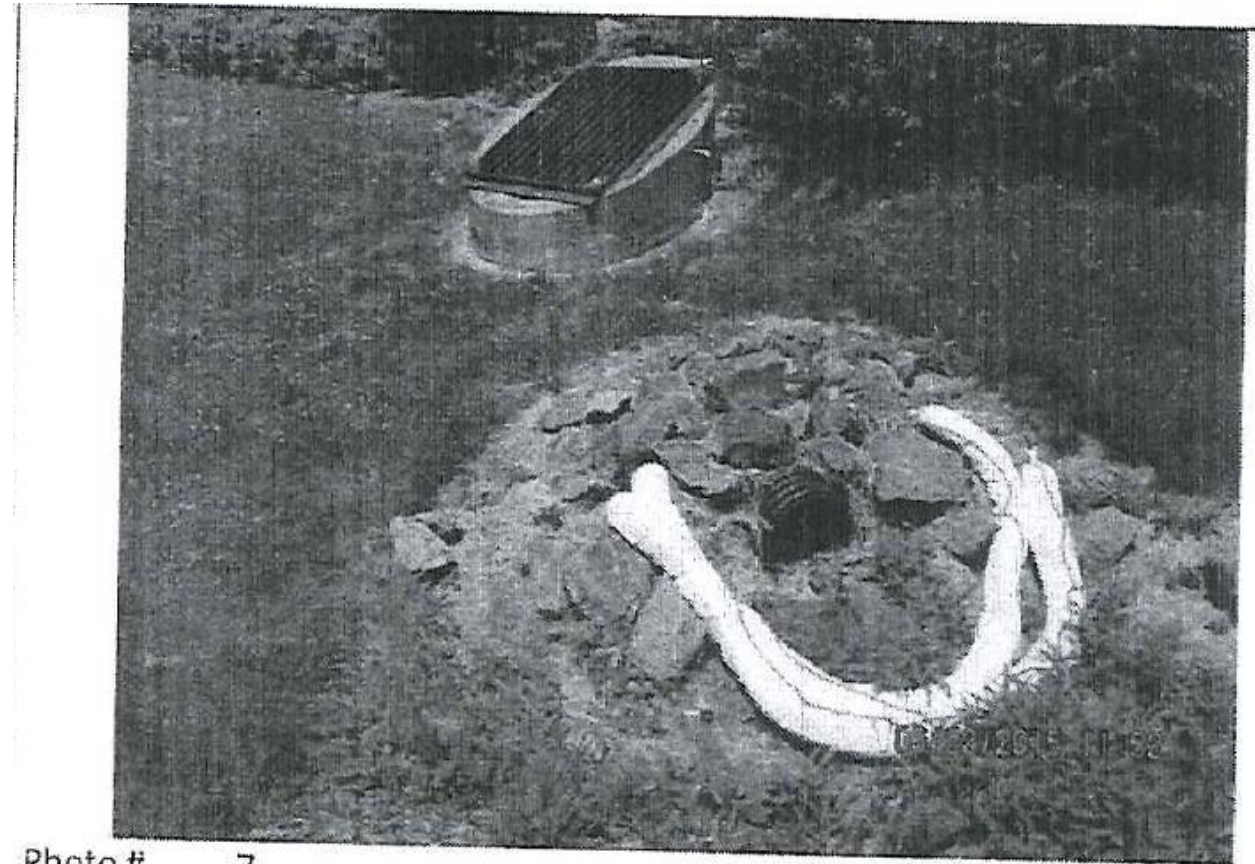


Photo # 7

Description: Outlet from bio-swale to concrete vault with oil boom.



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Table 1: Sources Covered

Industrial Sources Covered Under this Permit
Facilities with the following primary Standard Industrial Classification (SIC) codes:
10 Metal Mining
12 Coal Mining
13 Oil and Gas Extraction
20 Food and Kindred Products
21 Tobacco Products
22 Textile Mill Products
23 Apparel and Other Finished Products Made From Fabrics and Similar Material
24 Lumber and Wood Products, Except Furniture (Activities with SIC 2411 Logging that are defined in 40 CFR §122.27 as silvicultural point source discharges are covered by this permit.)
25 Furniture and Fixtures
26 Paper and Allied Products
27 Printing, Publishing and Allied Industries
28 Chemicals and Allied Products Manufacturing and Refining (excluding 2874: Phosphatic Fertilizers)
29 Petroleum Refining and Related Industries (excluding 2951, covered by 1200-A)
30 Rubber and Miscellaneous Plastics Products
31 Leather and Leather Products
32 Glass, Clay, Cement, Concrete and Gypsum Products (excluding 3273, covered by 1200-A)
33 Primary Metal Industries
34 Fabricated Metal Products
35 Industrial and Commercial Machinery and Computer Equipment
36 Electronic and Other Electrical Equipment and Components, Except Computer Equipment
37 Transportation Equipment
38 Measuring, Analyzing, and Controlling Instruments; Photographic, Medical and Optical Goods; Watches and Clocks
39 Miscellaneous Manufacturing Industries
4221 Farm Product Warehousing and Storage
4222 Refrigerated Warehousing and Storage
4225 General Warehousing and Storage
5015 Motor Vehicle Parts, Used
5093 Scrap and Waste Materials

# Common 1200-Z violations

## Monitoring!

- ✓ Ensure all discharge points are documented in SWPCP and being monitored for all required pollutants
- ✓ Frequency: monitor early in the quarter
- ✓ Ensure that you are following QA/QC procedures



# Common 1200-Z violations

## Tier 1 corrective actions

- ✓ Investigation and response to benchmark exceedances
- ✓ Tier I recordkeeping

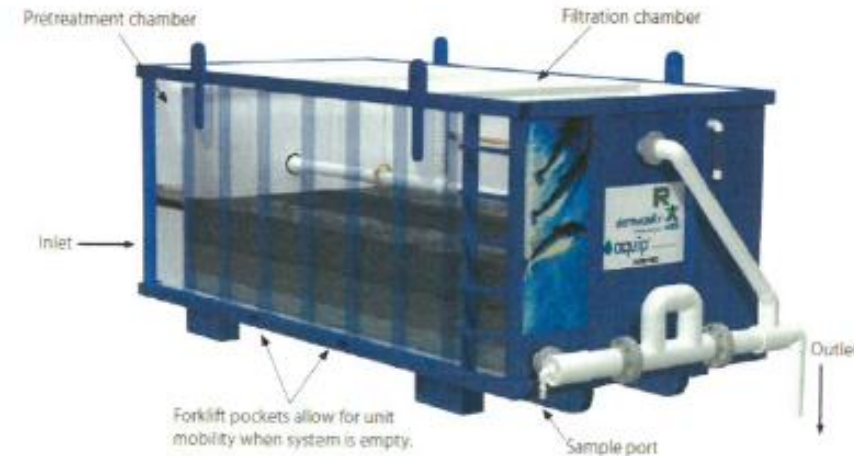
## Tier 2 treatment

- ✓ Triggered if geometric mean of sample results over a year exceeds benchmark
- ✓ Timely Tier 2 Plan
- ✓ Timely installation of treatment

### B. Tier II Stormwater BMP Descriptions

#### Treatment BMP – Aquip Enhanced Stormwater Filtration System

Aquip is a passive adsorptive depth-filtration technology that removes industrial stormwater pollutants such as suspended solids, heavy metals and nutrients (Figure 3). Aquip is a patented system that uses a pre-treatment chamber followed by a series of layered inert and adsorptive filtration media to effectively trap pollutants in an above-ground, pre-configured steel structure.



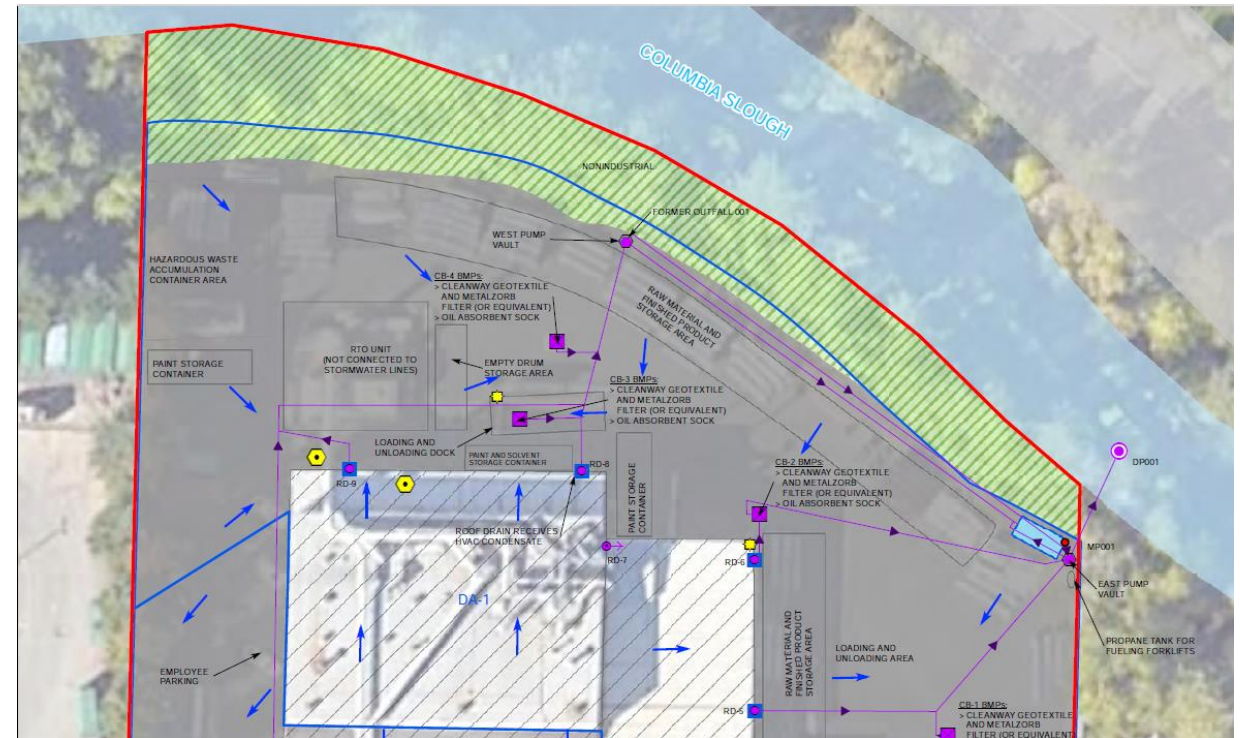
**Figure 3. Aquip enhanced stormwater filtration system**



# Common 1200-Z violations

# Failure to implement Stormwater Pollution Control Plan (SWPCP)

- ✓ Failure to implement plan is a violation of the permit
- ✓ Make sure your employees understand the requirements in the Plan!



# Common 1200-Z violations



Photo # 2085  
Active work section of the yard, note good housekeeping.

**2016**



10: Representative image of the facility and the lack of debris control and housekeeping, as noted from the accumulation of material on the paved areas.

**2022**



# Common 1200-Z violations

## Discharging wastewater not authorized by permit

### Condition 7

- b. The permit registrant must separate any piping of interior floor drains and process wastewater discharge points from the storm drainage system to prevent unpermitted discharge of pollutants to waters of the state. Discharge from floor drains to the stormwater drainage system is a violation of this permit.
- c. Any other wastewater discharge or disposal, including stormwater mixed with wastewater is not authorized under this permit and must be permitted in a separate permit, unless the wastewater is reused or recycled without discharge or disposal, or is discharged to the sanitary sewer with approval from the sanitary sewer system operator.



Photo # 2

Description, location, comments: equipment and vehicle wash station

# 1200-C Construction Stormwater Permit

## General Permit

- Administered by DEQ or Agent

## Covers facilities that

- **Construction activity**
- **One or more acre**  
(alone or as part of common plan of development)
- **Potential to discharge to surface waters**





# Common 1200-C violations

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## **Failure to implement Erosion and Sediment Control Plan (ESCP)**

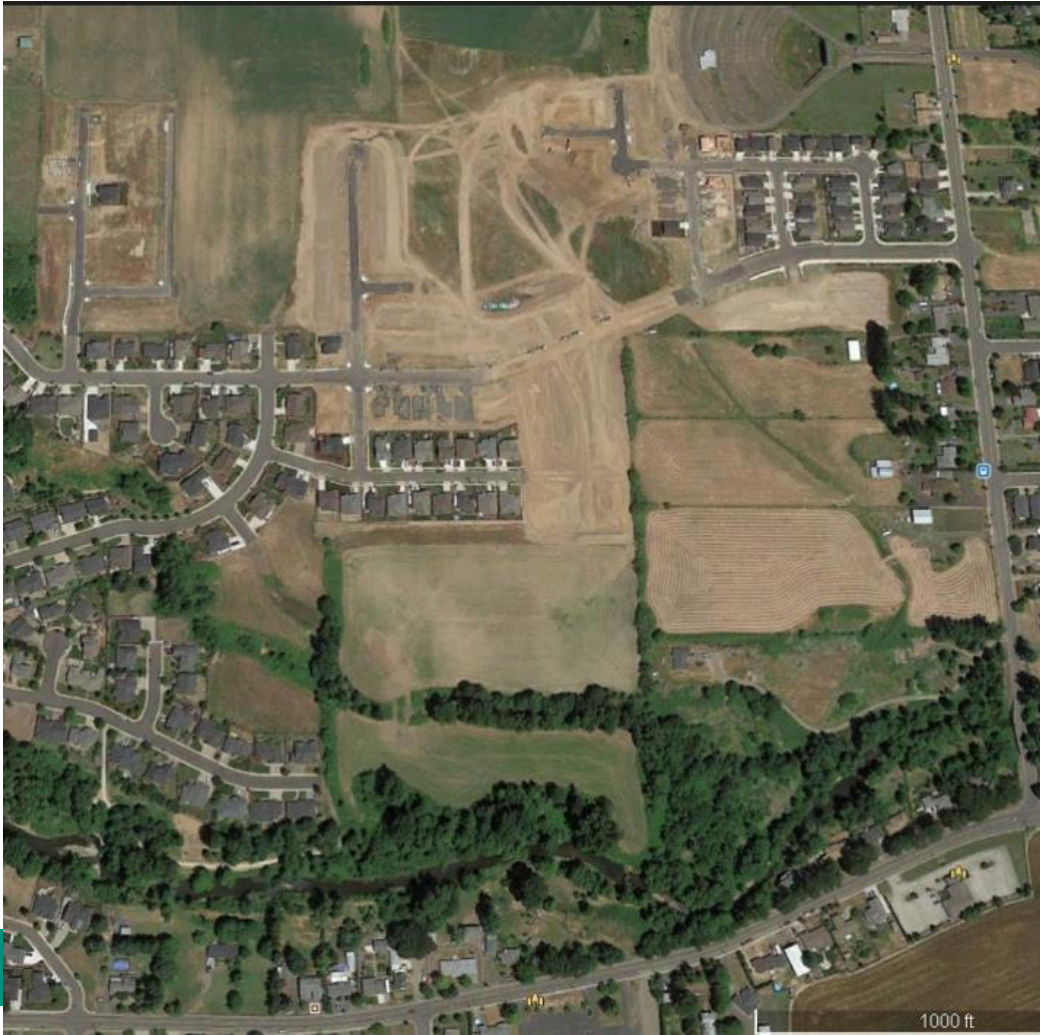
- ✓ Failure to implement plan is a violation of the permit
- ✓ Make sure your employees understand the requirements in the Plan!





# Common 1200-C violations

## Phased development; buffer zone protections





# Common 1200-C violations

## Causing pollution to waters of the state



# Common 1200-C violations

**Visual monitoring; recordkeeping; BMP maintenance**



# Stormwater Contacts

## Northwest Region

700 NE Multnomah St., Suite 600,  
Portland, OR 97232  
503-229-5886

## 1200-C Construction Stormwater Permit Agents

**City of Eugene**  
541-682-2706

**Clean Water Services**  
503-681-5101

**City of Troutdale**  
503-674-3300

**Rogue Valley Sewer Services**  
541-664-6300

## Western Region

165 East 7th Avenue, Suite 100  
Eugene, OR 97401  
541-686-7930

## 1200-Z NPDES Industrial Stormwater Permit Agents

**Clean Water Services**  
503-681-5175

**City of Portland**  
503-865-6555

**City of Eugene**  
541-682-8616

## Eastern Region

475 NE Bellevue Dr., Suite 110  
Bend, OR 97701  
541-633-2024

## 1200-A NPDES Industrial Stormwater Permit Agents

**City of Portland**  
503-865-6555

**Department of Geology and Mineral  
Industries**  
541-967-2082



# Thank you

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