



Oregon Department of Environmental Quality

Hearing Officer's Report and Response to Comments

Date Posted: Jan. 17, 2025

Hearing Date: Nov. 25, 2024

Hearing Officer: Killian Stoltenburg

Company Name: PDX Fuel Company, LLC

Topic: PDX Fuel Company, LLC's Seismic Risk Mitigation Implementation Plan Phase I Fuel Storage Facility

Background

The Oregon Department of Environmental Quality's Fuel Tank Seismic Stability program regulates the large-capacity oil and liquid fuel storage, and distribution facilities located in Lane, Multnomah and Columbia counties. The program requires the facilities to assess their vulnerability to earthquakes and develop a plan to minimize risk of damage from earthquakes and secondary effects to employees, surrounding communities and the environment.

PDX Fuel Company, LLC., also known as PDX Fuel, supplies aviation fuel at the Portland International Airport. PDX Fuel was the first facility in the Fuel Tank Seismic Stability Program to submit their Seismic Vulnerability Assessment and Risk Mitigation Implementation Plan, submitted on May 31, 2024. DEQ approved the facility assessment work related to the fuel storage facility on Sept. 3, 2024. PDX Fuel subsequently submitted a final version of the Risk Mitigation Implementation Plan on Oct. 17, 2024, for review in this public comment process. PDX Fuel plans to replace current storage tanks with new seismically resilient tanks and infrastructure. [Review these documents online.](#)

DEQ engaged with Degenkolb Engineers, New Albion Geotechnical, Portland State University's Institute for Sustainable Solutions and Department of Civil Engineering and Oregon Department of Geology and Mineral Industries (DOGAMI) to conduct the reviews.

Public Comment

DEQ held a public hearing and invited public to comment on PDX Fuel's Risk Mitigation Implementation Plan during the 45-day public comment period. DEQ received 10 comments during the public comment period and the Nov. 25, 2024, public hearing. Most of the commenters encouraged DEQ to approve PDX Fuel's RMIP to construct new seismically resilient tanks and associated infrastructure. Some commenters expressed concerns about the hydrant system and the emergency response water supply source.

The public hearing was held on Nov. 25, 2024. During the public hearing, six people submitted verbal comments to the record. Thirty-six people attended the hearing virtually on Zoom and one attended via phone call. Four written comments were submitted during the public comment period.

Translation or other formats

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Summary of Comments with DEQ's Responses

1. **Summarized comment:** *Thank you to PDX Fuel for an impressive plan. There is some concern that the Plan does not mention whether they are sourcing the water from the municipal water system or elsewhere for the new fire suppression system, as the city water will likely be unusable, making the fire suppression system unusable.*

DEQ response: The emergency response system at PDX Fuel relies on the water sources from the City of Portland. There is a growing recognition of earthquake hazard in Oregon. The City is aware of the seismic risks the region is facing and is prioritizing improvements to Portland's water system to address high-risk infrastructure and increase overall system resilience to meet the goals of the Oregon Resilience Plan. Questions about the City's infrastructure improvements should be directed to the City.

2. **Summarized comment:** *Thank you to PDX Fuel and DEQ for moving forward on this project quickly. There are some concerns over the hydrant system being split into an additional Risk Mitigation Implementation Plan. DEQ should require the hydrant system to fall under the ten-year timeline.*

3. **Summarized comment:** *With the onsite hydrant system being treated as a separate plan, will it have a separate timeline from the rest of the project or will still require within the same ten-year timeframe?*

DEQ response: The facility assessment related to the hydrant system is the subject of ongoing conversation with PDX Fuel. This approach does not change the overall ten-year timeframe provided in OAR 340-300-0004.

4. **Summarized comment:** *PDX Fuel's RMIP is well done, and they are being transparent with both their plans and funding. Other facilities should be held to the same standard of being transparent with their funding constraints.*

DEQ response: Thank you for your comment.

5. **Summarized comment:** *PDX Fuel's RMIP is encouraging as is their expedited timeline. There is concern that other facilities will not take the program as seriously. DEQ should detail and impose penalties for facilities that do not meet the program's standards.*

DEQ response: DEQ will hold all facilities under the scope of the Fuel Tank Seismic Stability Program accountable to the standards set forth in DEQ rules. Compliance and enforcement expectations and DEQ responses to non-compliance for the Fuel Tank Seismic Stability program are specified in [OAR 340-12-0064](#).

6. **Summarized comment:** *Thank you, PDX Fuel, for moving forward on this project and exceeding the bare minimum.*

DEQ response: Thank you for your comment.

7. **Summarized comment:** *PDX Fuel is providing a good example for the other regulated facilities. PDX Fuel's Seismic Vulnerability Assessment should be compared to other facilities' SVAs, and the risk of tsunami for each facility and infrastructure.*

DEQ response: Thank you for your comment.

8. **Summarized comment:** *Thanks to PDX Fuel for setting a good example for other facilities. DEQ should encourage and enforce quick action by other facilities regulated by the FTSS program.*

DEQ response: Thank you for sharing your thoughts. DEQ intends to encourage compliance and enforce the OSR 340-300 rules.

9. **Summarized comment:** *DEQ should approve PDX Fuel's RMIP. Before doing so, several issues should be addressed:*

- a. Create a 1- and 3-year schedule per the rule*
- b. Evaluate risk caused by extreme weather pattern shifts due to climate change*
- c. Evaluate the delegated tank design to meet ASCE Cat. IV*
- d. Clarify what is missing from the RMIP and what DEQ needs in a second phase RMIP*
- e. Address the issue of the water supply system being connected to the city's water system*

DEQ response: Thank you for your comment. DEQ intends to approve PDX Fuel's RMIP. PDX Fuel's Seismic Vulnerability Assessment and RMIP submittals are well ahead of the anticipated schedule. DEQ considers the timeline proposed in the RMIP both realistic and compliant with OAR 340-300 rules. The RMIP proposes completing all work by 2028 which adequately addresses the 1- and 3-year schedule expectations.

The tank designs will be reviewed by DEQ and the City of Portland to assure compliance with standards. Risk Category IV is the highest designation available in ASCE 7-16 and represents the most stringent design requirements. Structures designed to risk Category IV are designed to withstand other kinds of disasters in addition to earthquakes. The new tanks will be designed to meet this standard.

The emergency response system at PDX Fuel relies on the water sources from the City of Portland. There is a growing recognition of earthquake hazard in Oregon. The City is aware of the seismic risks the region is facing and is prioritizing improvements to Portland's water system to address high-risk infrastructure and increase overall system resilience to meet the goals of the Oregon Resilience Plan.

10. **Summarized comment:** *Thanks to PDX Fuel and DEQ for moving quickly on this RMIP. There is concern that the fire system depending on city water will be a risk and that pipelines running under the river are not within the FTSS program requirements. DEQ should require facilities to have shutoff capabilities to reduce risk of damage to pipelines under the river leaking oil.*

DEQ response: The emergency response system at PDX Fuel relies on the water sources from the City of Portland. There is a growing recognition of earthquake hazard in Oregon. The City is aware of the seismic risks the region is facing and is prioritizing improvements to Portland's water system to address high-risk infrastructure and increase overall system resilience to meet the goals of the Oregon Resilience Plan.

11. **Summarized comment:** *Northwest lifeline infrastructure is at greater risk due to tsunami and should be investigated such as within the Risk Mitigation Implementation Plan.*

DEQ response: The Fuel Tank Seismic Stability requirements are one result of regional preparedness planning and is coordinated with the Oregon Seismic Safety Policy Advisory Commission and others. That coordination is continuing to meet State and regional needs.

Conclusion

Based on the information provided in the Risk Mitigation Implementation Plan Phase I fuel storage facility submitted by PDX Fuel LLC on Oct. 17, 2024, and comments received during the public review process, DEQ intends to approve PDX Fuel, LLC's Risk Mitigation Implementation Plan Phase I. DEQ thanks everyone who took the time to review the proposed Risk Mitigation Implementation Plan, attended the virtual public hearing or submitted a comment.

The piping and tanks within the fuel storage facility include emergency shut off systems. The pipelines going to and from a facility are regulated by the [U.S. Department of Transportation Pipeline and Hazardous Safety Administration](#).

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