

◆ PETROLEUM RELEASE FORM ◆

Check All That Apply

❖ INCIDENT INFORMATION ❖

Log #: 01-04-6340

Received By: DAS

UST Facility #: 4590

Date Reported: 03/02/2004

- ☒ Regulated UST
☐ Non-Regulated UST
☐ Heating Oil Tank

Site Name: Blue Mountain Asphalt Co.

FUNDING

Site Address: East "H" Street

- ☒ LUST ☐ HSRAF
☐ HOTC ☐ F/A

Site City: Baker City Zip: 97814

- ☒ INVOICE START
INVOICE STOP

Site County: Baker

Phone: 541-523-44478

☐ NFA SENT

PROJECT MANAGER: DAS

❖ MAIL CONTACTS ❖

REPORTED BY:

RESPONSIBLE PARTY:

Name: Rod Pardee

Name: S. Randy Baer

Company: PETCO

Company: Superior Equipment

Address:

Address: PO Box 10268

City: 509-948-2879

City: Yakima Zip: 98909

INVOICE CONTACT:

OTHER CONTACT(S):

Name: Same as RP

Name: _____

Company: _____

Company: _____

Address: _____

Address: _____

City: _____ Zip: _____

City: _____ Zip: _____

❖ SITE ASSESSMENT ❖

Release Discovery Date: 02/02/2004

CONFIRMATION

- ☐ SI) Staff
☐ LS) Lab: DEQ
☒ LR) Lab: RP
☐ LO) Lab Other
☐ RR) RP Report
☐ CN) Contractor
☐ OT) Other

DISCOVERY

- ☐ RM) Routine monitoring
☒ DC) Decommissioning
☐ CP) Complaint
☐ IC) Inventory Control
☐ SA) Site Assessment
☐ TT) Tank Test
☐ OT) Other

CAUSE

- ☒ TL) Tank Leak
☐ PL) Pipe Leak
☒ OF) Overfill
☐ SS) Surface Spill
☐ PV) Pump/Valve Leak
☐ OT) Other
☐ UN) Unknown

❖ CONTAMINANTS / IMPACTS ❖

CONTAMINANTS:

☐ UG) Unleaded Gasoline
☐ LG) Leaded Gasoline
☐ MG) Misc. Gasoline
☒ DS) Diesel
☐ FO) Fuel Oil
☐ WO) Waste Oil
☐ LB) Lubricant

☐ SV) Solvent
☐ BF) Bunker Fuel
☐ OP) Other Petro
☐ CH) Chemical
☐ HO) Heating Oil
☐ UN) Unknown
☐ OT) Other _____

MEDIA / IMPACT:

☒ SL) Soil
☐ GW) Groundwater
☐ SW) Surface Water
☐ DW) Drinking Water
☐ FV) Facility (Vapor)
☐ FP) Facility (Free Product)

❖ SITE MANAGEMENT ❖

RELEASE STOPPED: 03/02/2004
CLEANUP STARTED: 03/02/2004

FINAL REQUEST INVOICE DATE:
NO FURTHER ACTION: ____ / ____ / ____

❖ SOIL MANAGEMENT ❖

SWLA PERMIT #: _____

DATE ISSUED: _____

PETROLEUM CONTAMINATED SOIL(PCS)

TREATMENT METHOD

PCS TREATED ONSITE, Cubic Yards(CY³) : _____

☐ AERATION
☐ THERMAL
☐ BIOLOGICAL
☐ OTHER _____

PCS TREATED OFF SITE, Cubic Yards(CY³) : _____

PCS DISPOSED OF, Cubic Yards(CY³) : _____

☐ TREATED
☐ UNTREATED

FINAL DISPOSITION OF SOIL:

☐ ONSITE
☐ LANDFILL
☐ ROAD BASE
☐ OTHER _____

NOTES / COMMENTS :

SPACE PROVIDED FOR REGIONAL OFFICE USE

Diesel discovered during UST decomm.....approx 100 cyds excavated and stored at site.



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality
Eastern Region The Dalles Office
400 East Scenic Drive, Suite 307
The Dalles, OR 97058
(541) 298-7255
FAX (541) 298-7330

March 10, 2004

S. Randy Baer
Superior Equipment
P.O. Box 10268
Yakima, WA 98909

RE: Blue Mountain Asphalt Co.
File No.: 01-04-0340

Dear Mr. Baer:

On March 2, 2004, a release was reported from a petroleum underground storage tank (UST) system at your facility located at East "H" Street, Baker City, Oregon. As the responsible party for the facility, you are required to clean up soil, groundwater, surface water and any other media contaminated by the released petroleum according to Oregon Administrative Rule, OAR 340-122-205 through 340-122-360.

An Initial Report Form for UST Cleanup Projects is enclosed, which needs to be completed and returned to this office within twenty (20) days from the date the release was reported. An outline of additional reporting requirements and due dates is also enclosed. A copy of the UST Cleanup regulations will be provided upon request. As the responsible party, you should be aware of what the requirements are, even if you have hired a qualified contractor or consultant to assist you.

Please reference the DEQ File Number listed above in all future correspondence and reports.

By law, DEQ is required to recover all cleanup project oversight costs. DEQ oversight begins with the initial site characterization and continues through site closure-. Oversight includes activities such as reviewing reports, preparing correspondence, answering technical assistance questions, site inspections, and enforcement actions. **You will be receiving an invoice each month for all oversight activities performed to-date.**

DEQ's highest priority for oversight are those sites which pose the Greatest hazard to human health, safety and the environment. As a result, many lower environmental priority sites will not be reviewed in detail or receive a final "No further action" or "closure" letter from DEQ until the higher priority sites are addressed. However, all projects - simple or complex - require at least some oversight. At a minimum, sufficient review of reports and data submitted is conducted to determine the environmental priority of the cleanup project.

Mr. Baer
Page Two

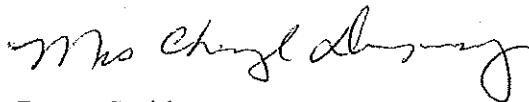
For those responsible parties who desire DEQ oversight, regardless of environmental priority, we have developed a Responsible Party Priority Site Program. To receive oversight and more effectively schedule your project, you will be asked to sign an agreement requesting priority review and confirming your agreement to pay DEQ oversight costs in a timely manner.

Not entering into the Agreement does not release you from responsibility for investigation and/or cleanup of the contamination; nor does it mean that you are exempt from paying for DEQ oversight costs. Please be aware that there may be a waiting list for assignment to the next available project manager, and that these projects are assigned on a first come, first served basis.

Please read the attached information on the cost recovery and invoice process. We have also included information about the Responsible Party Priority Site Program and an agreement, if you are interested in expediting review of your project.

Thank you for your cooperation and continued efforts to comply with the regulations. If you have any questions about the regulations and/or your cleanup please call (541) -278-4602 to speak to the Underground Storage Tank Project Manager.

Sincerely,



for Duane Smith,
Project Manager
Underground Storage Tanks
Eastern Region

Enclosures

Initial 20-Day Report
Outline of Due Dates and Information
Cost Recovery Information Sheets
Cost Recovery Agreement

**REPORT DUE DATES AND INFORMATION TO BE SUBMITTED
FOR UST CLEANUP PROJECTS**

A. Within 20 days from the date the release was reported*

I. Complete all portions of the Initial Report Form for UST Cleanup Projects.

B. Within 45 days from the date the release was reported*

- I. If the cleanup (and the final report) cannot be completed within 45 days from the date of the release, submit an interim status report. The interim report must a) summarize the findings to-date, b) outline your planned actions for additional work, and c) include anticipated dates of completion for each action. Attach copies of all analytical results and chain of custody forms for all samples collected to-date.
2. If the cleanup is on-going, submit quarterly status reports (as described in item B. 1 above) each January 1 st, April 1 st, July 1 st, and October 1 st unless otherwise specified by the DEQ Regional Office until the cleanup is complete. Note: you do not need to resubmit copies of sample results already provided, but all data collected to-date should be mentioned in your summary reports.

C. Within 60 days from the date CLEANUP is considered COMPLETE

1. Submit the final cleanup report. The information that must be included is outlined in the UST Cleanup Manual, OAR 340-122-360.

D. Corrective Action Plans (CAP)

1. Once groundwater contamination has been confirmed and the investigation is complete, you will be required to submit a CAP for approval (some complex soil remediation projects may also require a CAP). If your project is not just a simple Matrix cleanup, contact the regional office listed below for specific information on how to proceed and what your reporting requirements will be.

Note: The date the release was reported to DEQ is listed on the cover letter received by the Responsible Party.

Complete step-by-step guidance on cleanup and reporting requirements is provided in the UST Cleanup Manual. Please refer to this manual for any specific information you may require. If you have further questions, please contact the regional office listed below.

SEND UST CLEANUP REPORTS TO:

DEQ - EASTERN REGION
UST Program
700 SE Emigrant, Suite 330
Pendleton, OR 97801

INITIAL (TWENTY DAY) REPORT FORM FOR US1 CLEANUP PROJECTS

This report is due twenty (20) days from the date of the release.

DEQ File No. _01-04-0340

DEQ Facility ID No. 4590

Site Name: Blue Mountain Asphalt Co.

Site Address: East "H" Street, Baker City, OR 97814

INITIAL CLEANUP INFORMATION

(1) Type of contamination (check all that apply):

___ Gasoline ___ Diesel ___ Waste Oil ___ Heating Oil
___ Other (specify) _____

(2) Estimate quantity of release (based on information known to date):

___ <100 gal. ___ 100-499 gal. ___ 500-999 gal. ___ 1,000-5,000 gal. ___ >5,000 gal.

SITE INFORMATION

(3) N Y Did any water enter the excavation? If yes, please describe and identify the depth to groundwater in feet below ground surface: _____

(4) N Y Was a sheen or odor observed on any water in the excavation?

NOTE: IF GROUNDWATER IS ENCOUNTERED, SOIL SAMPLES FROM THE SOIL/WATER INTERFACE MUST BE COLLECTED AND ANALYZED FOR BTEX AND APPROPRIATE TPH METHOD.

AT SITES WHERE DIESEL OR OTHER NON-GASOLINE PRODUCTS HAVE BEEN RELEASED, THE WATER MUST ALSO BE TESTED FOR POLYNUCLEAR AROMATIC HYDROCARBONS (PAHS).

(5) N Y Was water pumped from the excavation?

If yes, did groundwater recharge within 24 hours after pumping? N Y

Please describe the pumping procedure and disposal option selected for the purged excavation water:

(6) N Y Was/were any water sample(s) collected from the excavation?

If Yes, please describe: _____

(7) N Y Have any soil and/or water samples results been received at this time?

If so, please attach any lab reports.

IF GROUNDWATER HAS BEEN ENCOUNTERED, PLEASE ANSWER QUESTIONS 8-13, BELOW.

IF NO WATER HAS BEEN ENCOUNTERED, PLEASE SKIP TO QUESTION #14

(8) What are the known uses of groundwater within a 500 foot radius of the release site?

___ non-use; ___ industrial; ___ agricultural; ___ drinking supply

(9) If groundwater in this area is being used as a drinking water supply, please check the following type of population and size served by the supply:

___ Community (community well used for drinking water year round)

size: ___ <1,000 people; ___ 1,000 - 5,000 people; ___ >5,000 people

___ Intermittent use (public water used for drinking water only on a part-time basis)

size: ___ <50 people; ___ 50 - 300 people; ___ > 300 people

___ Private wells (individual private well or wells used for drinking water)

size: ___ <10 people; ___ 10 - 25 people; ___ >25 people

(10) N Y Is there any evidence this water supply has been, or is likely to be impacted from the petroleum product release? If Yes, estimate how difficult it would be to replace the existing supply:

___ bottled water is the only alternative

___ on-site water treatment; bulk water delivery; new wells are available

___ able to connect to existing water supply

___ do not know what alternatives would be available

(11) N Y Are/were there any vapors present in on-site or nearby buildings? If yes:

A. Are you monitoring and/or mitigating any potential fire and safety hazards posed by vapors and free product? Explain: _____

B. Estimate the number of people potentially affected by vapors:

___ 1-2 people; ___ 3-10 people; ___ >10 people

(12) N Y Are vapors or is petroleum contamination present in the utility corridors?

If yes, please explain: _____

(13) N Y Are there natural areas within 1/4 mile of the site? If so, please explain type(s) (parks, rivers, wetlands, sensitive habitats, etc.) and proximity:

(14) N Y If groundwater was not encountered in the excavation, do you believe that this cleanup project can be conducted under the requirements for an UST Cleanup Matrix site?

AREA/SITE CONDITIONS:

(15) Mean annual rainfall: ___ <20 inches; ___ 20-45 inches; ___ >45 inches

(16) Soil type(s) (these are naturally occurring soils, not the backfill around the tank):

- _____ clays, compact till, shales, and unfractured metamorphic and igneous rocks
- _____ sandy loams, loamy sands, silty clays, clay loams, moderately permeable limestone, dolomite, sandstones, moderately fractured igneous and metamorphic rock.
- _____ fine and silty sands, sands and gravels, highly fractured igneous and metamorphic rock, permeable basalts and lavas, karst limestones and dolomites.

SOIL MANAGEMENT

(17) If soil sample results have been received:

N Y Will the level of contamination detected require removal of contaminated soil for treatment or disposal?

(18) All contaminated soil temporarily stockpiled onsite prior to treatment or disposal must be contained within a bermed area, kept covered, and the entire area secured to prevent unauthorized access by the public. If you haven't done this, please explain why:

(19) If contaminated soil is currently stockpiled onsite, please indicate when disposal will occur or when treatment will begin: _____

Note: Contaminated soil cannot be stockpiled onsite for more than thirty (30) days without applying for a Solid Waste Letter of Authorization (SWLA)

(20) Estimated volume of contaminated soil (tons or cubic yards): _____

(21) Intended disposition of soils (please check one):

- _____ Onsite treatment, Solid Waste Letter Authorization Permit Application attached.
- _____ Offsite treatment, Solid Waste Letter Authorization Permit Application attached.

_____ Thermal treatment offsite at an authorized facility.
Facility name: _____

_____ Thermal treatment onsite with a mobil treatment unit, permit required from DEQ.
Company name _____

_____ Landfill disposal.
Name of Landfill: _____

Note: Please attach additional information as necessary to explain any unusual circumstances associated with this project.

This initial report is intended to provide the Department with the basic initial information about activities associated with the release. Future reports must be much more detailed and provide a complete picture of the cleanup project.

THIS REPORT WAS PREPARED BY:

Individual: _____ Phone: _____
Company: _____
Address: _____
City _____ State _____ Zip _____

Please return this form to:

DEQ
Underground Storage Tank Program
700 SE Emigrant, Suite 330
Pendleton, OR 97801

If you have questions, call Duane Smith, D.E.Q., UST Eastern Region-Pendleton, OR 97801, (541) -278-4602

REMINDER: Submit UST Decommissioning/Change-in-Service Report forms and UST Decommissioning Checklists to:

DEQ
Underground Storage Tank Program
700 SE Emigrant, Suite 330
Pendleton, OR 97801

Failure to do so can result in delays to your project and may result in continued billing for the tank permit fees.

Please be aware that a DEQ permit/authorization is required for the following activities:

- 1) Soil aeration, bioremediation (on-site or off-site) or on-site thermal treatment.
- 2) Water discharges to a stream/storm drain from the excavation or treatment tank.

If these activities will be included in your cleanup project, contact the regional DEQ office for the appropriate application forms, information on permit fees and guidance documents.

Note: If there will be emissions from pollution control equipment (e.g. air strippers, vapor extraction systems, etc.), notify the DEQ by phone before installation. Have actual or estimated emissions calculated before calling.

KEEP A COPY OF THIS REPORT FOR YOUR FACILITY RECORDS

UST CLEANUP PROGRAM - COST RECOVERY

Since Oregon began administering the federal leaking underground storage tank (UST) program in 1988, over 6400 petroleum releases have been reported to the Department of Environmental Quality (DEQ).

Approximately 3400 of these releases (sites) have been cleaned up, leaving over 3000 active sites. As DEQ must focus its efforts on environmental priorities, (e.g. sites with significant groundwater contamination), many of these sites are simply not being addressed by DEQ and are becoming part of a growing backlog of sites needing closure, or "no further action" letters from DEQ.

Federal funding for Oregon's UST Cleanup Program provides a minimum (core) program to carry out the federal requirements, as well as the Oregon public and legislative mandate to protect human health, safety and the environment from leaking petroleum UST's. The bulk of these resources are spent on high priority sites.

Federal and state law also require that DEQ recover all reasonable costs associated with a cleanup project, including our oversight costs.

Because of the very large number of sites needing cleanup and DEQ oversight, a prioritization system is needed to adequately address these sites and make best use of limited DEQ staff resources. This system creates three categories of sites. They are: 1) high environmental priority sites, 2) responsible party priority sites and 3) responsible party cleanup without DEQ oversight.

HIGH ENVIRONMENTAL PRIORITY SITES - WE CONTACT YOU

If your site is a high environmental priority, you can expect to hear from us. As mentioned above, DEQ is focusing its limited resources primarily on those sites presenting the greatest risk to human health, safety and the environment. To make this determination, DEQ uses a prioritization system to determine the risk the site poses. As one high priority site is completed or is determined to be a lower environmental priority, the next highest priority site is selected for work. Currently, DEQ oversight and payment of oversight costs is done informally without any written agreement between the responsible party and DEQ. For these sites, as long as the cleanup is progressing and the responsible party continues to pay our oversight costs, no change in this arrangement will occur. For sites where the informal arrangement is not working, DEQ may require the responsible party to conduct cleanup and enter into a formal agreement with DEQ as part of an enforcement action. When a site is no longer a high environmental priority, DEQ may decide not to actively provide oversight. A responsible party can request that DEQ continue providing oversight by signing a voluntary agreement. The agreement will allow us to more effectively schedule our resources.

RESPONSIBLE PARTY PRIORITY SITES - YOU CONTACT US

This option is being set up for those responsible parties who wish to proceed with cleanup and need DEQ signoff (e.g. to sell their property, obtain financing or insurance, etc.). The responsible party must sign a voluntary agreement requesting DEQ oversight and agree to pay oversight costs. The signed agreement should be sent to the appropriate regional office. These sites are handled on a first come, first serve basis and there may be a waiting list. The agreement is used as a tool for assigning sites to a project manager for review. Not signing the agreement does not release you from an obligation to pay oversight costs or conduct cleanup. A "no further action" letter will be issued when all regulatory requirements have been met.

RESPONSIBLE PARTY CLEANUP WITHOUT DEQ OVERSIGHT - WE EVENTUALLY GET TO YOU

You are required to proceed with site investigation/cleanup and comply with all regulatory requirements, (including all reporting requirements and payment of any oversight costs), even if you don't sign up for DEQ priority review. You must also carefully weigh the fact that over time DEQ requirements may change, so

waiting for your site to work up DEQ's priority list does carry some risk. To minimize this risk, you should carefully follow all DEQ guidance associated with the UST Cleanup Rules. Eventually, your site will work its way up our priority list and we will get to it. We expect that if a competent service provider or consultant carefully follows the rules and the guidance, there should be no unexpected surprises when your site comes up for DEQ review.

The following are some questions we are frequently asked:

WHAT IS COST RECOVERY?

Oregon law (ORS 465.330) requires DEQ to recover all reasonable costs associated with the investigation and cleanup of contaminated sites from the responsible party(s). A responsible party is usually the owner or operator of the facility or property. However, under certain situations, previous owners or operators or anyone who by his or her acts or omissions causes, contributes to or worsens the contamination may be considered a responsible party. If this situation applies to you, you may wish to seek legal counsel.

WHAT DEQ COSTS WILL BE ASSESSED?

DEQ oversight costs include both direct and indirect costs. Direct costs include DEQ staff time (such as reviewing reports, preparing correspondence, technical assistance, site inspections, enforcement actions, etc.), sample analysis (if we need to collect samples for compliance purposes) and other costs specific to your cleanup project. Direct costs may also include the cost of DEQ using its contractor to respond to an emergency or to investigate and clean up when the responsible party is unwilling. Indirect costs are those general management and support costs of DEQ and the Waste Management & Cleanup Division (WMC) and are applied as a percentage of the direct personal services. An average range for an hourly rate is roughly between \$50.00 and \$70.00. The number of hours is multiplied by the hourly rate and this becomes the Personal Services amount. The Personal Services amount is then multiplied by .188 for the DEQ Indirect Costs. For WMC Indirect Costs, the Personal Services amount is multiplied by 1.82.

WHEN WILL I BE INVOICED?

Invoices are generally sent about the third week of the month, after any time has accrued for the previous month. Payment is expected within thirty (30) days of receipt. For sites with a signed agreement, or high priority sites that have been working cooperatively with DEQ, DEQ provides a "no further action" letter when it is demonstrated that the cleanup requirements have been met and all outstanding invoices have been paid. If you have a property transaction pending with a specific closing date, it may be possible to receive an estimate of your final billing amount in order to expedite closure of your site. An estimate is generally somewhat higher than what actual charges may be. Refunds are issued within 45-60 days.

If you have any questions concerning the cost recovery process or your invoice, please feel free to contact Dawn Gomez at (503) 229-5812. Should you have any questions regarding the specifics of the investigation or cleanup activities at your site, please contact the appropriate regional office. In both cases, please refer to the site with the DEQ file number (file number is located on the invoice and on all correspondence to you) and the site name.

COST RECOVERY AGREEMENT

This document serves as an agreement between the undersigned (hereinafter "you") and the Department of Environmental Quality (DEQ) regarding DEQ review and oversight of the investigation and/or cleanup of petroleum (hazardous substances) at the property located at:

Facility Name: Blue Mountain Asphalt Co.
Address: East "H" Street
Baker City, OR 97814
File/Log #: 01-04-0340

DEQ agrees to review environmental documents submitted by you or on your behalf regarding the investigation and/or cleanup of the above-referenced site. Additional details regarding DEQ oversight will be established upon review of the initial site data.

DEQ requires that persons requiring DEQ review and oversight of investigation and cleanup activities agree to the terms of this agreement and pay project oversight costs.

DEQ project oversight costs will include direct costs and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ and of the Environmental Cleanup Division (ECD) allocable to DEQ oversight of this agreement and not charged as direct, site-specific costs. Indirect charges are based on a percentage of direct personal services costs. Review and oversight costs shall not include any unreasonable costs or costs not otherwise recoverable by DEQ under ORS 465.255.

DEQ costs are payable within thirty (30) days of issuance of the monthly statement, by check made payable to the "Department of Environmental Quality".

If you elect not to enter into this agreement, it does not release you from any responsibility you might have from any reporting requirements, investigation and/or cleanup of petroleum (hazardous substances) at the above referenced facility. This does not preclude the DEQ from conducting audits or inspections of all or portions of the investigation and cleanup activities associated with this facility. Enforcement action may be initiated if violation of DEQ requirements is found.

Either DEQ or you may terminate this agreement by giving 15 days advance written notice to the other. Only those costs incurred or obligated by DEQ prior to the effective date of any termination of the agreement shall be recoverable under this Agreement. Termination of this agreement will not affect any other right DEQ may have for recovery of costs under any applicable law.

You will hold DEQ harmless for any claims (including but not limited to claims of property damage or personal injury) arising from activities reviewed or overseen under this agreement.

This agreement is not and shall not be construed as an admission by you of any liability under ORS 465.255 or any other law or as a waiver by you of any defense to such liability. This agreement is not and shall not be construed as a waiver, release, or settlement of claims DEQ may have against you or any other person or as a waiver of any enforcement authority DEQ may have.

The Department's regional office in Pendleton, Oregon will be responsible for the review and oversight of the investigation and cleanup activities associated with the property. Please refer all site-specific inquiries to them at (541) 278-4602

All inquiries regarding cost recovery and/or invoices should be directed to Dawn Gomez at (503) 229-5812.

If the terms of this agreement are acceptable, please have it executed by an authorized officer in the space provided below. In order to more effectively schedule your project, please return this agreement within 30 days of receipt to: Duane Smith, Department of Environmental Quality, Underground Storage Tank Program-Eastern Region, 700 S. E. Emigrant, Suite 330, Pendleton, OR 97801

Accepted and agreed to this _____ day of _____, 20____

By: _____

Title: _____

Please provide the following information on where the invoices should be sent.

Individual Name: _____ Title: _____

Company: _____

Mail Address: _____

City, State, Zip: _____

Phone Number: _____



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Eastern Region The Dalles Office

400 East Scenic Drive, Suite 307

The Dalles, OR 97058

(541) 298-7255

FAX (541) 298-7330

May 4, 2006

S. Randy Baer
Superior Equipment
P.O. Box 10268
Yakima, WA 98909

RE: No Further Action
Blue Mountain Asphalt Co.
East "H" Street
Baker City, OR 97814
DEQ Facility No. 4590
DEQ LUST No. 01-04-0340
Baker County

Dear Mr. Baer:

The Department of Environmental Quality (Department) has reviewed the decommissioning and closure report, *Decommissioning of USTs at Baker City* submitted by PETCO Incorporated (PETCO) on behalf of Blue Mountain Asphalt Co. The Department concludes that this site meets the requirements of Oregon Administrative Rules 340-122-0205 through 340-122-0360 and that no further action is necessary at this site. The Department's conclusions are based on the following:

- 1) Superior Asphalt & Concrete engaged PETCO to decommission two 12,000-gallon underground storage tanks (USTs) at the Blue Mountain Asphalt Co. facility in Baker City. The USTs contained diesel (DEQ Permit ECFJ) and gasoline (DEQ Permit ECGK). On February 27, 2004, PETCO found petroleum contaminated soil (PCS) while decommissioning the USTs by removal. PETCO reported the release to the Department on March 2, 2004.
- 2) On March 25th and March 30th 2004, PETCO excavated a total of 163.79 tons of PCS; and took the PCS to Finley Buttes Regional Landfill for disposal. Analytical data showed that no gasoline or heavy oil was found at respective detection limits of 20 milligrams/kilogram (mg/kg) and 100 mg/kg.

The release, identified as diesel, originated from the north end of the diesel tank and extended to the underside of both USTs. The confirmation samples were all below the diesel analytical detection limit of 50 mg/kg, indicating excavation of any detectable PCS at the site. No groundwater was encountered.



Please note that the Department's determination that no further action is necessary will be voided upon the discovery of new or undisclosed facts that indicate the site is not in compliance with OAR 340-122-205 through 360. Furthermore, the conclusion does not apply to any conditions at the site other than the closure specifically addressed above. Pursuant to OAR 340-122-360 (2), a copy of the cleanup report must be retained until ten (10) years after the first transfer of the property. The Department recommends a copy of this information be kept with the permanent property records.

The Department appreciates your efforts to bring this site to closure. Please call O. J. Roman at (541) 298-7255 ext. 25 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'O. J. Roman', with a long horizontal flourish extending to the right.

O. J. Roman
Cleanup Program
Eastern Region - The Dalles

cc: Rod Pardee, PETCO

* * * Memory TX Result Report (May. 4. 2006 9:53AM) * * *

1) DEQ THE DALLES
2)

Date/Time: May. 4. 2006 9:52AM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
3241 Memory TX	15094536737	P. 3	OK	

Reason for error
 E. 1) Hang up or line fail
 E. 3) No answer
 E. 5) Exceeded max. E-mail size

E. 2) Busy
 E. 4) No facsimile connection

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 Eastern Region
 Columbia Gorge Office
 400 E. Scenic Drive, Suite 307
 The Dalles, OR 97058

FAX Transmittal Memorandum

No. of Pages: 3Date: 5/4/06

To: <u>SRandy Baer/Superior</u>	From: <u>Bud Roman</u>
Phone:	Phone: (541) 298-7255
FAX: <u>509 453-6737</u>	FAX: (541) 298-7330

Message: NFA letter, hand copy to follow



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
Eastern Region
Columbia Gorge Office
400 E. Scenic Drive., Suite 307
The Dalles, OR 97058

FAX Transmittal Memorandum

No. of Pages: 3

Date: 5/4/06

To: <u>S Randy Baer/Superior</u>	From: <u>Bud Roman</u>
Phone:	Phone: (541) 298-7255
FAX: <u>509 453-6737</u>	FAX: (541) 298-7330

Message: NFA letter, hard copy to follow

Please fax
a copy of
the NFA to
509 453 6737

LWS T# 01-04-03 ^{fax}
PAC # 4590



March 3, 2006

copy
file
Q = 37717

S. Randy Baer
Superior Equipment
P.O. Box 10268
Yakima, WA 98909

RE: No Further Action
Blue Mountain Asphalt Co.
East "H" Street
Baker City, OR 97814
DEQ Facility No. 4590
DEQ LUST No. 01-04-0340
Baker County

Dear Mr. Baer:

The Department of Environmental Quality (Department) has reviewed decommissioning and closure report, *Decommissioning of USTs at Baker City* submitted by PETCO Incorporated (PETCO) on behalf of Blue Mountain Asphalt Co. The Department concludes that this site meets the requirements of Oregon Administrative Rules 340-122-0205 through 340-122-0360 and that no further action is necessary at this site. The Department's conclusions are based on the following:

- 1) Superior Asphalt & Concrete engaged PETCO to decommission two 12,000-gallon underground storage tanks (USTs) at the Blue Mountain Asphalt Co. facility in Baker City. The USTs contained diesel (DEQ Permit ECFJ) and gasoline (DEQ Permit ECGK). On February 27, 2004, PETCO found petroleum contaminated soil (PCS) while decommissioning the USTs by removal. PETCO reported the release to the Department on March 2, 2004.
- 2) On March 25th and March 30th 2004, PETCO excavated a total of 163.79 tons of PCS; and took the PCS to ~~Finley Buttes~~ Landfill for disposal. Analytical data showed that no gasoline or heavy oil was found at respective detection limits of 20 milligrams/kilogram (mg/kg) and 100 mg/kg.

The release, identified as diesel, originated from the north end of the diesel tank and extended to the underside of both USTs. The confirmation samples were all below the diesel analytical detection limit of 50 mg/kg, indicating removable of any detectable PCS at the site. No groundwater was encountered.



Finley
Buttes
Regional
Landfill

Please note that the Department's determination that no further action is necessary will be voided upon the discovery of new or undisclosed facts that indicate the site is not in compliance with OAR 340-122-205 through 360. Furthermore, the conclusion does not apply to any conditions at the site other than the closure specifically addressed above. Pursuant to OAR 340-122-360 (2), a copy of the cleanup report must be retained until ten (10) years after the first transfer of the property. The Department recommends a copy of this information be kept with the permanent property records.

The Department appreciates your efforts to bring this site to closure. Please call O. J. Roman at (541) 298-7255 ext. 25 should you have any questions.

Sincerely,

O. J. Roman
Cleanup Program
Eastern Region - The Dalles

cc: Rod Pundee, PETCO
210 E. Albany Ave
Kennewick, WA 99336

File
Copy

\$ 385.98	\$ 0.00	\$ 0.00	\$ 0.00	Current
Total Due	90+ Days	61-90 Days	31-60 Days	

LUST Log #: 01-04-0340

Project #: T62103-00

Project Name: Blue Mountain Asphalt Co.

811 SW Sixth Avenue
Portland, OR 97204-1390
Attn: Accounting Office

Oregon Dept. of Environmental Quality

Remit and make checks payable to:

Invoice #: USTC06-1986

Check box if your address has
changed and complete back of invoice:

☐

Amount Enclosed:

385.98

Return this portion with payment

BLUE MOUNTAIN ASPHALT COMPANY

00113763

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
04-20-06	USTC06	PROJECT# T62103-00	385.98	.00	385.98
CHECK DATE	05/01/06	CHECK NUMBER	113763	TOTALS	385.98
			385.98	.00	385.98

RECEIVED
MAY 03 2006
State of Oregon
Dept. of Environmental Quality
Eastern Region - Portland

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS



BLUE MOUNTAIN ASPHALT CO.
P.O. Box 10448 YAKIMA, WASHINGTON 98909

US bank
Havre, Montana 59401
24-Hour Banking 1-800-673-3555
93-455
929

00113763

PAY: THREE HUNDRED EIGHTY FIVE DOLLARS AND 98 CENTS

DATE: 05/01/06 CHECK NO.: 113763 AMOUNT: \$*****385.98***

PAY TO THE ORDER OF: DEPT OF ENVIRONMENTAL QUALITY-BUISNESS OFFICE
811 SW SIXTH AVE
PORTLAND, OR 97204

BLUE MOUNTAIN ASPHALT CO.

[Signature]

INV. # USTC06-1986
FAC # 4597
LOG # 01-04-0340 (LUST) Proj. T62103

TTY: (503) 229-6993

For billing questions call: (503) 229-5812
Or Toll free: 1-800-452-4011

Change of address:
Organization Name:

Contact Name:

Address:

City, State, Zip:

00113763

BLUE MOUNTAIN ASPHALT COMPANY

DATE INVOICE NO DESCRIPTION				INVOICE AMOUNT	DEDUCTION	BALANCE
04-20-06 USTC06 PROJECT# T62103-00				385.98	.00	385.98
CHECK DATE	05/01/06	CHECK NUMBER	113763	TOTALS	385.98	.00
						385.98

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS

RECEIVED
MAY 03 2006
State of Oregon
Dept. of Environmental Quality
Eastern Region - The Dalles

FILE: _____

DEPARTMENT OF ENVIRONMENTAL QUALITY
EASTERN REGION OFFICE

PHONE MEMO

DATE: 05/01/06 TIME: 11:27

CALL FROM/TO: Red Parker

TITLE: _____

COMPANY: _____

LOCATION: _____

PHONE #: _____

RE: _____

CC: _____

SUMMARY OF CALL:

Close on site 4-7-04 for NFA - NO info yet
1st Blue Mt. Dophit - Boker City no closed
Quone Smith - was PM

Best Lintage Road

01-04-0340 + 4590, 03/03/06

Check being sent for

I'm PM - sorry Q -
no letter when wanted



SUPERIOR ASPHALT & CONCRETE CO.



PO Box 10268 • Yakima, Washington 98909
Phone (509) 248-6823 • Fax (509) 453-6737



FACSIMILE TRANSMISSION

Attention:

Liz Clark

Date:

2/16/06

Time:

Fax No.:

541 298 7330

From:

Mike Aaron

Number of Pages:

7

(Including Cover Sheet)

Regarding:

Baker City disposal

COMMENTS

RECEIVED
FEB 17 2006

State of Oregon
Dept. of Environmental Quality
Eastern Region - The Dalles

If there are problems with this transmission or you have received this transmission in error, please call (509) 248-6823 immediately.

TO FAX A REPLY, DIAL (509) 453-6737.

Washington State Contractor's Registration No. SUPERAC371N1



AN EQUAL OPPORTUNITY EMPLOYER

Received Time Feb. 17, 12:51PM



PETCO INCORPORATED (509) 582-1101

5959

Finley Buttes
4/9/04
2,293.06

WO# 4339

PETCO INCORPORATED
(509) 582-1101
210 E ALBANY AVE
KENNEWICK, WA 99336

Community
(509) 582-1101

6401 West Clearview
Kennewick, WA 99336

59-845/1251

5959

TWO THOUSAND TWO HUNDRED NINETY THREE DOLLARS AND 06/100

PAY
TO THE
ORDER
OF

FINLEY BUTTES LANDFILL CO
UNIT 65

PO BOX 4500

MEMO

PORTLAND, OREGON 97208-4500

4/9/04

\$2,293.06

Radnick L. Pardee
AUTHORIZED SIGNATURE

THIS DOCUMENT CONTAINS NO OTHER INFORMATION

FEB-17-2006 10:18 AM PETCO ICOR

50958677

P.03

INV-200/D2d

Finley Buttes Landfill Co.

INVOICE # 3040

03-31-2004

For Date Range: 03/01/2004 To 03/31/2004

Time 10:59

Daily Review of Current Charges

TO: PETCO, INC 1-04-020
210 E ALBANY AVE
KENNEWICK, WA 99336

REMIT TO: FINLEY BUTTES LANDFILL COMPANY
UNIT 65
PO BOX 4500
PORTLAND, OR 97208-4500

ACCOUNT # L00015

ACCOUNT NAME: PETCO-04-020

Date	DAY	# Trans Charges	Total Charge Dollars	Total Weight	Volume	Count Of Flat Fees
03/01/2004	Mon	0	0.00	0.000	0.00	0
03/02/2004	Tue	0	0.00	0.000	0.00	0
03/03/2004	Wed	0	0.00	0.000	0.00	0
03/04/2004	Thu	0	0.00	0.000	0.00	0
03/05/2004	Fri	0	0.00	0.000	0.00	0
03/06/2004	Sat	0	0.00	0.000	0.00	0
03/07/2004	Sun	0	0.00	0.000	0.00	0
03/08/2004	Mon	0	0.00	0.000	0.00	0
03/09/2004	Tue	0	0.00	0.000	0.00	0
03/10/2004	Wed	0	0.00	0.000	0.00	0
03/11/2004	Thu	0	0.00	0.000	0.00	0
03/12/2004	Fri	0	0.00	0.000	0.00	0
03/13/2004	Sat	0	0.00	0.000	0.00	0
03/14/2004	Sun	0	0.00	0.000	0.00	0
03/15/2004	Mon	0	0.00	0.000	0.00	0
03/16/2004	Tue	0	0.00	0.000	0.00	0
03/17/2004	Wed	0	0.00	0.000	0.00	0
03/18/2004	Thu	0	0.00	0.000	0.00	0
03/19/2004	Fri	0	0.00	0.000	0.00	0
03/20/2004	Sat	0	0.00	0.000	0.00	0
03/21/2004	Sun	0	0.00	0.000	0.00	0
03/22/2004	Mon	0	0.00	0.000	0.00	0
03/23/2004	Tue	0	0.00	0.000	0.00	0
03/24/2004	Wed	0	0.00	0.000	0.00	0
03/25/2004	Thu	0	0.00	0.000	0.00	0
03/26/2004	Fri	0	1,363.88	97.420	0.00	0
03/27/2004	Sat	0	0.00	0.000	0.00	0
03/28/2004	Sun	0	0.00	0.000	0.00	0
03/29/2004	Mon	0	0.00	0.000	0.00	0
03/30/2004	Tue	0	929.18	66.370	0.00	0
03/31/2004	Wed	0	0.00	0.000	0.00	0
TOTALS ->		5	\$2,293.06	163.790	0.00	0

TOTAL FEE

\$2,293.06

<-- PAY THIS AMOUNT

ibTotals By Fee Type DOLLARS

ip Fee \$2,293.06
pecial Fee \$0.00
ix Fee \$0.00

INSTRUCTIONS:

PAYMENT DUE 10 DAYS FROM
RECEIPT OF INVOICE.

PLEASE INDICATE OUR INVOICE
NUMBER ON YOUR CHECK

163.79

TOTALS -> \$2,293.06

Columbia Resource/Finley Buttes

Landfill

TRANSACTION # 145435	Acct# (100015)	---In---	---Out---	C13
Acct: PETCO, INC	1-04-020	Date	03-30-04 03-30-04	DIR: IN
Truck # -> PET002		Time	12:46 13:07	ONS: 21
		Scale Op	LIP SKS	SITE: LF
Transtn Type= 1/Truck Transaction			lbs tons	
Payment Type= 1/Charge		Gross Wt	104,750 52.38	Scale # 1/A
Vehicle Type=15/Dump Truck		Tare Wt	38,700 19.35	Scale # 2/B
Origin Type=11/Oregon-Other		Net Wt	66,050 33.03	TN
Matrnl. Type= 9/Contaminated Soil				
Destin. Type=20/Not Specified				

Remark: 1-04-020 blue mtn asphalt

Driver's Signature: *James C. [Signature]*

Columbia Resource/Finley Buttes

Landfill

TRANSACTION # 145428	Acct# (100015)	---In---	---Out---	C13
Acct: PETCO, INC	1-04-020	Date	03-30-04 03-30-04	DIR: IN
Truck # -> PET002		Time	11:51 12:06	ONS: 14
		Scale Op	LIP LIP	SITE: LF
Transtn Type= 1/Truck Transaction			lbs tons	
Payment Type= 1/Charge		Gross Wt	105,660 52.83	Scale # 1/A
Vehicle Type=15/Dump Truck		Tare Wt	38,980 19.49	Scale # 2/B
Origin Type=11/Oregon-Other		Net Wt	66,680 33.34	TN
Matrnl. Type= 9/Contaminated Soil				
Destin. Type=20/Not Specified				

Remark: 1-04-020 blue mtn asphalt

Driver's Signature: *Robert W. [Signature]*

Columbia Resources/Finley Buttes

Landfill

TRANSACTION # 145287	Acct# (L00015)	---In---	---Out---	C13
Acct: PETCO, INC	1-04-020	Date	03-26-04 03-26-04	QIR: IN
Truck # -) PET002		Time	11:48 12:23	OnS: 35
		Scale	Op LLP LLP	SITE: LF
Transn Type= 1/Truck Transaction			lbs	tons
Payment Type= 1/Charge		Gross Wt	104,200 62.10	Manual Wt
Vehicle Type=15/Dump Truck		Tare Wt	39,000 19.50	Scale # 2/8
Origin Type=11/Oregon-Other		Net Wt	65,200 32.60	TN
Materl. Type= 9/Contaminated Soil				
Destin. Type=20/Not Specified				

Remark: 1-04-020 blue mtn asphalt 076

Driver's Signature: Robert W. Peterson

Columbia Resources/Finley Buttes

Landfill

TRANSACTION # 145285	Acct# (L00015)	---In---	---Out---	C13
Acct: PETCO, INC	1-04-020	Date	03-26-04 03-26-04	QIR: IN
Truck # -) PET002		Time	11:37 11:58	OnS: 21
		Scale	Op LLP LLP	SITE: LF
Transn Type= 1/Truck Transaction			lbs	tons
Payment Type= 1/Charge		Gross Wt	104,280 62.14	Scale # 1/A
Vehicle Type=15/Dump Truck		Tare Wt	40,220 20.11	Scale # 2/8
Origin Type=11/Oregon-Other		Net Wt	64,060 32.03	TN
Materl. Type= 9/Contaminated Soil				
Destin. Type=20/Not Specified				

Remark: 1-04-020 Blue Mtn Asphalt 071

Driver's Signature: John H. Miller

Columbia Resources/Finley Butte

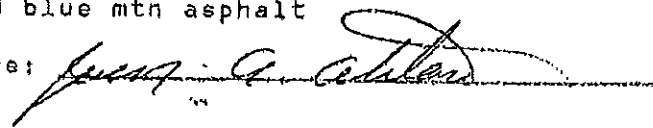
Landfill

TRANSACTION # 145288 Acct# (L00015)
Acct: PETCO, INC 1-04-020
Truck # -> PET002

	---In---	---Out---	
Date	03-26-04	03-26-04	DYR: IN
Time	12:04	12:27	QNS: 23
Scale Op	LLP	LLP	SITE: LF
	lbs	tons	
Gross Wt	104,900	52.45	Manual Wt
Tare Wt	39,320	19.66	Scale # 2/B
Net Wt	65,580	32.79	TN

Transn Type= 1/Truck Transaction
Payment Type= 1/Charge
Vehicle Type=16/Dump Truck
Origin Type=11/Oregon-Other
Materl. Type= 9/Contaminated Soil
Destin. Type=20/Not Specified

Remarks: 1-04-020 blue mtn asphalt

Driver's Signature: 

Received Time Feb. 17. 12:51PM

FEB 17 2006 12:51PM SUPERIOR ASPHALT

BLUE MOUNTAIN ASPHALT COMPANY

00111060

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
04-05-04	2909BM	TANKS & CLEANUP	4,118.06	.00	4,118.06
CHECK DATE	04-07-04	CHECK NUMBER	111060	TOTAL	4,118.06

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS



BLUE MOUNTAIN ASPHALT CO.

P.O. Box 10448 YAKIMA, WASHINGTON 98909

US bank
Havre, Montana 59401
24-Hour Banking 1-800-673-3555
93-455
929

00111060

PAY: FOUR THOUSAND ONE HUNDRED EIGHTEEN DOLLARS AND 06 CENTS

DATE 04-07-04 CHECK NO. 111060 AMOUNT \$*****4,118.06***

PAY
TO THE
ORDER
OF

PETCO INCORPORATED
210 E ALBANY AVENUE
KENNEWICK, WA

99336

BLUE MOUNTAIN ASPHALT CO.

John L. Benson

5094536737

P.7

**FAXED**

P.O. BOX 81728
VANCOUVER, WA 98088
509/268-7844 • 360/695-4859
FAX 360/695-5001

SPECIAL WASTE PERMIT AND INSTRUCTIONS

- The generator must determine if the waste is hazardous or dangerous before completing a permit application.
- The special waste permit application must be in the name of the generator of the waste and signed by an authorized representative who is responsible for the accuracy of all information submitted.
- Recertification is required for on-going special waste streams prior to the expiration date.
- A copy of the approved special waste permit must be shown to the gatehouse attendant upon delivery at the facility.

DISPOSAL SITE: CRC _____ FINLEY BUTTES X _____ WASCO _____

- To be completed by disposal company -

Generator:	<u>Blue Mountain Asphalt - Baker City Oregon</u>
Customer:	<u>Petco Incorporated</u>
Waste:	<u>Petroleum Contaminated Soil from Underground Storage Tank Overfill</u>
Instructions:	<u>Basis for non-hazardous determination is laboratory analysis (TPH-DRO) and process knowledge.</u>
Date:	<u>March 17, 2004</u>
Permit No:	<u>1-04-020</u>
Expiration date:	<u>May 31, 2004</u>
New/Recert:	<u>New</u> (Copy to Sales)
Previous No:	<u>N/A</u>
Landfill report:	<u>Yes</u>
Environmental approval:	<u><i>[Signature]</i></u>

COPY -
ORIGINAL ON
FILE

PETCO
PO #
4107

LAND FILL
HOURS:
0700-1530
(3:30p)

Post-It® Fax Note	7871	Date	<u>3/22</u>	# of pages	<u>1</u>
To	<u>RANDY BAER</u>	From	<u>ROD PARDEE</u>		
Co./Dept.		Co.	<u>PETCO</u>		
Phone #		Phone #	<u>948-2878</u>		
Fax #	<u>509/453-6737</u>	Fax #	<u>586-7777</u>		

♻️ 100% Recycled Paper

MAP TO
FOLLOW —

** TOTAL PAGE.01 **

**SUPERIOR ASPHALT & CONCRETE CO.**PO Box 10268 • Yakima, Washington 98909
Phone (509) 248-6823 • Fax (509) 453-6737

FACSIMILE TRANSMISSION

Attention:

Liz Clark

Date:

2/16/06

Time:

Fax No.:

541 298 7330

From:

Mike Aaron

Number of Pages:

2

(Including Cover Sheet)

Regarding:

Baker City disposal**COMMENTS**

If there are problems with this transmission or you have received this transmission in error, please call (509) 248-6823 immediately.

TO FAX A REPLY, DIAL (509) 453-6737.

Washington State Contractor's Registration No. SUPERAC371N1



AN EQUAL OPPORTUNITY EMPLOYER

Received Time" Feb. 16. 4:27PM





Phone Memo

File: _____

Fac Id#: _____

41590

LUST

State of Oregon
Department of
Environmental
Quality

Department of Environmental Quality
Eastern Region – The Dalles Office

Project: Blue Mtn Asphalt
Date: 2/15/06 Time: 2:00pm
Call To/From: to Aaron Davis From: Liz Clark
Title & Company: Blue Mtn Asphalt
Address: _____ Phone: 509-248-6823
Subject: LUST

Summary: I let Mr Davis know that I found the decom. paperwork and terminated the permits on the 2 tanks that were still active in our system.

I also asked him about the still open LUST at the site. I asked if they have receipts for the PCS that was to be disposed of. He said someone would be getting back to me by 2/16/06.

By: _____ cc: _____

1/03/04

09:53

5412780168

26-2004 01:12 PM PETCO INCOR

5095867773

P.03

Oregon Department of Environmental Quality

GENERAL PERMIT REGISTRATION FORM AND

30-DAY NOTICE OF INTENT TO DECOMMISSION USTS OR COMPLETE A CHANGE-IN-SERVICE

1. FACILITY (Location of Tanks) (Please Print) 2. PERMITTEE (Please Print)

Name: BLUE MOUNTAIN ASPHALT

Name:

Address: 41921 BEST FRONTAL

Address:

BAKER CITY

Phone:

Phone:

DEQ General Permit Operating Certificate Number:

4590

Work To Be Performed By: OWNER & PETCO

License # 12560

(Permittee, Tank Owner, Property Owner or Licensed Service Provider)

(Service Provider)

Phone: 509/582-1101

Mobile Phone: 509/948-2879 (R200)

THIS FORM MUST BE SUBMITTED BY UST PERMITTEE 30 DAYS BEFORE START OF WORK

YOU MUST CONTACT YOUR LOCAL DEQ REGIONAL OFFICE 3-DAYS BEFORE STARTING ANY DECOMMISSIONING WORK

(Phone numbers are listed on Page 2)

Will tank removal or potential cleanup affect adjacent property or Right-of-Way property? Yes No X

Date decommissioning is scheduled to begin: LAST WEEK OF FEBRUARY

TANK ID #	DEQ-UST PERMIT #	TANK SIZE IN GALLONS	PRODUCT: GASOLINE, DIESEL, USED OIL, OTHER?		CLOSURE OR CHANGE-IN-SERVICE?			TANK TO BE REPLACED?	
			PRESENT	NEW	TANK REMOVAL	CLOSURE IN PLACE +	CHANGE IN SERVICE +	YES*	NO
1	ECFJ	12,000	GAS	N/A	YES	NO	NO	N/A	NO
2	ECGK	12,000	DIESEL	N/A	YES	NO	NO	N/A	NO

- If decommissioned tank(s) are to be replaced by new underground storage tanks you must submit a *General Permit Registration Form to Install and Operate USTs* for the new tanks 30 days before installing them.
- Submit a soil sampling plan to the DEQ regional office and receive plan approval prior to starting work if (1) tank is to be decommissioned in-place, (2) tank contents are changed to an unregulated substance, (3) tank contains a regulated substance other than petroleum, or (4) tank is changed to an unregulated use.

Permittee:

BLUE MOUNTAIN ASPHALT CO

(Please Print)

Permittee:

S. Randy Beer VP/OP

(Signature)

Date:

1-26-04

RECEIVED

Oregon Department of Environmental Quality
UNDERGROUND STORAGE TANK
PROGRAM
PROJECT REPORT

Duane A. Smith, Project Manager
Eastern Region-Pendleton

3-30-04

COMPLETE NTA UPON RECEIPT OF
DOCUMENTATION OF PCS DISPOSAL.

- DUANE

Duane A. Smith, Project Manager
Eastern Region-Pendleton

[illegible]

Date: 03/22/04

Faxed From:
Cheryl Dempsey
Eastern Region

State of Oregon
Department of Environmental Quality
400 E. Scenic Drive, Suite 307
The Dalles, OR 97058

Phone (541) 298-7255 ext. 21
Fax: (541) 298-7330



State of Oregon
Department of
Environmental
Quality

Number of Pages: 3 w/coverTO: Duane SmithFAX: (541) 278-0168

Where is the signed Cost Recovery agreement
for Blue Mountain Asphalt.

RECEIVED

MAR 22 2004

State of Oregon
Dept. of Environmental Quality
Eastern Region - Pendleton

All inquiries regarding cost recovery and/or invoices should be directed to Dawn Gomez at (503) 229-5812.

If the terms of this agreement are acceptable, please have it executed by an authorized officer in the space provided below. In order to more effectively schedule your project, please return this agreement within 30 days of receipt to: Duane Smith, Department of Environmental Quality, Underground Storage Tank Program-Eastern Region, 700 S. E. Emigrant, Suite 330, Pendleton, OR 97801

Accepted and agreed to this 15TH day of MARCH, 20 04

By: S. Randy Baer

Title: VP/COO

Please provide the following information on where the invoices should be sent.

Individual Name: S. Randy Baer Title: VP/COO

Company: SUPERIOR ASPHALT & CONCRETE CO

Mail Address: PO BOX 10268

City, State, Zip: YAKIMA WA 98909

Phone Number: 509-248-6823

SMITH Duane

From: DEMPSEY Cheryl
Sent: Wednesday, March 10, 2004 12:33 PM
To: SMITH Duane
Cc: MONROE Sheila
Subject: RE: Two New Releases

Here are the two releases that you wanted logged into sequent. They have the following information.

Blue Mountain Asphalt- Hermiston	Lust # 30-04-0341	QT# 37718	# 10093	80
Blue Mountain Asphalt- Baker City	Lust # 01-04-0340	QT#37717	# 4590	01

I will send the cost recovery packets out this afternoon. I will also go into OTIS and log the release in.

Thanks

Cheryl

-----Original Message-----

From: SMITH Duane
Sent: Wednesday, March 10, 2004 11:16 AM
To: DEMPSEY Cheryl
Subject: Two New Releases

Cheryl

Please log the attached releases and forward the numbers to me.

Both sites are Blue Mountain Asphalt.....Baker City and Hermiston
Same RP

If you have any questions we can discuss tomorrow

Duane

<< File: BlueMountainAsphalt-Hermiston.doc >> << File: BlueMountainAsphalt-BakerCity.doc >>

PETCO



Rod Pardee
CELL 509/948-2879
Inspection & Testing
Consulting & Training
Maintenance & Repair

TED

509/582-1101

Since 1988

March 10, 2004

210 East Albany Avenue Kennewick, Washington 99336

Duane Smith
Oregon DEQ, Pendleton
700 S.E. Emigrant, suite 330
Pendleton, Oregon 97801

re: Decommissioning of USTs at Baker City site.

Greetings,

I am submitting the attached paperwork on behalf of my client to document the clean closure of the two tanks decommissioned last week. As reported, there is approximately 100 cy of petroleum contaminated soil stockpiled on site awaiting disposition.

First the decommissioning. The two tanks are of unknown age, probably about 20 to 30 years old. They were lined in the early 1990s and one tank was never put into service after being lined. The second tank contained diesel fuel to support the seasonal operation of the facility.

Contamination was discovered at the north end of the diesel tank and stained soil extended to the underside of both tanks. It was opted to over excavate and remove as much soil as possible and avoid groundwater that was estimated to be at about 16 feet below grade. The pit was excavated to approximately 15 feet below grade and samples recovered. A location map and lab reports are provided. The excavated area was observed for several days and no groundwater appeared.

The samples recovered from the over excavated area were non detects. For safety concerns the excavation was backfilled. The diesel contaminated soil registered as high as 932 ppm and will be disposed of or possibly treated on site. The client is evaluating options at this time.

For the record, we would like to close out the decommissioning phase of this project with this submittal.

Regards,

Roderick L. Pardee

cc: Blue Mt. Asphalt



State of Oregon
Dept. of Environmental Quality
Regional Office - Pendleton

LABORATORY REPORT

Petco Inc.
210 E. Albany
Kennewick, WA 99336

PROJECT NAME/SITE: Blue Mt. Asphalt
PROJECT NUMBER: 4339
EXTRACTION DATE: 3-1-04

REPORT NUMBER: 50049
REPORT DATE: 3-2-04
PAGE: 1 of 1

NW TPH-HCID

Analyte: Petroleum Hydrocarbon Identification (Gasoline, Petroleum, Heavy Oil) for soil (dry weight basis)

Field ID	Lab ID	Identification			Surrogate Recovery (%)
		Gasoline	Diesel	Heavy Oil	
4339 S-1	L6922	ND	ND	ND	96
4339 S-2	L6923	ND	ND	ND	98
4339 S-3	L6924	ND	ND	ND	96
4339 S-4	L6925	ND	ND	ND	93
4339 S-5	L6926	ND	ND	ND	94
4339 S-6	L6927	ND	ND	ND	99
4339 S-7	L6928	ND	ND	ND	94
4339 S-8	L6929	ND	ND	ND	94
4339 S-9	L6930	ND	Detected ‡	ND	95
BLANK	-	ND	ND	ND	-
Reporting Limits (mg/Kg)	-	20	50	100	-

Surrogate is Chlorooctane

ND = Not Detected (below reporting limit or detection limit)

‡ Weathered fuel oil, lighter than fuel oil #2.

NWTPH-Dx

Analyte: Total Petroleum Hydrocarbon Quantification for soil (dry weight basis)

Field ID	Lab ID	Diesel mg/Kg (ppm)	Heavy Oil mg/Kg (ppm)	Surrogate Recovery (%)
4339 S-9	L6930	932	ND	106
BLANK	-	ND	ND	-
Reporting Limit	-	25	100	-

Surrogate is o-Terphenyl

ND = Not Detected (below reporting limit or detection limit)

LABORATORY REPORT

Petco Inc.
210 E. Albany
Kennewick, WA 99336

PROJECT NAME/SITE: Blue Mt. Asphalt
PROJECT NUMBER: 4339
EXTRACTION DATE: 3-3-04

REPORT NUMBER: 50049A
REPORT DATE: 3-4-04
PAGE: 1 of 1

NWTPH-Dx

Analyte: Total Petroleum Hydrocarbon Quantification for soil (dry weight basis)

Field ID	Lab ID	Diesel mg/Kg (ppm)	Heavy Oil mg/Kg (ppm)	Surrogate Recovery (%)
4339 S-1	L6922	ND	ND	95
4339 S-2	L6923	ND	ND	98
4339 S-3	L6924	ND	ND	96
4339 S-4	L6925	ND	ND	92
4339 S-5	L6926	ND	ND	94
4339 S-6	L6927	ND	ND	98
4339 S-7	L6928	ND	ND	94
4339 S-8	L6929	ND	ND	91
BLANK	-	ND	ND	-
Reporting Limit	-	25	100	-

Surrogate is o-Terphenyl

ND = Not Detected (below reporting limit or detection limit)

ph 523-5542 523-4631
Industrial, Commercial, and Residential

Ref No. :

Exclusions: Electrical (Except electrical manhole installation)
1/4" minus pea gravel

TITLE:

PURCHASE ORDER

Blue Mountain Asphalt Co.
P.O. Box 938
PENDLETON, OR 97801

☒ BAKER (503) 523-4447
☐ PENDLETON (503) 276-9459
☐ HERMISTON (503) 567-2896

PURCHASE ORDER NO.

Nº 8433

THIS NUMBER MUST APPEAR
ON ALL INVOICES, PACKAGES
AND CORRESPONDENCE

JOB NO. EQPT. NO.

TO

Gyllenberg Construction
P O Box 1003
Baker City, OR 97714

SHIP TO

PRICE QUOTED BY

DATE		CONFIRMING		TAXABLE		DATE REQUIRED	SHIP VIA	F.O.B.	TERMS			
5-24-93		YES	NO	YES	NO							
QUANTITY		DESCRIPTION							UNIT PRICE		AMOUNT	
		Rebuild ^{Fuel} Pump Island & Install Fiberglass Pipe									3890. ⁰⁰	
		OK per Randy-Yakima										

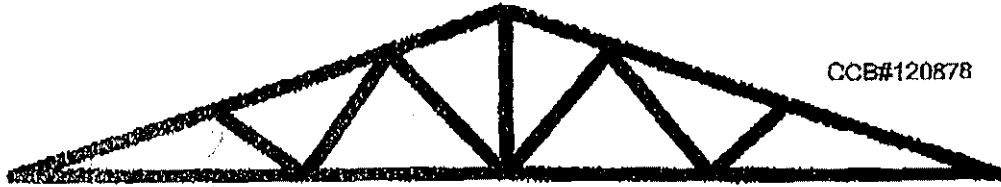
1. ACKNOWLEDGE THIS ORDER IMMEDIATELY AND GIVE A DEFINITE SHIPPING DATE
2. IF PRICES ARE HIGHER THAN SHOWN OR LAST QUOTED, NOTIFY US AT ONCE BEFORE FILLING ORDER

3. FURNISH ITEMS SHOWN ON THIS ORDER ONLY. DO NOT SUBSTITUTE WITHOUT OUR PERMISSION.
4. TIME IS OF THE ESSENCE. WE RESERVE THE RIGHT TO CANCEL THIS ORDER IF NOT DELIVERED AS SPECIFIED

AUTHORIZED SIGNATURE

RECEIVED
APR 26 2002

State of Oregon
Dept. of Environmental Quality
Eastern Region - Pendleton



CCB#120878

GYLLENBERG CONSTRUCTION, INC.

225 E. "H" Street, P.O. Box 1003, Baker City, OR 97814
(541)-523-2257 Fax: (541)-523-8634

April 22, 2002

Blue Mountain Asphalt
Attn: Myrna

To Whom It May Concern:

Please be advised that the following elements were incorporated into the fuel system upgrade at Blue Mountain Asphalt located at 41921 Best Frontage Road, Baker City, Oregon.

1. The piping is fiberglass.
2. The piping slopes to the tanks.
3. The only check valves are at the dispensers.
4. The system is a suction pump system.

Sincerely,


Brent C. Gyllenberg
President
Gyllenberg Construction, Inc.

RECEIVED
APR 26 2002

State of Oregon
Dept. of Environmental Quality
Eastern Region - Pendleton



Fire Service Division

BRENT C GYLLENBERG
is CERTIFIED in
UNDERGROUND STORAGE TANK
DECOMMISSIONING

The individual named hereon is CERTIFIED in the category shown,
pursuant to successful completion of the prescribed written
examination.

Expiration date: October 18, 2002

FSD NO 1113533-26

ASI NO 32012533

Brent C. Gyllenberg
NOT VALID UNLESS SIGNED BY CERTIFICATE HOLDER

ISO certification attests to competent knowledge of codes and standards.
Applicable experience should be verified by local jurisdictions.



Fire Service Division

BRENT C GYLLENBERG
is CERTIFIED in
UNDERGROUND STORAGE TANK
INSTALLATION/RETROFITTING

The individual named hereon is CERTIFIED in the category shown,
pursuant to successful completion of the prescribed written
examination.

Expiration date: October 18, 2002

FSD NO 1113533-25

ASI NO 32012533

Brent C. Gyllenberg
NOT VALID UNLESS SIGNED BY CERTIFICATE HOLDER

ISO certification attests to competent knowledge of codes and standards.
Applicable experience should be verified by local jurisdictions.

RECEIVED
APR 26 2002

State of Oregon
Dept. of Environmental Quality
Eastern Region - Pendleton

BLUE MT ASPHALT

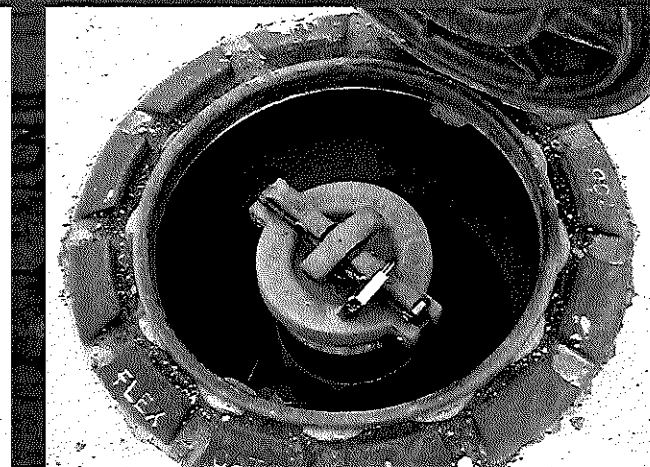
UST Facility #4590

East H Street, Baker City

Baker County



DAS 4/17/2002



	-----	Contacts	-----
Permitee:	Name	S. Randy Baer	
	Organization	Blue Mountain Asphalt Co.	
	Address1	PO Box 10788	
	Address2		
	City, ST Zip	Yakima	WA 98909
	Phone1	(509) 248-6823	
Owner:	Name		
	Organization	Blue Mountain Asphalt Co.	
	Address1	East H St	
	Address2	PO Box 787	
	City, ST Zip	Baker City	OR 97814
	Phone1	(541) 523-4447	
Property Owner:	Name		
	Organization	Superior Equipment & Leasing Co	
	Address1	PO Box 10268	
	Address2		
	City, ST Zip	Yakima	WA 98909
	Phone1		

Count: 1

v

<Replace>

Facility Contact Information to be Verified

Contact Type PERMITTEE

Facility ID	Tank ID	Facility Name	Contact Name	Company Information
4590	1	BLUE MOUNTAIN ASPHALT CO	S. Randy Baer	Blue Mountain Asphalt Co. PO Box 10788 Yakima
4590	2	BLUE MOUNTAIN ASPHALT CO	S. Randy Baer	Blue Mountain Asphalt Co. PO Box 10788 Yakima

Contact Type PROP OWNER

Facility ID	Tank ID	Facility Name	Contact Name	Company Information
4590	1	BLUE MOUNTAIN ASPHALT CO		Superior Equipment & Leasing Co PO Box 10268 Yakima
4590	2	BLUE MOUNTAIN ASPHALT CO		Superior Equipment & Leasing Co PO Box 10268 Yakima

Contact Type UST OWNER

Facility ID	Tank ID	Facility Name	Contact Name	Company Information
4590	1	BLUE MOUNTAIN ASPHALT CO		Blue Mountain Asphalt Co. East H St Baker City PO Box 787
4590	2	BLUE MOUNTAIN ASPHALT CO		Blue Mountain Asphalt Co. East H St Baker City PO Box 787

FILE: _____

DEPARTMENT OF ENVIRONMENTAL QUALITY
EASTERN REGION OFFICE

PHONE MEMO

DATE: _____ TIME: _____

CALL FROM/TO: _____

TITLE: _____

COMPANY: Blue Mt. Asphalt

LOCATION: _____

PHONE #: _____

RE: _____

CC: _____

SUMMARY OF CALL:

4/30/87 - To Myrae Morgan, 523-4447, inspection date of 7-May-87
@ 2:1pm, will call if need to change, located just
East of Freeway on H Street (West of)

5/15/87 - If msg for Randy Baer 509-248-6823

5/16 - From Baer, 2 in-service Fuel Tanks audit good on tanks,
3 in-service Asphalt Tanks, he believes they are deferred
tanks, he will submit some info to me then need to
determine status of upgrade notifications & permits
for all tanks

5/29/87 - To Holmes (HQ),

