

Former Bend DEQ office owner, contractor fined for asbestos project

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The Oregon Department of Environmental Quality (DEQ) has issued a \$1,500 penalty to Galyn D. Roth for allowing an unlicensed contractor to perform an asbestos abatement project on a fire/water-damaged building he owns at 2146 NE Fourth St. in Bend. In a related matter, DEQ has issued a \$1,800 penalty to Spectrum Building & Restoration, Inc. of Bend for performing the asbestos abatement project without an asbestos abatement contractor's license.

Following a Dec. 1, 2006 fire, the building -- occupied for almost 30 years by the DEQ Bend office -- was closed Dec. 14, 2006 when asbestos was found in flooring material removed during building repair work that took place shortly after the fire incident.

Before the repair work started, a DEQ asbestos specialist advised Roth that the building's sheet flooring could contain asbestos. Sometime between Dec. 4 and Dec. 11, Roth's contractor, Spectrum Building & Restoration, started repair work in a bathroom, removing sheet flooring that had a paper backing. Removal of the paper backing material rendered it friable, or capable of releasing asbestos fibers. During the course of removal, asbestos fibers may have been released to the air, potentially exposing the public and the environment to asbestos.

Asbestos fibers are a respiratory hazard proven to cause lung cancer, mesothelioma, asbestosis and other respiratory diseases and a hazardous air contaminant for which there is no known safe level of exposure. A DEQ laboratory analysis of a sample of the paper backing revealed that it contained 30 percent chrysotile asbestos. To protect human health and the environment, state laws set strict requirements on the removal, handling and disposal of material containing more than 1 percent asbestos.

Asbestos-containing materials which can easily release asbestos fibers, such as torn or broken sheet flooring, must be handled by an Oregon-licensed asbestos abatement contractor. However, Spectrum is not licensed to handle asbestos. A trained and licensed asbestos abatement contractor would have wet the flooring during removal, placed the asbestos-containing waste material in leak-tight containers, clearly labeled the containers as asbestos-containing and disposed of it in a timely manner at an authorized disposal site to prevent emissions of asbestos fibers into the air.

Oregon rules give Roth and Spectrum 20 days to appeal their penalties.

On Feb. 26, 2007, the DEQ Bend office re-opened for business at its temporary location on the first and second floors of the Lotus Building at 300 SE Reed Market Road in Bend.