

# Air Enforcement: Proposed Oregon Department of Environmental Quality Order Addressing Portland Autobody Paint Operation



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The Oregon Department of Environmental Quality (“ODEQ”) issued a June 25th Notice of Civil Penalty Assessment and Order (“Order”) to Crash Champions, LLC (“CC”) addressing an alleged violation of certain Oregon air regulations. See Case No. AQ/ACDP-NWR-2024-023.

The Order provides that CC operates an autobody paint and repair shop within the Portland Air Quality Maintenance Area.

The shop is alleged to be operating without a required Air Contaminant Discharge Permit (“ACDP”).

ODEQ regulations are stated to require a Basic ACDP for autobody paint and repair shops located within the Portland Air Quality Maintenance Area that are:

- Located within the Portland Air Quality Maintenance Area;
- Paint more than 25 automobiles per year; and,
- Are not subject to the National Emissions Standards for Hazardous Air Pollutants Subpart HHHHHH.

Subpart HHHHHH applies to paint stripping and miscellaneous surface coating operation.

The Order provides that ODEQ issued the penalty because CC has not demonstrated to the agency that the application received meets the requirements of a Basic ACDP despite communications requesting complete permit application materials. As a result, the Order provides that ODEQ has not been able to issue a Permit.

Operating without a required ACDP Permit is stated to be a violation of Oregon law.

The Order proposes a civil penalty of \$3,463.00.

Further, within 30 days of the Order, CC is required to submit documentation to ODEQ regarding the Portland CC facility and two others that it operates demonstrating that each facility is exempt from the requirements of 40 C.F.R. Part 63, Subpart HHHHHH or submit a complete general surface coating ACDP application.

The Order provides certain appeal rights.

A copy of the Order can be downloaded [here](#).