



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Land Quality Division

700 NE Multnomah Street, Suite 600

Portland, OR 97232

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FAX (503) 229-6945

TTY 711

April 29, 2024

Ralph Jenne
Petroleum Energy Products, Inc.
182 C St.
Willamina OR 97396

RE: **Pre-enforcement Notice**
Petroleum Energy Products
DEQ UST Facility #9891
2024-PEN-9254

Ralph Jenne:

The Oregon Department of Environmental Quality (DEQ) believes Petroleum Energy Products, Inc. has violated Oregon's environmental regulations at the underground storage tank (UST) facility #9891 located at 182 C Street in Willamina, OR.

On April 23, 2024, DEQ conducted a full compliance inspection at this facility. The equipment inspection and subsequent records review documented violations with the UST rules. DEQ has concluded that Petroleum Energy Products, Inc. is responsible for the following violations of Oregon Administrative Rules (OAR) 340-150.

Violations

- (1) OAR 340-151-0010; **Class I**. Failure to establish or maintain a required financial responsibility mechanism
- (2) OAR 340-150-0210(2) **Class II**. Failure to have a trained UST System Operator for an UST facility or to provide emergency response information
- (3) OAR 340-150-0325(2)(b) **Class I** Failure to conduct the last two 3-year inspections/tests of corrosion protection system
- (4) OAR 340-150-0168(5) **Class II** Failure to provide a 3-day notice before starting work on a change-in-service or permanently decommissioning an UST
- (5) OAR 340-150-168(8) **Class II** Allowing tank services to be performed by a person or company not licensed by DEQ
- (6) OAR 340-150-0167(2) **Class II** Failure to submit a request for chance-in-service, a request to return to operational status or an application to extend temporary closure at least 30 days before a temporary closure certificate expires

Corrective Action Requested

- (1) Request a 3 day notice confirmation number by May 15, 2024. Include in your communication the name of the licensed UST Service Provider and Supervisor who will be performing the work and a description of how you plan to sample the site for contamination.
- (2) Complete the decommissioning, including submitting the decommissioning checklist and site assessment, by December 31, 2024.

This matter will be referred to the Department's Office of Compliance Enforcement for formal enforcement action, which may include assessment of civil penalties and/or issuance of a Department order. Your timely and responsive action on these items will be taken into consideration in any civil penalty assessment issued by the Department.

If you believe, any of the facts in this Pre-Enforcement Notice are in error you may provide written information to me at the address shown at the top of this letter. The Department will consider new information you submit in determining the appropriate enforcement actions that will be taken for these violations.

Please feel free to contact me at 503-869-0770 or diana.foss@deq.oregon.gov if you have any questions about compliance with DEQ's UST regulations.

Sincerely,

A handwritten signature in cursive script that reads "Diana Foss".

Diana Foss
Senior Policy Analyst
Underground Storage Tanks Program