

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
SITTING AS THE GOVERNING BODY OF  
WEST HILLS SERVICE DISTRICT NO. 2

In the Matter of Modification of the )  
Maintenance and Engineering Service ) ORDER NO. 91-17  
Agreement with City of Portland )

The above-entitled matter is before th Board of County Commissioners, acting as the governing body of West Hills Service District No. 2, to consider modification of the Maintenance and Engineering Services Agreement between the District and the City of Portland, Oregon.

It appearing that the District and City entered into the agreement which was passed by the City Council October 9, 1985; and

It appearing that the United States Environmental Protection Agency has required all operators of sewage treatment plants to address standards for treatment of industrial waste in their ordinances and intergovernmental agreements; and

It appearing that the accompanying modification is required to ensure compliance with the new Federal requirements;

IT IS THEREFORE ORDERED, that the Chair of the Board of County Commissioners, as the governing body of West Hills Service District No. 2, be and is hereby authorized to execute the accompanying modification to the above-referenced agreement.

DATED this 7th day of February, 1991.

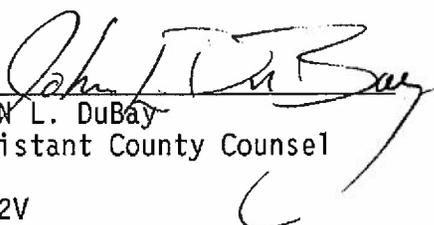


WEST HILLS SERVICE DISTRICT NO. 2  
BY BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
GLADYS MCCOY/Chair

REVIEWED:

LAURENCE KRESSEL  
County Counsel  
for Multnomah County, Oregon

  
JOHN L. DuBay  
Assistant County Counsel  
8482V

MODIFICATION TO WEST HILLS SERVICE DISTRICT AND CITY OF PORTLAND  
MAINTENANCE AND ENGINEERING SERVICE AGREEMENT

The following provisions shall modify the existing Maintenance and Engineering Service Agreement between the City of Portland and West Hills Service District:

IV. DISTRICT RESPONSIBILITY

\* \* \*

7. Protection of System and Environment.

The District shall ensure that industrial wastewater discharges from industries under its jurisdiction comply with Chapter 17.34 of the Portland City Code (Industrial Wastewater Discharges) and rules adopted thereunder, and all federal and state requirements for industrial wastewater discharges into the Columbia Boulevard Sewage Treatment Plant. Therefore, the District shall:

(a) Adopt rules and regulations consistent with Portland's Industrial Wastewater Code, and rules adopted thereunder, as may be amended from time to time.

(b) Survey all industries connected to the portion of its system that is connected to Portland's sewer system, as provided for in this Agreement, to determine if any fall within the definition of industrial user subject to applicable pretreatment standards and regulations, or that would be required to obtain an industrial wastewater discharge permit as specified in Section 17.34.070 of the Portland City Code.

(c) Notify and require those industries identified above to submit a report to the District, which shall include information required under Chapter 17.34 of the Portland City Code or rules adopted thereunder, within 90 days of notice of such requirement. The District shall forward a copy of all such reports to the Director of Environmental Services.

(d) Require pretreatment by industries identified as having discharges exceeding the permissible limits as specified in Chapter 17.34 of the Code or in rules adopted thereunder.

(e) Require the development of a compliance schedule by each industrial user for the installation of technology required to meet applicable pretreatment standards and requirements and the submission of self-monitoring reports necessary to assure compliance.

(f) Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial users, compliance or non compliance with applicable pretreatment standards and requirements. Representatives of the District shall be authorized to enter any

premises of an industrial user in which a discharge source or treatment system is located or in which records are kept to assure compliance with pretreatment standards.

(g) In the event the District does not carry out full enforcement of the federal pretreatment regulations at 40 CFR 403.8, Portland may act on behalf of the District. Portland shall notify the District in writing of any and all enforcement actions to be taken. In case of an emergency the written notice requirement shall be waived, but actual notice shall be given followed by written confirmation. If an enforcement action is agreed upon between Portland and the District, then Portland will be acting with the District's authority on behalf of the District. If an enforcement action proposed by Portland is not acceptable to the District, then Portland may take such action on its own authority. The intent of this paragraph is to authorize Portland to take enforcement action directly against offending dischargers located within the District, pursuant to 40 CFR 403.8(f)(1)(vi).

Approved as to form:

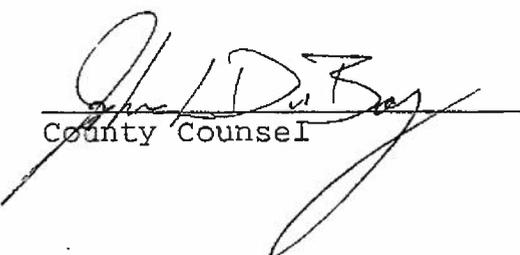
CITY OF PORTLAND

\_\_\_\_\_  
City Attorney

By: \_\_\_\_\_  
Commissioner of Public Works

By: \_\_\_\_\_  
Auditor

WEST HILLS SERVICE DISTRICT

  
\_\_\_\_\_  
County Counsel

By:   
\_\_\_\_\_  
Presiding Officer

H:westhill.mja

2 - MODIFICATION TO WEST HILLS SERVICE DISTRICT AND CITY OF PORTLAND MAINTENANCE AND ENGINEERING SERVICE AGREEMENT