



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 19, 2026

CERTIFIED MAIL: 9589 0710 5270 3236 6724 75

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. LQ-HW-WR-2025-693

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$13,710 for accepting and storing hazardous waste paint generated from a customer at your facility in Eugene.

DEQ issued this penalty because hazardous waste must be stored and disposed of at sites with hazardous waste permits in order to ensure the waste is managed to protect public health and the environment. By taking 300 gallons of ignitable hazardous waste paint from another company, for storage at your business for approximately three years, you increased the risk of its mismanagement and release.

\$1,710 of the civil penalty represents the economic benefit you gained by delaying the costs of legal disposal of the hazardous waste. DEQ appreciates your efforts to correct the violation by properly disposing of the hazardous waste following DEQ's inspection. DEQ considered these efforts when determining the amount of civil penalty.

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
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 Sarah Wheeler at 971-301-0622.

Sincerely,



Erin Saylor, Manager
Office of Compliance and Enforcement

Enclosures

cc: Killian Condon, DEQ
John Curtis, jcurtis@roddapaint.com

1 BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

2 OF THE STATE OF OREGON

3 IN THE MATTER OF:) NOTICE OF CIVIL PENALTY
4 RODDA PAINT CO.,) ASSESSMENT AND ORDER
5 Respondent.) CASE NO. LQ-HW-WR-2025-693

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 466.990, ORS Chapter 183 and Oregon Administrative Rules (OAR) Chapter 340, Divisions 011,
10 012, and 100-102.

11 II. FINDINGS OF FACT

- 12 1. Respondent operates a business at 2477 West 11th Avenue in Eugene, Oregon (the
13 Facility).
- 14 2. DEQ has not issued a hazardous waste storage or disposal permit to Respondent for the
15 Facility.
- 16 3. In June of 2022, 60 five-gallon pails (300 gallons) of waste paint that was generated by
17 one of its customers was transported from the customer's location to Respondent's Facility.
- 18 4. The 300 gallons of waste paint contained acetone and had a flash point of less than 140
19 degrees Fahrenheit.
- 20 5. Respondent stored the 300 gallons of waste paint described above at Respondent's
21 Facility until approximately June 1, 2025, when Respondent shipped it off for disposal to a permitted
22 hazardous waste disposal site.

23 III. CONCLUSIONS

24 Based upon the foregoing Findings of Fact, DEQ has determined that Respondent violated the
25 following provisions of Oregon law, including the hazardous waste laws in the Code of Federal
26 Regulations (CFRs) as adopted by OAR 340-100-0002.
27

1 Respondent violated ORS 466.095(1)(b) by operating a hazardous waste storage site without a
2 hazardous waste storage permit, as described in Section II above. The waste paint was solid waste
3 according to 40 CFR 261.2(a)(1), 261.2(a)(2)(i)(A), 261.2(b)(1) and (3). The waste paint was hazardous
4 waste according to 40 CFR 261.21(a)(1), as identified by United States Environmental Protection Agency
5 (EPA) Waste Number D001. This is a Class I violation, according to OAR 340-012-0068(1)(c). DEQ
6 hereby assesses a \$13,710 civil penalty for this violation.

7 IV. ORDER TO PAY CIVIL PENALTY

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

10 Pay a total civil penalty of \$13,710. The determination of the civil penalty is attached as
11 Exhibit 1 and is incorporated as part of this Notice.

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

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

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

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

23 You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ
24 must receive your request for hearing **within 20 calendar days** from the date you receive this Notice. If
25 you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached
26 exhibit, you must do so in your request for hearing, as factual matters not denied will be considered
27 admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for

1 further information about requests for hearing.) You must send your request to: **DEQ, Office of**
2 **Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232**, fax
3 it to **503-229-6762** or email it to DEQappeals@deq.oregon.gov. An administrative law judge
4 employed by the Office of Administrative Hearings will conduct the hearing, according to ORS
5 Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be
6 represented by an attorney at the hearing, however you are not required to be. If you request a hearing,
7 you will be notified of the time and place of the hearing and you will be given information on the
8 procedures, and other rights of parties relating to the conduct of the hearing before commencement of
9 the hearing. If you are an individual, you may represent yourself. If you are a corporation, partnership,
10 limited liability company, unincorporated association, trust or government body, you must be
11 represented by an attorney or a duly authorized representative, as set forth in OAR 137-003-0555.

12 Active duty Service members have a right to stay proceedings under the federal Service
13 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-
14 452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed
15 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military
16 Department does not have a toll free telephone number.

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

23
24
25 2/19/2020

26 Date



27
Erin Saylor, Manager
Office of Compliance and Enforcement

EXHIBIT 1

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

VIOLATION 1: Operating a hazardous waste storage site without a hazardous waste storage permit, in violation of ORS 466.095(1)(b).

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0068(1)(c).

MAGNITUDE: The magnitude of the violation is major pursuant to OAR 340-012-0135(4)(b)(A)(i) because Respondent stored 300 gallons of hazardous waste paint from another generator at Respondent's Facility without a permit.

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 \$8,000 for a Class I, major magnitude violation in the matrix listed in OAR 340-012-0140(3)(b)(A)(i) and applicable pursuant to OAR 340-012-0140(3)(a)(J) because Respondent is a small quantity generator of hazardous waste and violated a hazardous waste statute.

"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 within the past ten years, and receives a value of 0 according to OAR 340-012-0145(2)(a)(A), because there are no prior significant actions.

"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 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. The violation was ongoing from approximately June 2022 to June 2025. According to OAR 340-012-0145(4), each day of a violation with a duration of more than one day is a separate occurrence when determining the "O" factor.

"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 as defined in OAR 340-012-0030(15). Respondent is in the paint business and should be aware that waste paint may be hazardous waste with strict regulations for storage and disposal. By accepting 300 gallons of another generator's waste paint for storage at Respondent's unpermitted facility, and storing it for approximately three years, Respondent failed to take reasonable care to avoid the foreseeable risk of committing this violation.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of -3 according to OAR 340-012-0145(6)(c), because Respondent made reasonable efforts to correct the violation by properly disposing of the hazardous waste following DEQ's inspection.

"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 \$1,710. This is the amount Respondent gained by delaying spending \$5,661 to dispose of hazardous waste paint at a permitted facility, from June 30, 2022 to June 1, 2025. This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

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

$$\begin{aligned} &= \$8,000 + [(0.1 \times \$8,000) \times (0 + 0 + 4 + 4 + (-3))] + \$1,710 \\ &= \$8,000 + [\$800 \times 5] + \$1,710 \\ &= \$8,000 + \$4,000 + \$1,710 \\ &= \$13,710 \end{aligned}$$

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)

DATE:	February 19, 2026
RESPONSE DATE*:	April 30, 2026
TOTAL PENALTY:	\$13,710.00

Account Name:	RODDA PAINT		
Account Type:	Vendor/Organization/Company	Reference Number:	CPGFD2600075
SubSystem ID:	302176	FIMS Acct. ID:	30153

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 13,710.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 13,710.00

*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.	CPGFD2600075		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	April 30, 2026
FIMS ACCT. ID:	30153	TOTAL PENALTY DUE:	\$13710.00

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 0095000301538CPGFD260007500013710004



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	2025-693 LQ-HW-WR-2025-693	\$6,400.00
2/4/2026	2025-693 LQ-HW-WR-2025-693	(\$6,400.00)
2/18/2026	2025-693 LQ-HW-WR-2025-693	\$13,710.00

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. LQ-HW-WR-2025-693 upon:

5270 3236 6724 75

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

For delivery information, visit our website at 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 19, 2026

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