



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 51

NW Cascade Painting LLC
c/o Ramon Lopez
15826 SE 114th Ave
Clackamas, OR 97015

Re: Notice of Civil Penalty Assessment and Order
Case No. AQ/AB-NWR-2024-563

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued NW Cascade Painting, LLC a civil penalty of \$40,268 for performing an asbestos abatement project without being licensed by DEQ, failing to submit an asbestos project notification, failing to obtain an asbestos survey by an accredited inspector prior to an asbestos abatement project, and improperly disposing of asbestos containing waste material.

DEQ issued this penalty because the violations described in the attached Notice could have released asbestos fibers into the air and exposed workers and the public to asbestos. Asbestos fibers are a respiratory hazard proven to cause lung cancer, mesothelioma, and asbestosis. Asbestos is a danger to public health and a hazardous air contaminant for which there is no known safe level of exposure. To protect the public from asbestos exposure, DEQ requires training and licensing for those who handle asbestos-containing material and prohibits open accumulation of asbestos-containing waste material, as open accumulation of asbestos-containing waste material presents a significant risk to public health and the environment.

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.state.or.us

Via fax – 503-229-5100

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. Alternatively, you can pay the penalty by sending a check or money order to the above address.

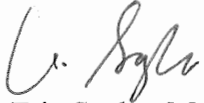
The attached Notice further details DEQ's reasons for issuing the penalty and provides further instructions for appealing the penalty. Please review and refer to it when discussing this case with DEQ.

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 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 <http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx> or by calling the number below.

If you have any questions, please contact DEQ Environmental Law Specialist Tori Heroux at 971-808-7046 or at Tori.Heroux@deq.oregon.gov.

Sincerely,



Erin Saylor, Manager
Office of Compliance and Enforcement

Enclosures

cc: Audrey O'Brien
Accounting, DEQ

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF:)
NW CASCADE PAINTING, LLC.)
Respondent.)
NOTICE OF CIVIL PENALTY
ASSESSMENT AND ORDER
CASE NO. AQ/AB-NWR-2024-563

I. AUTHORITY

The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100, ORS 468.126 through 468.140, ORS Chapter 183 and 468A, Oregon Administrative Rules (OAR) Chapter 340, Divisions 011, 012, and 248.

II. FINDINGS OF FACT

1. Respondent owns a home improvement contracting business located in Clackamas, Oregon.
2. The residence at 9617 Adriatic Avenue in Portland, Oregon (“the Property”) is owned by Respondent, doing business as Cascade NW Properties.
3. In July 2021, Respondent demolished the home on the Property.
4. Respondent is not an asbestos abatement contractor licensed by DEQ.
5. Respondent did not submit a written notification to DEQ prior to beginning work on the Property.
6. Respondent did not hire an accredited inspector to complete an asbestos survey prior to beginning the work on the Property.
7. In the process of renovation and demolition, Respondent dismantled the siding of the home in a manner that included breaking it into small, fragmented pieces, rendering the material friable.
8. Respondent’s handling of materials as described in Section II, Paragraph 7 above, had the potential to release asbestos fibers into the air.
9. After demolition, Respondent disposed of the siding and other demolition debris at Environmentally Conscious Recycling in September 2021. This site is not licensed to accept asbestos containing waste material (ACWM).

1 10. On September 14, 2021, Certified Environmental Consulting, LLC conducted an asbestos
2 survey which determined that asbestos was found in the removed siding (30%).

3 III. CONCLUSIONS

4 1. Respondent violated OAR 340-2480-0110(3) by performing an asbestos abatement project
5 without being licensed by DEQ under OAR 340-248-0120, as described in Section II, Paragraphs 3-4 and
6 7-10, above. Specifically, Respondent ripped up the siding at the Property in a manner that had the
7 potential to release asbestos fibers into the air. The siding was “asbestos-containing material” as defined by
8 OAR 340-248-0010(8) because it contained more than 1% asbestos by weight. Respondent’s work on the
9 Property was an “asbestos abatement project,” as defined in OAR 340-248-0010(6) because it was a
10 renovation activity that involved the removal and handling of asbestos-containing materials with the
11 potential to release asbestos fibers into the air. This is a Class I violation according to OAR 340-012-
12 0054(1)(t). DEQ has assessed a \$13,600 civil penalty for this violation.

13 2. Respondent violated OAR 340-248-0260 by failing to submit a written notification to DEQ at
14 least 10 days prior to commencing a friable asbestos project as described in Section II, Paragraph 5 above.
15 This is a Class II violation according to OAR 340-012-0054(2)(m). DEQ has not assessed a civil penalty
16 for this violation.

17 3. Respondent violated OAR 340-248-0270(1) by failing to have an accredited inspector
18 complete an asbestos survey according to OAR 340-248-0270(3) before performing a renovation, as
19 described in Section II, Paragraph 6 above. The removal of the siding is a “renovation” as defined in OAR
20 340-248-0010(39) because Respondent altered one or more facility components by tearing out the siding at
21 the Property. This is a Class I violation according to OAR 340-012-0054(1)(r). DEQ has assessed a
22 \$15,468 civil penalty for this violation.

23 4. Respondent violated OAR 340-248-0280(5)(a) by failing to dispose of ACWM at a licensed
24 disposal facility. Specifically, Respondent transported ACWM to Environmentally Conscious Recycling,
25 an unlicensed disposal facility, after the demolition in September 2021. The siding was “asbestos-
26 containing material” as defined by OAR 340-248-0010(8) because it contained more than 1% asbestos by
27 weight. Respondent’s work on the Property was an “asbestos abatement project,” as defined in OAR 340-

1 248-0010(6) because it was a renovation activity that involved the removal and handling of asbestos-
2 containing materials with the potential to release asbestos fibers into the air. This is a Class I violation
3 according to OAR 340-012-0054(1)(u). DEQ has assessed a \$11,200 civil penalty for this violation.

4 IV. ORDER TO PAY CIVIL PENALTY

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

7 Pay a total civil penalty of \$40,268. The determinations of the civil penalties are attached as
8 Exhibits 1, 2 and 3 and are incorporated as part of this Notice.

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

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

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

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

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

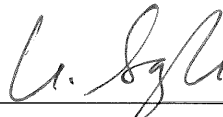
1 employed by the Office of Administrative Hearings will conduct the hearing, according to ORS
2 Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be
3 represented by an attorney at the hearing, however you are not required to be. If you are an individual,
4 you may represent yourself. If you are a corporation, partnership, limited liability company,
5 unincorporated association, trust or government body, you must be represented by an attorney or a duly
6 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 1-800-452-8260, the
9 Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal
10 Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not
11 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 2/19/2020

22 Date



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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 NO. 1 Performing an asbestos abatement project without being licensed by DEQ in violation of OAR 340-248-0110(4).

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0054(1)(t).

MAGNITUDE: The magnitude of the violation is major pursuant to OAR 340-012-0135(1)(i)(A) because between more than 160 square feet of asbestos-containing material (ACM) was removed. The entire house was demolished and the siding consisted of more than 160 square feet of ACM.

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)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(B) because Respondent is not a residential owner-occupant.

"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 0 because Respondent has 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 were no prior significant actions.

"O" is whether the violation was repeated or ongoing, and receives a value of 3 according to OAR 340-012-0145(4)(c) because there were between seven and 28 occurrences of the violation. Each day of violation constitutes a separate occurrence. The Respondent conducted an asbestos abatement project without being licensed by DEQ on at least 21 days in July 2021.

"M" is the mental state of the Respondent, and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent 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 failed to take any steps to ascertain that an older building did not contain ACM before demolishing the home on the Property. Thus, Respondent failed to take reasonable care to avoid the foreseeable risk that a violation would occur.

"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 DEQ does not have sufficient information to calculate the economic benefit.

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

$$\begin{aligned} &= \$8,000 + [(0.1 \times \$8,000) \times (0 + 0 + 3 + 4 + 0)] + \$0 \\ &= \$8,000 + (\$800 \times 7) + \$0 \\ &= \$8,000 + \$5,600 + \$0 \\ &= \$13,600 \end{aligned}$$

EXHIBIT 2

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

VIOLATION NO. 3 Failing to have an accredited inspector complete an asbestos survey according to OAR 340-248-0270(3) before performing a renovation.

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0054(1)(t).

MAGNITUDE: The magnitude of the violation is major pursuant to OAR 340-012-0135(1)(i)(A) because between more than 160 square feet of asbestos-containing material (ACM) was removed. The entire house was demolished and the siding consisted of more than 160 square feet of ACM.

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)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(B) because Respondent is not a residential owner-occupant.

"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 0 because Respondent has 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 were no prior significant actions.

"O" is whether the violation was repeated or ongoing, and receives a value of 3 according to OAR 340-012-0145(4)(c) because there were between seven and 28 occurrences of the violation. Each day of violation constitutes a separate occurrence. The Respondent conducted an asbestos abatement project without being licensed by DEQ on at least 21 days in July 2021.

"M" is the mental state of the Respondent, and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent 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 failed to take any steps to ascertain that an older building did not contain ACM before demolishing the home on the Property. Thus, Respondent failed to take reasonable care to avoid the foreseeable risk that a violation would occur.

"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 \$1,868. This is the amount Respondent gained by avoiding spending \$2,000 to have an accredited inspector conducting an asbestos survey. This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

PENALTY CALCULATION: $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$
= \$8,000 + [(0.1 x \$8,000) x (0 + 0 + 3 + 4 + 0)] + \$1,868
= \$8,000 + (\$800 x 7) + \$1,868
= \$8,000 + \$5,600 + \$1,868
= \$15,468

EXHIBIT 3

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

VIOLATION NO. 4 Violating OAR 340-248-0280(5)(a) by failing to dispose of Asbestos Containing Waste Material (ACWM) at a licensed disposal facility.

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0054(1)(u).

MAGNITUDE: The magnitude of the violation is major pursuant to OAR 340-012-0135(1)(i)(A) because between more than 160 square feet of asbestos-containing material (ACM) was removed. The entire house was demolished and the siding consisted of more than 160 square feet of ACM.

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)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(B) because Respondent is not a residential owner-occupant.

"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 0 because Respondent has 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 were no prior significant actions.

"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 a single occurrence of the violation. Each day of violation constitutes a separate occurrence. The Respondent failed to dispose of ACWM at a licensed disposal facility on at least one day in September 2021.

"M" is the mental state of the Respondent, receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent 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 failed to take any steps to ascertain that an older building did not contain ACM before demolishing the home on the Property, which led them to fail to follow asbestos requirements and to dispose of the ACWM at an unlicensed facility. Thus, Respondent failed to take reasonable care to avoid the foreseeable risk that a violation would occur.

"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 DEQ does not have sufficient information to calculate the economic benefit.

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

$$\begin{aligned} &= \$8,000 + [(0.1 \times \$8,000) \times (0 + 0 + 0 + 4 + 0)] + \$0 \\ &= \$8,000 + (\$800 \times 4) + \$0 \\ &= \$8,000 + \$3,200 + \$0 \\ &= \$11,200 \end{aligned}$$

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



State of Oregon
DEQ Department of Environmental Quality

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

RAMON LOPEZ
 NW CASCADE PAINTING, LLC
 15826 SE 114TH AVE
 CLACKAMAS, OR 97015

CIVIL PENALTY - ORS 468.135(2)

DATE:	February 19, 2026
RESPONSE DATE*:	April 30, 2026
TOTAL PENALTY:	\$40,268.00

Account Name:	NW CASCADE PAINTING, LLC		
Account Type:	Vendor/Organization/Company	Reference Number:	CPGFD2600077
SubSystem ID:	1186	FIMS Acct. ID:	30369

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 40,268.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 40,268.00

*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



RAMON LOPEZ
 NW CASCADE PAINTING, LLC
 15826 SE 114TH AVE
 CLACKAMAS, OR 97015

REFERENCE NO.	CPGFD2600077		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	April 30, 2026
FIMS ACCT. ID:	30369	TOTAL PENALTY DUE:	\$40268.00

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 0095000303696CPGFD260007700040268005



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
2/18/2026	2024-563 AQ-AB-WR-2024-563	\$40,268.00

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. AQ/AB-NWR-2024-563 upon:

9589 0710 5270 3236 6724 51

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

**NW Cascade Painting LLC
c/o Ramon Lopez
15826 SE 114th Ave
Clackamas, OR 97015**

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