



**STATE OF OREGON  
OREGON HEALTH AUTHORITY**

Ref File: 972853

IN THE MATTER OF:

)

) **FINAL ORDER**

**Glow Tanning LLC,  
Tanning Facility**

)

)

) Agency Case No. RPS 2014-T2853 CP

**Niki Fransik  
345 S. 3rd Street  
St. Helens, OR 97051**

On April 14, 2014, the Oregon Health Authority, Center for Health Protection, Radiation Protection Services (RPS) issued a Notice of Violation and Proposed Imposition of Civil Penalty pursuant to Oregon Revised Statute ORS 431.950; Oregon Administrative Rules (OAR)333-103-0025, 333-119-0020, 333-119-0140, and 333-124-0010 proposing to impose a civil penalty against **Glow Tanning LLC** in the amount of **\$2,160.00** for violations of Oregon Administrative Rules (OARs) listed in the Notice. The Notice offered **Niki Fransik**, the owner of Glow Tanning LLC, an opportunity for a hearing, if requested within 20 days of service of the Notice. The Notice designated the relevant portions of RPS' file on this matter, including all materials submitted by Niki Fransik, as the record for purposes of default. Niki Fransik did not request a hearing.

NOW THEREFORE, after considering the relevant portions of RPS' file relating to this matter, RPS enters the following Order.

**FINDINGS OF FACT**

1. Glow Tanning LLC consists of a tanning facility at 555 S. Columbia River Hwy, Suite D, and has a total of 4 tanning device(s).

2. On January 1, 2014, Glow Tanning LLC was required to pay to RPS a \$100 registration fee per tanning device, for a total of \$400 in registration fees. OAR 333-119-0020; and 333-103-0025.
3. Two payment notices were mailed to Niki Fransik at the address of record. On November 26, 2013, an Informational Bulletin advising registrants of Electronic Payment to pay outstanding registration fees was mailed to the address of record.
4. To date, RPS has not received any registration fees.

### ULTIMATE FINDINGS OF FACT

Glow Tanning LLC did not pay its 2014 registration fees.

### CONCLUSION OF LAW

Glow Tanning LLC violated OAR 333-103-0025 by failing to pay its 2014 registration fees.

### ORDER

As authorized by ORS 431.950, Glow Tanning LLC shall pay a civil penalty of **\$2,160.00**, calculated as follows for violations of OAR 333-103-0025 & OAR 333-142-0010(8):

**4 devices x \$100 registration fees = \$400**

Start Date	End Date	Fees	Days	Total
Jan. 10, 2014	Feb. 9, 2014	\$400 3% \$12.00 X	30	\$360.00
Feb. 10, 2014	Mar. 12, 2014	\$400 5% \$20.00 X	30	\$600.00
Mar. 13, 2014	April 12, 2014	\$400 10% \$40.00 X	30	\$1,200.00

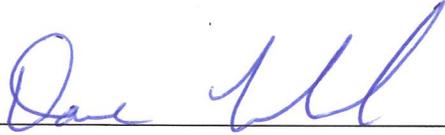
**Proposed Civil Penalty Amount: \$2,160.00**

1. In addition to paying a civil penalty, Glow Tanning LLC shall pay the 2014 registration fees of \$400.

**Amount Owed to the State: \$2,560.00**

2. Failure to comply with this Order may subject Glow Tanning LLC to further civil penalties.

DATED this 15 day of MAY, 2014



Dave Leland  
Interim Administrator, Center for Health Protection  
Public Health Division  
Oregon Health Authority

*Date of Mailing:* May 16, 2014

**Notice:** Civil Penalty amounts are established in ORS 431.950. Civil penalties are due and payable 10 days from the date this Order was mailed. If unpaid, civil penalties may be recorded and filed with county clerks as liens against property 10 days after the expiration of the statutory appeals period and sent to the Department of Revenue or a private collection firm for further collection efforts. If you have any questions about payment or wish to make payment arrangements, please call Todd S. Carpenter at 971-673-0500.

Make check payable to:

**Oregon Health Authority  
ATTN: Radiation Protection Services  
800 NE Oregon St., Suite 640  
Portland, OR 97232**

**Appeal Rights:** You are entitled to judicial review of this order in accordance with ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the date of this order.

Copy to: Shannon O'Fallon, Senior Assistant Attorney General  
Oregon Department of Justice  
Registration File #2853



PUBLIC HEALTH DIVISION  
PO Box 14450  
Portland, OR 97293-0450



7013 0600 0000 0279 9428  
7013 0600 0000 0279 9428

RP496

CERTIFIED MAIL™

PS Form 3800, August 2008  
See reverse for restrictions

Sent To: Niki Fransik  
345 S. 3rd Street  
St. Helens, OR 97051  
City, State or PO Box Street, Apt.

Total For: Glow Lanning LLC

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Handwritten: RPS, 2803, F.O.

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CERTIFIED MAIL™ RECEIPT  
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Glow Lanning LLC  
Niki Fransik  
345 S. 3rd Street  
St. Helens, OR 97051

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Glow Lanning LLC  
Niki Fransik  
345 S. 3rd Street  
St. Helens, OR 97051

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  Agent
- B. Received by (Printed Name)  Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number

7013 0600 0000 0279 9428