



MARTEN LAW

March 27, 2017

Via U.S. Mail and Email

Oregon Department of Environmental Quality
Office of Compliance and Enforcement - Appeals
700 NE Multnomah St., Suite #600
Portland, OR 97232
DEQappeals@deq.state.or.us

Re: Answer to March 7, 2017 Notice of Civil Penalty Assessment and Order,
Case No. LQ/HW-NWR-2016-175

To Whom It May Concern,

We represent Total Reclaim, Inc. (“Total Reclaim”) and write to request: 1) an informal discussion regarding the above-referenced Oregon Department of Environmental Quality’s (“DEQ”) March 7, 2017 Notice of Civil Penalty Assessment and Order (the “Notice”), and 2) a contested case hearing in the same matter. Total Reclaim’s Answer to the Notice is attached.

As we indicated in our October 24, 2016 and November 30, 2016 correspondence, we believe that DEQ’s allegations lack merit but also that DEQ and Total Reclaim can better put their resources toward a settlement of the claims as opposed to litigating them. We file this request for a contested case hearing with the hope that an informal discussion with DEQ will yield mutually acceptable results before a hearing is needed.

Sincerely,

Richard Allan

Enclosures

cc: Jessica Ferrell
Brad Marten
Craig Lorch
Jeff Zirkle

[Recipient]

[Date]

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