

## **NEW/OPEN ENFORCEMENT ACTIONS STATUS REPORT**

**10/01/2021 -- 10/31/2021**

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

### **NEW Enforcement Actions: 10/01/2021 -- 10/31/2021**

1. ESSEX CONSTRUCTION (EUGENE)
  - A. Violation: 43-015(7) Failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility and 43-015(8)(B) allowing for the open storage and accumulation of asbestos containing materials or asbestos containing waste materials.
  - B. Initial Action Taken: NON #3841 issued 10/19/2021
  - C. Subsequent Action: NCP #2021-3841 (\$2,200) issued 10/19/2021
  - D. Resolution: PENDING
  
2. WOODBURY ENERGY COMPANY EUGENE (EUGENE)
  - 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 condition 5.1.b on August 8, 2018, and therefore is required to conduct equivalent testing by August 8th, 2021. 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 days after testing has occurred.
  - B. Initial Action Taken: NON #3842 issued 10/11/2021
  - C. Subsequent Action: Submitted Test Report for testing conducted on 10/17/2021 and signed NON.
  - D. Resolution: PENDING

**ACTIONS PERFORMED (Enforcement actions issued prior to 10/01/2021 with subsequent action in the current action in reporting period):**

1. 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 #2021-3820 (\$3,900) issued 10/01/2021: request for reduction approved with a Stipulated Final Order (SFO) and pay \$1,950 along with the required conditions agreed to in the SFO 21-3830 to immediately implement verification that the ACWM disposal area has been adequately covered at the end of each business day; maintain a record of these inspections along with the dates and signature of employee for review upon LRAPA request; annually provide review of the Title V Operating Permit conditions specific to asbestos requirements to each employee with signatures and dates of the reviews on a form and submit these records along with the Title V Annual Report by March 1st of each year; 10/19/2021 submitted signed SFO, waiting for reduced civile penalty amount due by 11/18/2021
  - D. Resolution: PENDING
2. KUYKENDALL, ROBERT & DAVE COOPERS (FALL CREEK)
  - A. Violation: Outdoor burning when prohibited; outdoor burning such as to create a nuisance or hazard to public safety; outdoor burning of prohibited materials (plastics, metal cans, glass, etc.).
  - B. Initial Action Taken: NON #3840 issued 09/29/2021
  - C. Subsequent Action: NCP #2021-3840 (\$600) issued 10/01/2021; no response, default order judgment in process for a lien on the property
  - D. Resolution: PENDING

**PENDING (Enforcement actions issued prior to 10/01/2021 with no subsequent action in the current reporting period):**

1. OREGON INDUSTRIAL LUMBER PRODUCTS, (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

**For perspective, here is the total number of enforcement actions for calendar year 2021 compared to previous years:**

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	*2021
Notices of Non-compliance and Warnings	64	41	51	36	38	41	39	41	55	15	16
Notices of Violation with Civil Penalties	42	29	23	28	37	37	28	43	37	26	14

\* Year-to-date.