



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Land Quality Division

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

April 29, 2024

Perry Tomlin
Tomlin's Auto Service
751 Hwy 99 N
Eugene, OR 97402

RE: **Pre-enforcement Notice**
Tomlin's Auto Service
DEQ UST Facility #8344
2024-PEN-9264

Perry Tomlin:

The Oregon Department of Environmental Quality (DEQ) believes Tomlin's Auto Service has violated Oregon's environmental regulations at the underground storage tank (UST) facility #8344 located at 751 Hwy 99 N in Eugene, 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 Tomlin's Auto Service 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 340-150-0052 **Class II** Failure to apply for a modified general permit registration certificate when there is a change of permittee, tank owner or property owner.

Corrective Action Requested

- (1) Submit a General Permit Registration Form to Modify Tank Owner, Permittee or Property Owner Information by May 15, 2024

Recall that your temporary closure certificate expires on August 7, 2024. By July 7, 2024, you must also submit a 30 Day Notice of Intent to Decommission USTs or Complete a Change in Service. Failure to do so will also result in enforcement and penalty. You will have to complete the decommissioning 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