

NEW/OPEN ENFORCEMENT ACTIONS STATUS REPORT

07/01/2021 -- 08/31/2021

Report of open and actions initiated since last report

NEW (New Enforcement actions issued: 07/01/2021 -- 08/31/2021)

1. RON'S OIL COMPANY (SPRINGFIELD)
 - A. Violation: On 6/1/21 fuel attendant topped off a vehicle driven by LRAPA. Attendant was not asked to top vehicle off and was immediately notified of violation. LRAPA contacted facility to advise of topping off violation. On 6/7/21 fuel attendant topped off a vehicle driven by LRAPA. Attendant was not asked to top off vehicle and was immediately notified of violation. LRAPA contacted facility to notify of topping off violation.
Action required: Provide training to all managers and attendants at the station that topping off is prohibited. Send documentation of training to LRAPA. Sign and date NON 3836 and return signed copy along with requested training documentation to LRAPA by 7/16/21.
 - B. Initial Action Taken: NON #3836 issued 07/01/2021
 - C. Subsequent Action: Submitted signed NON 3836 and documents of training all managers and attendants of topping off rules and regulations in ACDP 207085.
 - D. Resolution: CASE CLOSED on 07/15/2021

ACTIONS PERFORMED (Enforcement actions issued prior to 07/01/2021 with subsequent action in the current reporting period):

1. VOSBURG, ELIZABETH (VENETA)
 - A. Violation: Outdoor burning such as to cause a public nuisance or hazard; outdoor burning of prohibited materials; failure to conduct efficient outdoor burning; outdoor burning of construction/demolition debris without first obtaining an Outdoor Burning Letter Permit from LRAPA.
 - B. Initial Action Taken: NON #3832 issued 05/26/2021
 - C. Subsequent Action: NCP #2021-3832 (\$613) issued 06/04/2021: no response, default order judgment filed with Lane County for a lien on the property.
 - D. Resolution: CASE CLOSED on 08/13/2021

2. ATEZ, INC. (HARRISBURG)

- A. Violation: Failure to adequately wet asbestos containing materials during cutting or disjuncting operation; 43-015-11.E.(2) - Failure to carefully lower units or sections to the ground level, not dropping them or throwing them; 43-015-11.F.(1) - Failure to adequately wet the materials to ensure that they remain wet until they are disposed of in accordance with 43-015-19; 43-015-11.F.(2) - Failure to carefully lower the materials to the floor, not dropping or throwing them.
- B. Initial Action Taken: NON #3833 issued 06/16/2021
- C. Subsequent Action: NCP #2021-3833 (\$4800) issued 06/16/2021: Response to NCP received with request for reduction approved to \$2,400 - paid
- D. Resolution: CASE CLOSED on 07/16/2021

3. J.H. BAXTER & CO., EUGENE PLANT (EUGENE)

- A. Violation: 43-015-7- Failure to provide for an asbestos survey prior to commencing renovation or demolition of a facility; 43-015-10 - failure to abide by asbestos abatement notification and fee requirements; 43-015-11.C - failure to abide by asbestos abatement negative pressure enclosure requirements; 43-015-11.D.- failure to adequately wet asbestos containing material; 43-015-11.G.- failure to adequately clean project area at conclusion of abatement project; 43-015-11.H.- failure to secure asbestos containing waste at project site; 43-015-11.N.- open storage of asbestos containing waste; 43-015-11.P.- conducting an asbestos abatement without possessing a current license or certification; 43-015-19 - failure to abide by friable asbestos disposal requirements. LRAPA Title 43 "Asbestos Requirements" enclosed. J.H. Baxter & Co. may submit by June 11, 2021, an account of the events related to the violations alleged in this NON, action(s) to correct and remedy to prevent recurrence.
- B. Initial Action Taken: NON #3834 issued 06/02/2021
- C. Subsequent Action: NCP #2021-3834 (\$7800) issued 06/24/2021: request for reduction approved and reduced to \$5,200 with signed SFO – submitted signed SFO and paid
- D. Resolution: CASE CLOSED on 8/23/2021

4. CONTRERAS, JOSE (SPRINGFIELD)

- A. Violation: Outdoor burning when prohibited; outdoor burning such as to cause a public nuisance or hazard; outdoor burning of construction/demolition debris without first obtaining a Outdoor Burning Letter Permit from LRAPA
- B. Initial Action Taken: NON #3835 issued 05/26/2021

- C. Subsequent Action: NCP #2021-3835 (\$775) issued 06/04/2021
 - D. Resolution: CASE CLOSED on 08/11/2021
5. LANE COUNTY SHORT MOUNTAIN LANDFILL (EUGENE)
- A. Violation: Failure to cover active asbestos containing waste materials (ACWM) disposal area at the end of each day that new ACWM is disposed of with tarp that is identical to, or equivalent of, materials used to cover active areas of the general landfill.
 - B. Initial Action Taken: NON #3830 issued 06/17/2021
 - C. Subsequent Action: NCP#2021-3837 (\$4,200) issued 7/7/2021 - paid
 - D. Resolution: CASE CLOSED on 07/20/2021

PENDING (Enforcement actions issued prior to 07/01/2021 with no subsequent action in the current reporting period):

1. JONES, ANTHONY R. (VENETA)
- A. Violation: Failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning such as to create a nuisance; outdoor burning of prohibited materials (grass clippings); failure to conduct outdoor burning in an efficient manner
 - B. Initial Action Taken: NON #3818 issued 05/15/2020
 - C. Subsequent Action: NCP #2020-3818 (\$700) issued 05/27/2020: request for hearing scheduled and held on 11/13/2020; On 12/15/2020, the Hearing's Officer held up the violations however, adjusted the civil penalty from \$700 to \$600; Respondent has 30 days from 12/29/2020 to request an appeal or pay the \$600 adjusted civil penalty; 01/13/2021 Respondent request an Appeal to the LRAPA Board; 1/14/2021 Respondent was sent letter with details on requirements for the Request for Appeal to the Board - Respondent has 30 days from 02/13/2021 to submit Exceptions and Brief, Respondent submitted Appellee's Brief 02/11/2021; On 03/01/2021, LRAPA's attorney submitted Appellee's Answering Brief; no Reply Brief was submitted by Respondent; the Appeal to the LRAPA Board of Director's is scheduled and held on 07/08/2021; 07/08/2021 LRAPA Board upheld the Hearings Officer's Decision; Respondent has 60 days (9/8/21) to file a petition with the Oregon Court of Appeals for judicial review.
 - D. Resolution: PENDING

2. JOHNSON CRUSHERS INTERNATIONAL (EUGENE)

- A. Violation: Failure to conduct weekly monitoring for fugitive emissions; failure to maintain records of fugitive emission surveys; failure to conduct weekly point source emissions monitoring; failure to maintain records of point source emissions monitoring.
- B. Initial Action Taken: NON #3837 issued 06/14/2021
- C. Subsequent Action: PENDING
- D. Resolution: PENDING

3. OREGON INDUSTRIAL LUMBER PRODUCTS, I (SPRINGFIELD)

- A. Violation: Respondent continues to operate wood fired boiler in such a manner as to cause the deposition of ash fallout on the property of other persons and has failed to correct the issue in a timely manner.
- B. Initial Action Taken: NON #3838 issued 06/21/2021
- C. Subsequent Action: PENDING
- D. Resolution: PENDING