Stormwater Enforcement: Oregon Department of Environmental Quality Notice of Civil Penalty Assessment/Order Addressing West Linn Steel Fabrication Facility

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The Oregon Department of Environmental Quality ("ODEQ") issued a July 17th Notice of Civil Penalty Assessment and Order ("Assessment") to BBC Steel Corp. ("BBC") alleging a violation of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Stormwater General Permit. See Case No. WQ-SW-NWR-2023-569.

BBC operates a steel fabrication facility in West Linn, Oregon.

The facility is stated to be subject to an NPDES 1200-Z Stormwater General Permit.

A Section of the Permit is stated to require the permitee to monitor for statewide benchmark and impairment pollutants four times per monitoring year. This is stated to include, at each monitoring point, two instances of grab sample monitoring between July 1 and December 31st, and two instances of grab sample monitoring between January 1 and June 30th of each monitoring year.

The BBC facility is stated to have three monitoring points.

The Assessment alleges that BBC's Discharge Monitoring Reports for the monitoring year 2022-2023 indicate only one of two required instances of grab sample monitoring between July 1 and December 31, 2022, at Monitoring Point 002. This is alleged to be a violation of the Permit.

The Assessment proposes a civil penalty of $9,902.00.

Further, certain appeal rights are provided.

A copy of the Assessment can be downloaded here.