



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

March 22, 2024

WSCO Petroleum Corporation
Attn: Glenn Zirkle
2929 NW 29th Ave
Portland, OR 97210

RE: UST Compliance Inspection
DEQ USTs #: 7536, 6234, 6069, 6237
Astro #308, Astro #238, Astro #202, Astro
#239

Dear Glenn Zirkle,

The Oregon Department of Environmental Quality (DEQ) is conducting underground storage tank (UST) inspections throughout Oregon. The purpose of this letter is to inform you that your facility(s), among others, has been selected for inspection. A thorough inspection of your facility will be conducted to determine compliance with state and federal UST requirements. **The 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.

The inspections for these facilities have been scheduled for Wednesday April 10, 2024. The first inspection will start at approximately 8:30 am located at 3520 SW Patton Rd. The remaining three inspections will directly follow.

7536	ASTRO SHELL #308	3520 SW PATTON RD
6234	ASTRO #238	4027 SE Cesar E. Chavez Blvd.
6069	ASTRO # 202	6702 SE DIVISION ST
6237	ASTRO #239	12479 SE 82ND

Please read this entire notice and contact the DEQ inspector if you have questions about the upcoming inspection.

The inspections will require uninterrupted participation and attendance by you or a knowledgeable assistant. For the inspections 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.

The DEQ requests the following documentation be submitted electronically prior to the inspection to lauren.dimock@deq.oregon.gov. If these records cannot be submitted prior to the inspection, please have them available for review at the facility.

- Line and leak detector testing results for the past three years,
- Monthly tank leak detection records for the past 12 months,
- Class A, B, and C training documentation,
- Financial responsibility mechanism,

- Annual tank gauge certification,
- Spill prevention testing records,
- Monthly walkthroughs for the past 12 months,
- Overfill Prevention Equipment testing,
- Cathodic protection testing (if applicable).

Upon request, the DEQ inspector may allow up to five (5) days after the inspection to accept missing documents prior to making a final compliance determination. Any records submitted after an approved five (5) day extension will not be included for compliance determination and the inspection will be considered closed.

As stated previously, DEQ will not touch any equipment and if you are unable to assist with equipment access, please have your UST Service Provider there to remove manway or sump lids. 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 and significant compliance deficiencies, will go through a longer and more formal process through the Office of Compliance and Enforcement and can potentially lead to larger penalties.

Thank you for your cooperation. I can be reached at 503-229-6030 or lauren.dimock@deq.oregon.gov to answer any questions you may have and assist you in the preparation for your inspection.

Sincerely,

A handwritten signature in cursive script that reads "Lauren Dimock".

Lauren Dimock
UST Compliance Specialist
Northwest Region



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Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

April 25, 2024

WSCO Petroleum Corporation
Attn: Glenn Zirkle
2929 NW 29th Ave
Portland, OR 97210

RE: Warning Letter
Astro Shell #238
2024-WL- 9255
Facility ID Number #6234
Multnomah County

Dear Glenn Zirkle:

The Oregon Department of Environmental Quality (DEQ) conducted an Underground Storage Tank compliance inspection at the facility located at 4027 SE Cesar Chavez Blvd, Portland, Oregon on April 10, 2024. The purpose of this letter is to inform you of the result of the inspection. Based on the findings, DEQ has determined that the Underground Storage Tank facility operations were **not in compliance** with the rules.

Based upon the inspection of your facility, DEQ has concluded that WSCO Petroleum Corporation is responsible for the following violation of Oregon environmental law:

VIOLATIONS:

- (1) **Failure to test spill prevention equipment at least once every 3 years.** (Class I. OAR 340-150-310(8)(b)). This site has a Healy Mini Jet system installed in the regular tank sump. Due to manufacturer specifications, a mechanical line leak detector (MLLD) cannot be installed upstream of this system, meaning that the line between the submersible turbine pump and the MLLD is unprotected. DEQ has previously determined that this site can operate with this setup if interstitial monitoring is continuously conducted in this sump. Due to this requirement, the sump must also be tightness tested at least once every three years.

CORRECTIVE ACTION:

- (1) Submit the results of sump tightness testing to DEQ by 6/30/2024, or use alternative method to meet DEQ rules in this sump.

Class I violations are considered to be the most serious violations; Class III violations are considered to be the least serious.

This notice is a warning letter. DEQ does not intend to take formal enforcement action at this time. However, should you repeat any of these violations, the matter may be referred to the DEQ's Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a Department order. Civil penalties can be assessed for each day of violation.

If you believe any of the facts in this Warning Letter are in error, you may provide information to me at the office at the address shown at the top of this letter. DEQ will consider new information you submit and take appropriate action.

DEQ endeavors to assist you in your compliance efforts. Should you have any questions about the content of this letter, please feel free to contact me in writing at lauren.dimock@deq.oregon.gov or by phone at 503-229-6030.

Sincerely,

A handwritten signature in cursive script that reads "Lauren Dimock". The signature is fluid and written in dark ink.

Lauren Dimock
UST Compliance Specialist
Northwest Region

Containment & Spill Bucket Testing Report Form

This form is intended for use by contractors performing testing of UST spill containment structures. The completed form and printouts from tests (if applicable), should be provided to the facility owner/operator.

1. FACILITY INFORMATION

Facility Name:	Date of Testing:
Facility Address:	
Facility Contact:	Phone:
Name of Local Agency Inspector (if present during testing):	

2. TESTING CONTRACTOR INFORMATION

Company Name:
Technician Conducting Test:
Credentials ¹ : ☐ Licensed installer ☐ Licensed tightness tester ☐ Other (Specify) _____

3. TESTING INFORMATION

Test Method Used:	☐ Hydrostatic	☐ Vacuum	☐ Other
Test Equipment Used:	Equipment Resolution:		
Identify Containment & Spill Bucket (By Tank Number, Stored Product, etc.)	1	2	3
Containment type, tank top sump, dispenser sump, transition sump, spill bucket?			
For spill bucket, was drain removed and plugged? Yes/No/NA			
Did testing include highest penetration points? Yes/No/NA			
Wait time between applying vacuum/water and start of test:			
Test Start Time (T _I):			
Initial Reading (R _I):			
Test End Time (T _F):			
Final Reading (R _F):			
Test Duration (T _F - T _I):			
Change in Reading (R _F - R _I):			
Pass/Fail Threshold or Criteria:			
Test Result:	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail

Comments – (include information on repairs made prior to testing, and recommended follow-up for failed tests)

CERTIFICATION OF TECHNICIAN RESPONSIBLE FOR CONDUCTING THIS TESTING

I hereby certify that all the information contained in this report is true, accurate, and in full compliance with legal requirements.

Technician's Signature: _____ Date: _____

From: [UST Duty Officer * DEQ](#)
To: [Mike Zirkle](#)
Subject: RE: DEQ UST Inspections 4/10/24
Date: Wednesday, November 6, 2024 4:50:00 PM
Attachments: [image001.png](#)

Hey Mike,

Thanks for following up on this. Thank you for sending these reports. I am now closing the inspections for 308 and 238.



Emily Litke (she/her)
Duty Officer, Underground Storage Tanks
DEQ Headquarters, Land Quality Division
700 NE Multnomah Street, Suite 600
Portland OR 97232-4100
503-806-9516
Emily.LITKE@deq.oregon.gov

From: Mike Zirkle <mikez@wscocorp.com>
Sent: Monday, November 4, 2024 4:38 PM
To: UST Duty Officer * DEQ <UST.DutyOfficer@DEQ.oregon.gov>
Subject: RE: DEQ UST Inspections 4/10/24

Hello DEQ, here are the test results for site 308.

Please let me know if anything else is needed to close out these two sites.

Thanks

From: UST Duty Officer * DEQ <UST.DutyOfficer@DEQ.oregon.gov>
Sent: Thursday, October 17, 2024 2:44 PM
To: Mike Zirkle <mikez@wscocorp.com>
Subject: RE: DEQ UST Inspections 4/10/24

Please ensure that the sump is liquid tight. I have included a link to the form that mascot can use for testing at both facilities.

[rp1200_2019_final_appendix_c-4a.pdf \(pei.org\)](#)



Emily Litke (she/her)
Duty Officer, Underground Storage Tanks
DEQ Headquarters, Land Quality Division
700 NE Multnomah Street, Suite 600
Portland OR 97232-4100
503-806-9516
Emily.LITKE@deq.oregon.gov

From: Mike Zirkle <mikez@wscocorp.com>
Sent: Thursday, October 17, 2024 2:18 PM
To: UST Duty Officer * DEQ <UST.DutyOfficer@deq.oregon.gov>
Subject: Re: DEQ UST Inspections 4/10/24

So you need the documentation from say Mascott, that they tested the sensor?

Do you know what form they would use?

Thanks.

Mike Zirkle
Property Administrator
WSCO Petroleum

On Oct 17, 2024, at 2:10 PM, UST Duty Officer * DEQ
<UST.DutyOfficer@deq.oregon.gov> wrote:

Hey Mike,

I have reviewed the attached records, thank you for sending those. We still need documentation of the low level sump testing. Please provide those records as soon as possible.

<[image001.png](#)> | **Emily Litke** (she/her)

Duty Officer, Underground Storage Tanks
DEQ Headquarters, Land Quality Division
700 NE Multnomah Street, Suite 600
Portland OR 97232-4100
503-806-9516
Emily.LITKE@deq.oregon.gov

From: Mike Zirkle <mikez@wscocorp.com>
Sent: Thursday, October 17, 2024 9:50 AM
To: UST Duty Officer * DEQ <UST.DutyOfficer@DEQ.oregon.gov>
Cc: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>; DROUIN Mark * DEQ <Mark.DROUIN@deq.oregon.gov>
Subject: RE: DEQ UST Inspections 4/10/24

Hello DEQ, I've attached the tech notes for the sensors that were installed at the two locations below.

Please let me know if this is sufficient for the needed testing that the sensor are working properly or if additional documentation is needed.

Thanks
Mike Zirkle

From: UST Duty Officer * DEQ <UST.DutyOfficer@DEQ.oregon.gov>
Sent: Wednesday, October 9, 2024 8:31 AM
To: Mike Zirkle <mikez@wscocorp.com>; UST Duty Officer * DEQ <UST.DutyOfficer@DEQ.oregon.gov>
Cc: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>; DROUIN Mark * DEQ <Mark.DROUIN@deq.oregon.gov>
Subject: RE: DEQ UST Inspections 4/10/24

Hey Mike,

I am circling back to follow up on the corrective actions from the inspections completed by Lauren Dimmock on 4/10/24. We granted the requested extension. Do you have an update on these testing reports? Please send the work orders/invoices as soon as possible. There is no fine associated with these inspections, only to complete the requested testing.

Facility 6234 Astro Shell #238

Submit the results of sump tightness testing to DEQ by 6/30/2024, or use alternative method to meet DEQ rules in this sump

Facility 7536 Astro Shell #308

Submit the results of sump tightness to DEQ by 6/30/24, or use alternative method to meet DEQ rules

[<image001.png>](#)

Emily Litke (she/her)

Duty Officer, Underground Storage Tanks
DEQ Headquarters, Land Quality Division
700 NE Multnomah Street, Suite 600
Portland OR 97232-4100
503-806-9516
Emily.LITKE@deq.oregon.gov

From: Mike Zirkle <mikez@wscocorp.com>

Sent: Tuesday, July 2, 2024 3:20 PM

To: UST Duty Officer * DEQ <UST.DutyOfficer@deq.oregon.gov>

Cc: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>; DROUIN Mark * DEQ <Mark.DROUIN@deq.oregon.gov>

Subject: Re: DEQ UST Inspections 4/10/24

Hello Emily, with some back and forth emails about the rules and one missed back in May, I am just getting clarification on what and why I am being required to make upgrades on the equipment.

So none of these repairs or tests have been done. I would please ask for a 90 day extension while I work to line up contractors to make the necessary repairs.

Kindly

Mike Zirkle
Property Administrator
WSCO Petroleum

On Jul 2, 2024, at 10:43 AM, UST Duty Officer * DEQ <UST.DutyOfficer@deq.oregon.gov> wrote:

Hey Mike,

I am following up on the corrective actions mentioned in the warning letters issued to Astro Shell #238 and Astro Shell #308.

Facility 6234 Astro Shell #238

1. Submit the results of sump tightness testing to DEQ by 6/30/2024, or use alternative method to meet DEQ rules in this sump

Facility 7536 Astro Shell #308

1. Submit the results of sump tightness to DEQ by 6/30/24, or use alternative method to meet DEQ rules

Please submit documentation as soon as possible so these inspections can be officially be closed.

Emily Litke (she/her)

Duty Officer, Underground Storage Tanks
DEQ Headquarters, Land Quality Division
700 NE Multnomah Street, Suite 600
Portland OR 97232-4100
503-806-9516
Emily.LITKE@deq.oregon.gov

From: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>

Sent: Thursday, April 25, 2024 8:38 AM

To: Mike Zirkle <mikez@wscocorp.com>

Cc: UST Duty Officer * DEQ <UST.DutyOfficer@DEQ.oregon.gov>

Subject: RE: DEQ UST Inspections 4/10/24

Thanks Mike. I have completed the inspection determinations for three of the stations, see attached. There are two warning letters with corrective actions for sump testing needed where there are healy mini jet systems (you can instead install electronic line leak detectors to meet the rules). There is a field citation for 202 for the two cracked spill buckets with a corrective action of repairing/replacing those. Please pay the field citation by 5/25/24. I set all corrective action deadlines to 6/30/24, please let the UST DO know if you need additional time to complete those.

Once you have the 2023 testing for 239 please send it my way and I will close that one as well. Note that I am out of the office starting tomorrow and won't be back until May 28th, so that is when I'll be able to complete that inspection.

Thank you,

Lauren Dimock (she/her pronouns)
UST Compliance Inspector

DEQ Northwest Region
700 NE Multnomah St., Ste. 600
Portland, OR 97232
Ph: 503-229-6030
lauren.dimock@deq.state.or.us

Provide DEQ your email contact for swifter response times and notifications: <https://forms.office.com/g/WKrybAzFgk>
Sign-up for UST Program updates here:
https://service.govdelivery.com/accounts/ORDEQ/subscriber/new?topic_id=ORDEQ_546

From: Mike Zirkle <mikez@wscocorp.com>
Sent: Friday, April 19, 2024 1:30 PM
To: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>
Subject: RE: DEQ UST Inspections 4/10/24

Lauren, please find the spill bucket testing for site 308 attached.

Now all I need is the line tests for 239.

Also I reviewed the past Alarm history reports for sites 238 and 239 and they have been printing the Liquid Status. I can gather these, scan and email them if you would like.

Thanks
Mike

From: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>
Sent: Thursday, April 18, 2024 4:51 PM
To: Mike Zirkle <mikez@wscocorp.com>
Subject: RE: DEQ UST Inspections 4/10/24

Thanks for the update. Yes, I have the walkthroughs. I'll keep an eye out

early next week for the remaining paperwork. I'm on vacation starting 4/26 so I'm trying to get things wrapped up before then.

Thanks again,
Lauren

From: Mike Zirkle <mikez@wscocorp.com>
Sent: Thursday, April 18, 2024 4:19 PM
To: DIMOCK Lauren * DEQ <Lauren.DIMOCK@deq.oregon.gov>
Subject: Re: DEQ UST Inspections 4/10/24

Hi Lauren, I got the email.

202, 239: I think you have both the walkthrough reports. If not I'll send them in the morning.

308: spill bucket paperwork I'm still waiting for it.

239: 2023 testing. The line test manager at Mascott is out on vacation returning Tuesday, so I'm hoping she can pull those tests then. Apparently no one else knows where she stores the past tests?

Let me know what else I may be missing.

Thanks

Mike Zirkle
Property Administrator
WSCO Petroleum

On Apr 18, 2024, at 3:37 PM, DIMOCK Lauren * DEQ
<Lauren.DIMOCK@deq.oregon.gov> wrote:

Hi Mike,

I just wanted to make sure you saw the below email after you got back from vacation. Can you get me the needed items by tomorrow?

Thanks,
Lauren

From: DIMOCK Lauren * DEQ
Sent: Friday, April 12, 2024 10:37 AM
To: Mike Zirkle <mikez@wscocorp.com>
Subject: DEQ UST Inspections 4/10/24

Hi Mike,

Thanks for sending the 2024 walkthroughs. I've compiled a list of items needed and observations at each site below, please get them to me by next Friday 4/19/24. Once we have cleared up all the paperwork needed I will make the compliance decisions and send them to you.

I spoke with Mark about the sites with healy mini jet systems and DEQ has been requiring sump testing for sites in similar situations of needing to monitor a single sump, as well as monthly monitoring records which we talked about. Therefore these sites will require triennial sump testing in addition to the monthly interstitial monitoring. An alternative to sump testing are possible would be installing electronic line leak detectors instead.

Astro #308 (7536)

1. **Need:**
 1. **Spill bucket replacement testing paperwork**
2. Observations:
 1. Regular sump not tested – required for interstitial monitoring. This is a violation that will be issued as a warning letter without penalty due to the unusual circumstances of the situation.
 2. Reminder that interstitial monitoring records need to be printed every 30 days for the regular sump

Astro #238 (6234)

3. Observations:
 1. Regular sump not tested – required for interstitial monitoring. This is a violation that will be issued as a warning letter without penalty due to the unusual circumstances of the situation.
 2. Reminder that interstitial monitoring records need to be printed every 30 days for the regular sump

Astro #202 (6069)

4. Observations:

1. The regular and diesel spill buckets were both cracked and need to be repaired/replaced and then re-tested. This is a violation.

Astro #239 (6237)

5. **Need:**

1. **2023 testing paperwork – looked like the testing date was 11/8/23 based on the alarm history**

6. Observations:

1. The line leak detector was not on the turbine head for the diesel tank. The leak detector will either need to be moved onto the turbine head or an electronic line leak detector needs to be installed. This is a violation.
2. I am still looking into the turbine in the manifolded regular tank. I understand that it is not possible to install a leak detector on the turbine/line. The remaining thing I am looking into is whether or not a sensor in this sump is needed (it is definitely strongly recommended to avoid a potential release into the environment). I will follow up with you on this when I have more info.

Thanks again Mike, let me know if you have any questions.

Lauren Dimock (she/her pronouns)
UST Compliance Inspector

DEQ Northwest Region
700 NE Multnomah St., Ste. 600
Portland, OR 97232
Ph: 503-229-6030
lauren.dimock@deq.state.or.us

<image001.png>

Provide DEQ your email contact for swifter response times and notifications: <https://forms.office.com/g/WKrybAzFgk>
Sign-up for UST Program updates here:
<https://service.govdelivery.com/accounts/ORDEQ/subscriber>

[/new?topic_id=ORDEQ_546](#)