



REGION 10

SEATTLE, WA 98101

RETURN RECEIPT REQUESTED

Phil Jordan
Terminal Manager
Pacific Terminal Services
7900 NW Saint Helens Rd
Portland, Oregon 97210

Re: INFORMATION REQUEST Regarding Pacific Terminal Services, Portland, Oregon

Dear Phil Jordan,

The U.S. Environmental Protection Agency, Region 10 (EPA) seeks information concerning the facility owned or operated by Pacific Terminal Services at 7900 NW Saint Helens Rd in Portland, Oregon ("Facility"). The enclosed Information Request is issued to Pacific Terminal Services pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414.

Under CAA Section 114, 42 U.S.C. § 7414, EPA is authorized to require the submission of records, reports, and other information for the purpose of determining whether any violations of the CAA have occurred and for other purposes of the CAA. Pacific Terminal Services is required to provide information and documents in accordance with the enclosed Information Request within **15 days** of your receipt of the request. If you anticipate being unable to fully respond to this Information Request by the specified date, you may request an extension within **7** of receipt of this request. Include a justification for your extension request. If timely submitted, EPA will consider your request and may extend the deadline.

Submit your response to this Information Request or request for extension via email to:

Elly Walters
Enforcement and Compliance Assurance Division (20-C06)
U.S. Environmental Protection Agency
walters.elizabeth@epa.gov

Please ensure the enclosed Statement of Certification is signed by a duly authorized officer or agent of Pacific Terminal Services and returned with the response to this Information Request.

Failure to timely respond fully and truthfully to this Information Request may subject you to civil penalties pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under

18 U.S.C. § 1001. Your response to this Information Request may be used by EPA in administrative, civil, or criminal proceedings.

Thank you for your cooperation. If you have any questions regarding this Information Request or wish to request an extension, please contact Elly Walters at (206) 553-6317 or via email at walters.elizabeth@epa.gov. For legal matters or questions from legal counsel, please contact Erin Tanimura in the Office of Regional Counsel at (206) 553-8630 or via email at tanimura.erin@epa.gov.

Sincerely,

**MORGAN
JENCIUS**

Digitally signed by
MORGAN JENCIUS
Date: 2024.03.27
15:21:08 -07'00'

Morgan Jencius, Chief
Air and Land Enforcement Branch
Enforcement and Compliance Assurance Division

Enclosures

1. Information Request
2. Statement of Certification

cc: Bowman Harvey
Pacific Terminal Services

Louis Bivins
Oregon Department of Environmental Quality

ENCLOSURE 1
CAA INFORMATION REQUEST

Pacific Terminal Services

A. INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question in this Information Request. Mark each answer with the number of the question (and subpart, if applicable) to which it corresponds.
2. For each question, provide a copy of each document relied on or referred to in the preparation of the response or that contains information responsive to the question.
3. Indicate on each document produced in response to this Information Request, or in another reasonable manner, the number of the question to which it corresponds.
4. If requested information or documents are not known or are not available to you at the time of your response to this Information Request, but later become known or available to you, you must supplement your response to EPA. Moreover, if you find at any time after submission of your response that any portion is or becomes false, incomplete, or misrepresents the facts, you must provide EPA with a corrected response as soon as possible.
5. Provide the name, title, and business contact information for each person who prepared or was consulted in the preparation of your response. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained in this Information Request, or who may be able to provide additional responsive documents, provide the name, title, and business contact information for each such person and the additional information or documents that they may have.
6. If you believe a question is not applicable to the Facility, explain the reason for that belief.
7. The information requested must be provided whether or not you regard part or all of it as a trade secret or confidential business information. You may assert a confidentiality claim covering part or all of the information submitted, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 114, and 40 C.F.R. Part 2, by labeling such information at the time it is submitted to EPA as “trade secret,” “proprietary,” “company confidential,” or other suitable notice. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by EPA.

Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. See 40 C.F.R. § 2.301 for additional rules governing certain information obtained under the CAA. Note that certain categories of information, including “emission data,” are not entitled to confidential treatment. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. See also 41 Fed. Reg. 36902 (Sept. 1, 1976).

B. DEFINITIONS

All terms used in this Information Request have their ordinary meaning unless such terms are defined in this Information Request; the CAA, 42 U.S.C. § 7401 *et seq.*; or the CAA implementing regulations at 40 C.F.R. Parts 60 and 63. For purposes of this Information Request:

1. The terms “you” or “Respondent” mean Pacific Terminal Services, and its subsidiaries, officers, directors, managers, partners, employees, contractors, and agents, as applicable.
2. “Facility” means the real property, buildings, structures, storage tanks, loading rack, and appurtenances owned or operated by Respondent located at 7900 NW Saint Helens Rd, Portland, Oregon.
3. “Document” includes writings, records, or information of any kind, formal or informal, whether handwritten, typed, or otherwise recorded in or on any format or media. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. Include all attachments to or enclosures with any responsive document.

C. INFORMATION REQUEST

Provide the following information for the Facility:

1. The date upon which the Facility commenced construction or reconstruction.
2. A description of how the Facility receives, stores, blends, and loads products.
3. Copies of safety data sheets for all products received, stored, blended, and loaded at the Facility since January 1, 2022.
4. The actual throughput of each product at the Facility, in gallons, annually for 2022 and 2023. Please provide this information in the form of purchase invoices, bill of lading records, or in an Excel spreadsheet format tracking such information.
5. The date upon which each storage tank at the Facility commenced construction, reconstruction, or modification. Additionally, provide for each storage tank:
 - a. the storage capacity of the tank;
 - b. the type of product stored in each tank;
 - c. and a description of emission controls installed and operated for the tank, including whether the tank operates with an internal floating roof, an external floating roof, or closed vent system and control device.

ENCLOSURE 2
STATEMENT OF CERTIFICATION

Pacific Terminal Services
7900 NW Saint Helens Rd, Portland Oregon 97210

INFORMATION REQUEST
STATEMENT OF CERTIFICATION

I certify that the enclosed responses to EPA's Information Request issued to Pacific Terminal Services are true, accurate, and complete. I certify that the portions of these responses which I did not personally prepare were prepared by persons acting on behalf of Pacific Terminal Services under my supervision and at my instruction, and that the information provided is true, accurate, and complete. I am aware that there are significant penalties for submitting false information in response to this Information Request, including the possibility of fine and imprisonment.

Signature

Printed Name

Title

Date