

NEW/OPEN ENFORCEMENT ACTIONS STATUS REPORT

11/01/2021 -- 12/31/2021

Report of open and actions initiated since last report

NEW Enforcement Actions: 11/01/2021 -- 12/31/2021

1. JASPER WOOD PRODUCTS, LLC (JASPER)
 - A. Violation: Failure to submit notice and obtain approval from LRAPA prior to the construction/installation of a portable natural gas fired boiler; failure to submit notice and obtain approval from LRAPA prior to the construction/installation of equipment associated with veneer manufacturing (green end). Failure to abide by stationary source permitting requirements in accordance with conditions G14. through G20. referenced in Jasper Wood Products Title V Permit #206117.
 - B. Initial Action Taken: NON #3844 issued 11/17/2021
 - C. Subsequent Action: Pending submittal of documents
 - D. Resolution: PENDING

2. BASARABA, DANIEL ACTING ON BEHALF (CRESWELL)
 - A. Violation: failure to attend outdoor burning until extinguished; failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning such as to create a nuisance or hazard to public safety; outdoor burning of prohibited materials (wiring, aerosol cans, materials that emit noxious odors when outdoor burned); failure to conduct outdoor burning in an efficient manner; outdoor burning of construction/demolition wastes without first obtaining a letter permit issued by LRAPA. LRAPA Title 47 "Outdoor Burning" enclosed; Respondent may submit to LRAPA in writing, within 15 days of receipt of NON 3845, an account of the events pertaining to the allegations expressed in the "Violations(s) description:" section of NON 3845.
 - B. Initial Action Taken: NON #3845 issued 11/29/2021
 - C. Subsequent Action: PENDING
 - D. Resolution: PENDING

3. HELSEL, SCOTT (CRESWELL)
 - A. Violation: Outdoor burning of prohibited materials (vinyl, plastics, metal, etc.), failure to obtain an asbestos survey prior to conducting a demolition or renovation of a facility.
 - B. Initial Action Taken: NON #3846 issued 12/15/2021
 - C. Subsequent Action: NCP #2021-3846 (\$275) issued 12/16/2021 - paid
 - D. Resolution: CASE CLOSED on 12/28/2021
4. LACEY, NOAH T. (EUGENE)
 - A. Violation: Failure to conduct an outdoor burn in accordance with residential outdoor material burning requirements; and conducting an outdoor burn of construction and demolition waste without obtaining an Outdoor Burning Permit Letter from LRAPA.
 - B. Initial Action Taken: NON #3848 issued 12/15/2021
 - C. Subsequent Action: NCP #2021-3848 (\$175) issued 12/16/2021
 - D. Resolution: PENDING

ACTIONS PERFORMED (Enforcement actions issued prior to 11/01/2021 with subsequent action in the current reporting period):

1. 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 09/29/2021: no response, Default Order Judgment for a lien on the property filed with Lane County
 - D. Resolution: CASE CLOSED on 11/18/2021

2. ESSEX CONSTRUCTION (EUGENE)

- A. Violation: 43-015(7) Failure to obtain an asbestos survey form 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: paid
- D. Resolution: CASE CLOSED on 12/03/2021

3. 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 8, 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 after testing has occurred.
- B. Initial Action Taken: NON #3842 issued 10/11/2021
- C. Subsequent Action: NCP #2021-3842 (\$900) issued 11/05/2021; Submitted signed NON 3842 and test results for test date of 10/17/2021 - paid
- D. Resolution: CASE CLOSED on 12/28/2021

PENDING (Enforcement Actions issued prior to 11/01/2021 with no subsequent action in the current 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 (\$3900) 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 and paid \$1,950.

D. Resolution: CASE CLOSED 11/8/2021

2. 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

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	21
Notices of Violation with Civil Penalties	42	29	23	28	37	37	28	43	37	26	17

* Complete Year.