

## ENFORCEMENT ACTIONS STATUS REPORT

### 2/1/2025 to 2/28/2025

Calendar year 2025 compared to previous years:

Year	2019	2020	2021	2022	2023	2024	*2025
Notices of Non-compliance and Warnings	55	15	21	24	19	9	7
Notices of Violation with Civil Penalties	37	26	17	24	15	5	6

\* Year-To-Date.

#### ENFORCEMENT: 2/01/2025 to 2/28/2025

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	1	1	3	-	5
Industrial	-	1	4	3	8
Outdoor Burning	-	-	4	1	5
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
<b>Totals</b>	<b>1</b>	<b>2</b>	<b>11</b>	<b>4</b>	<b>18</b>

## ENFORCEMENT ACTIONS DETAIL REPORT

### 2/1/2025 -- 2/28/2025

#### Report of open and actions initiated since last report

##### NEW ENFORCEMENT ACTIONS IN THE CURRENT PERIOD:

1. ATEZ, INC. (CRESWELL)
  - A. Violation: Respondent conducted an asbestos abatement and failed to adequately clean the project site to assure removal of all asbestos debris at conclusion of the abatement project and failed to provide property warning signage posted at the project site.
  - B. Initial Action Taken: NON #3913 issued 02/25/2025
  - C. Subsequent Action: NCP #2024-3913 (\$1,400) issued 02/25/2025
  - D. Resolution: PENDING

##### PENDING WITH SUBSEQUENT ACTION IN THE CURRENT PERIOD:

1. SPADES ENVIRONMENTAL (EUGENE)

- A. Violation: Conducted an asbestos abatement of asbestos containing material (ACM) without a proper enclosed area [LRAPA Title 43 Section 43-015(11)(F)(4)] and open accumulation of friable asbestos containing materials [LRAPA Title 43 Section 43-010(1)] at 2155 Brittany Street, Eugene, Oregon. This resulted in open accumulation of ACM outside of the containment area.
  - B. Initial Action Taken: NON #3911 issued 1/10/2025
  - C. Subsequent Action: NCP #2024-3911 (\$1,800) issued 1/10/2025: request for reduction approved and reduced to \$1,000 issued 2/24/2025 and payment due 3/17/2025
  - D. Resolution: PENDING
2. INTERNATIONAL PAPER (SPRINGFIELD)
- A. Violation: Between January 23, 2024, and June 30, 2024, International Paper Company failed to implement monitoring required by Title V Operating Permit #208850, issued January 23, 2024. It is alleged that the additional monitoring requirements were not implemented when the permit was issued and the required monitoring was not performed for the first (6) six months of 2024 (1/23/2024 - 6/30/2024).
  - B. Initial Action Taken: NON #3920 issued 1/30/2025
  - C. Subsequent Action: NCP #2024-3920 (\$9,000) issued 1/30/2025; request for reduction under review 2/20/2025
  - D. Resolution: PENDING

**PENDING ENFORCEMENT ACTIONS:**

1. T.J. ROBBINS (FALL CREEK)
- A. Violation: Allowed for the outdoor burning of prohibited materials (machine parts, aerosol can, metal wire, canned food containers, etc.).
  - B. Initial Action Taken: NON #3907 issued 09/06/2024
  - C. Subsequent Action: NCP #2024-3907 (\$275) issued 09/06/2024: no response and no payment received; a default order judgment is in process for a lien on the property
  - D. Resolution: PENDING
2. DUST 2 DIAMONDS, LLC (SPRINGFIELD)
- A. Violation: Performed an asbestos abatement project without possessing a license to perform asbestos abatement; openly accumulated friable asbestos-containing materials.
  - B. Initial Action Taken: NON #3908 issued 09/06/2024
  - C. Subsequent Action: NCP #2024-3908 (\$8,400) issued 09/06/2024: request for reduction under review.
  - D. Resolution: PENDING
3. A & K DEVELOPMENT CO, PAC METAL FAB (JUNCTION CITY)
- A. Violation: Failed to notify LRAPA prior to the construction of a new stationary source in accordance with LRAPA Rules and Regulations Section 34-010(1)(a); operating an air contaminant source which is listed in Section 37-8010 Table 1 without first obtaining and ACDP from LRAPA in accordance with LRAPA 37-0020(3).
  - B. Initial Action Taken: NON #3903 issued 05/30/2024
  - C. Subsequent Action: PENDING – documents submitted by 9/20/2024 under review
  - D. Resolution: PENDING

4. PETROCARD INC (GOSHEN) (GOSHEN)

- A. Violation: The permittee failed to submit in a timely manner performance testing records to LRAPA which demonstrate compliance with vapor testing requirements outlined in permit conditions 5.1.a and 5.1.b. On 2/25/2022 the permittee was notified by LRAPA that they had exceeded the annual throughput threshold of 480,000 gallons of gasoline in 2019 and were therefore subject to the vapor recovery testing requirements outlined in the permit. On 4/8/2022 LRAPA was advised that vapor recovery testing could not be completed since the lines were manifolded and the issue was escalated to construction to isolate the lines. On 7/7/2022 LRAPA called and emailed the permittee requesting an update. On 8/2/2022 LRAPA called and emailed the permittee requesting an update. Permittee responded advising that they were still working to fix the issue. On 10/5/2022 LRAPA emailed the permittee requesting an update. On 10/26/2022 LRAPA called and emailed the permittee requesting an update.
- B. Initial Action Taken: NON #3872 issued 11/03/2022
- C. Subsequent Action: NCP #2022-3872 (\$3,000) issued 12/08/2022: submitted the test results over 12-month late, therefore the request for reduction was not approved. No response to payment has been received, a default order judgment is in process for a lien on the property.
- D. Resolution: PENDING

5. JOHN A. RANKIN AND STEVE FOWLKES (SPRINGFIELD)

- A. Violation: 43-015(10)- ASBESTOS ABATEMENT NOTIFICATION REQUIREMENTS. Except as provided for in 43-015-8, written notification of any asbestos abatement project must be provided to the Agency on a form prepared by and available from the Agency, accompanied by the appropriate fee; 43-015(11)(C)- Enclose the area of the asbestos-containing materials to be abated, in a negative pressure enclosure prior to abatement unless prior approval has been granted by the agency; 43-015(11)(G)- The asbestos abatement project area shall be adequately cleaned at the conclusion of the project to assure removal of all asbestos debris; 43-015(11)(N)- Open storage or open accumulation of friable asbestos-containing material or asbestos containing waste material is prohibited; 43-015(11)(P)- No person shall conduct an asbestos abatement project unless they possess a current asbestos abatement Contractors license or worker's certification, issued by the Department under OAR 340-248-040 or OAR 340-248-0120 and OAR 340-248-0130, respectively, unless exempted by 43-015-8 and/or 43-015-9; 43-015(11)(S)- A certified supervisor is required to be present on each asbestos abatement project other than a small-scale short-duration activity; 43-015(11)(T)- An owner or operator of a facility shall not allow any persons other than those employees of the facility owner or operator who are appropriately certified or a licensed asbestos abatement contractor to perform an asbestos abatement project in or on that facility unless exempted by 43-015-8 or 43-015-9; 43-015-19(B)- Persons disposing of asbestos-containing waste material must notify the landfill operator of the type and volume of the asbestos-containing waste material; 43-015(19)(B)(1)- All asbestos-containing waste materials must be adequately wetted to ensure that they remain wet until delivered to an authorized landfill, and either: (a) processed into non-friable pellets or other shapes; or (b) packaged in leak-tight containers such as two plastic bags with a minimum thickness of 6 mil., or fiber or metal drum. Containers must be labeled as follows: (i) the name of the asbestos waste generator and the location where the asbestos waste was generated; and (ii) a warning label that states: DANGER Contains Asbestos Fibers Avoid Creating Dust Cancer and Lung Disease Hazard Avoid Breathing Airborne Asbestos Fibers Alternatively, warning labels specified by 29 CFR 1926.1101(k)(7)(8/19/94) may be used; 43-105(19)(E)- All asbestos-containing waste material must be deposited as soon as possible by the waste generator at: (1)

An asbestos-containing waste disposal site authorized by the Department and operated in accordance with the provisions of this rule;

- B. Initial Action Taken: NON #3877 issued 03/06/2023
- C. Subsequent Action: NCP #2023-3877 (\$10,400) issued 03/06/2023: request for reduction approved and reduced to \$5,200 on 04/19/2023 with a payment schedule of \$400 per month with a balance due of \$800; December 2024 payment is late, issued late notice a request for payment reminder.
- D. Resolution: PENDING

6. KYLE MCLENNAN, BRUCE R MCLENNAN (VENETA)

- A. Violation: Failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility; Burning construction/demolition waste without first obtaining an LRAPA letter permit.
- B. Initial Action Taken: NON #3880 issued 04/11/2023
- C. Subsequent Action: NCP #2023-3880 (\$3,650) issued 04/11/2023; no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

7. APRO LLC DBA UNITED PACIFIC ROCKET # (SPRINGFIELD)

- A. Violation: The permittee failed to submit performance testing records to LRAPA which demonstrate compliance with triennial vapor testing requirements outlined in permit conditions 5.0. Permittee last submitted testing results relative to conditions 5.1.a and 5.1.b on February 4th, 2020, and therefore is required to have testing conducted by February 4th, 2023. Condition 7.1.c of the permit requires notification of upcoming testing be submitted to LRAPA and condition 7.2 requires test results be submitted to LRAPA no later than 30 after testing has occurred.
- B. Initial Action Taken: NON #3886 issued 04/25/2023
- C. Subsequent Action: NCP #2023-3886 (\$2,250) issued 06/12/2023: no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

8. SEALS, MARK (ELMIRA)

- A. Violation: Outdoor burning of prohibited materials (metal, plastic, rubber, etc.).
- B. Initial Action Taken: NON #3888 issued 06/13/2023
- C. Subsequent Action: NCP #2023-3888 (\$550) issued 07/31/2023: no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

9. CARTER, LARRY; VERNON VENSON (SPRINGFIELD)

- A. Violation: Allowing for the open burning of prohibited materials (pressure treated wood, railroad ties, plastics, clothing, drywall, metal, etc.)
- B. Initial Action Taken: NON #3895 issued 12/14/2023
- C. Subsequent Action: NCP #2023-3895 (\$550) issued 12/18/2023; no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

10. WOOLMAN, TIM (VENETA)

- A. Violation: Allowing for the burning of prohibited materials (plastics).

- B. Initial Action Taken: NON #3898 issued 03/01/2024
- C. Subsequent Action: NCP #2024-3898 (\$850) issued 03/07/2024; no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

11. CHRISTIANSEN, MICHAEL (CRESWELL)

- A. Violation: Respondent caused, allowed, initiated or maintained outdoor burning at a time when outdoor burning was prohibited and caused, allowed, initiated or maintained the outdoor burning of prohibited materials. It is alleged that the materials burned were under the ownership or control of Respondent. It is alleged that the outdoor burning was conducted on property under the ownership or control of Respondent located at 33830 Orchard Avenue, Creswell, OR. The alleged outdoor burning was in violation of LRAPA Rules and Regulations, Title 47, "Outdoor Burning".
- B. Initial Action Taken: NON #3912 issued 1/10/2025
- C. Subsequent Action: NCP #2024-3912 (\$1,150) issued 1/10/2025; no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

12. AURORA INNOVATIONS / HYDROFARM (EUGENE)

- A. Violation: Failure to submit 2023 semi-annual report required by Condition #28 in their ACDP #200053. The 2023 semi-annual report was due February 15, 2024; failure to submit their 2023 ATEI report by July 1, 2024.
- B. Initial Action Taken: NON #3910 issued 07/31/2024
- C. Subsequent Action: Submitted reports are under review
- D. Resolution: PENDING

**CLOSED ENFORCEMENT ACTIONS IN THE CURRENT PERIOD:**

1. SWANSON GROUP MFG. LLC (SPRINGFIELD)

- A. Violation: Respondent failed to conduct required modified EPA Method 9 monitoring during an upset and failed to immediately notify LRAPA when an excess emission event occurred. It is alleged that the opacity limit exceedance, Method 9 monitoring requirement and notification requirements are violations of Respondent's Title V Operating Permit No. 207510.
- B. Initial Action Taken: NON #3904 issued 1/10/2025
- C. Subsequent Action: NCP #2024-3904 (\$6,900) issued 1/10/2025 - paid
- D. Resolution: CASE CLOSED on 1/27/2025

2. SWANSON GROUP MFG. LLC (SPRINGFIELD)

- A. Violation: Allowed Secondary materials that are solid waste to be combusted in a boiler that did not qualify for a statutory exemption as provided is 129(g)(1) if the Clean Air Act. This was not reported in their semiannual report as intermittent and is a violation of their current permit #207510. It is alleged that the violations occurred on a facility under guidance of the current management team. This is in violation of LRAPA Rules and Regulations, Title 34, "Stationary Source Notification Requirements".
- B. Initial Action Taken: NON #3916 issued 1/10/2025
- C. Subsequent Action: NCP #2024-3916 (\$20,400) issued 1/10/2025 - paid
- D. Resolution: CASE CLOSED on 1/27/2025

3. EMERALD PEOPLE'S UTILITY DISTRICT (EUGENE)
  - A. Violation: Submitted a partial 2023 annual report a 12-month rolling PSEL calculation spreadsheet which demonstrated that the facility emissions for PM2.5, CO and NOx were in excess of the permitted emission limits during the 12-month periods ending in September - December 2023 and in 2024.
  - B. Initial Action Taken: NON #3902 issued 06/06/2024
  - C. Subsequent Action: NONE - submitted modification application Form AQ101 for Title V/ACDP and recalculated and submitted permitted emission limits using hourly averages.
  - D. Resolution: CASE CLOSED on 02/20/2025

#### **OUTDOOR BURNING LETTER PERMITS: 2/01/2025 TO 2/28/2025**

**There were 2 Outdoor Burning Letter Permits (OBLP) issued in February 2025.**

1. Issued Special Letter Permit 20B25-02-01 on February 3 to Creswell Church of the Nazarene, 805 S Front Street, Creswell, to burn 42 cubic yards of Miscellaneous debris located at 805 S Front Street, Creswell.
2. Issued Special Letter Permit 20B25-02-02 on February 20 to McKenzie River Trust, c/o Brent Ross, 725 W 1st Ave, Suite B, Eugene, to burn 50 cubic yards of Land Clearing debris located at Willamette Confluence burn Unit 44.018568, -122.962172, Goshen.

**ASBESTOS ABATEMENT: 2/01/2025 to 2/28/2025**

For perspective, here is how the total number of asbestos abatement notices filed, how many were schools, and the number of notices inspected for calendar year 2025 compares to previous years:

Calendar year 2025 compares to previous years:

Year	2019	2020	2021	2022	2023	2024	*2025
Total Asbestos Abatement Notices	488	439	408	465	466	436	71
School Asbestos Abatement Notices (NESHAP)	16	25	20	16	17	21	2
Number of Asbestos Abatements Inspected	94	93	104	115	91	109	15

\* *Year-To-Date.*