

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Pendleton Woolen Mills)	File No. EB-04-PO-069
)	
Washougal, Washington)	Citation No. C20043292005

CITATION

Released: July 7, 2004

By the Resident Agent, Portland Office, Western Region, Enforcement Bureau:

1. This is an Official Citation issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended (“Act”)¹, to Pendleton Woolen Mills (“Pendleton”) for violation of Section 18.115(a) of the Commission’s Rules (“Rules”).²

2. On April 28, 2004, the FCC Portland Office received a complaint from Mr. Michiel L. West concerning radio frequency interference to the Citizens Band Radio Service.

3. On April 29, 2004, an agent of the Commission’s Portland Office investigated the allegation and located the interfering signal to Pendleton Woolen Mills, Washougal, Washington.

4. Further investigation revealed that the source of the interfering signal on the frequency 27.120 MHz was radiated from the following industrial equipment:

- 1) Fastran Package Dryer, Serial Number R-27
- 2) Fastran Cool Dry, Serial Number M-28
- 3) Fastran Cool Dry, Serial Number M-51

5. The purpose of this letter is to advise you that your Fastran dryers are operating under Part 18 of the Commission’s Rules (“Rules”) for Industrial, Scientific and Medical (ISM) equipment. Section 18.115(a) of the Rules, requires “The operator of ISM equipment that causes harmful interference to radio services shall promptly take appropriate measures to correct the problem.”

6. Violations of the Communications Act or of the Commission’s Rules may subject the violator to

¹47 U.S.C. § 503(b)(5).

²47 C.F.R. § 18.115(a).

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monetary fines not to exceed \$11,000 for each violation or each day of a continuing violation,³ seizure of equipment through *in rem* forfeiture action and criminal sanctions including imprisonment.⁴

7. Section 503(b)(5) of the Act provides that Pendleton may request an interview at the closest FCC Office. You may contact this office by telephone, (360) 696-6707, to obtain the location of the nearest FCC Office and schedule the interview. The interview must be scheduled to take place within 14 days of the date of this Citation. Pendleton may also submit a written statement to the above address within 14 days of the date of this Citation. Any written statement should specify what actions have been taken to correct the violation outlined above. Please reference file number EB-04-PO-069 when corresponding with the Commission.

8. This Citation shall be sent by First Class U.S. Mail and Certified Mail, Return Receipt Requested, to Pendleton Woolen Mills, Attn: Jack Higgins, Plant Manager, P.O. Box 145, Washougal, Washington 98671-0145.

9. The Privacy Act of 1974⁵ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen
Resident Agent
Portland Office
Western Region
Enforcement Bureau

Attachment

³47 C.F.R. §1.80(b)(3).

⁴47 C.F.R. §§ 401, 501, 503 and 510.

⁵P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁶18 U.S.C. § 1001 *et seq.*