

RESOLUTION NO. 1268

A RESOLUTION ESTABLISHING AN ENFORCEMENT RESPONSE PLAN AND IMPLEMENTING THE PROCEDURES TO BE USED BY THE CITY OF WILSONVILLE WHEN ENFORCING REGULATORY AUTHORITY IN RESPONSE TO VIOLATIONS OF THE WILSONVILLE CODE, SECTIONS 8.100 TO 8.152, AND ADOPTED LOCAL DISCHARGE LIMITS.

WHEREAS, the Oregon Department of Environmental Quality (DEQ) and the City of Wilsonville have entered into a Stipulated and Final Order (No. WQ-MW-NWR-92-215) to develop a pretreatment program, including the development and implementation of an Enforcement Response Plan; and

WHEREAS, the City has adopted a sewer use ordinance, commonly known as Wilsonville Code (WC) Sections 8.100 to 8.152, in order to establish the legal authority for the enforcement of EPA developed General Pretreatment Regulations, including the publication of industrial sewer users in Significant Non-compliance (WC, Section 8.128), administrative enforcement remedies (WC, Section 8.130), judicial enforcement remedies (WC, Section 8.132), and supplemental enforcement action (WC, Section 8.134); and

WHEREAS, Wilsonville Code, Section 8.130(1)(a), authorizes the City to adopt an Enforcement Response Plan, with enforcement procedures and schedule of fines, to implement the WC provisions for administrative enforcement remedies; and

WHEREAS, the City has prepared and submitted to DEQ an Enforcement Response Plan in accordance with the comments and required revisions previously outlined by DEQ and Science Application International Corporation (under contract with DEQ); and

WHEREAS, DEQ has conducted a review of the City's Enforcement Response Plan and other pretreatment Documents, and determined that the documents meet EPA criteria (40 CFR 403.9)(b), and have provided public notice and opportunity to comment in accordance with EPA requirements (40 CFR 403.11(b)).

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council adopts the above recitals as findings and incorporates them by reference in support of this resolution.
2. The City Council has reviewed the document, "Enforcement Response Plan - Revised November 1995", authored by the City's Environmental Services Manager, and makes the findings and conclusions therein a part of the record.

3. The City Council hereby finds that the Enforcement Response Plan adequately describes the procedures that the City will use to enforce its regulatory authority when violations of the Wilsonville Code (Sections 8.100 to 8.152) occur.

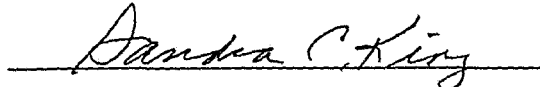
4. The City Council does hereby adopt the "Enforcement Response Plan - Revised November, 1995".

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 20th day of May, 1996, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



Sandra C. King, City Recorder

Summary of Votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Yes
Councilor Leahy	Yes
Councilor Leo	Yes