



# Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5696

FAX (503) 229-6124

TTY 711

October 18, 2023

City of Tigard Water Department  
Attn: Kevin Cole  
13125 SW Hall Blvd  
Tigard, OR 97223-8167

RE: UST Compliance Inspection  
DEQ UST # 10653 – 8777 SW Burnham St

Dear City of Tigard Water Department,

The Oregon Department of Environmental Quality (DEQ) is conducting underground storage tank (UST) inspections throughout Oregon. The purpose of this letter is to inform you that your facility, among others, has been selected for inspection. A thorough inspection of your facility will be conducted to determine compliance with state and federal UST requirements. **The date you receive this letter is the date that the inspection starts.** If you have work done after that date, you will need to have the previous set of records available for evaluation in addition to the most recent records.

**If I do not hear from you, the inspection for these facilities is scheduled for December 13, 2023 starting at approximately 10 am at the DEQ UST # listed below.**

**1. DEQ UST # 10653 – 8777 SW Burnham St, Tigard, OR**

Please note that the inspection will require uninterrupted participation and attendance by you or a knowledgeable assistant. For the inspection you need to provide access to tank sumps, under dispenser areas, cathodic protection rectifiers, and leak monitoring equipment. DEQ will not touch the equipment or enter the facility, if you are unable to assist with equipment access, please have your UST Service Provider there. This inspection may also include review of Stage I Vapor Recovery.

DEQ staff will not assist with operating tank gauges.

The DEQ requests the following documentation be submitted electronically prior to the inspection:

- Line and leak detector testing results for the past three years,
- Monthly tank leak detection records,
- Class A, B, and C training documentation,
- Financial responsibility mechanism,
- Annual tank gauge certification,
- Spill prevention testing records,
- Monthly walkthroughs,
- Overfill Prevention Equipment testing,
- Cathodic protection testing (if applicable).

Please submit these records to [ingrid.gaffney@deq.oregon.gov](mailto:ingrid.gaffney@deq.oregon.gov) for review. If these records cannot be submitted prior to the inspection, please have them available for review at the facility.

Owners must also be able to operate the tank gauge and print out applicable reports such as the tank setup and in-tank alarm reports. Owners also must be able to sound high fill over alarm from the tank gauge, if applicable.

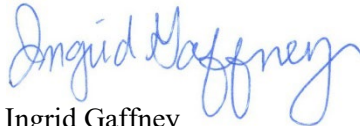
DEQ will not touch any equipment, if you are unable to assist with equipment access, please have your UST Service Provider there. DEQ will need to observe what equipment is in the tank top sumps and under the dispensers. If ball floats are the primary overfill protection device, these will need to be verified during the inspection, please be able to locate and remove the ball floats.

If violations are found at the time of the inspection without prior notification, DEQ is required to initiate enforcement action. For UST violations, enforcement usually begins with a field citation option, which is much like paying a traffic ticket and making corrections.

Some enforcement situations including repeat violations will go through a longer and more formal process including civil penalties.

Thank you for your cooperation. I can be reached at 503-875-1246 [ingrid.gaffney@deq.oregon.gov](mailto:ingrid.gaffney@deq.oregon.gov) to answer any questions you may have and assist you in the preparation for your inspection.

Sincerely,



Ingrid Gaffney  
UST Compliance Specialist  
Northwest Region

**Oregon Department of Environmental Quality - Underground Storage Tank Program**  
**Technical Compliance Inspection - UST Inspection Report**

Inspector: Ingrid Gaffney

Date: 12/13/2023

Time: 10AM

Facility: 10653

**I. Site Information**

Facility Name: <u>City of Tigard Water Dept.</u>	Permittee: <u>City of Tigard</u>	Contact: <u>Kevin Cole</u>
Site Address: <u>8777 SW Burnham St</u>	Organization: <u>City of Tigard</u>	Phone: <u>503-327-5471</u>
City: <u>Tigard, OR 97223</u>	Phone:	

**II. Tank Information**

DEQ Permit #	<u>BBKH #</u>	<u>BBKHJ</u>	<u>BBKJK</u>		
Estimated Gallons	<u>2,000</u>	<u>2,000</u>	<u>550</u>		
Substance	<u>GASOLINE</u>	<u>DIESEL</u>	<u>used oil</u>		
Tank Material	<u>OW Fiberglass Xerxes</u>	→	→		
Tank Install Date	<u>1/23/1989</u>	→	→		
Pipe Material	<u>Fiberglass plastic Smith</u>	→	<u>NONE</u>		
Pipe Type	<u>Pressure</u>	→	<u>NONE</u>		
Pipe Install Date	<u>1/23/1989</u>	→	<u>N/A</u>		
Overfill Device	<u>Auto shutoff</u>	<u>Alarm</u>	<u>None required</u>		

Notes and Comments from the UST database:

☒ Check file before conducting inspection

\* Field citation May 2019 - No waste oil monitoring records -

If tanks are manifolded, which tanks: NO

**III. Operating Certificate**

**Compliance**

☒ Yes ☐ No

☒ Current

☒ Accurate

☒ Posted for delivery drive to observe

**IV. Operator Training**

**Compliance**

☒ Yes ☐ No

Class A/B Operator

☒ Yes

☐ No

Name: Curtis Clark

Date: 9/20/2017

Class C Operator

☐ Yes

☐ No

☒ Cardlock

**V. Financial Responsibility**

**Compliance**

☒ Yes ☐ No

Type of coverage: Insurance

Begin Date: 7/1/2023

End Date: 7/1/2024

Coverage amount correct: \$1,000,000

Number of tanks covered: 3

Financial responsibility could also be in the form of self insurance, bonds, local government, trust fund, and or guarantee

**VI. Walkthrough Requirements**

**Compliance**

☒ Yes ☐ No

Spill prevention and release detection equipment checked monthly?

☒ Yes ☐ No

Tank top sumps checked annually?

Page 1 of 4

☒ Yes ☐ No

10653

VII. Release Detection

Compliance

☐ Yes

☒ No

a) Annual Release Detection Operability Testing (Sometimes referred to as Tank Gauge Certification)

Date of last testing:

7/14/2023

6/11/2021

Last three tests available?

☒ Yes

☐ No

b) Piping Release Detection (Check all that apply)

☒ Pressurized Piping

☒ Mechanical Leak Detector (MLLD)

☐ Electronic Leak Detector (ELLD) - check for swiftcheck requirement

Date of last testing:

7/14/2023

4/22/2020

Last three tests available?

☒ Yes

☐ No

Number of lines tested:

2

6/11/2021

Number of LD tested:

2

Leak detector manufacturer make and model:

99LD-2000

Tank gauge manufacturer make and model:

Incon TS 750

MLLD on turbine manifold?

☒ Yes

☐ No

MLLD product appropriate? (Example, diesel Red Jacket FX series on diesel system?)

☒ Yes

☐ No

If ELLD and no line testing: Annual 0.1 gph results from tank gauge?

☐ Yes

☐ No

☐ Interstitial Monitoring

[Monthly records must include, date system was checked, observations made, initials of person checking. Electronic records must include power status (on or off), alarm indication status (yes or no) and sensor malfunction notes (yes or no).]

Date of last sump testing:

Last two tests available?

☐ Yes

☐ No

Date of last sensor testing:

Last three tests available?

☐ Yes

☐ No

Float sensors installed correctly?

☐ Yes

☐ No

Interstitial space opened to sump?

☐ Yes

☐ No

Presence of water in sumps?

☐ Yes

☐ No

☐ Safe Suction

Check valve directly below suction pump?

☐ Yes

☐ No

c) Monthly Tank Release Detection (Check all that apply)

☐ Tank Gauge

☐ CSLD

☒ SCALD

☐ Static

Are correct tank sizes programmed at tank gauge?

☒ Yes

☐ No

Tank diameter/length seem appropriate?

☒ Yes

☐ No

Are tanks manifolded?

☐ Yes

☒ No

If so, tank gauge testing setup for manifolded tanks?

☐ Yes

☐ No

If Veeder Root tank gauge leak detection

☐ CSLD set at 99%

☐ Thermal coefficient set correctly?

(Gasoline 0.00070; Diesel 0.00045)

☒ If Incon/Franklin tank gauge leak detection

☐ If SCALD is Vol Qual set to 14% (or 99% confidence)

☐ Is API gravity set correctly?

(Regular 63.5; Plus 62.8; Super 51.3; Diesel 32.8)

For all tank gauges doing static tests

(Static tests require tank to be 50% full for a valid test)

missing waste oil tank

☐ Interstitial Monitoring [Monthly records must include, date system was checked, observations made, initials of person checking. Electronic records must include power status (on or off), alarm indication status (yes or no) and sensor malfunction notes (yes or no).]

☐ SIR

Ensure pass or fail results within 30-day period. Inconclusive result means release detection requirement not met

Annual sensors on diesel & regular.

Tank release detection records available during inspection

T1:

☒ Jan

☐ Feb

☐ Mar

☐ Apr

☐ May

☐ Jun

☐ Jul

☐ Aug

☐ Sep

☐ Oct

☐ Nov

☐ Dec

T2:

☐ Jan

☐ Feb

☐ Mar

☐ Apr

☐ May

☐ Jun

☐ Jul

☐ Aug

☐ Sep

☐ Oct

☐ Nov

☐ Dec

T3:

☐ Jan

☐ Feb

☐ Mar

☐ Apr

☐ May

☐ Jun

☐ Jul

☐ Aug

☐ Sep

☐ Oct

☐ Nov

☐ Dec

T4:

☐ Jan

☐ Feb

☐ Mar

☐ Apr

☐ May

☐ Jun

☐ Jul

☐ Aug

☐ Sep

☐ Oct

☐ Nov

☐ Dec

T5:

☐ Jan

☐ Feb

☐ Mar

☐ Apr

☐ May

☐ Jun

☐ Jul

☐ Aug

☐ Sep

☐ Oct

☐ Nov

☐ Dec

Inspector: _____	Date: _____	Time: _____	Facility: <u>10653</u>
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**VIII. Spill Prevention** **Compliance** ☒ Yes ☐ No

Date(s) of testing: 7/14/2023 4/22/2020 Number of spill buckets tested? 2

Did spill bucket pass most recent testing? ☒ Yes ☐ No If no, was spill bucket replaced/repaired? ☐ Yes ☐ No

During inspection, visual damage to spill bucket? ☐ Yes ☒ No

☒ Hydrostatic testing (test takes one hour to complete)

☐ Vacuum test (test takes 1 minute, ending vacuum must be 26 inches water column or greater)

**IX. Overfill Prevention** **Compliance** ☒ Yes ☐ No

Date(s) of testing: 7/14/2023

Overfill device pass most recent testing? ☒ Yes ☐ No If no, overfill device replaced? ☐ Yes ☐ No

Overfill method that was tested: ☒ Alarm ☒ ~~Flapper~~ ☐ Ball Float

Overfill Alarm

Alarm sounds when tank is 90% full ☒ Yes ☐ No

Driver can see or hear alarm at point of transfer? ☒ Yes ☐ No

Sound alarm from tank gauge during inspection? ☒ Yes ☐ No

Flapper Valve

Testing verified the valve automatically restricts flow at 95% ☐ Yes ☐ No

Visual observation of flapper on day of inspection? ☐ Yes ☐ No

Ball Float

Testing verified the ball float automatically restricts flow at 90% ☐ Yes ☐ No

Visual observation of ball float during inspection? ☐ Yes ☐ No

**X. Corrosion Protection** **Compliance** ☐ Yes ☐ No

☐ Cathodic ☐ Galvanic ☐ Impressed Current

Steel tank with cathodic? ☐ Yes ☐ No

Steel pipes with cathodic? ☐ Yes ☐ No

Steel flex-lines with cathodic? ☐ Yes ☐ No

Date of cathodic test: \_\_\_\_\_

Last two tests available? ☐ Yes ☐ No

Did last test pass? ☐ Yes ☐ No

If not:

Was failed test reported to DEQ? ☐ Yes ☐ No

Was system repaired? ☐ Yes ☐ No

Date of repair? \_\_\_\_\_

Cathodic retested within 6 mos. of repair? ☐ Yes ☐ No

Date of retesting? \_\_\_\_\_

If impressed current system:

Rectifier Operational? ☐ Yes ☐ No

Rectifier log maintained? ☐ Yes ☐ No

Rectifier been operating continuously ☐ Yes ☐ No

☐ Tank Lining

Date of last test? \_\_\_\_\_

Pressure test conducted after tank lining inspection? ☐ Yes ☐ No

XI. General notes from inspection

Representative onsite: Kevin Cole email: KevinC@figard-or.gov

- ✓ send a log sheet for waste oil.
- ✓ 34" on the stick for the waste oil tank.
- ✓ waste oil tank not monitored,
- ✓ use site address.

Compliance Determination: ☐ No Violations Observed ☒ Observed violations resulting in enforcement

Inspector Signature: Ingrid Jeffery

Date: 12/18/2023



1: 8777 SW Burnham St, Tigard, OR 97223



2: Tank nest looking East



3: Manual gauge stick for waste oil tank



4: Regular sump



5: Regular fill



6: Diesel fill



7: Diesel UDC



8: Regular UDC



9: Alarm



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY  
INSPECTION PHOTOLOG**

**FACILITY NAME:**City of Tigard Water Dept #10653Page 6  
**DATE:** December 13, 2023



State of Oregon  
Department of  
Environmental  
Quality

Program Enforcement No. 2023-FC-8874

## Department of Environmental Quality Underground Storage Tank Program

# Field Citation For UST Violations

This section for  
DEQ use only

Page 1 of 3

DEQ Information		UST Facility Information	
Inspection Date:	12/13/2023	Facility ID#:	10653
Inspector:	Ingrid Gaffney	Facility Name:	City of Tigard Water Department
DEQ Office:	700 NE Multnomah St, STE 600 Portland, OR 97232	Facility Address:	8777 SW Burnham St Tigard, OR 97223
Phone #:		County:	

Oregon DEQ inspected the facility listed above and identified the UST violations listed on page 3 of this Field Citation.

Field Citation Issued:	<input type="radio"/> In Person <input checked="" type="radio"/> By Mail <input type="radio"/> Both	Date Issued:	12/18/2023
Facility Representative Present During Inspection:	Kevin Cole	<input type="radio"/> Permittee <input type="radio"/> Owner <input checked="" type="radio"/> Other	
Name of Permittee or Owner:	City of Tigard Attn: Accounts Payable/Kevin Cole		
Mailing Address:	8777 SW Burnham St, Tigard, OR 97223		

Field Citation Penalty – See Page 3 for detailed listing of each violation.	\$ 300	.00
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This Field Citation is issued in accordance with the requirements for the expedited enforcement of underground storage tank (UST) violations, OAR 340-150-0250.

Owner or Permittee should select Option 1 or Option 2 below and return a signed copy of this form to DEQ by the following date: 01/18/2024

DEQ Revenue Section  
700 NE Multnomah St. #600  
Portland, Oregon 97232

### Check one option

- ☐ **Option 1** - I acknowledge that the listed violation(s) have occurred and I am remitting the listed field citation penalty.
- ☐ **Option 2** - I do not want to participate in the expedited enforcement process and understand that my file will be referred to the Department's Office of Compliance and Enforcement for formal enforcement action.

Name:	Owner / Permittee
Signature:	Date:

### Important

Read pages 2 and 3 for more information about your options and a detailed listing of violations and compliance requirements.

## Field Citation Requirements

The permittee or owner should select Option 1 or Option 2 and return a signed copy of Page 1 of the Field Citation form within thirty (30) days of issuance of the Field Citation. If the permittee or owner fails to sign and send Page 1 of the Field Citation form back or pay the penalty within thirty days, Option 1 expires, the Field Citation will serve as a Pre-Enforcement Notice (PEN) and the permittee and owner will be subject to formal enforcement including the imposition of civil penalties in accordance with OAR Chapter 340, Division 12.

The permittee or owner must complete the actions required to correct the violations listed on the Field Citation by the date specified to prevent further enforcement action by DEQ.

### Option 1:

By checking Option 1 the permittee or owner acknowledges that the violations listed on Page 3 of this Field Citation have occurred and agrees to pay the established penalty.

By submitting payment of the penalty amount, the responding permittee or owner agrees to accept the field citation as a final order of the Environmental Quality Commission (commission) and waives any and all rights and objections to the form, content, manner of service and timeliness of the Field Citation; to a contested case hearing and judicial review of the Field Citation [OAR 340-150-0250(6)]; and to service of a copy of this Final Order (*i.e.*, no other copy will be provided).

Upon the Department's receipt of payment of the penalty amount set forth in the Field Citation, the Field Citation becomes a Final Order of the Commission that:

1. Imposes upon the permittee or owner a civil penalty in the amount listed on Page 1 of this Field Citation; and
2. Requires the permittee or owner to satisfactorily complete the requirements and actions necessary to correct the violations documented by the dates set forth on Page 3 of this Field Citation.

Failure by the permittee or owner to complete the actions set forth on Page 3 of the Field Citation by the specified date violates the Commission Order and subjects the permittee and owner to a formal enforcement action including the imposition of additional civil penalties.

### Option 2:

The permittee or owner may deny that the violations as listed on Page 3 of this Field Citation have occurred or contest the Field Citation process by checking Option 2 and submitting to the Department a signed copy of Page 1 of the Field Citation. In that event, the Field Citation will serve as a Pre-Enforcement Notice (PEN) and the permittee and owner will be subject to formal enforcement for those violations set forth in the Field Citation, including the imposition of civil penalties in accordance with OAR Chapter 340, Division 12. Civil penalties that will be imposed by the formal enforcement process will exceed the Field Citation penalties for the same violation(s).

**The Department appreciates your cooperation and efforts to comply with the regulations for underground storage tank systems.**

**UST FIELD CITATION**

DATE ISSUED: 12/18/2023

PROGRAM ENFORCEMENT No.: 2023-FC-8874

FACILITY ID: 10653

Page 3 of 3

**Violation #1:**  
**\*TCR:** ☒ Y ☐ N

Failure to maintain adequate records of manual tank gauging monitoring results.

Corrective Action:

Conduct monitoring of the waste oil tank as required by rule. Maintain records. Submit one month of records to DEQ and provide DEQ with future use plans for the waste oil tank.

Rule Citation: **OAR 340-150-0440(7)**

Penalty Amount: \$ 300

.00

Correct Violation by: 1/18/2024

Date Violation Corrected:

**Violation #2:**  
**\*TCR:** ☐ Y ☐ N

Corrective Action:

Rule Citation: **OAR 340-150-**

Penalty Amount: \$

.00

Correct Violation by:

Date Violation Corrected:

**Violation #3:**  
**\*TCR:** ☐ Y ☐ N

Corrective Action:

Rule Citation: **OAR 340-150-**

Penalty Amount: \$

.00

Correct Violation by:

Date Violation Corrected:

**Violation #4:**  
**\*TCR:** ☐ Y ☐ N

Corrective Action:

Rule Citation: **OAR 340-150-**

Penalty Amount: \$

.00

Correct Violation by:

Date Violation Corrected:

**Violation #5:**  
**\*TCR:** ☐ Y ☐ N

Corrective Action:

Rule Citation: **OAR 340-150-**

Penalty Amount: \$

.00

Correct Violation by:

Date Violation Corrected:

**Violation #6:**  
**\*TCR:** ☐ Y ☐ N

Corrective Action:

Rule Citation: **OAR 340-150-**

Penalty Amount: \$

.00

Correct Violation by:

Date Violation Corrected:

Total Penalty Amount (This Page): \$ 300

.00

Total Penalty Amount (All Pages): \$ 300

.00

**YOU MUST CORRECT THE VIOLATIONS AS REQUIRED, ENTER THE DATES CORRECTED, SIGN THE STATEMENT BELOW AND RETURN THIS FORM TO THE DEQ INSPECTOR LISTED ON PAGE 1 ON OR BEFORE: 01/18/2024**

**Retain a copy of this form and all documentation of corrective actions for your records.**

**I hereby certify that the UST violations noted above have been corrected:** \_\_\_\_\_ / \_\_\_\_\_

Permittee/Owner Signature

Date

\*TCR: Technical Compliance Rate

## LITKE Emily \* DEQ

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**From:** Kevin Cole <KevinC@tigard-or.gov>  
**Sent:** Tuesday, March 5, 2024 9:06 AM  
**To:** GAFFNEY Ingrid \* DEQ; LITKE Emily \* DEQ  
**Subject:** RE: Citation Tigard waste oil monitoring

Some people who received this message don't often get email from kevinc@tigard-or.gov. [Learn why this is important](#)

Will do

Kevin M. Cole  
City of Tigard  
Fleet and Facilities Operations Manager  
8777 SW Burnham St.  
Tigard OR 97223  
Office 503.718.2588  
Cell 503.327.5471

---

**From:** GAFFNEY Ingrid \* DEQ <Ingrid.GAFFNEY@deq.oregon.gov>  
**Sent:** Tuesday, March 5, 2024 9:00 AM  
**To:** Kevin Cole <KevinC@tigard-or.gov>; LITKE Emily \* DEQ <Emily.Litke@deq.oregon.gov>  
**Subject:** RE: Citation Tigard waste oil monitoring

Awesome. What a relief for you all. Thank you for getting this taken care of quickly. Any testing documentation from the installer and invoices and such, please send our way.

Regards,

Ingrid Gaffney  
UST Compliance Inspector  
DEQ UST Program  
700 NE Multnomah St, Ste 600  
Portland, OR 97232  
<https://www.oregon.gov/deq/Pages/index.aspx>  
*she/ her*

---

**From:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>  
**Sent:** Tuesday, March 5, 2024 8:58 AM  
**To:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>; LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>  
**Subject:** RE: Citation Tigard waste oil monitoring

Some people who received this message don't often get email from kevinc@tigard-or.gov. [Learn why this is important](#)

Good Morning,  
We are up and running!  
See attached reports.

Kevin M. Cole  
City of Tigard  
Fleet and Facilities Operations Manager

8777 SW Burnham St.  
Tigard OR 97223  
Office 503.718.2588  
Cell 503.327.5471

---

**From:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>  
**Sent:** Tuesday, March 5, 2024 7:08 AM  
**To:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>; LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>  
**Subject:** RE: Citation

You don't often get email from [ingrid.gaffney@deq.oregon.gov](mailto:ingrid.gaffney@deq.oregon.gov). [Learn why this is important](#)

Thanks for the update Kevin!

Regards,

Ingrid Gaffney  
UST Compliance Inspector  
DEQ UST Program  
700 NE Multnomah St, Ste 600  
Portland, OR 97232  
<https://www.oregon.gov/deq/Pages/index.aspx>  
*she/ her*

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**From:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>  
**Sent:** Friday, March 1, 2024 6:11 PM  
**To:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>; GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>  
**Subject:** RE: Citation

You don't often get email from [kevinc@tigard-or.gov](mailto:kevinc@tigard-or.gov). [Learn why this is important](#)

Hi Emily,

The contractor is continuing to work on this and were on site this week. They were programming the Incon on Wednesday. I should have a status report for you next week, hopefully they will have the job completed. I have been out sick most of this week so It's possible it's done.

Have a good weekend!

Kevin M. Cole  
City of Tigard  
Fleet and Facilities Operations Manager  
8777 SW Burnham St.  
Tigard OR 97223  
Office 503.718.2588  
Cell 503.327.5471

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**From:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>  
**Sent:** Friday, March 1, 2024 5:45 PM  
**To:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>; Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>  
**Subject:** RE: Citation

You don't often get email from [emily.litke@deq.oregon.gov](mailto:emily.litke@deq.oregon.gov). [Learn why this is important](#)

Hello Kevin,

I am following up on the field citation issued by Ingrid from the inspection of City of Tigard Water Department completed on 12/13/2023.

As indicated on the field citation, you were instructed to **Conduct monitoring of the waste oil tank as required by rule. Maintain records. Submit one month of records to DEQ and provide DEQ with future use plans for the waste oil tank.**

I notice that you were waiting on delivery of parts and following up to see if the work order was completed.

Please follow up with either myself or Ingrid with questions or concerns.



**Emily Litke** (she/her)  
Duty Officer, Underground Storage Tanks  
DEQ Headquarters, Land Quality Division  
700 NE Multnomah Street, Suite 600  
Portland OR 97232-4100  
503-806-9516  
[Emily.LITKE@deq.oregon.gov](mailto:Emily.LITKE@deq.oregon.gov)

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**From:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>

**Sent:** Friday, January 26, 2024 1:31 PM

**To:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>

**Cc:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>; UST Duty Officer \* DEQ <[UST.DutyOfficer@DEQ.oregon.gov](mailto:UST.DutyOfficer@DEQ.oregon.gov)>

**Subject:** RE: Citation

Thanks, Kevin. Appreciate the response and update.

Regards,

Ingrid Gaffney  
UST Compliance Inspector  
DEQ UST Program  
700 NE Multnomah St, Ste 600  
Portland, OR 97232  
<https://www.oregon.gov/deq/Pages/index.aspx>  
*she/ her*

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**From:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>

**Sent:** Friday, January 26, 2024 1:29 PM

**To:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>

**Cc:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>; UST Duty Officer \* DEQ <[UST.DutyOfficer@DEQ.oregon.gov](mailto:UST.DutyOfficer@DEQ.oregon.gov)>

**Subject:** RE: Citation

You don't often get email from [kevinc@tigard-or.gov](mailto:kevinc@tigard-or.gov). [Learn why this is important](#)

Hi Ingrid,

Attached is the quote for the work. The tank was monitored at one time. I have no record of when or why this was abandoned but it appears that the infrastructure is still viable.

Kevin M. Cole  
City of Tigard  
Fleet and Facilities Operations Manager  
8777 SW Burnham St.  
Tigard OR 97223  
Office 503.718.2588  
Cell 503.327.5471

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**From:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>  
**Sent:** Friday, January 26, 2024 11:32 AM  
**To:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>  
**Cc:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>; UST Duty Officer \* DEQ <[UST.DutyOfficer@DEQ.oregon.gov](mailto:UST.DutyOfficer@DEQ.oregon.gov)>  
**Subject:** RE: Citation

You don't often get email from [ingrid.gaffney@deq.oregon.gov](mailto:ingrid.gaffney@deq.oregon.gov). [Learn why this is important](#)

Great news, can you send me a copy of the bid/work order?

Regards,

Ingrid Gaffney  
UST Compliance Inspector  
DEQ UST Program  
700 NE Multnomah St, Ste 600  
Portland, OR 97232  
<https://www.oregon.gov/deq/Pages/index.aspx>  
*she/ her*

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**From:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>  
**Sent:** Friday, January 26, 2024 11:10 AM  
**To:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>  
**Cc:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>; UST Duty Officer \* DEQ <[UST.DutyOfficer@DEQ.oregon.gov](mailto:UST.DutyOfficer@DEQ.oregon.gov)>  
**Subject:** RE: Citation

You don't often get email from [kevinc@tigard-or.gov](mailto:kevinc@tigard-or.gov). [Learn why this is important](#)

Hi Everyone,

We are currently waiting for parts, the job has already been approved. I expect that by the end of February we will be fully electronically monitored.

I'll be sure to notify you once we have the system in place.

Kevin M. Cole  
City of Tigard  
Fleet and Facilities Operations Manager  
8777 SW Burnham St.  
Tigard OR 97223  
Office 503.718.2588  
Cell 503.327.5471

---

**From:** GAFFNEY Ingrid \* DEQ <[Ingrid.GAFFNEY@deq.oregon.gov](mailto:Ingrid.GAFFNEY@deq.oregon.gov)>

**Sent:** Friday, January 26, 2024 10:25 AM

**To:** Kevin Cole <[KevinC@tigard-or.gov](mailto:KevinC@tigard-or.gov)>

**Cc:** LITKE Emily \* DEQ <[Emily.Litke@deq.oregon.gov](mailto:Emily.Litke@deq.oregon.gov)>; UST Duty Officer \* DEQ <[UST.DutyOfficer@DEQ.oregon.gov](mailto:UST.DutyOfficer@DEQ.oregon.gov)>

**Subject:** Citation

You don't often get email from [ingrid.gaffney@deq.oregon.gov](mailto:ingrid.gaffney@deq.oregon.gov). [Learn why this is important](#)

Hi Kevin

You may have seen an email from my colleague Emily, she is looking after the UST program's field citations.

Do you have an update on the annual sensor install or are you doing the manual tank gauging for the site. I know you mentioned the annual sensor was an easier option so if the site is going with it, DEQ will need an update with either a bid or possible install timeline. I realize the city has long bid timelines like the state so please keep us apprised of what is happening, since the tank has to be monitored.

If you could please email back at [ust.dutyofficer@deq.oregon.gov](mailto:ust.dutyofficer@deq.oregon.gov) we'd be most grateful.

Regards,

Ingrid Gaffney

UST Compliance Inspector

DEQ UST Program

700 NE Multnomah St, Ste 600

Portland, OR 97232

<https://www.oregon.gov/deq/Pages/index.aspx>

*she/ her*

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DISCLAIMER: E-mails sent or received by City of Tigard employees are subject to public record laws. If requested, e-mail may be disclosed to another party unless exempt from disclosure under Oregon Public Records Law. E-mails are retained by the City of Tigard in compliance with the Oregon Administrative Rules "City General Records Retention Schedule."

TIGARD OR 97232

03/05/2024

9:03

PRODUCT INVENTORY DETAIL

UNLEADED 2375,6 GAL

TANK 1

GROSS 2017,6 GAL  
NET 2026,1 GAL  
DAYS SUPPLY UNKNOWN  
ULLAGE 235,1 GAL  
ULLAGE PERCENT 95  
WATER VOLUME 4,1 GAL

DIESEL 2375,6 GAL

TANK 2

GROSS 2079,0 GAL  
NET 2084,3 GAL  
DAYS SUPPLY UNKNOWN  
ULLAGE 170,9 GAL  
ULLAGE PERCENT 95  
WATER VOLUME 7,0 GAL

PROD 3 547,9 GAL

OILWAST

GROSS 439,5 GAL  
NET 442,6 GAL  
DAYS SUPPLY 0,1 DAYS  
ULLAGE 81,0 GAL

CITY OF TIGARD  
8777 BURNHAM  
TIGARD OR 97232

03/05/2024

9:03

PRODUCT INVENTORY DETAIL

PROD 3 547,9 GAL

OILWAST

GROSS 439,5 GAL  
NET 442,6 GAL  
DAYS SUPPLY 0,1 DAYS  
ULLAGE 81,0 GAL  
ULLAGE PERCENT 95  
WATER VOLUME 0,0 GAL

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
TRANSMITTAL ADVICE  
UST EXPEDITED ENFORCEMENT PROG**

CK #	TRAN AMNT	FOR THE ACCOUNT OF	CIVIL PENALTY #
CHECK NAME		REASON FOR PAYMENT	INV # RCPT #
300625	300.00	TIGARD CITY OF WATER DEPARTMENT	2023-FC-8874
		FIELD CITATION FOR UST VIOLATION	FC-8874
	300.00	TOTAL	



State of Oregon  
Department of  
Environmental  
Quality

Program Enforcement No. 2023-FC-8874

**Department of Environmental Quality  
Underground Storage Tank Program**

**Field Citation  
For UST Violations**

This section for  
DEQ use only

Page 1 of 3

DEQ Information		UST Facility Information	
Inspection Date:	12/13/2023	Facility ID#:	10653
Inspector:	Ingrid Gaffney	Facility Name:	City of Tigard Water Department
DEQ Office:	700 NE Multnomah St, STE 600 Portland, OR 97232	Facility Address:	8777 SW Burnham St Tigard, OR 97223
Phone #:		County:	

Oregon DEQ inspected the facility listed above and identified the UST violations listed on page 3 of this Field Citation.

Field Citation Issued:	<input type="radio"/> In Person <input checked="" type="radio"/> By Mail <input type="radio"/> Both	Date Issued:	12/18/2023
Facility Representative Present During Inspection:	Kevin Cole	<input type="radio"/> Permittee <input type="radio"/> Owner <input checked="" type="radio"/> Other	
Name of Permittee or Owner:	City of Tigard Attn: Accounts Payable/Kevin Cole		
Mailing Address:	8777 SW Burnham St, Tigard, OR 97223		

Field Citation Penalty – See Page 3 for detailed listing of each violation.	\$ 300	.00
---	--------	-----

This Field Citation is issued in accordance with the requirements for the expedited enforcement of underground storage tank (UST) violations, OAR 340-150-0250.

Owner or Permittee should select Option 1 or Option 2 below and return a signed copy of this form to DEQ by the following date: 01/18/2024

DEQ Revenue Section  
700 NE Multnomah St. #600  
Portland, Oregon 97232

Check one option

- ☒ **Option 1** - I acknowledge that the listed violation(s) have occurred and I am remitting the listed field citation penalty.
- ☐ **Option 2** - I do not want to participate in the expedited enforcement process and understand that my file will be referred to the Department's Office of Compliance and Enforcement for formal enforcement action.

Name: <u>Kevin Cole</u>	Owner / Permittee
Signature: <u>[Signature]</u>	Date: <u>12.22.2023</u>

**Important**

Read pages 2 and 3 for more information about your options and a detailed listing of violations and compliance requirements.

**UST FIELD CITATION****DATE ISSUED:** 12/18/2023**PROGRAM ENFORCEMENT NO.:** 2023-FC-8874**FACILITY ID:** 10653**Page 3 of 3**

<b>Violation #1:</b> <b>*TCR:</b> <input checked="" type="radio"/> Y <input type="radio"/> N	Failure to maintain adequate records of manual tank gauging monitoring results.		
Corrective Action:	Conduct monitoring of the waste oil tank as required by rule. Maintain records. Submit one month of records to DEQ and provide DEQ with future use plans for the waste oil tank.		
Rule Citation: <b>OAR 340-150-0440</b> (7)	Penalty Amount: \$ 300 .00	Correct Violation by: 1/18/2024	Date Violation Corrected:
<b>Violation #2:</b> <b>*TCR:</b> <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: <b>OAR 340-150-</b>	Penalty Amount: \$ .00	Correct Violation by:	Date Violation Corrected:
<b>Violation #3:</b> <b>*TCR:</b> <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: <b>OAR 340-150-</b>	Penalty Amount: \$ .00	Correct Violation by:	Date Violation Corrected:
<b>Violation #4:</b> <b>*TCR:</b> <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: <b>OAR 340-150-</b>	Penalty Amount: \$ .00	Correct Violation by:	Date Violation Corrected:
<b>Violation #5:</b> <b>*TCR:</b> <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: <b>OAR 340-150-</b>	Penalty Amount: \$ .00	Correct Violation by:	Date Violation Corrected:
<b>Violation #6:</b> <b>*TCR:</b> <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: <b>OAR 340-150-</b>	Penalty Amount: \$ .00	Correct Violation by:	Date Violation Corrected:
Total Penalty Amount (This Page): \$ 300 .00		Total Penalty Amount (All Pages): \$ 300 .00	

**YOU MUST CORRECT THE VIOLATIONS AS REQUIRED, ENTER THE DATES CORRECTED, SIGN THE STATEMENT BELOW AND RETURN THIS FORM TO THE DEQ INSPECTOR LISTED ON PAGE 1 ON OR BEFORE: 01/18/2024**

Retain a copy of this form and all documentation of corrective actions for your records.

I hereby certify that the UST violations noted above have been corrected: \_\_\_\_\_

Permittee/Owner Signature

Date

\*TCR: Technical Compliance Rate

Program Enforcement Maintenance



Program Enforcement

Violations List (0)

Corrective Actions (0)

Link Actions

File #10653

Create PEN

Create OCE Enforcement

Name

CITY OF TIGARD WATER DEPARTMENT

Location

8777 SW BURNHAM ST / TIGARD / WASHINGTON

Permit

UST General Permit.34-10653-2023-OPER.Active

Recipient Information:

Show Recipient Selection

Name / Title

Cole, Kevin /

Address

13125 SW Hall Blvd / Tigard / OR / 97223-8167

Phone / Fax / Email

503-718-2588 / /

Edit

Delete

Program Enforcement Number

2023-FC-8874

Regulatory Program

Underground Storage Tanks

Staff Assigned

Ingrid Gaffney

Enforcement Type

Field Citation

Enforcement Action Issued Date

12/14/2023

Show Calendar

Response Received Date

Show Calendar

Payment Due Date

01/18/2024

Show Calendar

Payment Received Date

01/05/2024

Show Calendar

Penalty Amount

\$300.00

Related Items

View Selected


	ID	Name/Reference	Date
Select	SV: 20902	Full Compliance Inspection (FCI)	12/13/2023
Select	PE: 8874	Field Citation	12/14/2023
Select	SV Vio: 19156	(J3) MTG - TCR	12/13/2023

Records Found = 3

Legend

ID Type	Description
SV	Site Visit
PE	Program Enforcement
SV Vio	Site Visit Violation

Compliance Events Report

PEN Referral Date	<input type="text"/>	<a href="#">Show Calendar</a>
Closed Date	<input type="text"/>	<a href="#">Show Calendar</a>
Withdrawn Date	<input type="text"/>	<a href="#">Show Calendar</a>
Link To Complaint	<input type="text"/>	
Comments	<div>Conduct monitoring of the waste oil tank as required by rule. Maintain records. Submit one month of records to DEQ and provide DEQ </div>	
	<div><div>Edit</div><div>Delete</div></div>	
Create By	<div>12/14/2023 <del>07/14/23 07:11 AM</del></div>	<div>Ingrid Gaffney</div>
Last Update By	<div>01/05/2024 <del>02/18/24 02:10 PM</del></div>	<div>Christian Hector</div>
Record ID	<div>8874</div>	<div><div>Create PEN</div><div>Create OCE Enforcement</div></div>