

NEW/OPEN ENFORCEMENT ACTIONS STATUS REPORT 6/1/2024 to 6/30/2024

NEW: 6/01/2024 -- 6/30/2024:

Calendar year 2024 compared to previous years:

Year	2019	2020	2021	2022	2023	*2024
Notices of Non-compliance and Warnings	55	15	21	24	19	3
Notices of Violation with Civil Penalties	37	26	17	24	15	2

* Year-To-Date.

ENFORCEMENT: 6/01/2024 to 6/30/2024

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	-	-	3	-	3
Industrial	-	-	4	-	4
Outdoor Burning	-	-	3	-	3
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
Totals	-	-	10	-	10

NEW/OPEN ENFORCEMENT ACTIONS STATUS DETAIL REPORT

6/1/2024 -- 6/30/2024

Report of open and actions initiated since last report

NEW ENFORCEMENT ACTIONS: 06/01/2024 -- 06/30/2024

None.

PENDING ENFORCEMENT ACTIONS: 06/01/2024 -- 06/30/2024

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 05/30/2024

- C. Subsequent Action: PENDING – documents to be submitted by 7/15/2024.
- D. Resolution: PENDING

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 (\$3000) 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

3. 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 (\$10400) 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 and is on schedule with payments
 - D. Resolution: PENDING
4. 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
5. 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
6. 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
7. A&A AUTO WRECKERS, INC. (JUNCTION CITY)
- A. Violation: 43-010(1) - No person may openly accumulate friable asbestos-containing material or asbestos-containing waste material; 43-015(7) - Unless exempt pursuant to 43-015-8, prior to commencing the renovation or demolition of a facility, the owner or operator of the facility must obtain a survey from an accredited asbestos inspector of the entire facility, or the part of the facility where the demolition or renovation will occur, for the presence of asbestos-containing materials, including the presence of non-friable asbestos-containing material. A copy of the survey report must be kept onsite at the facility during any demolition or renovation

activity; 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)(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.

- B. Initial Action Taken: NON #3889 issued 05/03/2023
- C. Subsequent Action: PENDING
- D. Resolution: PENDING

8. 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

9. 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

10. MARATHON COACH (COBURG)

- A. Violation: Failed to notify and obtain approval from LRAPA prior to construction or modification of a new or existing stationary source in accordance with condition G20 of Respondent's Simple ACDP and LRAPA Rules and Regulation, Title 34-034.
- B. Initial Action Taken: NON #3899 issued 03/07/2024
- C. Subsequent Action: NCP #2024-3899 (\$536) issued 03/07/2024: request for reduction under review
- D. Resolution: PENDING

OUTDOOR BURNING LETTER PERMITS: 6/01/2024 TO 6/30/2024

There were no Outdoor Burning Letter Permit (OBLP) issued in June 2024.

ASBESTOS ABATEMENT: 6/01/2024 to 6/30/2024

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 2024 compares to previous years:

Calendar year 2024 compares to previous years:

Year	2019	2020	2021	2022	2023	*2024
Total Asbestos Abatement Notices	488	439	408	465	466	245
School Asbestos Abatement Notices (NESHAP)	16	25	20	16	17	11
Number of Asbestos Abatements Inspected	94	93	104	115	91	33

* Year-To-Date.

PERMITTING (TITLE V AND ACDP):

- Currently 13 sources, Title V permits
- Currently approximately 275 sources, Air Contaminant Discharge Permits (ACDPs)

Permit activities:

Category of Permit Activity	Title V	ACDP	Registration	Total Active
New	2	3		5
Renewals	3	15		16
Modifications		2		5
Constructions	1			1
General TV	1			
Registrations				
Terminated Permits		5		
Total Issued Permits Year-to-date	5	29		34

Permits placed on public notice:

Permit Type	Total Number of Permits by Type	Number of Permits Extended Administratively	Percentage of Total (%)
Title V	13	1	8%
Standard ACDP	27	3	11%
Simple ACDP	28	2	7%
Total	68	6	9%

Permits placed on public notice:

Source Name	Reason for Public Notice	Type of Permit
Seneca Sawmill	Modification of ACDP and New Title V	ACDP modification to include changes in parallel with changing from a Standard ACDP to a New Title V. Off public notice 6/4/2024
Pacific Recycling	Modification of ACDP	ACDP modification changing from Basic to Simple ACDP.

Permits with public hearing notice:

Source Name	Reason for Public Hearing	Date of Public Hearing
Seneca Sawmill	ACDP Modification and New Title V	May 21, 2024

Permit backlog:

Permit Type	Total Number of Permits by Type	Number of Permits Extended Administratively	Percentage of Total (%)
Title V	13	1	7%
Standard	27	3	11%
Simple	28	1	4%
Total	68	5	7%