

Storage Tank Enforcement: Oregon Department of Environmental Quality Notice of Penalty Assessment Addressing Portland State University



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

06/13/2024

The Oregon Department of Environmental Quality (“ODEQ”) Office of Compliance and Enforcement issued a March 14th Notice of Civil Penalty Assessment and Order (“Notice”) to Portland State University (“PSU”) addressing alleged Oregon underground storage tank (“UST”) violations. See Case No. LQ/UST-NWR-2023-147.

The Notice addresses PSU’s student union denominated Smith Memorial Center (“Facility”) in Portland, Oregon.

The Facility is stated to utilize one UST and connected piping. Such UST system is stated to have a capacity of approximately 1,000 gallons of diesel fuel. The tank stores diesel fuel to power an emergency generator.

A separate building at PSU is stated to utilize a UST and connected piping to also power an emergency generator. This system is stated to have a capacity of approximately 20,000 gallons of diesel fuel.

ODEQ is stated to have conducted an inspection of the UST systems on October 17, 2023, and reviewed PSU’s records for the systems.

The following violations were stated to have been identified:

- Failure to have release detection equipment installed.
- Tank monitor for a UST system was not functioning.
- Use of piping not meeting the standards set forth in the relevant regulation.
- Failure to test spill prevention equipment (spill buckets) or overfill prevention equipment.
- Failure to perform an annual operation and maintenance walkthrough.
- Failure to have records for certain inspections for the previous year.

The Notice proposes a civil penalty of \$25,472. In addition, the Notice requires within 30 days of its issuance certain actions to correct the referenced alleged violations.

The Notice provides certain appeal rights.

A copy of the Notice can be downloaded [here](#).