

STATE OF OREGON

DEPARTMENT OF AGRICULTURE

Before the Director of the Department of Agriculture

In the Matter of: Steven S. Owen	)	OAH Case No. 1403875
CPA # AG-L0074922CPA	)	ODA Pesticides Case No. 140147
	)	<b>SETTLEMENT AGREEMENT</b>
	)	<b>AND FINAL ORDER</b>
	)	
	)	

**SETTLEMENT AGREEMENT**

WHEREAS Steven S. Owen (Mr. Owen) does not dispute the findings of facts and conclusions set out in the Notice of Imposition of Civil Penalty dated August 8, 2014 (Notice) (attached as Exhibit A);

WHEREAS the Oregon Department of Agriculture (Department) and Mr. Owen desire to fully and finally resolve the alleged violations set forth in the Notice;


The parties hereby agree to the following:

1. Upon signature of this Agreement, Mr. Owen agrees to immediately surrender Commercial Pesticide Applicator (CPA) license AG-L0074922CPA.
2. Mr. Owen agrees that the Oregon Department of Agriculture may issue the attached Final Order.
3. Mr. Owen agrees that the Director of the Department will immediately revoke CPA License AG-L0074922 for a period of one year (July 1, 2015 through June 30, 2016) consistent with the terms of this Order.
4. The Director of the Department of Agriculture agrees that after June 30, 2016, the Director shall in good faith consider the re-application by Mr. Owen for a CPA license upon proper application and payment of application fees and upon finding no new violations of ORS Chapter 634 or the rules promulgated thereunder.
5. The Director of the Department of Agriculture agrees to waive the civil penalty of \$10,000.00.

6. Mr. Owen understands his right to a contested case hearing and judicial review and agrees to waive all rights to a contested case hearing and to judicial review of this Agreement and Order.
7. The final order will remain a part of Mr. Owen's history until July 1, 2018 for the purpose of any future enforcement.
8. The parties agree that this Agreement may be executed in counterparts with each counterpart considered an original and agrees that facsimile signatures are sufficient for the purposes of execution of this Agreement.

  
\_\_\_\_\_  
Steven S. Owen

6-30-2015  
Date

  
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Dale L. Mitchell  
Program Manager  
Pesticide Program  
Oregon Dept. of Agriculture


7-1-2015  
Date

### FINAL ORDER

NOW THEREFORE, the Director of the Department finds that Steven S. Owen committed one violation of ORS 634.372(6) as alleged in the Notice and hereby revokes CPA License #AG-L0074922 for a period of one year. After June 30, 2016, the Director shall in good faith consider reapplication for a CPA License by Mr. Owen upon submission of a completed application and fees and upon finding that Mr. Owen has not violated ORS Chapter 634 or any rules promulgated thereunder between July 1, 2015 and June 30, 2016.

### IT IS SO ORDERED

DATED this 1<sup>st</sup> day of July, 2015.  
12:25 pm

  
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Katy Coba  
Director  
Oregon Department of Agriculture