



State of Oregon
Department of
Environmental
Quality

Program Enforcement No. _____

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:		Facility ID#:	
Inspector:		Facility Name:	
DEQ Office:		Facility Address:	
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="checkbox"/> In Person	<input type="checkbox"/> By Mail	<input type="checkbox"/> Both	Date Issued:
Facility Representative Present During Inspection:		<input type="checkbox"/> Permittee <input type="checkbox"/> Owner <input type="checkbox"/> Other		
Name of Permittee or Owner:				
Mailing Address:				

Field Citation Penalty – See Page 3 for detailed listing of each violation.	\$.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: _____

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:

PROGRAM ENFORCEMENT NO.:

FACILITY ID:

Page 3 of 3

Violation #1:***TCR: Y N**

Corrective Action:

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

Penalty Amount: \$.00

Correct Violation by:

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): \$.00

Total Penalty Amount (All Pages): \$.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: _____

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

Oregon Department of Environmental Quality - Underground Storage Tank Program
Technical Compliance Inspection - UST Inspection Report (Temporary Closure)

Inspector: _____ Date: _____ Time: _____ Facility: _____

I. Site Information					
Facility Name:			Permittee:		
Site Address:			Organization:		
City:			Phone:		
II. Tank Information					
DEQ Permit #					
Estimated Gallons					
Substance					
Tank Material					
Tank Install Date					
Pipe Material					
Pipe Type					
Pipe Install Date					
Overfill Device					
Objective of field visit:					
Notes and Comments from the UST database: <input type="checkbox"/> Check file before conducting inspection					
III. Financial Responsibility			Compliance <input type="checkbox"/> Yes <input type="checkbox"/> No		
Type of coverage:		Begin Date:		End Date:	
Coverage amount correct: Yes No		Number of tanks covered:			
Financial responsibility could also be in the form of self insurance, bonds, local government, trust fund, and or guarantee					
IV. Corrosion Protection			Compliance <input type="checkbox"/> Yes <input type="checkbox"/> No		
<input type="checkbox"/> Cathodic		<input type="checkbox"/> Galvanic		<input type="checkbox"/> Impressed Current	
				<input type="checkbox"/> Fiberglass/composite tanks	
Steel tank with cathodic?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Steel pipes with cathodic?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Steel flex-lines with cathodic?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date of cathodic test: _____					
Last two tests available?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Did last test pass?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If not:					
Was failed test reported to DEQ?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Was system repaired?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date of repair? _____					
Cathodic retested within 6 mos. of repair?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date of retesting? _____					
If impressed current system:					
Rectifier Operational?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Rectifier log maintained?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Rectifier been operating continuously				<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Tank Lining					
Date of lest test? _____					
Pressure test conducted after tank lining inspection?				<input type="checkbox"/> Yes	<input type="checkbox"/> No

V. General notes from inspection

Representative onsite: _____ email: _____

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

Inspector Signature: Dave Pardue Date: _____



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

November 13, 2023

America Energy Investment, LLC
c/o Anthony Doan
3435 NE Martin Luther King Jr Blvd
Portland, OR 97212-2058

RE: UST Compliance Inspection
DEQ UST # 9548
Rainbow Gas

Attention Anthony Doan,

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 inspection will include a file review, compliance testing documentation, and a site visit. **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 site visit for this inspection for this facility is scheduled for December 14, 2023, starting at approximately 11:00AM. Please note that the inspection will require uninterrupted participation and attendance by you or a knowledgeable assistant. For the site visit part of 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.

To complete this inspection, you will need to have required proof of financial responsibility and proof of A/B operator training available on-site on the day of the inspection or sent to me prior to the inspection at dave.pardue@deq.oregon.gov. If the records are not available during the day of the inspection, you will have five (5) business days to provide the records to me electronically. After which time this facility may be subject to enforcement actions.

Our records indicate that the USTs at your facility are in Temporary Closure. During the site visit, the DEQ will verify that the tanks are empty as defined by OAR 340-150-0010(32) and the equipment is secure as indicated in OAR-340-0167.

At a minimum the following records are required to complete this inspection:

- Financial responsibility mechanism.
- Cathodic protection testing (if applicable).
- Tank lining records (if applicable).

As stated previously, DEQ will not touch any equipment and if you are unable to assist with equipment access, please have your UST Service Provider there to remove manway or sump lids and be prepared to stick the tanks to show the presence of any liquid.

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 includes paying a monetary fine and conducting corrective actions.

Some enforcement may be referred to the Office of Compliance and Enforcement for further review which may result in civil penalties.

Thank you for your cooperation. I can be reached at 503-360-4287 or dave.pardue@deq.oregon.gov to answer any questions you may have and assist you in the preparation for your inspection.

Sincerely,

Dave Pardue

Dave Pardue
Underground Storage Tank Program Coordinator

CC: File

Mark Drouin
UST Program
Mark.drouin@deq.oregon.gov
541-213-1204



LAND IS NOT YOUR
FOR PICKING UP ROOFES





UST.net 3.0.0 - DPARDUE [USTAdmin] - Production

File Reports Crystal Reports Functions Print Windows Help

Facility Search

Facility ID

Name

use '%' for wildcard

No local UST Mobile DB is installed.

LUST Incident
☐ Only ☐ Exclude ☒ Both

Street

City

County ZIP

Region Cert

Facilities Tanks - Current Contacts Compliance Payments

Tank ID	Tank Status	Permit Nbr	Permit Status	Gallons	Install Date	Decomm Date
1	Active	AGJGE	Active	3000		
2	Active	AGJGF	Active	6000		
3	Active	AGJGG	Active	3000		
4	Active	AGJGH	Active	3000		

	Permittee	UST Owner	Legal Owner
Name	Anthony Doan	Anthony Doan	Anthony Doan
Organization	American Energy Investme	American Energy Investme	American Energy Investme
Address	3435 NE M L King Blvd	3435 NE M L King Blvd	3435 NE M L King Blvd
City, State	Portland, OR 97212-2058	Portland, OR 97212-2058	Portland, OR 97212-2058
Phone	(503) 997-4135	(503) 997-4135	(503) 997-4135

Portland Maps Places Account Support Advanced

8036 N FESSENDEN ST
PORTLAND, OR 97203

PROPERTY

Year Built 1950

Description SERVICE STATION

Building Area 1,800 sq ft

Neighborhood ST. JOHNS

Jurisdiction Portland / Multnomah

City Council District 2

Zoning CM1 - Commercial Mixed Use 1

Elevation 101 ft (approximate)

Owner DOAN, ANTHONY

Owner Address 13134 NE FAILING CT PORTLAND OR 97230

Related Accounts

For more information about data updates or discrepancies, please contact Multnomah County Assessment, Recording & Taxation at (503) 988-2225 or propertytax@multco.us.

PARDUE Dave * DEQ

From: WESTBROOK Esther * DEQ
Sent: Thursday, December 21, 2023 8:50 AM
To: PARDUE Dave * DEQ
Subject: RE: Real Property Ownership Questions

I didn't mean to cause confusion with that phrase! I just meant that sometimes assessor's records are inaccurate—issues like not listing all owners if the property is owned by multiple people/entities, or listing an individual as the owner rather than a company, or vice versa, or listing someone who is dead. If these types of issues existed and we needed to figure out the legal owner, we'd probably request a copy of the deed from the county recorder's office. But I don't think you need to worry about any of that in this case!

Esther L. Westbrook, J.D.
Environmental Law Specialist
DEQ Office of Compliance and Enforcement
Tel: 503-229-5374
Pronouns: She/Her

From: PARDUE Dave * DEQ <Dave.Pardue@deq.oregon.gov>
Sent: Thursday, December 21, 2023 7:16 AM
To: WESTBROOK Esther * DEQ <Esther.WESTBROOK@deq.oregon.gov>
Subject: RE: Real Property Ownership Questions

Thanks, Esther!

More questions pose themselves but I will ask just one:

1. What constitutes "true legal ownership", and how do I determine that?

Thanks,
Dave

Dave Pardue
Underground Storage Tank Program Coordinator
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
503-229-6085
Pronouns: He/Him/His

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From: WESTBROOK Esther * DEQ <Esther.WESTBROOK@deq.oregon.gov>

Sent: Wednesday, December 20, 2023 4:45 PM

To: PARDUE Dave * DEQ <Dave.Pardue@deq.oregon.gov>

Subject: RE: Real Property Ownership Questions

Hi Dave – I think as long as the name of the property owner is accurate and reflects the true legal ownership, any legitimate address is fine. The address in the tax assessor's records is for the purpose of mailing their tax bill—I don't think it has any significance beyond that.

Esther L. Westbrook, J.D.

Environmental Law Specialist

DEQ Office of Compliance and Enforcement

Tel: 503-229-5374

Pronouns: She/Her

From: PARDUE Dave * DEQ <Dave.PARDUE@deq.oregon.gov>

Sent: Wednesday, December 20, 2023 10:25 AM

To: WESTBROOK Esther * DEQ <Esther.WESTBROOK@deq.oregon.gov>

Subject: Real Property Ownership Questions

Hi Esther-

Hope you are well.

I have a question I hope you can answer. When it comes to the real property ownership and how our forms are filled out, is a permittee required to provide us with the same address that is listed with the tax assessor for the parcel? This is for the Legal Owner.

Portlandmaps.com lists the **real property** owner of #9548, 8036 N Fessenden St, as an individual, Anthony Doan at a residential address.

He lists the mailing address for the **Legal Owner** (and permittee and tank owner) on our forms as 3435 NE MLK, Portland, the address of the other Facility (#8738) he runs. Not the address listed on Portlandmaps.com for the actual property ownership.

With regard to #9548: what address should A. Doan put on his registration forms submitted to us?

Thanks,

Dave

Dave Pardue

Underground Storage Tank Program Coordinator
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
503-229-6085
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PARDUE Dave * DEQ

From: PARDUE Dave * DEQ
Sent: Wednesday, December 20, 2023 1:08 PM
To: 'pacificfirst2000@yahoo.com'
Subject: FW: 8036 N Fessenden St Facility 9548
Attachments: 2023-FC-8877.issued to 9548.pdf

Hi Anthony-

I am afraid I sent a fillable pdf of the Field Citation. That was not the correct format to send to you. Please see attached. I apologize for any confusion.


Also a hard copy will be sent out soon.

Regards,
Dave

Dave Pardue
Underground Storage Tank Program Coordinator
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
503-229-6085
Pronouns: He/Him/His

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From: PARDUE Dave * DEQ
Sent: Monday, December 18, 2023 1:27 PM
To: 'pacificfirst2000@yahoo.com' <pacificfirst2000@yahoo.com>
Subject: 8036 N Fessenden St Facility 9548

Hi Anthony-

I conducted an inspection of the above facility. A hard copy will get mailed out later this week, but I wanted to send to you in a more timely fashion, so please see the attached Field Citation.

Please select one of the choices at the bottom of the first page, and sign and return. If you decide to pursue decommissioning you may be able to get the fines reduced if you choose option #2. The UST Program is unable to reduce or forgive any fines.

Thank you, and please let me know if you have any questions.

Regards,

Dave

Dave Pardue

Underground Storage Tank Program Coordinator

Oregon Department of Environmental Quality

700 NE Multnomah Street, Suite 600

Portland, OR 97232

503-229-6085

Pronouns: He/Him/His

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PARDUE Dave * DEQ

From: PARDUE Dave * DEQ
Sent: Tuesday, December 19, 2023 3:55 PM
To: FOSS Diana * DEQ
Subject: 2023-FC-8877 issued to 9548
Attachments: 2023-FC-8877 issued to 9548.pdf

See attached.

Dave Pardue
Underground Storage Tank Program Coordinator
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
503-229-6085
Pronouns: He/Him/His

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PARDUE Dave * DEQ

From: PARDUE Dave * DEQ
Sent: Monday, December 18, 2023 1:27 PM
To: 'pacificfirst2000@yahoo.com'
Subject: 8036 N Fessenden St Facility 9548
Attachments: Field Citation Form Fac 9548 12.18.2023.pdf

Hi Anthony-

I conducted an inspection of the above facility. A hard copy will get mailed out later this week, but I wanted to send to you in a more timely fashion, so please see the attached Field Citation.

Please select one of the choices at the bottom of the first page, and sign and return. If you decide to pursue decommissioning you may be able to get the fines reduced if you choose option #2. The UST Program is unable to reduce or forgive any fines.

Thank you, and please let me know if you have any questions.

Regards,

Dave

Dave Pardue
Underground Storage Tank Program Coordinator
Oregon Department of Environmental Quality
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PARDUE Dave * DEQ

From: PARDUE Dave * DEQ
Sent: Monday, November 13, 2023 4:52 PM
To: 'firstpacific2000@yahoo.com'
Subject: Rainbow Gas Fac # 9548 December 14 Inspection 1100 AM
Attachments: 9548_InspNotification_Temp Closure_ Dec_2023.pdf

Hi Anthony-

Please see the attached, also sent by hard copy in US Mail.

Regards,

Dave

Dave Pardue
Underground Storage Tank Program Coordinator
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
503-229-6085
Pronouns: He/Him/His

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