



**STATE OF OREGON
OREGON HEALTH AUTHORITY**

Ref File: 972857

IN THE MATTER OF:

)

) **FINAL ORDER**

**Tan Republic-Cedar Hills,
Tanning Facility**

)

)

) Agency Case No. RPS 2014-T2857 CP

**Joseph Alan, CFO
P.O. Box 8984
Portland, OR 97207**

On October 28, 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 Tan Republic-Cedar Hills in the amount of **\$4,680** for violations of Oregon Administrative Rules (OARs) listed in the Notice. The Notice offered Joseph Alan, the CFO of Lioness Holding LLC, dba Tan Republic-Cedar Hills, 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 Joseph Alan, as the record for purposes of default. Joseph Alan 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. Tan Republic-Cedar Hills consists of a tanning facility at 3300 SW Hoken Avenue, Suite 104, and has a total of 2 unregistered tanning device(s).

2. On January 1, 2014, Tan Republic-Cedar Hills was required to pay to RPS a \$100 registration fee per tanning device. OAR 333-119-0020; and 333-103-0025.
3. On August 7, 2014, a letter regarding registration of tanning devices with enclosed invoice were mailed to Joseph Alan at the address of record.
4. To date, RPS has not received any registration fees.

ULTIMATE FINDINGS OF FACT

Tan Republic-Cedar Hills did not pay to register 2 tanning devices.

CONCLUSION OF LAW

Tan Republic-Cedar Hills violated OAR 333-103-0025 by failing to pay the registration fees.

ORDER

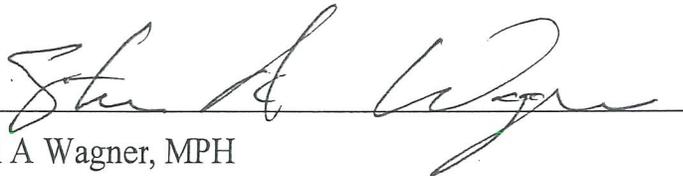
As authorized by ORS 431.950, Tan Republic-Cedar Hills shall pay a civil penalty of **\$4,680**, as calculated in the Notice.

1. In addition to paying a civil penalty, Tan Republic-Cedar Hills shall pay the registration fees of \$200.

Amount Owed to the State: \$4,880.

2. Failure to comply with this Order may subject Tan Republic-Cedar Hills to further civil penalties.

DATED this 11 day of DECEMBER, 2014



Steven A Wagner, MPH
Administrator, Center for Health Protection
Public Health Division
Oregon Health Authority

Date of Mailing: December 15, 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 #October 28, 2014