

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

**11/01/2022 -- 12/31/2022**

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

#### **NEW: 11/01/2022 -- 12/31/2022**

1. MEADOR, CHRIS (CRESWELL)
  - A. Violation: Outdoor burning of prohibited materials (metal, plastic); Burning construction/demolition waste without first obtaining an LRAPA letter permit.
  - B. Initial Action Taken: NON #3871 issued 11/09/2022
  - C. Subsequent Action: NCP #2022-3871 (\$275) issued 11/09/2022 and submitted OBLP application and fees 11/14/2022
  - D. Resolution: CASE CLOSED on 11/21/2022
  
2. 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: request for reduction under review
  - D. Resolution: PENDING

3. MEYER, TAYLOR (VENETA)
  - A. Violation: Outdoor burning of any materials which normally emits dense smoke, noxious odors, and hazardous air contaminants and for not promptly extinguishing any burning that is in violation of LRAPA's Title 47-015(e).
  - B. Initial Action Taken: NON #3873 issued 11/16/2022
  - C. Subsequent Action: NCP #2022-3873 (\$3,496) issued 11/16/2022: returned by USPS; reissued by Legal Server
  - D. Resolution: PENDING

**ACTIONS PERFORMED (Enforcement actions issued prior to 11/01/2022 with subsequent action in the current reporting period):**

1. 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: NCP #2021-3845 (\$6,813) issued 06/15/2022: request for hearing received 7/7/2022, scheduling on hold due to negotiations of settlement - cancelled due to negotiations of settlement with Stipulated Final Order for \$3,406 signed 9/10/2022; no response or payment received, default order judgment for a lien on the property filed with Lane County for \$3,406 12/27/2022
  - D. Resolution: CASE CLOSED on 12/27/2022

2. BASARABA, DANIEL ABIGAIL BASARABA (CRESWELL)
  - A. Violation: Failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility at: 82671/82645 Howe Lane, Creswell, OR, 97426. Respondent may submit to LRAPA in writing, within 15 days of receipt of NON 3861, an account of the events pertaining to the allegations expressed in the "Violations(s) description:" section of NON 3861.
  - B. Initial Action Taken: NON #3861 issued 06/24/2022
  - C. Subsequent Action: NCP #2022-3861 (\$5,000) issued 08/08/2022: no response, default order judgment for a lien on the property filed with Lane County 12/27/2022 for \$5,000.
  - D. Resolution: CASE CLOSED on 12/27/2022
3. THABET MANAGEMENT - BARGER ARCO 005 (EUGENE)
  - A. Violation: The permittee failed to submit in a timely manner performance testing records to LRAPA which demonstrate compliance with triennial vapor testing requirements outlined in permit conditions 5.1.a and 5.1.b. Prior test results relative to conditions 5.1.a and 5.1.b were submitted to LRAPA for testing conducted on May 10th, 2019. Permittee submitted test results relative to conditions 5.1.a and 5.1.b for testing conducted on July 11th, 2022, however, testing was required to have been conducted no later than May 10th, 2022.
  - B. Initial Action Taken: NON #3864 issued 08/04/2022
  - C. Subsequent Action: NCP #2022-3864 (\$2,250) issued 08/05/2022: request for reduction approved for \$1,125 with compliance agreement and stipulated final order - paid
  - D. Resolution: CASE CLOSED on 11/01/2022

4. JOOSSE, BRANDON C (COTTAGE GROVE)

- A. Violation: Failure to provide for asbestos survey prior to commencing renovation or demolition of a facility; The file was closed on or about November 8, 2022 based upon: "Because of various persons that may or may not have been involved in the site renovation; because the renovation aspect that I was able to observe was of no asbestos; and because the most recent parties of ownership of the site are aware of the LRAPA asbestos requirements, On 12/5/2022 Lodge Environmental submitted Project #11763 for an abatement at the 842 Chestnut site. The fire department will use the structure as a 'burn to learn'.
- B. Initial Action Taken: NON #3866 issued 08/08/2022
- C. Subsequent Action: NONE – no further action.
- D. Resolution: CASE CLOSED on 11/09/2022

5. ADAMS, DANNY (OAKRIDGE)

- A. Violation: Failure to abide by asbestos abatement notification and fee requirements; failure to abide by asbestos abatement negative pressure enclosure requirements; failure to adequately wet asbestos containing material; failure to adequately clean project area at conclusion of abatement project; failure to secure asbestos containing waste at project site; open storage of asbestos containing waste; conducting an asbestos abatement without possessing a current license or certification; failure to abide by friable asbestos disposal requirements;
- B. Initial Action Taken: NON #3867 issued 08/29/2022
- C. Subsequent Action: NCP #2022-3867 (\$12,000) issued 09/16/2022: no response, default order judgment for a lien on the property filed with Lane County 12/27/2022 for \$12,000.
- D. Resolution: CASE CLOSED on 12/27/2022

6. CHRISTIANSEN, MICHAEL (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 (clothing, wiring, paper products, garbage)

- B. Initial Action Taken: NON #3870 issued 09/01/2022
- C. Subsequent Action: NCP #2022-3870 (\$700) issued 09/16/2022: returned by USPS unclaimed, legal server hand-served 10/16/2022; no response, default order judgment for a lien on the property on hold for payment plan.
- D. Resolution: PENDING

**PENDING (Enforcement actions issued prior to 11/01/2022 with no subsequent action in the current reporting period):**

- 1. FORREST PAINT COMPANY (EUGENE)
  - A. Violation: Failure to operate and maintain the air contaminant collection unit, biofilter, in a manner which minimizes air contaminant discharges, and failure to update the biofilter Operation and Maintenance (O&M) Plan once knowledge was acquired of insufficient maintenance and parametric data monitoring was discovered to ensure the biofilter is operated at the highest reasonable efficiency and effectiveness.
  - B. Initial Action Taken: NON #3860 issued 06/22/2022
  - C. Subsequent Action: On schedule with submitting status reports biweekly.
  - D. Resolution: PENDING
- 2. AMERICAN LAMINATORS (SWISSHOME)
  - A. Violation: Permit Condition 9 - Exceeded 20% opacity as a six-minute block average from wood fired boiler.
  - B. Initial Action Taken: NON #3865 issued 08/26/2022
  - C. Subsequent Action: PENDING
  - D. Resolution: PENDING

*For a perspective of the total number of enforcement actions for calendar year 2022 compared to previous years*

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	*2022
Notices of Non-compliance and Warnings	41	51	36	38	41	39	41	55	15	21	24
Notices of Violation with Civil Penalties	29	23	28	37	37	28	43	37	26	17	24