



Oregon

Theodore Kulongoski, Governor

Department of Environmental Quality
Western Region Eugene Office

Plain Language Improvements:

- Statement of purpose at beginning of letter
- Active voice
- Short paragraphs

November __, 2008

Robert and Lanetta Mobley
PO Box 874
Newport, OR 97365

Re: Removal of hazardous substances from your property at 109 King Place Road, King Salvage, Lincoln County

Dear Mr. and Mrs. Mobley:

This letter is to inform you that DEQ has requested federal assistance to remove hazardous substances from your property.

Staff from the Environmental Protection Agency (EPA) plan to do that work in January 2009, and would like to visit the site in December to plan the work. DEQ and EPA hope to work cooperatively with you. In order to achieve that cooperation, you or your representative, as well as the salvage operator, should be available during the site visit.

DEQ staff visited the property most recently on October 1, 2008. Staff found that you have not complied with DEQ's request to correct the hazardous waste violations and to stabilize and contain used oil and automotive wastes at the site.

DEQ has evidence that oil from your property has entered Beaver Creek and will likely continue to enter Beaver Creek if it is not properly contained and disposed. DEQ has received pollution complaints through Oregon Emergency Response, and previous DEQ involvement includes DEQ's 2001 Strategy Recommendation, a water quality inspection in 2005, hazardous waste inspections in 2005, 2006, and 2008, and documented violations of Oregon law.

The law prohibits pollution of waterways. Specifically, Oregon Revised Statute (ORS 468B.025) states that no person shall cause pollution to waters of the state or place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means.

DEQ has requested federal assistance to remove the waste oil and other hazardous substances from your property because you have not complied or shown an effort to comply with DEQ requests, and because of the potential for continued releases of oil to waters of the state. EPA will contain and dispose of hazardous substances such as used oil and other waste automotive fluids, batteries, automotive switches, propane tanks, and any other hazardous substance that may continue to threaten the environment. It may also be necessary to dispose of contaminated soil, used tires, steel, and other solid waste that is located in an area requiring cleanup or that threatens the environment.

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It is our understanding that King Salvage is currently being operated by Chris and Shannon Burton and this information has also been provided to them. The cleanup activity will likely disrupt salvage operations temporarily.

EPA will be contacting you shortly regarding access to your property to conduct the site visit. After the removal EPA may attempt to recover their costs or put a lien on the property.

Please contact me at 541-687-7355 if you have any questions.

Sincerely,

Keith Andersen
Acting Division Administrator
Western Region DEQ

Cc: Chris and Shannon Burton, King Salvage Co.
Andy Smith, EPA Region 10
Doug Canfield, Oregon State Police
John Spangler, ODFW
Amy Chapman, Lincoln County Health Department
Matt Spangler, Lincoln County Planning
Regina Cutler, DEQ Office of Compliance and Enforcement
Max Rosenberg, DEQ Western Region Cleanup Program
David R. Belyea, DEQ Regional Environmental Solutions
Brian Fuller, DEQ Hazardous Waste and Solid Waste Program

