



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

April 14, 2026

CERTIFIED MAIL: 9589 0710 5270 0110 6025 28

Pacific Cast Technologies, Inc.
c/o Corporation Service Company, Registered Agent
1127 Broadway St NE Ste 310
Salem OR 97301

Re: Notice of Civil Penalty Assessment and Order
Case No. LQ/HW-WR-2022-583

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$50,780 for numerous hazardous waste violations at your facility in Albany in 2022 and 2024.

DEQ issued this penalty because as a large-quantity generator of hazardous waste, it is your responsibility to characterize, store, and dispose of your hazardous waste safely and legally to protect public health and the environment. Your storage of acids immediately adjacent to ignitable hazardous wastes posed a fire risk. The commingling of the ignitable waste and acid could have been very dangerous for employees and emergency responders. Additionally, several hazardous waste management violations that DEQ identified in 2022 were repeated in 2024.

DEQ appreciates your efforts to correct the violations and minimize the impacts of the violations and 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: Aubree Kerr, DEQ
Killian Condon, DEQ
Nathan Hefflinger, Environmental Engineer, Pacific Cast Technologies, Inc.,
Nathan.Heffelfinger@cppcorp.com
Nathan Ammon, Facilities Manager, Pacific Cast Technologies, Inc.,
Nathan.Ammon@cppcorp.com

1 BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

2 OF THE STATE OF OREGON

3 IN THE MATTER OF:) NOTICE OF CIVIL PENALTY
4 PACIFIC CAST TECHNOLOGIES, INC.,) ASSESSMENT AND ORDER
5 Respondent.) CASE NO. LQ/HW-WR-2022-583

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 150 Queen Avenue SW in Albany, Oregon (the
13 Facility).
- 14 2. On June 21, 2022, and December 9, 2024, DEQ inspected the Facility.
- 15 3. At all material times, Respondent generated more than 2,200 pounds of hazardous waste
16 at the Facility on a monthly basis. At all material times, Respondent annually reported to DEQ that the
17 Facility is a large quantity generator of hazardous waste.
- 18 4. DEQ has not issued Respondent a permit to store, treat, or dispose of hazardous waste at
19 the Facility.

20 June 21, 2022 Inspection

- 21 5. On June 21, 2022, Respondent had not determined whether waste acid disposed of in the
22 lab sink was hazardous waste. The material safety data sheet for the acid indicates it is corrosive. In
23 August of 2022, Respondent analyzed the pH of the waste acid and the pH of that sample of waste acid
24 was 2.1.
- 25 6. On June 21, 2022, Respondent stored six 55-gallon drums of waste process slurry with a
26 flash point of less than 140 degrees Fahrenheit at the Facility without labeling them with the words
27 “hazardous waste” or the date the waste was first placed in the containers.

1 7. On June 21, 2022, in the hazardous waste storage area at the Facility, Respondent stored
2 two palletized 55-gallon drums of waste liquid slurry with a flash point of less than 140 degrees
3 Fahrenheit behind corrosive products such that they were inaccessible.

4 8. On June 21, 2022, Respondent stored three 200-300 gallon containers of corrosive
5 hydrofluoric, hydrochloric, and sulfuric acids immediately adjacent to twelve steel 55-gallon drums of
6 ignitable liquid slurry waste with a flash point of less than 140 degrees Fahrenheit. Sulfuric acid is a
7 strong oxidizer that is incompatible with ignitable waste. 49 CFR 117.848 provides that flammable
8 liquids and acids are not compatible. Acid vapors corroded the inside of the metal storage container and
9 damaged the fire suppression system. In the presence of an ignition source, the oxidizer, ignitable
10 liquids, and corrosive liquids could have resulted in an intense fire.

11 9. On June 21, 2022, Respondent stored two 55-gallon drums containing D001 universal
12 waste aerosol cans in the wastewater treatment area of the Facility without labeling them as “Universal
13 Waste – Aerosol Cans,” “Waste Aerosol Cans,” or “Used Aerosol Cans.”

14 December 9, 2024 Inspection

15 10. On December 9, 2024, Respondent had not determined that waste acid Respondent was
16 disposing of in the lab sink at the Facility was hazardous waste.

17 11. On December 9, 2024, Respondent stored two containers of waste mercury-containing
18 fluorescent lamps that were not closed.

19 12. On December 9, 2024, Respondent stored a container of waste mercury-containing
20 fluorescent lamps that was not labeled with any of the following language: “Universal Waste –
21 Lamp(s),” “Waste Lamps,” or “Used Lamp(s).”

22 13. On December 9, 2024, Respondent did not have any records or documentation
23 demonstrating the length of time that the waste mercury-containing fluorescent lamps had been
24 accumulating at the Facility.

25 14. On December 9, 2024, there were broken pieces of mercury-containing fluorescent
26 lamps on the floor of the Facility surrounding a container of waste mercury-containing fluorescent
27 lamps.

1 1. Respondent violated 40 CFR 262.17(a)(1)(vii)(C) by failing to separate ignitable hazardous
2 waste from incompatible materials, as described in Paragraphs 1-4 and 8 of Section II. The waste was solid
3 waste according to 40 CFR 261.2(a)(1) and (2)(i)(A), and 261.2(b)(1) and (3), and it was hazardous
4 waste identified by EPA Waste Number D001, according to 40 CFR 261.21(a)(1). This is a Class I
5 violation, according to OAR 340-012-0068(1)(g). DEQ hereby assesses a \$6,600 civil penalty for this
6 violation.

7 2. Respondent violated OAR 340-102-0011(2) by failing to completely and accurately
8 determine if Respondent's residues (as defined in OAR 340-100-0010(2)(hh) and 40 CFR 261.2) were
9 hazardous waste when generated. Specifically, Respondent failed to determine whether waste acid
10 disposed of in a laboratory sink was hazardous waste on June 21, 2022, and again on December 9, 2024, as
11 described in Paragraphs 1-5 and 10 of Section II. The waste acid was solid waste according to 40 CFR
12 261.2(a)(1) and (2)(i)(A), and 261.2(b)(1) and (3). The waste acid was hazardous waste identified by
13 EPA Waste No. D002, pursuant to 40 CFR 261.22(a)(1) and (b). These are Class I violations, according
14 to OAR 340-012-0068(1)(a). DEQ hereby assesses a \$5,400 civil penalty for these violations.

15 3. Respondent violated ORS 466.095(1)(c) by treating hazardous waste without a permit, as
16 described in Paragraphs 1-4 and 17 of Section II. The waste compressed gas cylinders containing butane
17 were solid wastes according to 40 CFR 261.2(a)(1) and (2)(i)(A), and 261.2(b)(1) and (3), and hazardous
18 waste as identified by EPA Waste No. D001 according to 40 CFR 261.21(a)(3). According to OAR 340-
19 012-0068(1)(h), this is a Class I violation. DEQ hereby assesses a \$24,380 civil penalty for this violation.

20 4. Respondent violated ORS 466.100(1) by disposing of hazardous waste at a site not
21 permitted to accept hazardous waste, as described in Paragraphs 1-4 and 18 of Section II. The waste was
22 solid waste according to 40 CFR 261.2(a)(1) and (2)(i)(A), and 261.2(b)(1) and (3), and hazardous
23 waste identified by EPA Waste No. D011, pursuant to 40 CFR 261.24. According to OAR 340-012-
24 0068(1)(h), this is a Class I violation. DEQ hereby assesses a \$6,000 civil penalty for this violation.

25 5. Respondent violated 40 CFR 262.17(a)(5)(i)(A) by failing to label containers storing
26 hazardous waste with the words "hazardous waste" as described in Paragraphs 1-4, 6, and 15 of Section II.
27 The wastes in the containers were solid waste according to 40 CFR 261.2(a)(1) and (2)(i)(A), and

1 261.2(b)(1) and (3), and hazardous waste as identified by EPA Waste Numbers D001 and D002,
2 according to 40 CFR 261.21 and 261.22. These are Class II violations, according to OAR 340-012-
3 0068(2)(b). DEQ hereby assesses a \$4,200 civil penalty for these violations.

4 6. Respondent violated 40 CFR 262.17(a)(5)(i)(C) by failing to label containers storing
5 hazardous waste with the date the waste was first placed in the containers, as described in Paragraphs 1-4,
6 6, and 15 of Section II. The wastes in the containers were solid waste according to 40 CFR 261.2(a)(1)
7 and (2)(i)(A), and 261.2(b)(1) and (3), and hazardous waste as identified by EPA Waste Numbers D001
8 and D002, according to 40 CFR 261.21 and 261.22. These are Class II violations, according to OAR 340-
9 012-0068(2)(a). DEQ hereby assesses a \$4,200 civil penalty for these violations.

10 7. Respondent violated 40 CFR 262.255 by failing to maintain adequate aisle space to allow
11 for unobstructed movement of personnel, fire protection equipment, spill control equipment, and
12 decontamination equipment to an area of the Facility in an emergency, as described in Paragraphs 1-4 and
13 7 of Section II. This is a Class II violation, according to OAR 340-012-0068(2)(k). DEQ has not assessed a
14 civil penalty for this violation.

15 8. Respondent violated 40 CFR 262.17(a)(1)(iv)(A) by failing to store hazardous waste in
16 closed containers, as described in Paragraphs 1-4 and 16 of Section II. The wastes in the containers were
17 solid waste according to 40 CFR 261.2(a)(1) and (2)(i)(A), and 261.2(b)(1) and (3), and hazardous waste
18 as identified by EPA Waste Number D001, according to 40 CFR 261.21. These are Class II violations,
19 according to OAR 340-012-0068(2)(m). DEQ has not assessed a civil penalty for these violations.

20 9. Respondent violated 40 CFR 273.14 by failing to label containers storing universal waste
21 with required language, as described in Paragraphs 1-4, 9, and 12 of Section II. These are Class II
22 violations, according to OAR 340-012-0068(2)(p). DEQ has not assessed a civil penalty for these
23 violations.

24 10. Respondent violated 40 CFR 273.13(d)(1) by failing to store mercury-containing universal
25 waste lamps in closed containers, as described in Paragraphs 1-4 and 11 of Section II. These are Class II
26 violations, according to OAR 340-012-0068(2)(p). DEQ has not assessed a civil penalty for these
27 violations.

1 11. Respondent violated 40 CFR 273.13(d)(2) by failing to immediately clean up and
2 containerize broken mercury-containing universal waste lamps, as described in Paragraphs 1-4 and 14 of
3 Section II. This is a Class II violation, according to OAR 340-012-0068(2)(p). DEQ has not assessed a
4 civil penalty for this violation.

5 12. Respondent violated 40 CFR 273.15(c) by failing to demonstrate the length of time
6 Respondent accumulated universal waste at the Facility, as described in Paragraphs 1-4 and 13 of Section
7 II. This is a Class II violation, according to OAR 340-012-0068(2)(p). DEQ has not assessed a civil
8 penalty for this violation.

9 13. Respondent violated 40 CFR 262.263(d) by failing to immediately amend the Facility's
10 contingency plan with current emergency coordinators, as described in Paragraphs 1-4 and 19 of Section
11 II. This is a Class II violation, according to OAR 340-012-0068(2)(o). DEQ has not assessed a civil
12 penalty for this violation.

13 14. Respondent violated 40 CFR 262.262(b)(4) and (6) by failing to include required elements
14 in the Facility's quick reference guide, as described in Paragraphs 1-4 and 20 of Section II. These are Class
15 II violations, according to OAR 340-012-0068(2)(o). DEQ has not assessed a civil penalty for these
16 violations.

17 15. Respondent violated 40 CFR 262.17(a)(7)(i)(B) by failing to have a training program
18 directed by a person trained in hazardous waste management, as described in Paragraphs 1-4 and 20 of
19 Section II. This is a Class II violation, according to OAR 340-012-0068(2)(l). DEQ has not assessed a
20 civil penalty for this violation.

21 IV. ORDER TO PAY CIVIL PENALTY

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

24 1. Pay a total civil penalty of \$50,780. The determination of the civil penalty is attached as
25 Exhibits 1-6 which are incorporated as part of this Notice.

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

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

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

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

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

26 Active duty Service members have a right to stay proceedings under the federal Service
27 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.

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13 4/14/2020
14 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 1: Failing to separate containers storing incompatible hazardous wastes, in violation of 40 CFR 262.17(a)(1)(vii)(C).
- CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0068(1)(g).
- MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0135(4)(c)(B)(i) because the violation involved 660 gallons of hazardous waste. Respondent stored twelve 55-gallon drums of hazardous waste immediately adjacent to incompatible corrosive/oxidizing material.
- 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 \$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)(M)(i) because at the time of the violation, Respondent was a large quantity generator of hazardous waste and Respondent violated a hazardous waste rule.
- "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 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 0 according to OAR 340-012-0145(4)(a), because there was 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. Respondent is a highly-regulated large quantity generator of hazardous waste. The material safety data sheet (SDS) for sulfuric acid notes "Do not store near acids." The inside of the metal storage container had been corroded, likely by acid vapors, increasing the visibility of the risk. By failing to take measures to ensure ignitable liquids and oxidizers were stored apart from toxic corrosive acids, 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 or minimize effects of the violation. Respondent removed the containers of acid from the area the day after 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 \$0 as DEQ does not have sufficient information on which to base an estimate.

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

$$\begin{aligned} &= \$6,000 + [(0.1 \times \$6,000) \times (0 + 0 + 0 + 4 + (-3))] + \$0 \\ &= \$6,000 + [\$600 \times 1] + \$0 \\ &= \$6,000 + \$600 + \$0 \\ &= \$6,600 \end{aligned}$$

EXHIBIT 2

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

VIOLATION 2: Failing to completely and accurately determine if Respondent's residues (as defined in OAR 340-100-0010(2)(hh) and 40 CFR 261.2) were hazardous waste when generated, in violation of OAR 340-102-0011(2).

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

MAGNITUDE: The magnitude of the violation is minor pursuant to OAR 340-012-0135(4)(a)(C) because Respondent failed to make a hazardous waste determination on one waste stream: waste acid that was disposed of in the laboratory sink.

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 \$3,000 for a Class I, minor magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(iii) and applicable pursuant to OAR 340-012-0140(2)(a)(M)(i) because at the time of the violation, Respondent was a large quantity generator of hazardous waste and Respondent violated a hazardous waste rule.

"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 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 2 according to OAR 340-012-0145(4)(b), because DEQ documented the violation on two occurrences, in June 2022 and December 2024.

"M" is the mental state of the Respondent and receives a value of 8 according to OAR 340-012-0145(5)(d), because Respondent's conduct was reckless as defined in OAR 340-012-0030(20). DEQ identified this violation for this waste stream in 2022. In the August 2022 Pre-Enforcement Notice, DEQ cited it and recommended this waste be evaluated each time a batch is generated. Respondent repeated this violation with the same waste stream again in 2024. The material safety data sheet for the acid indicates it is corrosive. By failing to take measures to ensure this foundational requirement of hazardous waste compliance was correctly accomplished for this waste stream despite this awareness, Respondent consciously disregarded a substantial and unjustifiable risk that the result would occur.

Given the prior inspection and citation from DEQ, and Respondent's awareness of the corrosive nature of the waste, this risk was of such a nature and degree that disregarding it constituted a gross deviation from the standard of care a reasonable person would observe in that situation.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of -2 according to OAR 340-012-0145(6)(d), because Respondent eventually made some efforts to correct the violation. Respondent accurately determined that the waste acid was hazardous waste and installed an elementary neutralization unit to manage the hazardous waste after DEQ's December 2024 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 \$0 as DEQ does not have sufficient information on which to base an estimate.

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

$$\begin{aligned} &= \$3,000 + [(0.1 \times \$3,000) \times (0 + 0 + 2 + 8 + (-2))] + \$0 \\ &= \$3,000 + [\$300 \times 8] + \$0 \\ &= \$3,000 + \$2,400 + \$0 \\ &= \$5,400 \end{aligned}$$

EXHIBIT 3

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

VIOLATION 3: Treating hazardous waste without a permit, in violation of ORS 466.095(1)(c).

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

MAGNITUDE: The magnitude of the violations is major pursuant to OAR 340-012-0135(4)(b)(A)(i) because Respondent illegally treated more than 55 gallons or 330 pounds of hazardous waste. Respondent treated one-pound gas cylinders, and was treating an average of at least 10 cylinders per month (120 pounds/year) for approximately six years, since Respondent has been operating the Facility.

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 \$12,000 for a Class I, major magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(i) and applicable pursuant to OAR 340-012-0140(2)(a)(M)(i) because Respondent is a large 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 10 years per OAR 340-012-0145(2)(d)(B), 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 0 of 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 Respondent conducted illegal treatment of hazardous waste compressed gas cylinders since Respondent began operating the Facility in 2019. According to OAR 340-012-0145(4), each repeated occurrence of the same violation and each day of a violation with a duration of more than one day is a separate occurrence.

"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 by OAR 340-012-0030(15). Respondent is a highly-regulated large quantity generator of hazardous waste. By failing to recognize that releasing the contents of the compressed ignitable gas cylinder into the air, equalizing the pressure and rendering the waste non-hazardous, is treatment of a

hazardous waste, Respondent failed 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 procuring and implementing an activated carbon cylinder recycling system.

"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 \$6,380. This is the amount Respondent gained by delaying spending \$1,275 on an activated carbon cylinder recycling system, and avoiding spending an estimated \$7,500 on carbon filters. This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

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

$$\begin{aligned} &= \$12,000 + [(0.1 \times \$12,000) \times (0 + 0 + 4 + 4 + (-3))] + \$6,380 \\ &= \$12,000 + [\$1,200 \times (5)] + \$6,380 \\ &= \$12,000 + \$6,000 + \$6,380 \\ &= \$24,380 \end{aligned}$$

EXHIBIT 4

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

- VIOLATION 4: Disposing of hazardous waste at a location not permitted to accept hazardous waste, in violation of ORS 466.100(1).
- CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0068(1)(h).
- MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0135(4)(b)(B)(i) because DEQ does not have evidence that Respondent illegally disposed of more than 55 gallons or 330 pounds of hazardous waste.
- 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 \$6,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(B)(i) and applicable pursuant to OAR 340-012-0140(2)(a)(M)(i) because Respondent is a large quantity generator of hazardous waste and violated a hazardous waste rule.
- "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 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 0 according to OAR 340-012-0145(4)(a) because DEQ has insufficient information on which to base a finding under paragraphs (4)(b) through (4)(d).
- "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 had previously disposed of this waste stream as hazardous waste, and during DEQ's 2022 inspection, DEQ and Respondent discussed the requirement to conduct an accurate hazardous waste determination on the waste spill pads containing silver. By failing to take measures to ensure these wastes were consistently disposed of as hazardous waste, Respondent failed to take reasonable care to avoid the foreseeable risk of conduct resulting in a violation.
- "C" is Respondent's efforts to correct or mitigate the violation and receives a value of -4 according to OAR 340-012-0145(6)(b) because Respondent made extraordinary efforts to

ensure that the violation would not be repeated by decommissioning the silver reclaim system and properly disposing of remaining hazardous waste.

"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, as DEQ does not have sufficient information on the quantity of hazardous waste illegally disposed to make a reasonable estimate of the costs avoided as a result of this violation.

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

$$\begin{aligned} &= \$6,000 + [(0.1 \times \$6,000) \times (0 + 0 + 0 + 4 + (-4))] + \$0 \\ &= \$6,000 + (\$600 \times 0) + \$0 \\ &= \$6,000 + \$0 + \$0 \\ &= \$6,000 \end{aligned}$$

EXHIBIT 5

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

VIOLATION 5: Failing to label containers storing hazardous waste with the words "hazardous waste," in violation of 40 CFR 262.17(a)(5)(i)(A).

CLASSIFICATION: This is a Class II violation pursuant to OAR 340-012-0068(2)(b).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0135(4)(c)(B)(i) because Respondent failed to label containers storing 660 gallons of hazardous waste as "hazardous waste." On June 21, 2022, Respondent stored six 55-gallon drums of ignitable hazardous waste process slurry without labeling them as hazardous waste. On December 9, 2024, Respondent stored a 330-gallon container of waste hydrochloric acid, soluble wax solids, and debris, without labeling the container as hazardous waste.

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 \$3,000 for a Class II, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(B)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(M)(i) because Respondent violated a hazardous waste rule and Respondent is a large quantity generator as defined in 40 CFR 260.10.

"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 10 years per OAR 340-012-0145(2)(d)(B), 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 0 of 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 3 according to OAR 340-012-0145(4)(c), because there were seven occurrences of the violation. Respondent failed to label seven containers with the words "hazardous waste." According to OAR 340-012-0145(4), each repeated occurrence of the same violation and each day of a violation with a duration of more than one day is a separate occurrence.

"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). By failing to label numerous containers of various hazardous waste as required,

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 or minimize effects of the violation. Respondent labeled the containers after DEQ's inspections.

"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, as DEQ estimates any economic benefit from this violation is de minimis.

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

$$\begin{aligned} &= \$3,000 + [(0.1 \times \$3,000) \times (0 + 0 + 3 + 4 + (-3))] + \$0 \\ &= \$3,000 + [\$300 \times (4)] + \$0 \\ &= \$3,000 + \$1,200 + \$0 \\ &= \$4,200 \end{aligned}$$

EXHIBIT 6

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

VIOLATION 6: Storing hazardous waste at the Facility in containers without labeling them with the date the hazardous waste was first placed in the container, in violation of 40 CFR 262.17(a)(5)(i)(c).

CLASSIFICATION: This is a Class II violation pursuant to OAR 340-012-0068(2)(a).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0135(4)(c)(B)(i) because Respondent failed to label containers storing 660 gallons of hazardous waste as "hazardous waste." On June 21, 2022, Respondent stored six 55-gallon drums of ignitable hazardous waste process slurry without labeling them as hazardous waste. On December 9, 2024 Respondent stored a 330-gallon container of waste hydrochloric acid, soluble wax solids, and debris, without labeling the container as hazardous waste.

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 \$3,000 for a Class II, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(B)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(M)(i) because Respondent violated a hazardous waste rule and Respondent is a large quantity generator as defined in 40 CFR 260.10.

"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 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 3 according to OAR 340-012-0145(4)(c), because there were seven occurrences of the violation. Respondent failed to label seven containers with the words "hazardous waste." According to OAR 340-012-0145(4), each repeated occurrence of the same violation and each day of a violation with a duration of more than one day is a separate occurrence.

"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). By failing to label numerous containers of various hazardous waste as required,

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 or minimize effects of the violation. Respondent dated the containers after DEQ's inspections.

"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, as DEQ estimates any economic benefit from this violation is de minimis.

PENALTY CALCULATION: $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$
= \$3,000 + [(0.1 x \$3,000) x (0 + 0 + 3 + 4 + (-3))] + \$0
= \$3,000 + [\$300 x (4)] + \$0
= \$3,000 + \$1,200 + \$0
= \$4,200

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:	April 14, 2026
RESPONSE DATE*:	June 23, 2026
TOTAL PENALTY:	\$50,780.00

Account Name:	PACIFIC CAST TECHNOLOGIES, INC.		
Account Type:	Vendor/Organization/Company	Reference Number:	CPGFD2600098
SubSystem ID:	190755	FIMS Acct. ID:	998

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 50,780.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 50,780.00

*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'

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 PLEASE RETURN THIS PORTION WITH YOUR PAYMENT



REFERENCE NO.	CPGFD2600098		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	June 23, 2026
FIMS ACCT. ID:	998	TOTAL PENALTY DUE:	\$50780.00

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 0095000009986CPGFD260009800050780000



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
4/13/2026	2022-583 LQ-HW-WR-2022-583	\$50,780.00

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-2022-583 upon:

9589 0710 5270 0110 6025 28

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT	
For delivery information, visit our website at www.usps.com ®.	
CERTIFIED MAIL RECEIPT	
Certified Mail Fee \$ _____	Postmark Here
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 \$ _____	
Pacific Cast Technologies, Inc. c/o Corporation Service Company, Registered Agent 1127 Broadway St NE Ste 310 Salem, OR 97301	
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 April 14, 2026

Isaac Griffith

Isaac Griffith, Case Coordinator

Office of Compliance & Enforcement

Department of Environmental Quality