



# 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

February 5, 2026

CERTIFIED MAIL: 9589 0710 5270 3236 6724 06

Rodda Paint Co.  
c/o Jared Palmer, Registered Agent  
6107 N Marine Dr  
Portland, OR 97203

Re: Notice of Civil Penalty Assessment and Order  
Case No. WQ-SW-NWR-2024-633

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$6,400 for failing to conduct stormwater discharge monitoring pursuant to the requirements of the National Pollutant Discharge Elimination System Industrial Stormwater General Permit No. 1200-Z (the Permit) issued for your facility located at 6123 N Marine Dr in Portland, Oregon (the Facility).

DEQ issued this penalty because monitoring stormwater discharge is essential to determining whether the site poses a risk of harm to water quality and this is at least the second time DEQ has cited you for failing to adhere to the monitoring requirements of the Permit. Monitoring may reveal the presence of harmful levels of pollutants that pose a threat to the beneficial uses of waters, including as habitat for aquatic life. In addition, monitoring allows permittees and DEQ to gauge the effectiveness of stormwater controls and best management practices at reducing levels of pollutants in discharges.

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, or

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](mailto: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 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/deq/Regulations/Pages/SEP.aspx>.

DEQ's rules are available at <https://www.oregon.gov/deq/Regulations/Pages/Administrative-Rules.aspx> or by calling the number below.

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

Sincerely,



Erin Saylor, Manager  
Office of Compliance and Enforcement

Enclosures

cc: Mieke Vrijmoet, Bureau of Environmental Services, City of Portland  
Benjamin Benninghoff, DEQ  
Accounting, DEQ

1 BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

2 OF THE STATE OF OREGON

3 IN THE MATTER OF:  
4 RODDA PAINT CO.

) NOTICE OF CIVIL PENALTY  
) ASSESSMENT AND ORDER  
)  
5 Respondent. ) CASE NO. WQ-SW-NWR-2024-633

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. Respondent is registered under the National Pollutant Discharge Elimination System  
13 Industrial Stormwater General Permit No. 1200-Z (the Permit) for its facility located at 6123 N Marine  
14 Dr (the Facility).

15 2. Schedule B.7.f and Table 6 of the Permit require registrants to monitor stormwater  
16 discharge four times per year: two times between January 1 and June 30, and two times between July 1  
17 and December 31, with samples collected at least 14 days apart.

18 3. During the 2023-2024 monitoring year, Respondent took only three qualifying samples.  
19 During the July-December 2023 monitoring period, Respondent collected one sample on September 28,  
20 2023, and collected a second sample less than 14 days later on October 10, 2023.

21 III. CONCLUSIONS

22 1. Respondent violated Schedule B.7.f and Table 6 of the Permit and ORS 468B.025(2) by  
23 failing to take four qualifying stormwater discharge samples during the 2023-2024 monitoring year.  
24 Specifically, from July 1 to December 31, 2023, Respondent took only one qualifying sample on  
25 September 28, 2023, as described in Section II, Paragraph 3, above. The second sample did not meet  
26 permit requirements because it was taken less than 14 days from the first sample. This is a Class I  
27 violation, according to OAR 340-012-0055(o). DEQ hereby assesses a \$6,400 civil penalty for this

1 violation.

2 IV. ORDER TO PAY CIVIL PENALTY

3 Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondent is  
4 hereby ORDERED TO:

5 1. Pay a total civil penalty of \$6,400. The determination of the civil penalty is attached as Exhibit  
6 1 and is incorporated as part of this Notice.

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

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

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

17 V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

18 You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ  
19 must receive your request for hearing **within 20 calendar days** from the date you receive this Notice. If  
20 you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached  
21 exhibit, you must do so in your request for hearing, as factual matters not denied will be considered  
22 admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for  
23 further information about requests for hearing.) You must send your request to: **DEQ, Office of**  
24 **Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232**, fax  
25 it to **503-229-6762** or email it to [DEQappeals@deq.oregon.gov](mailto:DEQappeals@deq.oregon.gov). An administrative law judge  
26 employed by the Office of Administrative Hearings will conduct the hearing, according to ORS  
27 Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be

1 represented by an attorney at the hearing, however you are not required to be. If you request a hearing,  
2 you will be notified of the time and place of the hearing and you will be given information on the  
3 procedures, and other rights of parties relating to the conduct of the hearing before commencement of  
4 the hearing. If you are an individual, you may represent yourself. If you are a corporation, partnership,  
5 limited liability company, unincorporated association, trust or government body, you must be  
6 represented by an attorney or a duly authorized representative, as set forth in OAR 137-003-0555.

7 Active duty Service members have a right to stay proceedings under the federal Service  
8 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-  
9 452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed  
10 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military  
11 Department does not have a toll free telephone number.

12 If you fail to file a timely request for hearing, the Notice will become a final order by default  
13 without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later  
14 withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the  
15 hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates  
16 the relevant portions of its files, including information submitted by you, as the record for purposes of  
17 proving a prima facie case.

18  
19  
20  
21 2/5/2020

22 Date



23 Erin Saylor, Manager  
24 Office of Compliance and Enforcement  
25  
26  
27

EXHIBIT 1

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

VIOLATION NO. 1: Violated Schedule B.7.f of the Permit and ORS 468B.025(2) by failing to meet the monitoring requirements of the Permit during the 2023-2024 monitoring year.

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

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.

CIVIL PENALTY FORMULA: 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 \$4,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(3)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(E)(iii) because Respondent has coverage under an NPDES General Permit

"P" is whether Respondent has 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 Respondent, and receives a value of 2 according to OAR 340-012-0145(2)(a)(C) because Respondent has one prior significant action, Case No. WQ-SW-NWR-2023-637, that included one Class I violation.

"H" is Respondent's history of correcting prior significant actions, and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is insufficient information on which to base a finding under paragraphs (3)(a) or (b).

"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 was only one occurrence of the violation.

"M" is the mental state of the Respondent, and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. According to OAR 340-012-0030(15), negligent means the respondent failed to take reasonable care to avoid a foreseeable risk of conduct constituting or resulting in a violation. Respondent is registered under the Permit which expressly requires four grab samples to be taken at each monitoring year, with each sample taken at least 14 days apart. By failing to do so, Respondent failed to take reasonable care to avoid a foreseeable risk of violating Permit requirements.

"C" is Respondent's efforts to correct or mitigate the violation, and receives a value of 0 according to OAR 340-012-0145(6)(f) because the violation or 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 Respondent's 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 value of \$0 because the EB was likely de minimis.

PENALTY CALCULATION:  $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$

$$\begin{aligned} &= \$4,000 + [(0.1 \times \$4,000) \times (2 + 0 + 0 + 4 + 0)] + \$0 \\ &= \$4,000 + (\$400 \times 6) + \$0 \\ &= \$4,000 + \$2,400 + \$0 \\ &= \$6,400 \end{aligned}$$

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



State of Oregon  
**Department of Environmental Quality**

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

**CIVIL PENALTY - ORS 468.135(2)**

<b>DATE:</b>	February 5, 2026
<b>RESPONSE DATE*:</b>	April 16, 2026
<b>TOTAL PENALTY:</b>	\$6,400.00

Account Name:	RODDA PAINT CO.		
Account Type:	Vendor/Organization/Company	Reference Number:	CPGFD2600069
SubSystem ID:	185950	FIMS Acct. ID:	19209

**Penalty Summary**

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 6,400.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 6,400.00

\*This is the date the penalty is due if you do not exercise your right to appeal the attached order. 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



REFERENCE NO.	CPGFD2600069		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	April 16, 2026
FIMS ACCT. ID:	19209	TOTAL PENALTY DUE:	\$6400.00

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.

00401 7400 10040 74001 0500 000000 00950000192094CPGFD260006900006400000



State of Oregon  
Department of  
Environmental  
Quality

# 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
2/4/2026	2024-633 WQ-SW-NWR-2024-633	\$6,400.00

### SFMS Agencies Use:

Trans Code	Treasury Fund	SFMS	Index	PCA (5)	Agency Object	Project #	Phase
723	00401	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-SW-NWR-2024-633 upon:

9589 0710 5270 3236 6724 06

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Certified Mail Fee	\$	
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postmark Here

**Rodda Paint Co.**  
**c/o Jared Palmer, Registered Agent**  
**6107 N Marine Dr**  
**Portland, OR 97203**

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 February 5, 2026

Isaac Griffith  
Isaac Griffith, Case Coordinator  
Office of Compliance & Enforcement  
Department of Environmental Quality