



PUBLIC HEALTH DIVISION  
Radiation Protection Services

John A. Kitzhaber, MD, Governor

Oregon  
**Health**  
Authority

800 NE Oregon Street, Suite 640  
Portland, OR 97232  
Voice 971-673-0490  
FAX 971-673-0553  
TTY 971-673-0372

**STATE OF OREGON  
OREGON HEALTH AUTHORITY**

Ref File: 972802

IN THE MATTER OF:

**Sunfire Salon & Tanning,  
Tanning Facility**

)  
) FINAL ORDER  
)  
)  
) Agency Case No. RPS 2012-T2802 CP

**Jonnie LaTourrette  
6252 Dark Hollow Road  
Medford, OR 97501**

The Oregon Health Authority, Radiation Protection Services (RPS) is charged with protecting the health and safety of all Oregonians from unnecessary radiation exposure. It is essential that all registrants comply with Oregon Administrative Rules (OAR) relating to tanning facility operations which minimizes health risks to workers, clients, and the public.

On January 9, 2013, the Oregon Health Authority, Public Health Division, 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) 333-119-0020 and 333-124-0010 proposing to impose a civil penalty against Sunfire Salon & Tanning in the amount of \$750 for violations of Oregon Administrative Rules (OARs) listed in the Notice. The Notice offered Jonnie LaTourrette an opportunity for 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 Jonnie LaTourrette, as the record for purposes of default. Jonnie LaTourrette 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. Sunfire Salon & Tanning consists of a tanning facility at 721 N. Main Street, Phoenix, and has a total of 4 tanning devices.
2. On October 10, 2012, Sunfire Salon & Tanning was inspected by an RPS staff member. During the inspection, Sunfire Salon & Tanning was found to be in violation of a number of

administrative rules governing tanning devices and facilities. The violations were cited in the inspection report form dated October 10, 2012, that is incorporated by reference.

3. Sunfire Salon & Tanning or a member of its staff was instructed to respond in writing within 30 days of the inspection with corrective action.
4. Sunfire Salon & Tanning or a member of its staff was informed that if no response was received within 30 days civil penalties would be assessed as authorized by ORS 431.950 and OAR 333-124-0010.

### ULTIMATE FINDINGS OF FACT

Sunfire Salon & Tanning is operating as a tanning facility in violation of ORS 431.940 and OAR 333, Divisions 119 and 124.

### CONCLUSION OF LAW

1. Sunfire Salon & Tanning violated rules governing tanning facilities as documented in the October 10, 2012 Inspection Report which has been incorporated by reference, has not corrected such violations, and is subject to civil penalties.
2. Pursuant to ORS 431.950 and OAR 333-124-0010, a civil penalty shall be imposed against Sunfire Salon & Tanning totaling \$750.
3. The civil penalties are calculated as follows for violations of OAR 333-119:

Rule Violation	Severity Level	CP amount	Instances	Totals
333-119-0100(17)	2	\$150	x 4	= \$600
333-119-0110(7)(a)	4	\$75	x 2	= \$150

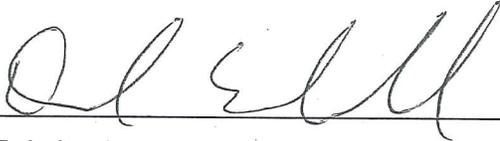
Proposed civil penalty amount = \$750

4. Failure to comply with this Order may subject Sunfire Salon & Tanning to further civil penalties.

ORDER

Sunfire Salon & Tanning is ordered to pay a civil penalty in the amount of \$750.

DATED this 8 day of FEBRUARY 2013.



David E. Leland  
Interim Administrator, Center for Health Protection  
Public Health Division  
Oregon Health Authority

Date of Service: February 11, 2013

**Notice:** Civil Penalty amounts are established in ORS 431.950. Civil penalties are due and payable 10 days after the date of this Order. 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, Licensing Manager at 971-673-0500 and make checks payable to: "OHA-Radiation Protection Services" and send to 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  
Todd S. Carpenter, Licensing Manager, Radiation Protection Services