



Oregon

Tina Kotek, Governor

Department of Environmental Quality
Office of Compliance and Enforcement
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100
(503) 229-5696
FAX (503) 229-5100
TTY 711

August 3, 2023

CERTIFIED MAIL: 9589 0710 5270 0110 6007 08

Valley View Mobile Estates, LLC
c/o Michael Dodson
P.O. Box 1330
Medford, Oregon 97501

Re: Final Order and Stipulated Penalty Demand Notice
Case No. WQ/OS-WR-2023-104

This letter is to inform you that the Department of Environmental Quality (DEQ) has issued you a Final Order and Stipulated Penalty Demand Notice for violations of the Mutual Agreement and Final Order (MAO) that was executed on January 12, 2023. Specifically, you have failed to meet deadlines for connecting the property to the City of Coquille's sewer system.

As described in the MAO, upon receipt of a written notice from DEQ, you are required to pay a civil penalty of \$600 per day for violations of the compliance schedule set forth in Section II, Paragraph 2 of the MAO. DEQ has elected to assess only one penalty of \$600. This letter and the attached Order serve as notice that the violation occurred and the penalty for the violation is \$600. Payment of the penalty is now due.

Your right to appeal the Order is outlined in the document as well as in the MAO.

If you have any questions about the attached Order, please contact Esther Westbrook in DEQ's Office of Compliance and Enforcement at 503-229-5374. Questions about compliance with the MAO should be directed to Greg Alton at DEQ's Coos Bay office at 541-808-6204.

Sincerely,

Kieran O'Donnell, Manager
Office of Compliance and Enforcement

Enclosure

cc: Greg Alton, Coos Bay, DEQ
Sean Rochette, Bend, DEQ
Accounting, DEQ

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

OF THE STATE OF OREGON

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3	IN THE MATTER OF:)	FINAL ORDER AND STIPULATED
4	VALLEY VIEW MOBILE)	PENALTY DEMAND NOTICE
5	ESTATES, LLC,)	
6)	CASE NO. WQ/OS-WR-2023-104
7	Respondent.)	

I. FINDINGS OF FACT AND CONCLUSIONS

1. On January 12, 2023, Respondent and the Department of Environmental Quality (DEQ) entered into Mutual Agreement and Final Order (MAO) No. WQ/OS-WR-2017-110.

2. Section II, Paragraph 2 of the MAO sets forth a compliance schedule requiring Respondent to meet various conditions and deadlines in connecting the property to the City of Coquille's sewer system.

3. As of the date of this Order, Respondent has not met the conditions in Section II, Paragraph 2, Subparagraphs c through e, which have deadlines of February 1, 2023, through May 12, 2023.

4. On February 1, 2023, Respondent violated Section II, Paragraph 2 of the MAO. This is a Class I violation according to OAR 340-012-0053(1)(a).

5. As stated in Section I, Paragraph 11 of the MAO, Respondent is required to pay a civil penalty of \$600 for each day of violation.

6. The penalty for Respondent's violation, as described in Paragraph 3 above, is \$600.

II. ORDER TO PAY CIVIL PENALTY

Based upon the foregoing FINDINGS OF FACT AND CONCLUSIONS, Respondent is hereby ORDERED TO: Pay a total civil penalty of \$600.

If you do not file a request for hearing as set forth in Section III below, your check or money order must be made payable to "Oregon DEQ" and sent to: **DEQ - Business Office, 700 NE Multnomah Street, Suite 600, Portland, OR 97232.**

1 III. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

2 You have a right to a contested case hearing on this Final Order and Stipulated Penalty
3 Demand Notice. **As described in Section I, Paragraph 12 of the MAO, the issue shall be**
4 **limited to Respondent's compliance or non-compliance with the MAO.** DEQ must receive
5 the written request for hearing **within 20 calendar days** from the date you receive this Final
6 Order and Stipulated Penalty Demand Notice. If you have any affirmative defenses or wish to
7 dispute any allegations of fact in this Order, you must do so in your request for hearing, as
8 factual matters not denied will be considered admitted, and failure to raise a defense will be a
9 waiver of the defense. (See OAR 340-011-0530 for further information about requests for
10 hearing.) You must send your request to: **DEQ, Office of Compliance and Enforcement, 700**
11 **NE Multnomah Street, Suite 600, Portland, OR 97232**, fax it to **503-229-6762** or email it to
12 **DEQappeals@deq.oregon.gov**. An administrative law judge employed by the Office of
13 Administrative Hearings will conduct the hearing, according to ORS Chapter 183, OAR Chapter
14 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be represented by an
15 attorney at the hearing, however you are not required to be. If you are an individual, you may
16 represent yourself. If you are a corporation, partnership, limited liability company,
17 unincorporated association, trust or government body, you must be represented by an attorney or
18 a duly authorized representative, as set forth in OAR 137-003-0555.

19 Active-duty Service members have a right to stay proceedings under the federal Service
20 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-
21 452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed
22 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military
23 Department does not have a toll-free telephone number.

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1 If you fail to file a request for hearing in writing within 20 calendar days of receipt of this
2 Order, the Order will become a final order by default without further action by DEQ as per OAR
3 340-011-0535(5). DEQ designates the relevant portions of its files, including information
4 submitted by you, as the record for purposes of proving a prima facie case.
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8 8/3/2023

9 Date

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11 Kieran O'Donnell, Manager
12 Office of Compliance and Enforcement
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