Hazardous Waste Enforcement: Oregon Department of Environmental Quality Notice of Civil Penalty Assessment/Order Addressing Millersburg Facility



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The Oregon Department of Environmental Quality ("ODEQ") issued a January 22nd Notice of Civil Penalty Assessment and Order ("Notice") to Highline-Warren, LLC ("HW") for alleged violations of the hazardous waste regulations.

The Notice provides that HW operates a manufacturing business in Millersburg, Oregon.

The facility is stated to generate between 220 and 2,200 pounds of hazardous waste on a monthly basis. Further, the facility is stated to not have been issued a permit by ODEQ to treat, store, or dispose of hazardous waste at the facility.

ODEQ is stated to have inspected the facility on December 19, 2023. The facility is stated to have been generating waste in the sump by spilling certain dyes and additives to the sump when changing containers attached to manifolds dispensing methanol and ethanol, among others as referenced in the Notice.

The Notice also provides that on December 19, 2023, HW stored 17 55-gallon drums of sump waste outside the facility, and the company determined that these drums contained non-hazardous waste. Some of the drums had labels indicating waste additives, e.g. "blue dye" and "orange dye."

The facility is stated to have not determined on or before December 19, 2023, whether the wastes in the sump and the drums referenced were hazardous prior to mixing the components of the waste together. In addition, the Notice states that the facility had not considered more information than the Safety Data Sheets for each additive.

The facility is stated to have stored four five-gallon containers of "off-spec" material outside at the facility, and it was unaware of whether the contents of the containers were hazardous waste. In August of 2024, HW provided DEQ with information that it had done hazardous waste determinations on the contents of the containers, determining that three containers were non-hazardous and one container was hazardous. In addition, HW stored several five-gallon containers of used oil at the facility, none of which were labeled "used oil." The facility is further stated to have stored several waste aerosol cans, not in a container, but placed on top of a 55-gallon drum.

Finally, the Notice states that HW did not maintain any documentation (such as labels or a log) of the date the first waste aerosol cans were stored at the facility and did not have written procedures for safely operating the aerosol can puncturing device at the facility, nor a spill clean up kit or procedures for spill clean up at the aerosol can puncturing area.

The Notice proposes a civil penalty of $11,200.

HW is provided certain appeal rights.

A copy of the Notice can be found here.