

III.B. Asbestos Program Oversight

This section supports **Goal 3 (Public Health Protection and Air Quality Education)** initiatives related to operating the asbestos program, including inspections and rule updates. LRAPA protects public health from asbestos hazards through effective oversight and education.

LRAPA administers the asbestos program in Lane County under Title 43. This program regulates the handling, removal, and disposal of asbestos-containing materials to prevent public exposure to this hazardous substance. LRAPA reviews asbestos survey reports, processes abatement notifications, conducts inspections, and enforces compliance with asbestos regulations to protect workers and the public.

Asbestos Notices		Year-to-Date↓				
Year	2020	2021	2022	2023	2024	2025
Total Asbestos Abatement Notices	439	408	465	466	436	107
School Asbestos Abatement Notices (NESHAP)	25	20	16	17	21	2
Number of Asbestos Abatements Inspected (AHERA)	93	104	115	91	109	22

III.C. Enforcement

This section supports **Goal 3 (Public Health Protection and Air Quality Education)** metrics for enforcement action resolution and evaluations completed. The enforcement program ensures that regulations are followed, and violations are addressed.

LRAPA's compliance program ensures that air quality regulations are followed by stationary sources, asbestos contractors, and the general public. This section provides an overview of enforcement actions taken during the reporting period, including notices of non-compliance, civil penalties, and case resolutions.

March 1, 2025 to March 31, 2025					
Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	-	1		6	7
Industrial	-	-	3	3	6
Outdoor Burning	-	-	-	1	1
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
Totals	-	1	3	10	14

Attachment No. 3: March 2024, Enforcement Actions Detail Report.

	Year-To-Date↓						
	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

NEW/OPEN ENFORCEMENT ACTIONS DETAIL REPORT
3/1/2025 -- 3/31/2025
Report of open actions initiated since last report

NEW ENFORCEMENT ACTIONS: None.

PENDING (Enforcement actions issued prior to 3/1/2025 with no reporting action in the current reporting period):

1. 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 5/30/2024
 - C. Subsequent Action: PENDING
 - 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 9/6/2024
 - B. Subsequent Action: NCP #2024-3908 (\$8400) issued 9/6/2024: request for reduction approved to \$4,800 with a payment plan of \$100 per month beginning April 1, 2025.
 - D. Resolution: PENDING
3. 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 7/31/2024
 - C. Subsequent Action: PENDING

Attachment No. 3: Enforcement Action Detail Report

- D. Resolution: PENDING
- 4. 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 with 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
 - D. Resolution: PENDING

CLOSED ENFORCEMENT CASES Enforcement Actions issued prior to 3/1/2025 and closed in the current reporting period):

- 1. FOWLKES, STEVE & JOHN A. RANKIN (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

Attachment No. 3: Enforcement Action Detail Report

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 3/6/2023
 - B. Subsequent Action: NCP #2023-3877 (\$10,400) issued 3/6/2023: request for reduction approved and reduced to \$5,200 on 04/19/2023 with a payment schedule of \$400 per month and is on schedule with payments - 5/31/24 paid \$4,000 - paid 3/6/2025
 - D. Resolution: CASE CLOSED on 3/6/2025
2. 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 outdoor burning letter permit.
 - B. Initial Action Taken: NON #3880 issued 4/11/2023
 - B. Subsequent Action: NCP #2023-3880 (\$3,650) issued 4/11/2023: No response or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025
 - D. Resolution: CASE CLOSED on 3/24/2025
3. 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. The Permittee submitted testing results relative to conditions 5.1.a and 5.1.b on February 4th, 2020, and therefore was required to have testing conducted by February 4th, 2023. Condition 7.1.c of the permit requires notification of upcoming testing to be submitted to LRAPA and condition 7.2 requires test results to be submitted to LRAPA no later than 30 after testing has occurred.
 - B. Initial Action Taken: NON #3886 issued 4/25/2023
 - C. Subsequent Action: NCP #2023-3886 (\$2,250) issued 6/12/2023: No response or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025.

Attachment No. 3: Enforcement Action Detail Report

- D. Resolution: CASE CLOSED on 3/24/2025
- 4. SEALS, MARK (ELMIRA)
 - A. Violation: Outdoor burning of prohibited materials (metal, plastic, rubber, etc.).
 - B. Initial Action Taken: NON #3888 issued 6/13/2023
 - C. Subsequent Action: NCP #2023-3888 (\$550) issued 7/31/2023: No response or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025.
 - D. Resolution: CASE CLOSED on 3/24/2025
- 5. WOOLMAN, TIM (VENETA)
 - A. Violation: Allowing for the burning of prohibited materials (plastics).
 - B. Initial Action Taken: NON #3898 issued 3/1/2024
 - C. Subsequent Action: NCP #2024-3898 (\$850) issued 3/7/2024: No response or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025.
 - D. Resolution: CASE CLOSED on 3/24/2025
- 6. 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 9/6/2024
 - C. Subsequent Action: NCP #2024-3907 (\$275) issued 9/6/2024: No response or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025.
 - D. Resolution: CASE CLOSED on 3/24/2025
- 7. 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 an open accumulation of ACM outside of the containment area.

Attachment No. 3: Enforcement Action Detail Report

- 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 under review approved and reduced to \$1,000 due 3/21/2025 - paid
 - D. Resolution: CASE CLOSED on 3/6/2025
8. 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 or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025.
 - D. Resolution: CASE CLOSED on 3/24/2025
9. 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 2/25/2025
 - C. Subsequent Action: NCP #2024-3913 (\$1,400) issued 2/25/2025 – paid 3/9/2025
 - D. Resolution: CASE CLOSED on 3/9/2025
10. 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

Attachment No. 3: Enforcement Action Detail Report

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 11/3/2022
- C. Subsequent Action: NCP #2022-3872 (\$3,000) issued 12/8/2022: submitted the test results over 12 months late, therefore the request for reduction was not approved. Reports submitted 2/14/23 and 6/7/23. No response or payment has been received, a default order judgment for a lien on the property filed with Lane County 3/24/2025.
- D. Resolution: CASE CLOSED on 3/24/2025