

1 9. DEQ and Respondent recognize that the Environmental Quality Commission has the
2 authority to impose civil penalties for violations of Oregon environmental law. Therefore, pursuant
3 to ORS 183.417(3)(a), DEQ and Respondent agree to settle the violation alleged in paragraph 8
4 above through this Mutual Agreement and Final Order (MAO).

5 NOW THEREFORE, DEQ and Respondent stipulate and agree that:

6 10. The Environmental Quality Commission hereby issues a final order requiring that
7 Respondent pay a civil penalty in the amount of \$13,200 in final settlement of the violation alleged
8 in paragraph 8 above. The payment must be made by check or money order made payable to
9 "Oregon State Treasurer" and sent to DEQ Business Office, 700 NE Multnomah St., Suite 600,
10 Portland, OR 97232, within 30 days of the date this MAO is fully executed.

11 11. DEQ agrees that it will not proceed against Respondent for any additional violations
12 based on the facts alleged in paragraphs 1-7 above.

13 12. Pursuant to OAR 340-012-0030(19) and OAR 340-012-0145(2), the violation
14 alleged and settled in this MAO will be treated as a prior significant action in the event a future
15 violation occurs.

16 13. Respondent agrees to waive any and all rights and objections to any and all notices,
17 to a contested case hearing, to judicial review, and to service of a copy of this MAO, which shall be
18 effective when signed by DEQ.

19 14. This MAO is not intended to limit, in any way, DEQ's right to proceed against
20 Respondent in any forum for any past or future violations not expressly settled herein.

21 15. Respondent agrees that this MAO shall be binding on Respondent and its respective
22 successors, agents, and assigns. The undersigned representative of Respondent certifies that he or
23 she is fully authorized to execute and bind Respondent to this MAO.

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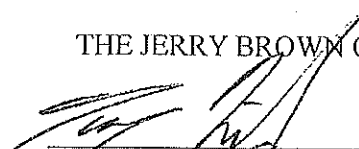
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THE JERRY BROWN CO., INC.

7-11-17

Date



Signature

Name (print)

President

Title (print)

DEPARTMENT OF ENVIRONMENTAL QUALITY and
ENVIRONMENTAL QUALITY COMMISSION

July 17, 2017

Date



Sarah G. Wheeler, Acting Manager

Office of Compliance and Enforcement

on behalf of DEQ pursuant to OAR 340-012-0170

on behalf of the EQC pursuant to OAR 340-011-0505