

One Year of Enforcement in Region X

October 1976 to October 1977



Alaska
Idaho
Oregon
Washington

United States
Environmental Protection Agency
1200 Sixth Avenue
Seattle, Washington 98101

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Dear Concerned Citizen:

The creation of the United States Environmental Protection Agency and the adoption of a number of strong State and Federal laws to set equitable ground rules for cleanup have provided this Nation with tools to protect the public health and create an environment in which economic growth can occur with due regard to the needs of present and future generations.

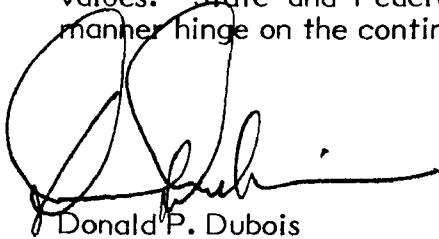
The EPA and the States have provided technical assistance and encouragement to those who have sought to comply voluntarily with these rules, and to a large extent this effort has been successful. The Nation's environment is cleaner and safer now than it was in 1970, when the EPA was formed.

But these achievements would have been impossible if the States and Federal government had been unwilling to act reasonably in regard to minor, technical violations and to be vigorous in seeking to correct that small minority of polluters who sought to evade the rules.

This report tells about Federal enforcement of environmental laws in EPA's Region X, which includes the States of Alaska, Idaho, Oregon and Washington, between October 1976, and September 30, 1977, Fiscal year 1977. It does not cover enforcement taken by State agencies having primary responsibility for the protection of the environment. To have included State actions would have required a much larger publication, for the region's reputation for environmental cleanliness rests largely upon the diligence and effectiveness of the States in enforcing their own laws.

EPA enforcement actions in Federal District Courts are by law prosecuted by the Attorney General of the United States and the Department of Justice. EPA's success in these cases would not have been possible without the skilled and professional assistance of various United States Attorneys, and we are most appreciative.

Finally, no such report as this would be complete without acknowledging the role of concerned citizens in helping to devise sound State and Federal regulatory programs and to ensure that they are fairly carried out. We recognize that the EPA and the laws it administers were shaped by people interested in establishing a sound balance among economic, social, and environmental values. State and Federal efforts to restore and protect the environment in a reasonable manner hinge on the continuation of that active interest and concern.

A handwritten signature in black ink, appearing to read 'D. Dubois', with a large, stylized initial 'D'.

Donald P. Dubois
Regional Administrator
Environmental Protection Agency, Region X

ONE YEAR OF ENFORCEMENT IN REGION X

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AIR POLLUTION ENFORCEMENT

Stationary Source Enforcement

The Federal Government vastly increased its role in air pollution enforcement with the passage of the Clean Air Act in 1970. The new Act required the States to develop plans to meet National clean-air quality goals. These plans (called State Implementation Plans or SIP's) described the laws, regulations, permit programs, studies, etc., that would be implemented by the state or local air pollution control agencies. By the terms of the Clean Air Act, the EPA may enforce State and local regulations if they such help or fail to take appropriate enforcement action themselves.

The term "stationary source" refers to a fixed facility that emits air pollution, usually through a smoke stack. Other examples of stationary sources are open burning garbage dumps and field burning. (Stationary sources are distinguished from mobile sources such as automobiles.) The variety of possible violations is as wide as the variety of State and local regulations. Typical examples:

- Violations of emission limitation
- Emission of hazardous pollutants
- Failure to meet increments of compliance schedule
- Failure to monitor pollutants

Most of EPA's air pollution enforcement is against stationary sources, violations of emission limitations such as sulfur dioxide (SO₂) or particulate matter (dust, smoke, fumes, mist, etc.). Four enforcement options are available to EPA in such cases:

- Notice of Violation (must precede any of the actions below)
- Administrative Order/Consent Order
- Federal Facility Consent Agreement
- Referral to the United States Attorney

Notice of Violation:

This is a notice authorized by Section 113 of the Clean Air Act sent to both the source and the State indicating that EPA has information that a violation has occurred. The Notice officially gives the State and the violating source 30 days to take corrective action. If the State or local agency with jurisdiction over the air polluter takes appropriate action, EPA does not pursue the matter. If action to prevent future violations is not taken, EPA has the authority to proceed to the next steps in the Administrative enforcement process. The Notice of Violation is nondiscretionary if EPA has knowledge of a violation.

FISCAL YEAR 1977
STATIONARY SOURCE AIR POLLUTION - NOTICE OF VIOLATION

ALASKA:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action yr/mo/day</u>
Alaska Lumber and Pulp	Sitka	Failure to comply with State issued compliance schedule for the chemical recovery boilers.	Notice of Violation	77/07/11
Cook Inlet Asphalt	Anchorage	Failure to comply with Federal new source performance notifi- cation and source testing require- ments.	Notice of Violation	77/03/03

Louisiana Pacific	Ketchikan	Failure to comply with State issued compliance schedule for the chemical recovery boilers and wood waste power boilers.	Notice of Violation	77/07/11
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IDAHO

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Acme Mfg.	Filer	Exceeded 40% opacity limitation from roof cyclone and modified the facility without obtaining a permit to construct.	Notice of Violation	77/07/01
U & I Sugar	Idaho Falls	Exceeded the 42.8 lbs. of particulate per hour standard from coal fired boiler #2.	Notice of Violation	76/10/28

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Duraflake Co.	Albany	Exceed 20% opacity limitation from the two particle driers at their particle board plant.	Notice of Violation	77/02/07

Georgia Pacific Corporation	White City	Exceed 20% opacity limitation from charcoal furnace. Fugitive emissions emanating from ash conveyor system also exceeded 20%.	Notice of Violation 77/09/30
Hudspeth Lumber Co.	John Day	Exceeded 40% opacity limitation from hogged fuel boilers.	Notice of Violation 77/02/17
Milwaukie Plywood	Milwaukie	Exceeded 20% opacity limitation and 0.2 grains/sdcf* particulate matter limitation from hogged fuel burner.	Notice of Violation 76/12/30
Weyerhaeuser Company	Springfield	Exceeded 0.2 grains/sdcf* particulate matter limitation and process weight limitation.	Notice of Violation 77/06/24
Woodex, Inc.	Brownsville	Exceeded 20% opacity limitation from the rotary drier.	Notice of Violation 77/06/01

* * * * *

*grains per standard dry cubic foot

FISCAL YEAR 1977
STATIONARY SOURCE POLLUTION - NOTICE OF VIOLATION

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action yr/mo/day</u>
ASARCO	Tacoma	Exceeded 20% opacity limitations and SO ₂ emissions limitations from the main stack.	Notice of Violation	77/04/05
Pacific Solid Waste	Long Beach	Open burning of garbage in violation of applicable regulations.	Notice of Violation	77/06/23
Scott Paper Company	Everett	Exceeded 20% opacity limitations from hogged fuel boilers.	Notice of Violation	77/09/30
Weyerhaeuser Company	Everett	Exceeded 20% opacity limitations and 0.2 grains/sdcf* particulate matter limitation from hogged fuel boilers.	Notice of Violation	77/08/24

Administrative Order/Consent Order:

Section 113 of the Clean Air Act authorizes EPA to administratively order violators to comply with the laws, regulations, or emission limitations as set forth in the State Implementation Plan. An Administrative Order may not be issued unless a Notice of Violation has been in effect for 30 days. If the State or local agency with jurisdiction takes appropriate action after receiving a Notice of Violation, EPA will not issue an order. If both EPA and the violator sign the order, it is termed a Consent Order. If EPA takes the action unilaterally, it is an Administrative Order.

FISCAL YEAR 1977

STATIONARY SOURCE AIR POLLUTION - ADMINISTRATIVE ORDER/CONSENT ORDER

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action yr/mo/day</u>
Lite Rock Company	Banks	Order was issued to insure compliance with applicable visible air contaminant standards from the shale expansion kiln.	Order	76/12/09

FISCAL YEAR 1977
STATIONARY SOURCE AIR POLLUTION - ADMINISTRATIVE ORDER/CONSENT ORDER

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action yr/mo/day</u>
Champion International	Lebanon	Order was issued to establish a compliance schedule which included a final compliance date.	Order	77/02/04
Louisiana Pacific Co.	Tillamook	Order was issued to insure that final compliance is achieved through a compliance schedule.	Order	77/03/29
Western Foundry	Tigard	Consent order was issued to insure that the company comply with applicable opacity and particulate matter regulations from the cupola furnace and electric arc furnace.	Consent Order	76/11/30

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action yr/mo/day</u>
Baleville Dump	South Bend	Order was issued to insure that the company comply with applicable open burning limitations.	Consent Order	77/06/13

Eastern Grays Harbor	McCleary	Order was issued to insure that the company comply with open burning limitations contained in the Washington State air quality implementation plan.	Order	77/05/24
Elma Disposal	Elma	Order was issued to insure that the company comply with open burning limitations contained in the Washington State air quality implementation plan.	Order	77/05/19
Georgia-Pacific Corp.	Bellingham	Exceeded 20% opacity limitation and 0.2 grains/sdcf* particulate matter limitation from hogged fuel boilers.	Order	77/08/17
Hoquiam, City of	Hoquiam	Order was issued to insure that the city comply with applicable open burning limitations.	Order	76/12/27
Manson Construction	Seattle	Order issued to insure that adequate precautions were taken during demolition operations involving removal of asbestos materials to prevent dust emissions.	Order	77/03/09

Pacific County	South Bend	Order was issued to insure that the county comply with open burning limitations contained in the Washington State air quality implementation plan.	Order	77/05/05
Padilla Bros. Co.	Seattle	Order was issued to insure that adequate precautions were taken during demolition operations involving the removal of asbestos materials to prevent dust emissions.	Order	77/03/09
R. W. Rhine, Incorporated	Tacoma	Order issued to insure that adequate precautions were taken during demolition operations involving the removal of asbestos materials to prevent dust emissions.	Order	77/03/09

Federal Facility Consent Agreement

Prior to the Clean Air Act Amendments of 1977, Presidential Executive Order 11752 required that Federal facilities comply with the substantive requirements of State and local air pollution regulations. Consent agreements were negotiated between EPA and non-complying Federal facilities (with State and local concurrence, when possible) to establish that facility is not in compliance with the applicable regulations. Because the Clean Air Act Amendments of 1977 require Federal facilities to comply with all State and local air pollution regulations, the Consent Agreement process will probably not be used in the future.

FISCAL YEAR 1977 STATIONARY SOURCE AIR POLLUTION - FEDERAL FACILITY CONSENT AGREEMENT

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day
Fairchild Air Force Base	Spokane	Incinerator exceeded emission limitations	Consent Agreement	76/10/01
Energy Research and Development Administration	Richland	Nine coal fired boilers exceeded emission limitations	Consent Agreement	77/09/07

Referral to the United States Attorney:

For especially serious violations, EPA can refer a case to the U. S. Attorney who acts as EPA's lawyer in filing suit against the violator. (EPA cannot administratively assess a fine or penalty against a stationary source violator, only a Federal Court can). EPA, through the U. S. Attorney, can ask a court to provide civil monetary penalties (fines) and/or an injunction (a temporary or permanent order to do or stop doing something). The U. S. Attorney may also negotiate a consent decree (a court-approved agreement signed by both parties) instead of going through a trial. A consent decree must be published in the Federal Register for public comment before being submitted to the Federal Court for approval.

FISCAL YEAR 1977

STATIONARY SOURCE AIR POLLUTION - REFERRAL TO THE UNITED STATES ATTORNEY

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action yr/mo/day</u>
Ellingson Lumber Co.	Baker	Judicial intervention necessary to resolve violations of 20% opacity and 0.2 grains/sdcf* particulate matter limitations from hogged fuel boiler and wigwam waste burner.	Referral to U. S. Attorney	76/10/28

MOBILE SOURCE (AUTOMOBILE) ENFORCEMENT

Unleaded Fuels Program

One of the most serious air pollution problems is caused by automobile emissions. In high population urban areas the concentrations of these pollutants can be harmful to human health. Congress established progressively more stringent standards applicable to new cars for carbon monoxide nitrogen oxides and hydrocarbons coming out of automobile exhaust pipes. In order to comply with the new standards, the automobile industry chose to use a device called the "catalytic converter" in most American cars manufactured since September 1974.

The lead contained in regular and premium gasoline would "poison" the catalytic converter, making it useless in reducing pollution. Therefore, EPA agreed to use its regulatory authority to establish regulations to ensure that unleaded gasoline was widely available, and that leaded gasoline was not pumped into cars designed for unleaded gasoline.

Violations of the unleaded fuels regulations can include:

- Failure to offer unleaded gasoline
- Contamination of unleaded gasoline with lead
- Putting leaded gasoline into cars designed for unleaded gasoline

-Not having the proper pump nozzle*

-Not having the proper signs and labels on the pumps

Section 211 of the Clean Air Act gives EPA the authority to assess penalties up to \$10,000 for violators of the Unleaded Fuels Program.

* Cars designed to use unleaded gasoline have smaller gasoline filler inlets/intake openings. Unleaded gasoline pumps must have a smaller nozzle to fit into the car. This prevents the larger nozzles required on leaded gasoline pumps from entering unleaded gasoline intake.

Civil Penalty Complaint:

A Civil Penalty Complaint informs the gasoline station owner or lessee that EPA believes a violation of the Unleaded Fuels regulations has occurred and proposes a monetary penalty for the violation. At the same time, the station owner is given the opportunity to ask for an informal settlement conference to explain the circumstances of the violation and what has been done to correct it and to settle on the penalty amount. If the informal conference does not satisfy both parties, a more formal hearing is held to decide upon a penalty and corrective action.

FISCAL YEAR 1977 MOBILE SOURCE AIR POLLUTION - CIVIL PENALTY COMPLAINT

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Action Date</u> yr/mo/day	<u>Penalty Collected</u>
Gas N Save	Blackfoot	No unleaded offered	Civil Penalty Complaint	77/02/15	\$ 500.00
Red Barn Market	Mountain Home	No unleaded offered	Civil Penalty Complaint	77/03/22	\$ 1,800.00
V-1 Oil Co.	Idaho Falls	No unleaded offered	Civil Penalty Complaint	77/01/05	\$ 3,000.00

V-1 Oil Co.	Caldwell	No unleaded offered	Civil Penalty Complaint	77/01/05	\$ 3,000.00
V-1 Oil Co.	Pocatello	No unleaded offered	Civil Penalty Complaint	76/09/28	\$ 3,000.00

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Action Date</u> yr/mo/day	<u>Penalty Collected</u>
Leathers Oil Company	Albany	No unleaded offered	Civil Penalty Complaint	77/02/04	\$ 1,800.00
Wallace Road Hencoop	Salem	No unleaded offered	Civil Penalty Complaint	77/06/08	\$ 1,800.00

FISCAL YEAR 1977
MOBILE SOURCE AIR POLLUTION - CIVIL PENALTY COMPLAINT

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Action Date</u> yr/mo/day	<u>Penalty Collected</u>
Gasamat	Tumwater	No unleaded offered	Civil Penalty Complaint	77/03/24	\$ 1,000.00
Gasamat	Port Angeles	No unleaded offered	Civil Penalty Complaint	77/03/24	\$ 1,000.00
Gasamat	Yakima	No unleaded offered	Civil Penalty Complaint	77/03/24	\$ 1,000.00
Gasamat	Tacoma	No unleaded offered	Civil Penalty Complaint	77/03/24	\$ 1,000.00
Gasamat	Bremerton	No unleaded offered	Civil Penalty Complaint	77/03/24	\$ 1,000.00
John's Texaco	Omak	Contaminated unleaded	Civil Penalty Complaint	77/03/31	\$ 3,900.00

Truck Village
Incorporated

Federal Introduction of leaded
Way

Civil Penalty
Complaint

77/08/26

pending

Tampering Program

A second aspect of the Mobile Source enforcement program is the Tampering Program. A Federal anti-tampering law prohibits automobile manufacturers, new car dealers, repair shops, leasing agencies, and fleet operators from removing or rendering inoperative any emission control device or element of design that is installed on a motor vehicle or motor vehicle engine. New car dealers who violate the tampering laws are subject to civil penalties up to \$10,000 for each car tampered with. Repair shops, commercial mechanics and fleet operators are subject to a \$2,500 fine for each tampering incident.

Examples of tampering include:

- removing or rendering inoperative such devices as the catalytic converter, air pump, and EGR valve.
- disconnecting vacuum lines and electrical or mechanical portions of the pollution control system such as electrical solenoids or vacuum-activated valves.
- adjusting an element of a car's emission control design out of line with manufacturer's specification.
- tune-ups by a mechanic which are not in conformance with manufacturer's specifications.

-knowingly installing a replacement part that is not equivalent in design and function to the part that was originally on the car. (This, however, does not mean that you have to use replacement parts sold by the motor vehicle manufacturer or its franchised dealers.)

If EPA is aware of violators of the anti-tampering law, the case is referred to the Department of Justice. Although several incidents were investigated during Fiscal Year 1977, no charges were filed.

AIR POLLUTION ENFORCEMENT SUMMARY

	<u>Number of Cases</u>	<u>Penalties Assessed</u>
Notice of Violation	15	N/A
Administrative Order/Consent Order	13	N/A
Federal Facility Consent Agreement	2	N/A
Referral to the United States Attorney	1	N/A
Civil Penalty Complaint (Mobile Source)	<u>14</u>	<u>\$ 26,800</u>
Totals:	45	\$ 26,800

PESTICIDES ENFORCEMENT

Responsibility for regulation of pesticides was assumed by the Environmental Protection Agency in 1970. The pesticides program has three main components: product registration, manufacturer registration, and misuse enforcement. All pesticides sold in the United States or imported into this country must be registered with EPA. In order for the product to be registered, the manufacturer must provide information verifying that the pesticide **(1)** is effective against the pests listed on the label, **(2)** will not injure people, animals, crops, or the environment when label directions are followed and, **(3)** will not result in illegal residues on food or feed. Registered products must meet strict labeling requirements which include statement of ingredients, name and address of manufacturer, and directions for use. Manufacturers of pesticides must also register their establishments with EPA. Annual reports and certain records must be submitted to EPA for use in keeping track of the amounts and types of pesticides produced.

Violation of the pesticide laws and regulations fall into five major categories:

- Failure to register pesticide product or manufacturer
- Failure of manufacturer to submit required reports
- Improper label on pesticide product (misbranding)
- Chemical defects in the pesticide product (adulterated)
- Failure of a pesticide applicator to use the product in accordance with label instructions (misuse)

Enforcement actions against violators vary with the severity of the violation. Minor violations - those which are not likely to influence a product's safe and effective use -- may be handled with a written Notice of Warning. Other enforcement actions are:

- Civil penalty warning citation
- Civil penalty complaint
- Criminal complaint

EPA can also take any of the following actions to remove from the market place products that are unregistered, misbranded, or adulterated:

- Recall (a request that the company voluntarily recall a defective product from its customers)
- Stop sale, use, or removal order
- Seizure (violative products are seized by a Federal Court Order)
- Injunction (a court order to prevent a manufacturer from continuing to break the law)

Fortunately, most pesticide manufacturers and users comply voluntarily. In Region X, there has been a steady increase in the percentage of compliance and a decrease in violations. Region X has issued 195 Notices of Warning for minor infractions of the pesticide laws since 1973.

Civil Penalty Warning Citation

This enforcement action is sued against private (as opposed to commercial) certified applicators and general non-commercial pesticide users to warn the violator that a second violation will result in a civil penalty. This citation is considered stronger than the Notice of Warning.

FISCAL YEAR 1977 PESTICIDES ENFORCEMENT ACTIONS - CIVIL PENALTY WARNING CITATION

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day
Twin Falls Canal Co.	Twin Falls	Pesticides misuse	Civil Penalty Warning Citation	77/11/17

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day
Bernie Calcagno Farms	Portland	Pesticides misuse	Civil Penalty Warning Citation	77/01/19

FISCAL YEAR 1977
PESTICIDES ENFORCEMENT ACTIONS - CIVIL PENALTY WARNING CITATION

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day
Earl Nordberg	Yakima	Pesticide misuse	Civil Penalty Warning Citation	77/04/11
King County Road Dist.	Redmond	Pesticide Misuse	Civil Penalty Warning Citation	77/08/26
Skinner, Dr. Henry L.	Battleground	Pesticide misuse	Civil Penalty Warning Citation	77/03/30
Wally Kinne	Wenatchee	Pesticide misuse	Civil Penalty Warning Citation	77/12/19

Civil Penalty Complaint

Any pesticide manufacturer, commercial user, wholesaler, dealer, retailer, or other distributor may be administratively fined up to \$5,000 for each offense of the pesticide law. A private pesticide user cannot be fined for misuse unless a Notice of Warning or Civil Penalty Warning Citation has first been issued. For commercial applicators, the maximum penalty is \$5,000 for each offense. Private pesticide users may not be penalized more than \$1,000 for each offense. Before a penalty can be finally assessed, the violator must be offered an opportunity for a hearing to explain mitigating circumstances. (Even more stringent penalties are authorized for criminal violations i.e. knowingly violating the provisions of the law). No criminal penalties were filed in Fiscal Year 1977 in Region X.)

FISCAL YEAR 1977 PESTICIDES ACTION - CIVIL PENALTY COMPLAINT

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Crop King Chemical	Marsing	Delinquent reporting of annual production	Civil Penalty Complaint	77/5/2	\$ 280.00
Crop King Company	Marsing	Delinquent report of annual production	Civil Penalty Complaint	77/05/02	\$ 280.00

Globe Feed and Seed	Twin Falls	Product not registered	Civil Penalty Complaint	77/08/03	\$ 250.00
Simplot Soil Builder	Wilder	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 1,600.00
Simplot Soil Builder	Weiser	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 1,600.00
Simplot Soil Builder	Caldwell	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 1,600.00
Western Stockman's	Twin Falls	Delinquent reporting of annual production	Civil penalty Complaint	77/04/28	\$ 1,000.00
Western Stockman's	Nampa	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 1,000.00

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Chris-Brooke Company	Portland	Faulty labeling claims	Civil Penalty Complaint	77/09/23	\$ 140.00
Hatch Brothers Chemical	Rockaway	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	0 firm insolvent

Korinek Remedy Co.	Stayton	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 280.00
Simplot Soil Builders	Nyssa	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 1,600.00
Simplot Soil Builders	Vale	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 1,600.00
United States Rodent Destroyer Company	Stayton	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 280.00

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
American Tar Company	Seattle	Product chemically deficient	Civil Penalty Complaint	76/12/16	\$ 1,848.00
Atomic Chemical Co.	Spokane	2 products chemically deficient	Civil Penalty Complaint	76/12/22	\$ 215.00

Chem Mark Chemical	Spokane	2 products were chemically deficient	Civil Penalty Complaint	77/08/09	not finalized
Crop King Chemical	Yakima	Delinquent reporting of annual production	Civil Penalty Complaint	77/05/02	\$ 280.00
Crop King Company	Yakima	Delinquent reporting of annual production	Civil Penalty Complaint	77/05/02	\$ 280.00
Custom Chemical Corp.	Ellensburg	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	Consolidated with Florason Seattle
Eastside Spraying Services	Kirkland	Pesticide misuse	Civil Penalty Complaint	77/06/22	\$ 490.00
Farwest Paint Mfg. Co.	Seattle	Product not registered	Civil Penalty Complaint	77/02/04	\$ 240.00
Florason	Seattle	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 160.00
Helena Chemical Co.	Yakima	Faulty labeling claims	Civil Penalty Complaint	77/03/10	\$ 800.00

Kem-Rite	Auburn	Selling unregistered product	Civil Penalty Complaint	77/11/18	\$ 420.00
North Coast Chemical	Seattle	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	not finalized
Pacific Agro Co.	Renton	2 products were chemically deficient	Civil Penalty Complaint	77/01/11	\$ 3,200.00
R.H. Bowles Company, Inc.	Toppenish	Product not registered	Civil Penalty Complaint	77/08/02	\$ 1,680.00
S.V. Chemicals	Tacoma	Delinquent reporting of annual production	Civil Penalty Complaint	77/04/28	\$ 500.00
Western Farmers Assn.	Seattle	Unregistered, misbranded and adulterated pesticide	Civil Penalty Complaint	77/09/27	\$ 3,600.00

PESTICIDES ENFORCEMENT

	<u>Number of Cases</u>	<u>Penalties Assessed</u>
Civil Penalty Warning Citation	6	N/A
Civil Penalty Complaint	<u>30</u>	<u>\$ 25,223</u>
Totals:	36	\$ 25,223

WATER POLLUTION ENFORCEMENT

Waste Discharge Permits

In amending the Federal Water Pollution Control Act in 1972, Congress gave the states authority to require industry and municipalities to obtain a permit to discharge pollutants into the Nation's waterways. Where states fail to do so, the EPA must manage the permit program. The permits require dischargers to meet certain effluent limitations (restrictions on the amount and composition of discharges) which were set nationally for each industry by EPA. These restrictions are uniform throughout the country for each category of industry. As a general rule, industry was to have installed and be operating the best practicable pollution control technology by July 1, 1977. Municipalities were to be using secondary (biological) treatment by July 1, 1977, to clean up their discharges. In short, the National Pollutant Discharge Elimination System (NPDES) permit program was designed to clean up water pollution from industries and municipalities by setting tough restrictions in the permits. In the Northwest, the states of Oregon and Washington issue and enforce NPDES permits. EPA runs the program in Idaho, Alaska, and on Federal installations.

Permits issued under the NPDES program set specific limitations on certain pollutants, such as temperature, oxygen depleting materials, and acidity or alkalinity, not meeting the pollutant limitations. The permit contains a timetable of dates and events which is called a compliance schedule. A typical compliance schedule would have dates by which the permittee must submit a pollution control plan, contract to build the treatment works, begin construction, complete construction, etc., leading up to meeting the final pollution limitations. Additionally, the permit may require the discharger to submit reports on the quality of its wastes, progress on their schedule to attain compliance, or on any permit violations.

Permit violations fall into 4 main categories:

- Failure to apply for a permit
- Exceeding the pollution limits
- Failure to meet the compliance schedule
- Failure to submit reports

EPA has three formal enforcement actions available to bring violators into compliance. They are:

- Notice of Violation
- Administrative Order
- Referral to the U. S. Attorney

These enforcement actions are described in greater detail prior to listing the recipients of these actions. The states of Oregon and Washington have similar enforcement options under State laws and regulations.

Notice of Violation

A written notice to a discharger and a state that EPA has information that a violation has occurred. This enforcement action is taken only in those states in Region X that have authority to issue and enforce permits - Oregon and Washington. The Notice of Violation tells that state that EPA feels a violation has occurred that the state has not sufficiently acted upon. If the state does not take appropriate action within 30 days, EPA can go one step further and issue an Order.

FISCAL YEAR 1977 WATER POLLUTION - NOTICE OF VIOLATION

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Boise Cascade Corporation	Steilacoom	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Notice of Violation	77/03/03
Crown Zellerbach	Port Townsend	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Notice of Violation	77/03/03

Crown Zellerbach	Port Angeles	Failure to meet permit compliance dates and failure to meet stat- utory compliance dates filed April 25, 1977.	Notice of Violation	77/03/03
Georgia- Pacific	Bellingham	Failure to meet permit compliance dates and failure to meet stat- utory compliance dates filed April 25, 1977.	Notice of Violation	77/03/03
ITT Rayonier	Port Angeles	Failure to meet permit compliance dates and failure to meet stat- utory compliance dates filed April 25, 1977.	Notice of Violation	77/03/03
Scott Paper	Everett	Failure to meet permit compliance dates and failure to meet stat- utory compliance dates filed April 25, 1977.	Notice of Violation	77/03/03

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> <u>yr/mo/day</u>
Georgia-Pacific	Toledo	Failure to comply with permit compliance schedule.	Notice of Violation	77/01/03

Administrative Order:

The Federal Water Pollution Control Act authorizes EPA to order dischargers to comply with their permits. For example, EPA could order a violator to: apply for a permit, cease discharging without a permit, comply with a compliance schedule, meet effluent limitations or send in a report, etc.

FISCAL YEAR 1977
WATER POLLUTION - ADMINISTRATIVE ORDER

ALASKA:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Alaska Lumber and Pulp	Sitka	Failure to comply with the implementation schedule	Order	76/11/15 *
Alaskan Glacier Seafoods	Petersburg	Failure to submit re-ports required by NPDES Permit.	Order	77/02/02
Anchorage, Municipal, City of Campbell Creek	Anchorage	Effluent violation	Order	76/11/15

* This facility is assessed penalties at a rate of \$200.00 per day when discharging.

Anchorage, Municipality of Eagle River	Anchorage	Effluent violation	Order	77/05/05
Anchorage, Municipality of Eagle River	Anchorage	Failure to submit reports and plans to meet effluent limits required by NPDES Permit.	Order	77/01/10
Atlantic Richfield	Yakutat	Failure to comply with established effluent limits in NPDES Permit	Order	76/10/19
BP Alaska	Prudhoe Bay	Discharging without valid NPDES Permit	Order	77/01/14
Cordova, City of	Cordova	Failure to submit reports required by NPDES Permit	Order	76/11/30
Dutch Harbor Seafood	Unalaska	Order allowed discharge for 90 day period while new permit issued	Order	77/03/25
Dutch Harbor Seafood	Unalaska	Order allowed discharge for temporary 30 day period	Order	76/12/22

Kenai Packing	Kenai	Ordered to eliminate discharge of untreated sanitary waste	Order	77/05/05
Queen Fisheries	Kodiak	Illegal discharge of process waste	Order	76/10/27
Queen Fisheries	Unalaska	Allow discharge of process waste after fine mesh screening	Order	76/11/30
Morpac Inc.	Cordova	Failure to install screening required by NPDES permit	Order	76/12/09
New England Fish Co.	Cordova	Failure to install screening required by NPDES permit	Order	76/12/09
North Pacific Processors	Cordova	Failure to install screening required by NPDES Permit.	Order	76/12/09
Pacific Pearl Seafood	Unalaska	Ordered to collect all process waste and discharge in accordance with NPDES Permit	Order	76/11/30

Pan Alaska Fisheries	Unalaska	Company failed to achieve secondary treatment	Order	76/10/22
Phillips Petroleum	Kenai	Failure to submit reports required by NPDES permit and ordered to submit procedures to prevent reoccurrence of further non-compliance.	Order	77/06-01
Sea Alaska Products	Dutch Harbor	Issue order for permit compliance corrective action within 30 days and submittal of delinquent reports	Order	77/01/24
Sedco Maritime	Lease #9	Operating without NPDES Permit	Order	76/12/23
Sheffield Enterprise	Kotzebue	Company ordered to monitor and submit reports	Order	77/01/27
St. Elias Ocean Products	Cordova	Company failed to achieve secondary treatment	Order	76/12/09

Valdez, City of	Valdez	Failure to submit reports required by NPDES Permit	Order	77/03/29
Whitney-Fidalgo Seafood	Dutch Harbor	Failure to submit reports required by NPDES Permit	Order	77/06/22
Whitney-Fidalgo Seafood	Petersburg	Failure to submit notice that waste treatment equipment installed	Order	77/03/30
Yakutat, City of	Yakutat	Failure to submit reports required by NPDES Permit.	Order	77/08/31
Yukon Delta Fish Marketing Cooperative	Emmonak	Failure to submit reports required by NPDES Permit	Order	76/11/30

FISCAL YEAR 1977
WATER POLLUTION - ADMINISTRATIVE ORDER

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Amalgamated Sugar Company	Twin Falls	Failure to submit program for preventing effluent violations	Order	77/02/02
Aquaculture Industries	Hagerman	Failed to submit plan for compliance	Order	77/04/18
Ashton, City of	Ashton	Requires city to repair/ install acceptable flow measuring equipment and plan to resolve problem	Order	77/08/24
Bunker Hill Co.	Kellogg	Failed to satisfy previous order referred to U. S. Attorney for this effluent violation	Order	76/10/22
Emkay Development	Boise	Failure to submit reports required by NPDES Permit	Order	77/09/02

Fish Breeders of Idaho	Buhl	Failure to submit reports required by NPDES Permit	Order	77/04/18
General Foods	Nampa	Illegal Discharge	Order	76/12/23
Hecla Mining Company	Wallace	Company ordered to maintain compliance with expired permit until new permit issued	Order	77/08/26
Heyburn, City of	Heyburn	Failure to submit plans and schedule for meeting treatment requirements	Order	77.03/03
Mayes, Aileen	Warren	Failure to submit reports required by NPDES Permit	Order	77/03/09
Morrision-Knudsen	American Falls	Order to maintain compliance with current permit until new permit issued	Order	77/01/12
Morrison-Knudsen	Brownlee	Failure to submit reports required by NPDES Permit	Order	77/02/07

Ore-Ida Foods, Incorporated	Burley	Violated effluent conditions set for in NPDES Permit	Order	76/12/14
Payette, City of	Payette	Order required submittal of personnel training plan and O & M corrections plan	Order	77/04/22
Rogers Brothers Food	Idaho Falls	Order issued to cease the discharge	Order	77/08/03
Rowland Brothers Dairy	Pocatello	Order issued to cease discharge and give reasons why it occurred	Order	77/08/04
Rupert, City of	Rupert	Failure to submit plans as required by NPDES Permit	Order	76/10/04
Sandpoint, City of	Sandpoint	Failure to comply with effluent limits established in NPDES Permit and operations requirements	Order	76/10/04
Silver King Mines	Cuprum	Order issued for failure to submit notice of compliance/non-compliance	Order	76/10/12

St. Anthony, City of	St. Anthony	Submittal of a plan to control discharge and maintain compliance	Order	77/08/24
Twin Falls, City of	Twin Falls	Effluent violation from sewage treatment plant and inadequate operations and maintenance	Order	77/04/11
Twin Falls, City of	Twin Falls	Effluent violations at sewage treatment plant addition a cease and desist order was issued on rock creek pump station for illegal discharge	Order	76/11/16
Western Idaho Fair	Boise	Submit past reports and eliminate dis- charge.	Order	76/12/29

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Warm Springs Forest	Warm Springs	Failure to submit re- ports required by NPDES Permit.	Order	77/05/09

Referral to the United States Attorney:

For especially serious violations, EPA can refer a case to the U.S. Attorney who acts as EPA's lawyer in filing suit against violators (EPA cannot administratively assess a fine or penalty against an NPDES Permittee --only a Federal Court can.) EPA can ask the court to provide civil monetary penalties and/or injunctive relief (a temporary or permanent order to do or stop doing something). The U. S. Attorney may negotiate a consent decree (a court approved agreement signed by both parties) instead of going through a trial. A consent decree must be published in the Federal Register for public comment before being submitted to the Federal Court for approval.

FISCAL YEAR 1977
WATER POLLUTION - REFERRAL TO THE UNITED STATES ATTORNEY

ALASKA:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
A.W. Logging Incorporated	Tenakee	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
Campbell Construction	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17

Clear Creek Logging	Sitka	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
Clear Creek Logging	Kake	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
El Capitan Logging	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
J.R. Gildersleeve Company	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
Kenai, City of	Kenai	Violations of effluent limits prescribed by NPDES Permit	Referral to U.S. Attorney	76/12/30
Louisiana Pacific	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
Louisiana Pacific	Ketchikan	Failure to install treatment facilities required by NPDES Permit.	Referral to	76/11/05 *

* This facility is assessed penalties at a rate of \$250.00 per day when discharging.

Mud Bay Logging Company	Sitka	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
R. L. Nelson Logging	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
Reid Timber, Incorporated	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
South Coast Incorporated	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17
St. Elias Ocean Products	Cordova	Failure to install screening required by NPDES Permit	Referral to U.S. Attorney	77/05/11
Valentine Logging Company	Ketchikan	Failure to comply with NPDES Permit regarding secondary treatment	Referral to U.S. Attorney	77/08/17

FISCAL YEAR 1977
WATER POLLUTION - REFERRAL TO THE UNITED STATES ATTORNEY

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Golden Vally Packer	Roberts	Failure to comply with effluent limits established in NPDES Permit	Referral to U.S. Attorney	77/09/14
J.R. Simplot Company	Aberdeen	Has not applied for and does not possess a valid NPDES Permit	Referral to U.S. Attorney	77/08/19
Twin Falls, City of	Twin Falls	Treatment Plant effluent violations	Referral to U.S. Attorney	77/09/29

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Enf. Action</u> yr/mo/day
Boise Cascade Corporation	Steilacoom	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Referral to U.S. Attorney	77/01/17

Crown Zellerbach	Port Townsend	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Referral to U.S. Attorney	76/12/22
ITT Rayonier	Port Angeles	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Referral to U.S. Attorney	76/12/23
Crown Zellerbach	Port Angeles	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Referral to U.S. Attorney	77/01/17
Scott Paper	Everett	Failure to meet permit compliance dates and failure to meet statutory compliance dates filed April 25, 1977.	Referral to U. S. Attorney	77/02/11

OIL SPILL PREVENTION AND ENFORCEMENT

Oil Spill Prevention:

EPA would rather prevent oil spills than clean them up. Congress gave EPA the authority to establish regulations governing the storage and handling of oily substances in certain minimum amounts. This program is called Spill Prevention, Control and Countermeasures (SPCC). Any facility which has storage capacity of more than 600 gallons above ground or 42,000 gallons below ground must have a plan describing the methods and operations that will be used to prevent and clean up spills. This plan must be certified by a registered professional engineer and be available for EPA inspection and review on request. EPA does not have authority to take enforcement action for causing an oil spill (defined as causing a "sheen" on navigatable waters.) This authority is vested in the Coast Guard. EPA can, however, take enforcement action if the spill resulted from a failure to possess or implement an SPCC plan. Typical violations of SPCC regulations include:

- Failure to have an SPCC plan available for inspection
- Failure to implement the plan
- Failure to have the plan certified by a registered professional engineer
- Failure to submit the plan to EPA after spilling
 - (a) 1000 gallons of oil or
 - (b) two smaller spills in one year

When EPA is aware of such violations, a Notice of Violation is issued which indicates the amount of any proposed civil penalty. The action necessary to correct the deficiency and mitigating circumstances are considered and a settlement is usually reached. Violators may appeal the penalty amount at a special hearing. No hearings were held in Region X during the Fiscal Year 1977.

Notice of Violation / Order on Civil Penalty:

When EPA is aware of violations of the SPCC regulations, a Notice of Violation is issued which puts the facility manager on notice that corrective action is required and proposes a civil penalty (fine) for the violation. After the Notice of Violation is issued mitigating circumstances are considered and a settlement is usually reached on corrective measures and a civil penalty. The assessed civil penalty is set forth in an Order on Civil Penalty to the facility manager. Fines collected are put into a Coast Guard revolving fund for clean-up of oil spills from unknown sources.

FISCAL YEAR 1977
SPCC ACTIONS - NOTICE OF VIOLATION /ORDER ON CIVIL PENALTY

ALASKA:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collection</u>
Alaska Railroad	Anchorage	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/06/17	\$ 0.00
Boyer Towing Incorporated	Ketchikan	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/28	\$ 0.00
Cordova Public Utility	Cordova	Failure to have an SPCC plan available for inspection	Notice/ Order	77/02/11	\$ 600.00

Eskimos Inc.	Barrow	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/08/04	\$ 1,500.00
John B. Coghill Company	Tanana	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/08/04	\$ 4,000.00
Ketchikan Public Utilities	Ketchikan	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/20	\$ 500.00
Nome, City of	Nome	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/05/19	\$ 0.00
Pacific & Artic Pipeline	Skagway	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/03/23	\$ 1,200.00

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Atlantic Richfield	Moscow	Failure to have an SPCC plan available for inspection	Notice/ Order	77/06/17	\$ 50.00

Chevron U.S.A.	Fruitland	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/05/11	\$ 750.00
Fred Kroetch Oil Company	Coeur d' Alene	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/22	\$ 00.00
Northwest Company	Sandpoint	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/02/22	\$ 200.00
Northwest Company	Sandpoint	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/17	\$ 00.00
Northwest Company	Sandpoint	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/02/22	\$ 200.00
Reid Brothers Incorporated	Coeur d' Alene	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/25	\$ 100.00
Stoddard, Jim	Salmon	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/12/17	\$ 50.00

Troyer, Robert	Parma	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/06/17	Pending
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OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action yr/mo/day</u>	<u>Penalty Collected</u>
Atlantic Richfield	Brookings	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/14	\$ 125.00
Atlantic Richfield	Grants Pass	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/14	\$ 125.00
Atlantic Richfeild	Klamath Falls	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/14	\$ 125.00
Atlantic Richfield	Roseburg	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/14	\$ 125.00
Caveman Oil Company	Grants Pass	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00

Charles Russell	Coos Bay	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/19	\$ 100.00
Christenson Oil Company	Portland	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/07/19	\$ 750.00
Jackson, County of	White City	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/17	\$ 0.00
Diamond Lake Douglas	Roseburg	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/08/04	\$ 750.00
Eby Oil & Heating Co.	Redmond	Failure to have an SPCC plan Available for inspection	Notice/ Order	76/11/18	\$ 0.00
Eugene Farmers	Eugene	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/08	\$ 100.00
Eureka Fisheries Co.	Coos Bay	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/01	\$ 200.00

Fields & Endsley	Roseburg	Failure to have an SPCC plan available for inspection.	Notice Order	76/10/14	\$ 350.00
Four Under, Incorporated	Bend	Failure to have an SPCC plan available for inspection.	Notice/Order	76/11/18	\$ 0.00
Fraedrick-Skillern	Eugene	Failure to have an SPCC plan available for inspection.	Notice/Order	76/11/18	\$ 0.00
Portland General Electric	Tigard	Failure to have an SPCC plan available for inspection.	Notice/Order	77/04/20	\$ 300.00
R.L. Angst and Son	Eugene	Failure to have an SPCC plan available for inspection.	Notice/Order	76/10/14	\$ 400.00
Reichhold Chemicals	White City	Failure to have an SPCC plan available for inspection.	Notice/Order	76/10/01	\$ 400.00
Simmons Fuel Oil	Salem	Failure to have an SPCC plan available for inspection	Notice/Order	76/11/10	\$ 00.00

Standard Oil of California	Corvallis	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00
Standard Oil of California	Albany	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00
Standard Oil of California	Klamath Falls	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00
Standard Oil of California	Eugene	Failure to have an SPCC plan available for inspection	Notice/ Order	76/11/02	\$ 250.00
Standard Oil of California	Roseburg	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00
Standard Oil of California	Grants Pass	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00
Standard Oil of California	Gold Beach	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/02	\$ 250.00

George May Oil Co.	Klamath Falls	Failure to have an SPCC plan available for inspection.	Notice/Order	76/10/14	\$ 300.00
Gilmore Petroleum	Junction City	Failure to have an SPCC plan available for inspection	Notice/Order	76/11/09	\$ 200.00
Grimes Pumice	Bend	Failure to have an SPCC plan available for inspection.	Notice/Order	76/11/18	\$ 0.00
Hallmark Fisheries	Coos Bay	Failure to have an SPCC plan available for inspection.	Notice/Order	76/11/01	\$ 200.00
Harbor Tug and Barge	Coos Bay	Failure to have an SPCC plan available for inspection.	Notice/Order	76/10/14	\$ 400.00
Howard's Shell Service	Gold Beach	Failure to have an SPCC plan available for inspection.	Notice/Order	77/07/14	\$ 1,000.00
Johnson Rock Product	North Bend	Failure to have an SPCC plan available for inspection.	Notice/Order	77/07/15	\$ 300.00

Marshall's Oil Company	Springfield	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/18	\$ 0.00
McCall Oil Company of Beaverton	Beaverton	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/03/22	\$ 1,100.00
McFarland Pole Co.	Eugene	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/01	\$ 400.00
Mennis Oil Company	Salem	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/01	\$ 400.00
Nichols Cash System	Eugene	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/14	\$ 250.00
Nordby and Raper	Bend	Failure to have an SPCC plan available for inspection	Notice/ Order	76/12/09	\$ 300.00
Peterson Seafood	Charleston	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/24	\$ 200.00

Steinbaugh Oil	Roseburg	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/12	\$ 200.00
T & R Truck Service	Albany	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/14	\$ 500.00
The Jerry Brown Co.	Junctions	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/02/08	\$ 200.00
Traux Oil, Inc.	Bend	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/17	\$ 0.00
Trumbull Asphalt Co.	Portland	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/01	\$ 300.00
Western Helicopter	Newberg	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/09	\$ 50.00
Western Oil and Burner	Klamath Falls	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/14	\$ 300.00

Westinghouse Electric Portland	Portland	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/03/31	\$ 200.00
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WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action yr/mo/day</u>	<u>Penalty Collected</u>
American Tar	Seattle	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/09	\$ 200.00
Atlantic Richfield	Ellensburg	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/05/19	\$ 0.00
B. L. Trucking and Construction	Tacoma	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/14	\$ 200.00
Bardahl Mfg.	Seattle	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/03/23	\$ 250.00

Bonneville Power Admin.	Arlington	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/08/05	\$ 0.00
Burlington Northern Railroad	Seattle,	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/05/11	\$ 500.00
Burlington Northern Railroad	Auburn	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/06/24	N/A
Chemical Processors	Seattle	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/10/13	\$ 750.00
Johnson Rock Products	North Bend	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/03/29	\$ 0.00
Milwaukee Railroad	Tacoma	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/03/07	\$ 50.00
Krenik Oil Service	Puyallup	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/12/09	\$ 250.00

Philadelphia Quartz	Tacoma	Failure to have an SPCC plan available for inspection.	Notice/ Order	76/11/12	\$ 100.00
South Coast Lumber	Brookings	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/31	\$ 0.00
Western Processing	Auburn	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/07/18	\$ 500.00
Wyckoff Company	Seattle	Failure to have an SPCC plan available for inspection.	Notice/ Order	77/01/10	pending

Oil Spill Enforcement:

When oil is spilled onto fresh waters of the United States, EPA has the responsibility to respond as on-scene coordinators to take charge of clean-up as necessary. (The U.S. Coast Guard has jurisdiction on marine waters.) Whenever EPA can determine who is responsible for significant spills, the facts of the case are compiled and sent to the U. S. Coast Guard as the agency with enforcement penalty authority. These EPA reports are called Referrals to the U. S. Coast Guard. The Coast Guard then advises EPA of the action they took on the referral.

FISCAL YEAR 1977 OIL SPILL ENFORCEMENT - EPA REFERRALS TO THE U.S. COAST GUARD

ALASKA:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Alyeska Pipeline	Tvulik	Oil spill, 6300 gallons diesel from power plant storage tank	Referral to U. S. Coast Guard	77/05/05	\$ 1,000.00
Nome, City of	Nome	Oil spill, 4000 gallons trailer separated from truck tractor.	Referral to U. S. Coast Guard.	77/10/13	\$ 1,000.00

FISCAL YEAR 1977
OIL SPILL ENFORCEMENT - EPA REFERRALS TO THE U. S. COAST GUARD

IDAHO:

<u>Source Name</u>	<u>City</u>	<u>Nature of violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Chevron Pipeline	Buhl	Oil spill, 1500 gallons	Referral U.S. Coast Guard	77/02/09	\$ 3,000.00
Rice Truck Lines	Kamiah	Oil spill, 1000 gallons	Referral U.S. Coast Guard	77/11/16	\$ 250.00*

* * * * *

* Penalties assessed

FISCAL YEAR 1977
OIL SPILL ENFORCEMENT - EPA REFERRALS TO THE U. S. COAST GUARD

OREGON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Boise Cascade	Salem	Oil spill, 100 gallons of bunker "C" oil	Referral U. S. Coast Guard	76/10/21	\$ 500.00
McKinnon Enterprises	Salem	Oil spill, 100 gallons	Referral U. S. Coast Guard	77/11/8	Pending Hearing
T. C. Drain Company	Gladstone	Oil spill, 150 gallons waste oil from truck	Referral U. S. Coast Guard	77/9/12	\$ 1,058.00*

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* Penalties assessed

FISCAL YEAR 1977
OIL SPILLS ENFORCEMENT - EPA REFERRALS TO U. S. COAST GUARD

WASHINGTON:

<u>Source Name</u>	<u>City</u>	<u>Nature of Violation</u>	<u>Type of Action</u>	<u>Date of Action</u> yr/mo/day	<u>Penalty Collected</u>
Peterson's Texaco	Concrete	Oil spill, 1500 gallons diesel oil	Referral U. S. Coast Guard	77/07/12	\$ 200.00

WATER POLLUTION ENFORCEMENT

	<u>Number of Cases</u>	<u>Penalties Assessed</u>
Notice of Violation	7	N/A
Administrative Order	52	\$18,400*
Referral to the United States Attorney	23	\$15,250**
Oil Spill Prevention	80	\$ 24,600
Oil Spill Enforcement	<u>8</u>	\$ <u>5,700</u>
Totals:	170	\$ 30,300

* This figure represents per day assessments for Alaska Lumber and Pulp.

** This figure represents per day assessments for Louisiana Pacific Ketchikan Division.

EPA REGION X ENFORCEMENT CASES
FISCAL YEAR 1977

SUMMARY

<u>Type of Violation</u>	<u>Number of Cases</u>	<u>Total Penalties Assessed</u>
Air Pollution		
Stationary Source	32	N/A
Mobile Source	15	\$ 26,800
Pesticides	34	\$ 24,700
Water Pollution		
Waste Discharge Permits Violations	82	\$ 33,650
Spill Prevention, Control and Counter Measures	80	\$ 24,600
Spill Enforcement	<u>8</u>	<u>\$ 5,700</u>
Total Number of Enforcement Cases for Region X	<u>251</u>	<u>\$ 135,450</u>

The Enforcement Division in Region X solicits your comments on the first Enforcement Report.
General comments should be addressed to:

Director, Enforcement Division
Mail Stop 517
United States Environmental Protection Agency
1200 6th Avenue
Seattle, Washington 98101

Specific questions on particular types of enforcement should be directed to:

<u>Air</u>	- Air Compliance Branch	(206) 442-1387
<u>Water</u>	- Water Permits & Compliance Branch	(206) 442-1213
<u>Pesticides</u>	- Pesticides and Toxic Substances Branch	(206) 442-1090
<u>Oil</u>	- Environmental Emergency Branch	(206) 442-1263

Lloyd A. Reed
Director, Enforcement Division
Region X