

STATE OF OREGON

DEPARTMENT OF AGRICULTURE

Before the Director of the Department of Agriculture

In the Matter of: Pacific Air Research, Inc.) OAH Case No. 1403877
CPO # AG-L0000006CPO) ODA Pesticides Case No. 140147
) **SETTLEMENT AGREEMENT**
) **AND FINAL ORDER**
)
)

SETTLEMENT AGREEMENT


WHEREAS Pacific Air Research (PAR) 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 PAR 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, PAR agrees to immediately surrender Commercial Pesticide Operator (CPO) license AG-L0000006CPO.
2. PAR agrees that the Oregon Department of Agriculture may issue the attached Final Order.
3. PAR agrees that the Director of the Department will immediately revoke CPO License AG-L0000006CPO 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 PAR for a CPO license upon proper application and payment of application fees and upon finding no new violations by PAR 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. PAR understands the right to a contested case hearing and judicial review and waives 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 PAR's history until July 1, 2018 for the purpose of any future enforcement.
8. PAR's signatory agrees and represents they are authorized to bind PAR and its officers.
9. 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 on
 Behalf of Pacific Air Research

6-30-2015
 Date


 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 Pacific Air Research (PAR) committed one violation of ORS 634.372(6) as alleged in the Notice and hereby revokes CPO License AG-L0000006CPO for a period of one year. After June 30, 2016, the Director shall in good faith consider reapplication for a CPO License by PAR upon submission of a completed application and fees and upon finding that PAR 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 1st day of July, 2015.
12:25 pm


 Katy Coba
 Director, Oregon Department of Agriculture