



# Notes: Oregon Environmental Quality Commission

## Special Meeting, Oct. 25, 2024

### Welcome and Meeting Open

At approximately 10:05 a.m., Chair Matt Donegan opened the meeting and reviewed the day's agenda.

Attendees: Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser, and Commissioner Mark Webb. Also present were DEQ Director Leah Feldon and Department of Justice Counsel Gary Vrooman.

The meeting was held via Zoom.

### Item A: Mapleton Rock Products, Inc. Hearing (Action)

*Presenters: Gary Vrooman (DOJ), Courtney Brown (DEQ), Mike McAllister (Mapleton Rock Products, Inc.)*

The Environmental Quality Commission heard oral argument from and asked questions of both DEQ and Mapleton Rock Products representatives regarding MRP's Petition for EQC review of the Administrative Law Judge's November 2023 Proposed Order regarding alleged violations of Oregon water quality law, the imposition of a civil penalty, and required corrective actions at MRP's gravel quarry near Mapleton, Oregon. The EQC deliberated and determined by motion its decision on the Final Order in this matter.

Gary Vrooman with the Department of Justice introduced the contested case. Respondent Mike McAllister made opening argument on behalf of Mapleton Rock Products, Inc. He outlined the disputed issues. Commissioners asked clarifying questions.

**Action:** Adopt the proposed order of the ALJ as the final order in this matter, with the exception that the commission adopt the reduction in the penalty amount as described in DEQ's briefing.

**Move:** Commissioner Amy Schlusser

**Second:** Commissioner Karen Moynahan

*The commission approved the motion with a vote of 3-1.*

The commission asked clarifying questions after the vote and took another vote on the motion. The commission adopted the proposed order from the ALJ as the final order, with a reduction in the amount of the penalty. The necessary conditions for evidence to be clear and convincing were discussed, and several commissioners expressed their satisfaction with the ALJ's findings based on Ms. Reinhart's testimony. The commission concluded that there was no prejudice against Mr. McAllister regarding certain documents, and it was stated that two outfalls constitute a point source under Oregon law. With the additional clarification, the commission took a vote in favor of the motion with a result of three to one.

### Adjourn Meeting

Chair Matt Donegan adjourned the meeting at approximately 11:38 a.m.

#### Translation or other formats

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800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

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Approved as presented \_\_x\_\_  
Approved with amendments \_\_\_\_\_

## Other Resources

- [Zoom recording](#) (passcode: a34@g9P%)
- [October 2024 EQC webpage](#)

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