



**STATE OF OREGON  
OREGON HEALTH AUTHORITY**

Ref File: 972465

IN THE MATTER OF:

**Amonte Salon & Spa,  
Tanning Facility**

)  
) **FINAL ORDER**  
)  
)  
) Agency Case No. RPS 2013-T2465 CP

**Shelby Ceniga  
652 SW Sixth Street  
Redmond, OR 97756**

On , March 18, 2013 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 **Amonte Salon & Spa** in the amount of **\$273** for violations of Oregon Administrative Rules (OARs) listed in the Notice. The Notice offered **Shelby Ceniga**, the owner of Amonte Salon & Spa, 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 Shelby Ceniga, as the record for purposes of default. Shelby Ceniga 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. Amonte Salon & Spa consists of a tanning facility at 652 SW Sixth Street, Redmond, and has a total of 1 tanning device(s).

2. On January 1, 2013, Amonte Salon & Spa was required to pay to RPS a \$100 registration fee per tanning device, for a total of \$100 in registration fees. OAR 333-119-0020; and 333-103-0025.
3. Shelby Ceniga was sent, to address of record, two payment notices regarding unpaid registration fees and on an Enforcement Bulletin advised of potential civil penalties for failure to pay the outstanding registration fees within 10 days of the dated Enforcement Bulletin.
4. To date, RPS has not received any registration fees.

### ULTIMATE FINDINGS OF FACT

Amonte Salon & Spa has not paid its 2013 registration fees.

### CONCLUSION OF LAW

Amonte Salon & Spa violated OAR 333-103-0025 by failing to pay its 2013 registration fees.

### ORDER

As authorized by ORS 431.950, Amonte Salon & Spa shall pay a civil penalty of **\$273**, calculated as follows for violations of OAR 333-103-0025 & OAR 333-142-0010(8):

1 devices x \$100 registration fees = \$100

| <u>Start Date</u>                     | <u>End Date</u> | <u>Fees</u> |     |      |   |         | <u>Total</u> |
|---------------------------------------|-----------------|-------------|-----|------|---|---------|--------------|
| Jan. 10, 2013                         | Feb. 10, 2013   | \$100       | 3%  | \$3  | x | 31 Days | \$93         |
| Feb. 11, 2013                         | Mar. 12, 2013   | \$100       | 5%  | \$5  | x | 30 Days | \$150        |
| Mar. 13, 2013                         | Mar. 15, 2013   | \$100       | 10% | \$10 | x | 3 Days  | \$30         |
| <b>Proposed Civil Penalty Amount:</b> |                 |             |     |      |   |         | <b>\$273</b> |

In addition to paying a civil penalty, Amonte Salon & Spa shall pay the 2013 registration fees of \$100.

1. Failure to comply with this Order may subject Amonte Salon & Spa to further civil penalties.

DATED this 6 day of May, 2013



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

*Date of Mailing:* May 7, 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 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  
Todd S. Carpenter, RPS Licensing & Preparedness Manager