

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

September 4, 2025

CERTIFIED MAIL: 9589 0710 5270 3236 6717 75

Crown Enterprises, LLC Attn: Legal 12225 Stephens Rd Warren, MI 48089

Re: Notice of Civil Penalty Assessment and Order

Case No.: WQ-SW-NWR-2025-538

On August 26, 2025, the Oregon Department of Environmental Quality (DEQ) issued a Notice of Civil Penalty Assessment and Order (Notice) to Central Transport LLC and Crown Enterprises LLC jointly. On August 29, 2025, it was brought to DEQ's attention that the Notice was served in error upon Crown Enterprises LLC, an Oregon limited liability company whereas the property in question is owned by Crown Enterprises LLC, a Michigan limited liability company. By this letter, DEQ is serving Crown Enterprises LLC, a Michigan limited liability company with the attached Notice.

If you wish to appeal this matter, DEQ must receive a request for a hearing within 20 calendar days from your receipt of this letter. <u>The hearing request must be in writing</u>. Send your request to DEQ Office of Compliance and Enforcement:

Via mail – 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232

Via email – DEQappeals@deq.oregon.gov

Via fax - 503-229-6762

Once DEQ receives your request, we will arrange to meet with you to discuss this matter. If DEQ does not receive a timely written hearing request, the penalty will become due.

The attached Notice further details DEQ's reasons for issuing the penalty and provides further instructions for paying or appealing the penalty and completing the corrective actions. <u>Please review and refer to it when discussing this case with DEQ.</u>

If you have any questions, contact Emily Knobbe at (971) 300-9770 or emily.knobbe@deq.oregon.gov.

Sincerely,

Erin Saylor, Interim Manager

Office of Compliance and Enforcement

Enclosures

CENTRAL TRANSPORT LLC CROWN ENTERPRISES, LLC Case No. WQ-SW-NWR-2025-538 Page 2

Nicola Taylor (via email to <u>nitaylor@crownenterprisesinc.com</u>) Trevor Ureno, Northwest Region cc:

Benjamin Benninghoff, DEQ



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 26, 2025

CERTIFIED MAIL: 9589 0710 5270 3236 6717 37

Central Transport LLC c/o Andy Carlin 2010 NE Riverside Way Portland, OR 97211

CERTIFIED MAIL: 9589 0710 5270 3236 6717 44

Central Transport LLC 12225 Stephens Rd Warren, MI 48089

CERTIFIED MAIL: 9589 0710 5270 3236 6717 51

Crown Enterprises, LLC c/o Strohman Ford, LLC, Registered Agent 1200 Executive Parkway, Ste 100 Eugene, OR 97401

Re: Notice of Civil Penalty Assessment and Order

Case No.: WQ-SW-NWR-2025-538

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$29,600 for engaging in construction activities at property located at 2010 NE Riverside Way in Portland, Oregon without coverage under the National Pollutant Discharge Elimination System General Permit No. 1200-C (the Permit).

DEQ issued this penalty because your failure to obtain a permit and implement its requirements posed a risk of pollution to waters of the state, including the Columbia Slough. Permits require that registrants implement and maintain sufficient erosion and sediment controls and best management practices to prevent the discharge of sediment and sediment-laden stormwater from the site and into waters of the state. Sediment carried in stormwater runoff from construction sites is considered a waste that poses a risk of harm to beneficial uses of state waters, including the use of those waters as habitat for aquatic organisms. The discharge of sediment can degrade water quality and harm aquatic life by covering up food sources and smothering invertebrate organisms living in wetlands and creeks.

Included in Section IV is an order requiring you to submit a complete application for 1200-C Permit coverage. \$15,200 of the civil penalty represents the economic benefit you gained by failing to apply for

CENTRAL TRANSPORT LLC CROWN ENTERPRISES, LLC Case No. WQ-SW-NWR-2025-538

permit coverage and implement permit requirements. If you comply with the Order, DEQ will consider recalculating the costs as delayed rather than avoided and will reduce the civil penalty accordingly.

This letter is also to inform you that you are in violation of the No Exposure Certification (NEC) issued to you by City of Portland Bureau of Environmental Services (BES). Your failure to maintain catch basins and other BMPs at the site exposed stormwater to industrial activities. Section IV, Paragraph 4, requires you to immediately eliminate vehicle exposure to standing stormwater and clean all catch basins. If you fail to complete this corrective action, you may be required to apply for permit coverage under the NPDES Industrial Stormwater General Permit No. 1200-Z.

You may pay the civil penalty as follows:

Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here: https://ydo.oregon.gov. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the Invoice number and Account ID included on the attached payment slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges.

Pay by check or money order: Make checks payable to "Department of Environmental Quality" and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order.

If you wish to appeal this matter, DEQ must receive a request for a hearing within 20 calendar days from your receipt of this letter. The hearing request must be in writing. Send your request to DEQ Office of Compliance and Enforcement:

Via mail – 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232 Via email – DEQappeals@deq.oregon.gov Via fax - 503-229-6762

Once DEQ receives your request, we will arrange to meet with you to discuss this matter. If DEQ does not receive a timely written hearing request, the penalty will become due.

The attached Notice further details DEO's reasons for issuing the penalty and provides further instructions for appealing the penalty. Please review and refer to it when discussing this case with DEQ.

DEQ may allow you to resolve part of your penalty through the completion of a Supplemental Environmental Project (SEP). SEPs are environmental improvement projects that you sponsor instead of paying a portion of your penalty. Further information is available by calling the number below or at http://www.oregon.gov/deg/Regulations/Pages/SEP.aspx.

DEO's rules are available at http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx or by calling the number below.

CENTRAL TRANSPORT LLC CROWN ENTERPRISES, LLC Case No. WQ-SW-NWR-2025-538 Page 3

If you have any questions, contact Emily Knobbe at (971) 300-9770 or emily.knobbe@deq.oregon.gov.

Sincerely,

C- Syli

Erin Saylor, Interim Manager

Office of Compliance and Enforcement

Enclosures

cc: Andy Carlin (via email to acarlin@centraltransport.com)

Nicola Taylor (via email to <u>nitaylor@crownenterprisesinc.com</u>)

Trevor Ureno, Northwest Region Benjamin Benninghoff, DEQ

Accounting, DEQ

1	BEFORE THE ENVIRONMENTAL QUALITY COMMISSION				
2	OF THE STATE OF OREGON				
3 4	IN THE MATTER OF: CENTRAL TRANSPORT LLC, and CROWN ENTERPRISES, LLC ONOTICE OF CIVIL PENALTY ASSESSMENT AND ORDER ONOTICE OF CIVIL PENALTY ASSESSMENT AND ORDER				
5	Respondents.) CASE NO. WQ-SW-NWR-2025-538				
6	I. AUTHORITY				
7	The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment				
8	and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100, ORS 468.126 through 468.140,				
9	ORS Chapter 468B, ORS Chapter 183 and Oregon Administrative Rules (OAR) Chapter 340, Divisions				
10	011, 012, and 045.				
11	II. FINDINGS OF FACT				
12	1. Central Transport LLC and Crown Enterprises, LLC, are the operator and owner,				
13	respectively, of the property located at 2010 NE Riverside Way in Portland, Oregon (the Site).				
14	2. The Site has the potential to discharge to the Columbia Slough, which is a water of the				
15	state of Oregon.				
16	3. On November 20, 2024, DEQ inspected the Site. At the time of the inspection:				
17	a. Slopes on the south and east perimeter and along 21st Ave that led into the				
18	Columbia Slough were disturbed. There was little to no vegetation, and the slopes were covered with				
19	slope matting;				
20	b. There were construction vehicles actively grading;				
21	c. There were uncovered soil, aggregate rock, and construction material stockpiles				
22	placed on impervious paved areas;				
23	d. Catch basins were insufficiently protected by filter fabric insert and biobags. One				
24	catch basin had water with an oily sheen pooled at the edge, another was overwhelmed with sediment.				
25	A catch basin in a truck parking area was submerged under turbid water. One catch basin was				
26	overburdened with sediment from nearby construction and was nearly completely buried.				
27	e. There was an outfall pipe along the north perimeter leading to the Columbia				

340-012-0055(1)(a). DEQ hereby assesses a \$10,800 civil penalty for this violation.

2. On or about November 20, 2024, through the present, Respondents violated ORS 468B.050(1)(d) and OAR 340-045-0033(6) by conducting an activity described in a general permit which would cause an increase in the discharge of wastes into waters of the state and would otherwise alter the physical, chemical, or biological properties of waters of the state without a permit, as described in Section II above. Specifically, without having coverage under the Permit, Respondents engaged in construction activities by grading, stockpiling, and disturbing land at the Site. Stormwater runoff carrying sediment from Respondents' construction activities is "waste" pursuant to ORS 468B.005(9) and had the potential to discharge to the Columbia Slough which is considered a "water of the state," pursuant to ORS 468B.005(10). This is a Class I violation, according to OAR 340-012-0055(1)(d). DEQ hereby assesses a \$18,800 civil penalty for this violation.

IV. ORDER TO PAY CIVIL PENALTY AND TO COMPLY

Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondents are hereby ORDERED TO:

1. Pay a total civil penalty of \$29,600. The determination of the civil penalties are attached as Exhibits 1-2 and are incorporated as part of this Notice.

If you do not file a request for hearing as set forth in Section V below, please pay the penalty as follows:

Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here: https://ydo.oregon.gov. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the Invoice number and Account ID included on the attached payment slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges.

Pay by check or money order: Make checks payable to "Department of Environmental Quality" and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order.

2. Within 30 days of this order becoming final by operation of law or on appeal, submit a

complete application for Permit coverage to DEQ through Your DEQ Online, including applicable fees. You must submit written documentation confirming your application submission to Trevor Ureno at trevor.ureno@deq.oregon.gov.

- 3. Immediately implement erosion and sediment controls in accordance with the requirements of the Permit and prevent discharges of sediment from the Site.
- 4. Immediately eliminate vehicle exposure to standing stormwater. Clean all catch basins and clear or replace filters that have become blocked with construction debris and sediment.

Submit documentation of the corrective actions in Paragraphs 3-4 including date stamps within 14 days of the Notice and Order becoming final to Trevor Ureno at trevor.ureno@deq.oregon.gov.

V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ must receive your request for hearing within 20 calendar days from the date you receive this Notice. If you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached exhibits, you must do so in your request for hearing, as factual matters not denied will be considered admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for further information about requests for hearing.) You must send your request to: DEQ, Office of Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232, fax it to 503-229-6762 or email it to DEQappeals@deq.oregon.gov. An administrative law judge employed by the Office of Administrative Hearings will conduct the hearing, according to ORS Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be represented by an attorney at the hearing, however you are not required to be. If you are an individual, you may represent yourself. If you are a corporation, partnership, limited liability company, unincorporated association, trust or government body, you must be represented by an attorney or a duly authorized representative, as set forth in OAR 137-003-0555.

Active duty Service members have a right to stay proceedings under the federal Service Members Civil Relief Act, For more information contact the Oregon State Bar at 1-800-

///

1	452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed				
2	Forces Legal Assistance Office through http://legalassistance.law.af.mil . The Oregon Military				
3	Department does not have a toll free telephone number.				
4	If you fail to file a timely request for hearing, the Notice will become a final order by default				
5	without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later				
6	withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the				
7	hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates				
8	the relevant portions of its files, including information submitted by you, as the record for purposes of				
9	proving a prima facie case.				
10					
11					
12	8/21/2025 Li Sejl				
13	Date Erin Saylor, Interim Manager Office of Compliance and Enforcement				
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					

EXHIBIT 1

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

<u>VIOLATION 1</u>: Violating ORS 468B.025(1)(a) by causing pollution to waters of the

state.

<u>CLASSIFICATION</u>: This is a Class I violation pursuant to OAR 340-012-0055(1)(a).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-

012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major

magnitude.

<u>CIVIL PENALTY FORMULA</u>: The formula for determining the amount of penalty of each

violation is: $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$6,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(D).

- "P" is whether Respondents have any prior significant actions, as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondents and receives a value of 0 according to OAR 340-012-0145(2)(a)(A), because there are no prior significant actions.
- "H" is Respondents' history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is no prior history.
- "O" is whether the violation was repeated or ongoing and receives a value of 0 according to OAR 340-012-0145(4)(a) because there is insufficient information on which to base a finding under paragraphs (4)(b) through (4)(d). Respondents caused pollution to the Columbia Slough on at least one day, November 20, 2024.
- "M" is the mental state of Respondents and receives a value of 8 according to OAR 340-012-0145(5)(d) because Respondents acted recklessly. Respondents received an Expedited Enforcement Offer from DEQ issued on December 5, 2024, which explicitly directed Respondents to ensure no unauthorized discharge entered the Columbia Slough and to implement best management practices (BMPs) to prevent off site discharges. Land disturbing activities create a risk of causing pollution to waters of the state, especially with a Site in proximity to a water of the state. By continuing to engage in construction activities at the Site without Permit coverage and by failing to stabilize the Site after being directly told to do so, Respondents consciously disregarded a substantial and unjustifiable risk that its activities would cause pollution to waters of the state.

- "C" is Respondents' efforts to correct or mitigate the violation and receives a value of 0 because the effects of the violation could not be corrected or minimized.
- "EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondents' noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a total value of \$0 because the amount Respondents gained is likely de minimis.

<u>PENALTY CALCULATION</u>: Penalty = $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

- $= $6,000 + [(0.1 \times $6,000) \times (0 + 0 + 0 + 8 + 0)] + 0
- $= $6,000 + ($600 \times 8) + 0
- = \$6,000 + \$4,800 + \$0
- =\$10,800

EXHIBIT 2

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION 2: Violating ORS 468B.050(1)(d) by engaging in construction activity

without a permit.

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0055(1)(d).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-

012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major

magnitude.

<u>CIVIL PENALTY FORMULA</u>: The formula for determining the amount of penalty of each

violation is: $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$1,500 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(4)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(4)(a)(E)(ii), as Respondents should have applied for coverage under an NPDES General Permit for a construction site that is 1.75 acres in size.

- "P" is whether Respondents have any prior significant actions, as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondents and receives a value of 0 according to OAR 340-012-0145(2)(a)(A), because there are no prior significant actions.
- "H" is Respondents' history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is no prior history.
- "O" is whether the violation was repeated or ongoing and receives a value of 4 according to OAR 340-012-0145(4)(d) because there were more than 28 occurrences of the violation. Each day of violation is a separate occurrence. Respondents began construction activities on or before November 20, 2024. DEQ issued and Respondents accepted Expedited Enforcement Offer No. 2024-EEO-9651, which included the requirement that Respondents obtain Permit coverage for the Site. On at least March 6, 2024, Respondents resumed construction activity without permit coverage. As of the date of this Notice and Order Respondents have not applied for Permit coverage.
- "M" is the mental state of Respondents and receives a value of 8 according to OAR 340-012-0145(5)(d) because Respondents acted recklessly. Respondents received an Expedited Enforcement Offer from DEQ issued on December 5, 2024, which explicitly informed Respondents that Permit coverage was required. Respondents therefore knew permit coverage was required for its land disturbing activities at the Site. By engaging in

construction activities at the Site without first obtaining a permit, and then not applying for Permit coverage after being informed of the permit requirement, Respondents consciously disregarded a substantial and unjustifiable risk that it would violate Oregon law.

- "C" is Respondents' efforts to correct or mitigate the violation and receives a value of 2 according to OAR 340-012-0145(6)(g) because Respondents did not address the violation as described in paragraphs (6)(a) through (6)(e) and the facts do not support a finding under paragraph (6)(f).
- "EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondents' noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a total value of \$15,200. This is the amount Respondents gained by avoiding spending \$22,581 on the cost of the Permit application and annual fee (\$3,103) and the cost of hiring a consultant to prepare and implement an erosion and sediment control plan (\$19,478). This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

<u>PENALTY CALCULATION</u>: Penalty = BP + $[(0.1 \times BP) \times (P + H + O + M + C)] + EB$

- $= $1,500 + [(0.1 \times $1,500) \times (0 + 0 + 4 + 8 + 2)] + $15,200$
- $= $1,500 + ($150 \times 14) + $15,200$
- = \$1,500 + \$2,100 + \$15,200
- =\$18,800

Oregon Department of Environmental Quality 700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100



Phone: 503-229-5437 Fax: 503-229-5850

CIVIL PENALTY - ORS 468.135(2)

DATE:	July 24, 2025
RESPONSE DATE:	November 3, 2025
TOTAL PENALTY:	\$29,600.00

Account Name:	CENTRAL TRANSPORT				
Account Type:	Vendor/Organization/Company Reference Number: CPGFD2600010				
SubSystem ID:	296851	FIMS Acct, ID:	21035		

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 29,600.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 29,600.00

Payment of this penalty is subject to the exercise of your options or right to appeal as described in the enclosed enforcement documents.

To Pay Online with ACH or Credit Card Visit https://ydo.oregon.gov and select 'Register Account'



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

DEQ

REFERENCE NO.	CPGFD2600010			
participation of the second of	00401 7400 10040 74001 0500 000000 00			
The state of the s	950	RESPONSE DATE:	November 3, 2025	
FIMS ACCT, ID;	21035 TOTAL PENALTY DUE: \$29600.0			

AMOUNT ENCLOSED:	
------------------	--

MAKE CHECK PAYABLE TO: Department of Environmental Quality

DEQ FINANCIAL SERVICES - LBX4244 PO BOX 4244 PORTLAND OR 97208-4244

Check this box if updated address information has been provided on the back of the form.



State of Oregon Department of Environmental Quality

CIVIL PENALTY - ORS 468.135(2)

700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100 Phone: 503-229-5437

Fax: 503-229-5850

Penalty Detail

Transaction Date	Description	Amount
7/23/2025	2025-538 WQ-SW-NWR-2025-538	\$29,600.00

SFMS Agencies Use:

Trans Code Trea	sury Fund	SFMS	Index	PCA (5)	Agency Object	Project# Phase
723 0040)1	7400	10040	74001	0500	00000 00

Address Changes

Please visit https://ydo.oregon.gov to update your mailing address online or provide the following information:

Name	
Address	
City, State, Zip	

CERTIFICATE OF MAILING

I hereby certify that I served DEQ Case No. WQ-5W-NWN-2025-538 upon

17 75	U.S. Postal Service [™] CERTIFIED MAIL [®] REC Domestic Mail Only For delivery information, visit our website	
P 7 T.		rat www.usps.com*.
236	Certifled Mail Fee	
Ш	Extra Services & Fees (check box, add fee as appropriate) Return Receipt (hardcopy)	
5270	Return Receipt (electronic) \$ Certified Mall Restricted Delivery \$ Adult Signature Required \$ Adult Signature Restricted Delivery \$ Pos	Postmark Here
0770	Crown Enterprises,	LLC
	\$ Attn: Legal	
	12225 Stephens F	Rd
958	Warren, MI 4808	
	PS Form 3800, January 2023 PSN 7530-02-000-9047	See Reverse for Instructions

By mailing a true copy of the above by placing it in a sealed envelope, with postage prepaid at the DEQ/DAS mail services in Portland, Oregon on September 4, 2025

Isaac Griffith, Case Coordinator

Office of Compliance & Enforcement

Department of Environmental Quality