



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

July 3, 2024

Mayar, Inc.
Attn: Saeb Alkhatib
9808 SE Division St
Portland, OR 97266-1336

RE: UST Compliance Inspection
DEQ UST # 9132 - 6503 SE 52nd Ave, Portland

Dear Mayar, Inc.:

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 facilities, among others, has been selected for inspection. A thorough inspection of your facilities 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 July 31st, 2024 starting at approximately 11 am at the DEQ UST #s listed below.

July 31st at 11 am: DUKE GAS AND FOOD MART

- **DEQ UST #9132 - 6503 SE 52nd Ave, Portland**

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, one year
- Class A, B, and C training documentation,
- Financial responsibility mechanism,
- Annual tank gauge certification for the past three years
- Spill prevention testing records, was due by October 2020
- Monthly walkthroughs, one year
- Overfill Prevention Equipment testing, was due by October 2020
- Cathodic protection testing (if applicable). All tests since 2019.

Please submit these records to 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.

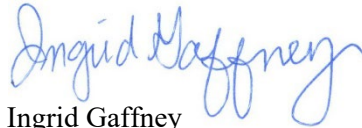
DEQ will not touch any equipment, if you are unable to assist with equipment access, please have your UST Service Provider there. DEQ will need to observe what equipment is in the tank top sumps and under the dispensers. If ball floats are the primary overfill protection device, these will need to be 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 503-229-5048 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



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024



1: Rectifier inside site: 6503 SE 52nd Ave, Portland, OR 97206



2: 6503 SE 52nd Ave, Portland, OR 97206



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



3: Tank nest looking west



4: Dispenser #1



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024



5: UDC #1/2



6: UDC #1/2



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



7: UDC #3/4



8: UDC #3/4



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



9: UDC #5/6



10: UDC #5/6

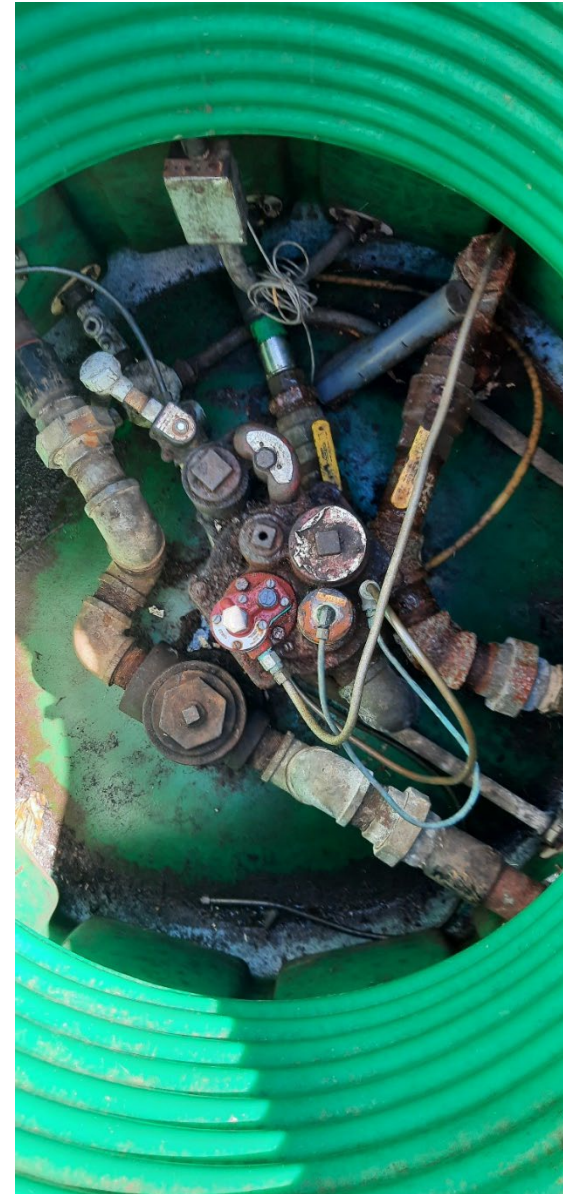


**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



11: Unleaded fill #1



12: Unleaded sump



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



13: Unleaded sump



14: Unleaded fill #2



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024



15: Unlead sump #2



16: Unlead sump #3



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



17: Unleaded #3



18: Transition sump



**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
INSPECTION PHOTOLOG**

**FACILITY NAME: Duke Gas and Food Mart #9132 Page 1
INSPECTION DATE: July 31st, 2024**



19: Unleaded fill #4



State of Oregon
Department of
Environmental
Quality

Program Enforcement No. 2024-FC-9483

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:	07/31/2024	Facility ID#:	9132
Inspector:	Ingrid Gaffney	Facility Name:	Duke Gas and Food Mart
DEQ Office:	700 NE Multnomah St, Ste 600 Portland, OR 97232	Facility Address:	6503 SE 52nd Ave Portland, OR 97206
Phone #:	503-875-1246	County:	Multnomah

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:
Facility Representative Present During Inspection:	Mike Alkhatib			<input type="radio"/> Permittee <input type="radio"/> Owner <input checked="" type="radio"/> Other
Name of Permittee or Owner: Mayar, Inc.				
Mailing Address: 9808 SE Division St, Portland, OR 97266-1336				

Field Citation Penalty – See Page 3 for detailed listing of each violation.	\$ 850	.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: 09/12/2024

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:** 08/12/2024**PROGRAM ENFORCEMENT No.:** 2024-FC-9483**FACILITY ID:** 9132**Page 3 of 3**

Violation #1: *TCR: <input checked="" type="radio"/> Y <input type="radio"/> N	Failure to calibrate Release Detection equipment per manufacturer's instructions, including testing for operability or running condition annually.		
Corrective Action:	Begin testing annually, Release Detection and Automatic Tank Gauge equipment that is installed, operated, and/or maintained as per manufacturer's specifications within 30 days. Submit test results to DEQ.		
Rule Citation: OAR 340-150- 0400 (2)	Penalty Amount: \$ 200 .00	Correct Violation by: 9/12/2024	Date Corrected:
Violation #2: *TCR: <input checked="" type="radio"/> Y <input type="radio"/> N	Failure to complete initial overfill, spill prevention or interstitial containment testing requirements by October 1, 2020		
Corrective Action:	Complete required spill prevention testing and submit test results to DEQ.		
Rule Citation: OAR 340-150- 0310 (10)	Penalty Amount: \$ 500 .00	Correct Violation by: 9/12/2024	Date Corrected:
Violation #3: *TCR: <input type="radio"/> Y <input checked="" type="radio"/> N	Failure to maintain adequate records of testing or monitoring equipment calibration, maintenance or repair.		
Corrective Action:	Begin keeping records of testing and monitoring equipment calibration. No document submittal necessary		
Rule Citation: OAR 340-150- 0400(5)(a) & (b)	Penalty Amount: \$ 150 .00	Correct Violation by: n/a	Date Corrected:
Violation #4: *TCR: <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: OAR 340-150-	Penalty Amount: \$.00	Correct Violation by:	Date Corrected:
Violation #5: *TCR: <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: OAR 340-150-	Penalty Amount: \$.00	Correct Violation by:	Date Corrected:
Violation #6: *TCR: <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: OAR 340-150-	Penalty Amount: \$.00	Correct Violation by:	Date Corrected:
	Total Penalty Amount (This Page): \$ 850 .00	Total Penalty Amount (All Pages): \$ 850 .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



Petroleum Compliance Services LLC

Test Data Official Report For:

Duke Gas & Food Mart - #9132

Address: 6503 SE 52nd Ave, Portland, OR 97206

Site Owner: Mayar, Inc.

Date Testing Conducted:

9-3-2024

NACE / ICC / DEQ Certified Technician:

Luke Pike / Kenneth Pike

Test included in this report:

Line tightness testing

Line Leak detector testing

Third party tank monitor certification

Manual pulling/sounding of probe floats

Annual release detection form

Probe operability check

Sensor Check

PETROLEUM COMPLIANCE SERVICES LLC

Office 503-873-4139

Tank Monitor Annual Third-Party Certification

Make – Veeder-Root TLS-350

Services Performed	PASS	FAIL	N/A
1. Run system Diagnostic check.	X		
2. Verify setup values and programmable Info.	X		
3. Flapper valves checked for correct placement and operation.			X
4. Probe floats were pulled/sounded manually.	X		
5. Probe operability check.	X		
6. Test over-fill alarm for correct operations.	X		
7. Verify date last tank test passed. CSLD 9-3-2024.	X		

In Tank Probes-Annual Service.

Services Performed	YES	NO	N/A
1. Run probe diagnostic check.	X		
2. Inspect sensor cables and connections.	X		
3. Inspect probe floats and probe for residue build-up.	X		

Sump Sensors-Annual Services

Services Performed	YES	NO	N/A
1. Run sensor diagnostic.	X		
2. Inspect sensor cables and connections.	X		
3. Test sensor floats.	X		
4. Clean and inspect.	X		

NOTES:

LINE/ TURBINE INFORMATION

Lines ID	Unleaded SW	Unleaded SE	Unleaded NW	Unleaded NE
1. Piping type: Environ (S) Single wall (D) Double wall	D	D	D	D
2. Pump Type (T) Turbine (S) Suction	N/A	T	T	N/A
3. If Turbine is Line Leak Detector present (YES) (NO)	N/A	YES	YES	N/A
4. Line shut off at Turbine (YES) (NO)	N/A	USE FE	USE FE	N/A
5. Turbine operating pressure	N/A	29	29	N/A

VISUAL INSPECTION AND MAINTANCE

	YES	NO	N/A	Comments/Observations
Check sumps Water/fuel	X			Clean and dry.
Visual inspect Exposed Piping	X			Environ piping. Watch for growth.
Emergency stop Location/working	X			
Spill buckets	X			In place. Coax.
PVV vent	X			
Stage one	X			
Class A	X			
Class C	X			
Top off	X			
Clean Valve boxes	X			

NOTES: Tanks 1 & 3 (SW & NW) and Tanks 2 & 4 (SE & NE) are manifolded together through a siphon. 2 Turbines & 2 Line leak detectors on-site. Cathodic Protection due next in 2025.

DATA CHART FOR USE WITH PETROTITE LINE TESTER

DATE: 9-3-2024

Station: Duke Gas & Food Mart - #9132

Site address: 6503 SE 52nd Ave, Portland, OR 97206

Owner: Mayar, Inc. Operator: Saeb Alkhatib

Reason for test: Annual compliance testing

Special instructions; none

Testing Company: Petroleum Compliance Services LLC.

Weather: Cloudy	Temp: 60F	Surface Ac/concrete	Line burial depth; 2' Length; 20' to 100'
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Identify each Line tested	Time tested	Pressure Readings		Volume Readings ML			
		Before	After	Before	After	Net change	Bleed Back
Unleaded SW + NW	Test time 60 minutes	Start PSI 60	PSI 60	400	285		
		PSI 60	PSI 59	285	398	.1	398
Unleaded SE + NE	Test time 60 minutes	Start PSI 60	PSI 60	400	250		
		PSI 60	PSI 59	250	398	.1	398
	Test time	Start PSI	PSI				
		PSI	PSI				
	Test time	Start PSI	PSI				
		PSI	PSI				
<div>Test Results</div> <div><i>Kenneth Pike</i> Kenneth Pike Tech</div>	Line ID	PASS/FAIL		Volume ML		Date Tested	
	Unleaded SW + NW	PASSED		.1		9-3-2024	
	Unleaded SE + NE	PASSED		.1		9-3-2024	

**The test results indicate the systems condition at the time of testing.
The results do not carry any implied warranty or guaranty of the system after the
test date.**

MECHANICAL LEAK DETECTORS TEST RESULTS

DATE: 9-3-2024

Company Performing Test: Petroleum Compliance Service LLC

Tech: Kenneth Pike

Client: Saeb Alkhatib

Site Name: Duke Gas & Food Mart - #9132

Address: 6503 SE 52nd Ave, Portland, OR 97206

Product Type: Unleaded SE	
Type of Leak Detector: Vaporless 99 LD-2000	
Type of line Tested: Environ	
3GPH TEST Results: PASSED	
Replaced Leak Detector: NO	
If Yes Type of new replacement:	Retest:

Product Type: Unleaded NW	
Type of Leak Detector: Vaporless 99 LD-2000	
Type of line Tested: Environ	
3GPH TEST Results: PASSED	
Replaced Leak Detector: NO	
If Yes Type of new replacement:	Retest:

Product Type:	
Type of Leak Detector:	
Type of line Tested:	
3GPH TEST Results:	
Replaced Leak Detector:	
If Yes Type of new replacement:	Retest:

Product Type:	
Type of Leak Detector:	
Type of line Tested:	
3GPH TEST Results:	
Replaced Leak Detector:	
If Yes Type of new replacement:	Retest:



OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY ANNUAL RELEASE DETECTION OPERABILITY TESTING FORM

> In-tank setup and alarm history reports must be attached to testing form.

> Maintain three years of testing records.

> [Instructions on how to use this form.](#)

I. FACILITY INFORMATION – Type or print (in ink) all items.					TEST DATE	
Facility ID #: 9132		Facility Name: Duke Gas & Food Mart			9-3-2024	
II. AUTOMATIC TANK GAUGE					Pass	
ATG Manufacturer: Veeder-Root			ATG Model: TLS-350			
Release Detection Method:		Tank Gauge 0.2 gph leak tests: (<input checked="" type="checkbox"/> –Continuous <input type="checkbox"/> Static)		<input type="checkbox"/> SIR <input type="checkbox"/> Interstitial Monitoring		
Battery Backup Functional?	Yes	ATG software properly programmed?		Yes		
ATG alarms functional and audible?	Yes	ATG In-Tank Setup Reports attached to form?				
III. TEST PROCEDURE						
<input checked="" type="checkbox"/> – PEI/RP 1200 <input type="checkbox"/> Oregon Testing Procedures (Page 2) <input type="checkbox"/> Manufacturer Testing Procedures <input type="checkbox"/> Other Method (Describe)						
IV. PROBE AND TESTING INFORMATION						
Tank Number	1	2	3	4		
Product Stored	Unleaded SW	Unleaded SE	Unleaded NW	Unleaded NE		
Model	Veeder-Root	Veeder-Root	Veeder-Root	Veeder-Root		
Is the ATG console clear of alarms?	Yes	Yes	Yes	Yes	Yes	No
Disconnect cable from tank probe. Is appropriate alarm triggered?	Yes	Yes	Yes	Yes	Yes	No
Tank gauge probes removed and inspected for damage?	Yes	Yes	Yes	Yes	Yes	No
Residual buildup on floats has been removed?	Yes	Yes	Yes	Yes	Yes	No
Float(s) move freely?	Yes	Yes	Yes	Yes	Yes	No
Measured product and water levels match ATG values?	Yes	Yes	Yes	Yes	Yes	No
Alarm history report attached?	Yes	Yes	Yes	Yes	Yes	No
V. TEST RESULT	Pass	Pass	Pass	Pass	Pass	Fail

Any “No” answer indicates the test failed. Failed tests must be remedied and retested immediately.

VI. SENSORS AND TESTING INFORMATION (liquid sensors, tank interstitial sensors, etc.)								
Sensor as identified on tank gauge	U/L SW STP	U/L SE STP	U/L NW STP	U/L NE STP				
Is sensor in alarm? (If yes, indicate why in the comments section)	No	No	No	No	Yes No	Yes No	Yes No	Yes No
Sensor installed in the proper location and position?	Yes	Yes	Yes	Yes	Yes No	Yes No	Yes No	Yes No
Sensor triggers alarm, at tank gauge, when placed in test liquid	Yes	Yes	Yes	Yes	Yes No	Yes No	Yes No	Yes No
When alarm is triggered, the sensor is properly identified on the ATG	Yes	Yes	Yes	Yes	Yes No	Yes No	Yes No	Yes No
Alarm history report attached?	Yes	Yes	Yes	Yes	Yes No	Yes No	Yes No	Yes No
VII. TEST RESULTS	Pass	Pass	Pass	Pass	Pass Fail	Pass Fail	Pass Fail	Pass Fail

Any “No” answer indicates the test failed. Failed tests must be remedied and retested immediately.

VIII. COMMENTS

XI. Tester

Person Conducting Testing: Kenneth Pike – Petroleum Compliance Services, LLC

Kenneth Pike

Oregon DEQ Tank Gauge and Probe Functionality Testing Procedures

1.

Inspect console and verify that there are no active or recurring warnings or alarms.
2.

Confirm that both the visual and audible alarms on the tank gauge console function correctly.
3.

Verify that the correct set-up parameters for the probes and appropriate tank leak detection is programmed correctly.
4.

Test battery backup (if present).
5.

Remove tank probe from tank.
6.

Disconnect probe, wait for "Probe Out" alarm, reconnect probe and reset tank gauge.
7.

Remove build up from probes.
8.

Measure the fuel and water contents of the tank and compare with the tank gauge inventory report ensuring that they are the same.
9.

Ensure that the probe's fuel and water floats are the correct type for the product stored in the tank.
10.

Reposition the floats, measure distance from bottom of the probe, and utilize tank charts to confirm accuracy of the tank gauge.
11.

Reinstall probes ensuring that the tank riser cap seals properly and the communication cable seal is tight.
12.

If tank gauge is equipped with printer, attach the printed tank gauge in-tank setup and alarm history report demonstrating that probes were tested.

Oregon DEQ Sensor Functionality Testing Procedures

1.

Inspect sensor for damage.
2.

Place sensor in at least three inches of testing liquid.
3.

Verify sensor alarms at tank gauge or sensor has appropriate alarm response (dispenser or turbine shut down).
4.

Clear alarm.
5.

Reinstall sensor upon verification of proper operation.
6.

If tank gauge is equipped with printer, attach the printed tank gauge in-tank setup and alarm history report demonstrating that sensors were tested.

----- IM-TANK i-iLnRM
T 8: UNLEAD t-JU
HIGH 1,-JATER ALARM
SEP 3. 2024 IO:2u

----- t,EN\ :;R AL...RM
L 1: UNLE;-;L SW SUMP
STP SUR-U>
FUEL ATARI
SEP 3-21124 10:00

--- - IN-TAI-Jr ;-,l.1-mr1
T 4: UNLEAD t-Jf
HIGH vJATER AU F,M
SEP 3, 2024 10:20

---- IN-TAI:: AL-/F:M
T 3: UNLEAD III-J
HIGH WATER LHRNHU
SEP 3. 2024 10: o

DUKE FG-OIJ MHRT
6503 SE 52ND AVE
PORTLAND. OR 97206
8054885190500!

SEP 3. 2024 10:06
CSLD TEST RESULTS
SEP 3. 2024 10:06

T 1: UNLEAD SW
T 3: UNLEAD NW
PROBE SERI!-iL NUM lt:.0585
0.2 GAL/Hf! TEST
PER: SEP 3, 2024 PASS

T 2: UNLE1-1[, SE
T 4: UNLEA[NE
PROBE SER!,-,L NUM 461847

0.2 GAL,HR TEST
PER: SEP 3. 2024 PASS

***** END *****

----- SE1"1,OR ALAR1""I
L 3: UNLEH, Ni,J SUMP
STP SUI"-f
FUEL ALARII
SEP 3, 2 J24 10:01

----- SE1"1,OR HLHR1"1
L 4: UNLEA, NE SUMP
STP SUMP
FUEL ALAR-i
SEP 3. 2024 JO:01

----- SEN.;;OR HL1-1R1""1
L 2: UNLEI,-\ SE su1-1P
STP sur-1p
FUEL ALAF:1"1
SEP 3. 2024 10:02

---- IN TnNK ALAf
T 4: UNL::AJ ME
HIGH JA:ER 1,-Jr,nl
SEP :3., :>U24 iu.

--- IN I"AI*JK 1-1U,k
T 2: UNLi:rr, f3E
HIGH I,JhTG: iU,RI\
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T 2: Uf-JLEAD f:;
HIGH I,JATER L-JARI-i iN-;
SEP 3. 28 4 10:20

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T 1: UNLEAD :;-1,,1
HIGH W*.TER ALHEI'
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---- IN-T; fJl'. ;;U;R
T 1: UI!Lff D :;lj
HIGH LM,TL:" [J;-;RN11-1"
SEP 3. 2u *4 10:21

DUKE FOOD MAR'r
6503 SE 52MI :;-;V£
PORTL1-1ND. (t,l 'i72L"lo
so ;48851 SC'5 1.11

SEP 3. J024 10 2!

SYSTEM STATUS RE.
FUEL ALARM

----- I U-T1-1I'. ALARM
T 1: UILEr1DED
1-j1((H N:OOU, -r nLnRM

----- IN-Tr-ir-H'. hU,F'M
T 4: Uf-JLEAD NE
HIGH PRODUCT nli-.fi"1
SEP 3. 2024 10:17

---- IN-!ANK ALARM
T :;: UNLEAI, c.E
HJ1;:H Pr?)Dli1 ft LARM
SEP 3. 2024 tJ:17

----- IN-Ti-Nf AU-,PM
T 3: IJt-,JLEA[:;-JL-J
HIGH PRODUCT ALARM
SEP 3. 2024 1n:17

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

Inspector: Ingrid Gaffney

Date: 7/31/2024

Time: 11 AM

Facility: 9132

I. Site Information

Facility Name: Duke Gas and Food Mart	Permittee: Maypr Inc.	Contact: Saeb Alkhatib
Site Address: 6503 SE 52nd Ave	Organization: SAME	Phone: —
City: PORTLAND, OR 97206	Phone: —	503-762-2772

II. Tank Information

DEQ Permit #	A0BCD	B46CG ^{1A}	ADBCE	ADBCF	
Estimated Gallons	4000	4000	6000	6000	
Substance	GASOLINE	GASOLINE	GASOLINE	GASOLINE	
Tank Material	steel lined tank				
Tank Install Date	1/25/1983				
Pipe Material	DW Flex Envinon				
Pipe Type	(manifolded) pressure	NONE	(manifolded) pressure	NONE	
Pipe Install Date	1/25/1983				
Overfill Device	Alarm				

Notes and Comments from the UST database:

☐ Check file before conducting inspection

* all 4 tanks are regular gasoline^{24K} are on siphon manifold.
 * 2/6 k tanks are siphoned too.
 * One test for T1&3 - CSLD
 * One test for T2&4 - CSLD

If tanks are manifolded, which tanks: YES

III. Operating Certificate

☒ Current ☒ Accurate ☒ Compliance ☒ Yes ☐ No

IV. Operator Training

Class A/B Operator ☒ Yes ☐ No ☒ Compliance ☒ Yes ☐ No
 Name: Saeb Alkhatib Date: 9/2/2009
 Class C Operator ☒ Yes ☐ No ☐ Cardlock

V. Financial Responsibility

Type of coverage: Insurance ☒ Compliance ☒ Yes ☐ No
 Begin Date: 9/30/2023 End Date: 9/30/2024
 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

Spill prevention and release detection equipment checked monthly? ☒ Compliance ☒ Yes ☐ No
 Tank top sumps checked annually? ☒ Yes ☐ No

VII. Release Detection

Compliance

☐ Yes ☒ No

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

Date of last testing: 10/21/2021

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: 10/21/2021

Last three tests available? ☐ Yes ☒ No

Number of lines tested: 2

Number of LD tested: 2

Leak detector manufacturer make and model: Vaporless LD 2000

Tank gauge manufacturer make and model: Veeder Root TLS 350

☒ 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: N/A

Last two tests available? ☐ Yes ☐ No

Date of last sensor testing: N/A

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)

☐ 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

printing daily

Tank release detection records available during inspection

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
T1: <u>10/21</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T2:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T3:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T4:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T5:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Inspector: _____ Date: _____ Time: _____ Facility: 9132

VIII. Spill Prevention Compliance ☐ Yes ☒ No

Date(s) of testing: _____ Number of spill buckets tested? 4

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: 2020? 3/3/2022

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

5/17/2019

2019

changed
the power
source of
the rectifier
passed
5/15/2019

✓ 4/6/2017

4/14/22

due 2025

XI. General notes from inspection

Representative onsite: Saeb Al-Khatib email: 503-762-2772

✓ ~~*~~ send A/B training list

~~*~~ ~~Wagman~~

Compliance Determination:

☐ No Violations Observed

☒ Observed violations resulting in enforcement

Inspector Signature: Ingrid Jeffery

Date: 8/1/2024

From: [GAFFNEY Ingrid * DEQ](#)
To: [UST Duty Officer * DEQ](#)
Subject: FW: PCS - 2024 reports for Duke Street Gas & Food Mart
Date: Tuesday, September 3, 2024 3:40:15 PM
Attachments: [Duke Gas & Food Mart - annual release detection form - 9-3-2024.pdf](#)
[Duke Gas & Food Mart - annual compliance testing - 9-3-2024.pdf](#)

Hi

Can you add these to the ORMS file?

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: saeb alkhatib <205gas2@gmail.com>
Sent: Tuesday, September 3, 2024 3:11 PM
To: GAFFNEY Ingrid * DEQ <Ingrid.GAFFNEY@deq.oregon.gov>
Subject: Fwd: PCS - 2024 reports for Duke Street Gas & Food Mart

----- Forwarded message -----

From: <rich.wallace@gmail.com>
Date: Tue, Sep 3, 2024, 2:44 PM
Subject: Fwd: PCS - 2024 reports for Duke Street Gas & Food Mart
To: saeb alkhatib <205gas2@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Kenneth Pike <kpika@pcsnw.net>
Date: September 3, 2024 at 2:33:25 PM PDT
To: rich.wallace@gmail.com
Subject: PCS - 2024 reports for Duke Street Gas & Food Mart

Good afternoon Rich,

Attached are the requested reports from today's testing. I talked with Saeb's son on-site about getting one sump sensor replaced, but besides that everything is looking good. If you have any questions please let me know.
Thank you!

--

Kenneth Pike
Technician
NACE CP1 Tester #69924
Petroleum Compliance Services, LLC.



Office: 503.873.4139
Cell: 503.302.8960
Website: www.pcsnw.us

**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 #
18698	150.00	BASSETT-HYLAND ENERGY CO	2024-FC-9610
		FIELD CITATION FOR UST VIOLATION	FC-9610
7572	150.00	BASSETT-HYLAND ENERGY CO	2024-FC-9611
		FIELD CITATION FOR UST VIOLATION	FC-9611
24881	500.00	BUY2 014	2024-FC-9592
THABET MANAGEMENT INC		FIELD CITATION FOR UST VIOLATION	FC-9592
2145	350.00	DIVISION STREET FOOD MART LLC	2024-FC-9638
		FIELD CITATION FOR UST VIOLATION	FC-9638
6106	850.00	DUKE GAS AND FOOD MART	2024-FC-9483
MAYAR INC		FIELD CITATION FOR UST VIOLATION	FC-9483
50855	300.00	WALLOWA COUNTY GRAIN GROWERS	2024-FC-9576
		FIELD CITATION FOR UST VIOLATION	FC-9576
2,300.00		TOTAL	



State of Oregon
Department of
Environmental
Quality

Program Enforcement No. 2024-FC-9483

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

**Field Citation
For UST Violations**

This section for DEQ use only	
FOR DEQ USE ONLY	
DATE REC'D	10-25-24
AMT. REC'D	\$50
CHECK #	6106

Page 1 of 3

DEQ Information		UST Facility Information	
Inspection Date:	07/31/2024	Facility ID#:	9132
Inspector:	Ingrid Gaffney	Facility Name:	Duke Gas and Food Mart
DEQ Office:	700 NE Multnomah St, Ste 600 Portland, OR 97232	Facility Address:	6503 SE 52nd Ave Portland, OR 97206
Phone #:	503-875-1246	County:	Multnomah

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:
Facility Representative Present During Inspection:	Mike Alkhatib	<input type="radio"/> Permittee <input type="radio"/> Owner <input checked="" type="radio"/> Other
Name of Permittee or Owner: Mayar, Inc.		
Mailing Address: 9808 SE Division St, Portland, OR 97266-1336		

Field Citation Penalty – See Page 3 for detailed listing of each violation.	\$ 850 .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: 09/12/2024

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>Sareh Alkhatib</u>	Owner / Permittee
Signature: <u>S. Alkhatib</u>	Date: <u>10/01/24</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: 08/12/2024

PROGRAM ENFORCEMENT NO.: 2024-FC-9483

FACILITY ID: 9132

Page 3 of 3

Violation #1: *TCR: <input checked="" type="radio"/> Y <input type="radio"/> N	Failure to calibrate Release Detection equipment per manufacturer's instructions, including testing for operability or running condition annually.		
Corrective Action:	Begin testing annually, Release Detection and Automatic Tank Gauge equipment that is installed, operated, and/or maintained as per manufacturer's specifications within 30 days. Submit test results to DEQ.		
Rule Citation: OAR 340-150- 0400 (2)	Penalty Amount: \$ 200 .00	Correct Violation by: 9/12/2024	Date Corrected:
Violation #2: *TCR: <input checked="" type="radio"/> Y <input type="radio"/> N	Failure to complete initial overfill, spill prevention or interstitial containment testing requirements by October 1, 2020		
Corrective Action:	Complete required spill prevention testing and submit test results to DEQ.		
Rule Citation: OAR 340-150- 0310 (10)	Penalty Amount: \$ 500 .00	Correct Violation by: 9/12/2024	Date Corrected:
Violation #3: *TCR: <input type="radio"/> Y <input checked="" type="radio"/> N	Failure to maintain adequate records of testing or monitoring equipment calibration, maintenance or repair.		
Corrective Action:	Begin keeping records of testing and monitoring equipment calibration. No document submittal necessary		
Rule Citation: OAR 340-150- 0400(5)(a) & (b)	Penalty Amount: \$ 150 .00	Correct Violation by: n/a	Date Corrected:
Violation #4: *TCR: <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: OAR 340-150-	Penalty Amount: \$.00	Correct Violation by:	Date Corrected:
Violation #5: *TCR: <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: OAR 340-150-	Penalty Amount: \$.00	Correct Violation by:	Date Corrected:
Violation #6: *TCR: <input type="radio"/> Y <input type="radio"/> N			
Corrective Action:			
Rule Citation: OAR 340-150-	Penalty Amount: \$.00	Correct Violation by:	Date Corrected:
Total Penalty Amount (This Page): \$ 850 .00		Total Penalty Amount (All Pages): \$ 850 .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



Oregon Department of Environmental Quality

DataBase Connection: PROD

Program Enforcement Maintenance



Program Enforcement | Violations List (3) | Corrective Actions (0) | Link Actions

File # 9132

Create PEN

Create OCE Enforcement

Name US MARKET 950 LLC

Location 6503 SE 52nd Ave / Portland / MULTNOMAH

Permit UST General Permit.26-9132-2024-OPER.Active

Recipient Information: Show Recipient Selection

Name / Title Alkhatib, Saeb /

Address 6503 SE 52nd Ave / Portland / OR / 97206-7658

Phone / Fax / Email / 503-775-3282 / 205gas2@gmail.com

Edit

Delete

Program Enforcement
Number 2024-FC-9483

Regulatory Program Underground Storage Tanks

Staff Assigned Ingrid Gaffney

Enforcement Type Field Citation

Enforcement Action
Issued Date 08/12/2024

Show Calendar

Response Received Date

Show Calendar

Payment Due Date 09/12/2024

Show Calendar

Payment Received Date 10/29/2024

Show Calendar

Penalty Amount \$850.00

PEN Referral Date

Show Calendar

Closed Date

Show Calendar

Withdrawn Date

Show Calendar

Link To Complaint

Comments

Send annual and tri annual testing documentation to DEQ.
PAID BY MAYAR INC, PAID ON 10/29/24; CK# 6106; CK AMT
\$850.00 XIAN

Edit

Delete

Create By 08/12/2024 10:55:54

Last Update By 10/29/2024 03:10:06

Record ID 9483

Ingrid Gaffney

Christian Hector

Create PEN

Create OCE Enforcement

Related Items

View Selected

	ID	Name/Reference	Date
Select	SV: 21899	Full Compliance Inspection (FCI)	07/31/2024
Select	PE: 9483	Field Citation	08/12/2024
Select	SV Vio: 20377	(G) General Release Detection - TCR	07/31/2024
Select	SV Vio: 20378	(C) Spill and Overflow Prevention - TCR	07/31/2024
Select	SV Vio: 20379	(G) General Release Detection - Non TCR	07/31/2024

Records Found = 5

Legend

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

Compliance Events Report

Post a Comment or Report a Problem