Oregon
Tina Kotek, Governor

Department of Environmental Quality
Office of Compliance and Enforcement
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100
(503) 229-5696
FAX (503) 229-5100
TTY 711

October 29, 2026

CERTIFIED MAIL No: 9589 0710 5270 4606 2391 37

Portland General Electric Company
c/o Derily Bechthold, Registered Agent
121 SW Salmon Street
Portland, OR 97204

Re: Notice of Civil Penalty Assessment and Order
Case No. AQ/ACDP-NWR-2026-624

This letter is to inform you that DEQ has issued the Portland General Electric Company (PGE) a $50,395 civil penalty for violations of the Standard Air Contaminant Discharge Permit (Permit) issued to PGE for the Port Westward II Power Plant located at 80997 Kallunki Road in Clatskanie (the Facility). Specifically, one of PGE's engines (RECIP12) exceeded the total particulate matter (PM) emission limit when operating at 40% load, and PGE failed to demonstrate continuous compliance with the federal Spark Ignition Internal Combustion Engines New Source Performance Standards (NSPS), Subpart JJJJ (NSPS 4J) requirements by failing to conduct regular performance tests for volatile organic compound (VOC) emissions from each of the Facility's twelve engines .

DEQ issued this penalty because the total PM limit in PGE's Permit is a Best Available Control Technology (BACT) standard established pursuant to the federal and state Prevention of Significant Deterioration requirements to protect public health and the airshed from degradation caused by emissions from PGE's power plant. Particulate matter, when emitted in excess, can contribute to respiratory distress in members of the public. Once inhaled, particulate matter can affect the heart and lungs, causing serious health problems such as decreased lung function, irregular heartbeat and chronic bronchitis.

In addition, performance testing is a fundamental requirement to determine whether PGE's engines comply with the NSPS standards to ensure that air pollutant emissions from PGE's facility are kept to minimum levels to protect human health and the environment. By failing to conduct performance testing for VOC on the twelve engines at the Facility, PGE gained an economic advantage over other entities that also had to test their engines. $25,195 of the total civil penalty is the amount of economic benefit PGE derived by avoiding the costs to conduct three rounds of testing of each engine and delaying spending the costs for a fourth round of testing on engines RECIP05 through RECIP07. The purpose of the economic benefit portion of the civil penalty is to ensure a "level playing field," such that a facility does not gain advantage by failing to invest in compliance with the law over other facilities subject to the same requirements. By estimating the economic benefit, DEQ removes the cost savings associated with PGE's avoided and delayed engine testing expenditures.

DEQ cited additional violations of the Permit in the enclosed Notice that PGE is not being penalized for at this time. Those violations include failing to maintain the oxidation catalyst pressure drop of engines

RECIP01 through RECIP09 to required operating levels, failing to monitor and record the pressure drop across the catalyst of RECIP10 through RECIP12 during performance tests when the engines operated at 100% load ± 10%, and failing to include all deviations of a NESHAP 4Z operating limit in Semi-Annual Compliance Reports.

DEQ appreciates PGE's efforts to correct some of the violations by limiting operation of RECIP12 to 70% or higher loads until RECIP12 was retested and demonstrated compliance with the Total PM BACT at 40% load, by eventually conducting VOC performance testing of all engines in December 2025, and by eventually reestablishing pressure drop operating ranges for all twelve engines. DEQ considered these efforts when determining the amount of civil penalty.

You may pay the civil penalty as follows:

Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here: https://ydo.oregon.gov. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the Invoice number and Account ID included on the attached payment slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges.

Pay by check or money order: Make checks payable to "Department of Environmental Quality" and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order.

If you wish to appeal this matter, DEQ must receive a request for a hearing within 20 calendar days from your receipt of this letter. The hearing request must be in writing. Send your request to DEQ Office of Compliance and Enforcement:

Via mail – 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232
Via email – DEQappeals@deq.state.or.us
Via fax – 503-229-5100

Once DEQ receives your request, we will arrange to meet with you to discuss this matter. If DEQ does not receive a timely written hearing request, the penalty will become due.

The attached Notice further details DEQ's reasons for issuing the penalty and provides further instructions for appealing the penalty. Please review and refer to it when discussing this case with DEQ.

DEQ may allow you to resolve part of your penalty through the completion of a Supplemental Environmental Project (SEP). SEPs are environmental improvement projects that you sponsor instead of paying a portion of your penalty. Further information is available by calling the number below or at http://www.oregon.gov/deq/Regulations/Pages/SEP.aspx.

DEQ's rules are available at http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx or by calling the number below.

If you have any questions, please contact Jenny Root at 503-229-5874.

Sincerely,

Erin Saylor, Manager
Office of Compliance and Enforcement

cc: Patty Jacobs, Northwest Region, DEQ
Josh Alexander, Northwest Region, DEQ
Don Hendrix, AQ, HQ, DEQ
Accounting, DEQ

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

OF THE STATE OF OREGON

IN THE MATTER OF: PORTLAND GENERAL ELECTRIC COMPANY, an Oregon corporation, Respondent.	)	NOTICE OF CIVIL PENALTY ASSESSMENT AND ORDER NO. AQ/ACDP-NWR-2026-624

I. AUTHORITY

The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100 and 468.126 through 468.140, ORS Chapters 183 and 468A, and Oregon Administrative Rules (OAR) Chapter 340, Divisions 011, 012, 200, 216 and 40 Code of Federal Regulations (CFR), Part 60, Subpart JJJJ (40 CFR 60.4230 through 60.4248, hereinafter referred to as NSPS 4J), adopted and incorporated by reference in OAR 340-238-0060(1)(b) for sources[1] that are required to have a Title V or Air Contaminant Discharge Permit from DEQ and 40 Code of Federal Regulations, Part 63, Subpart ZZZZ, (40 CFR 63.6080 through 63.6175, hereinafter referred to as NESHAP 4Z), adopted and incorporated by reference in OAR 340-244-0220(1) for sources that are required to have a Title V or ACDP Permit from DEQ.

II. FINDINGS OF FACT

1. Respondent operates an electrical power plant at 80997 Kallunki Road, Clatskanie, Oregon, known as the "Port Westward II Plant," (the Facility). The Facility includes 12 natural gas-fired stationary spark ignition internal combustion engines (stationary SI ICE- see definitions at 40 CFR 60.4248), with each engine having a maximum engine power of 18.9 megawatts (MW) or 25,345 horsepower (HP), identified in the Permit as Emission Units (EUs) RECIP01 through RECIP12.

2. RECIP01 through RECIP12 are not gasoline or rich burn engines that use liquified petroleum gas (LPG).

3. RECIP01 through RECIP12 are not certified engines because the engines have not been certified to the engine emission standards in NSPS 4J or other standards listed in the definition of "certified stationary internal combustion engine" or "certified engine" in 40 CFR 60.4248.

[1] According to OAR 340-200-0020(165), "Source" (in relevant part) means any building, structure, facility, installation or combination thereof that emits or is capable of emitting air contaminants to the atmosphere, is located on one or more contiguous or adjacent properties and is owned or operated by the same person or by persons under common control.

4. The Facility is a source that is required to have an Air Contaminant Discharge Permit from DEQ, according to OAR 340-216-0020(3), Table 1, Part B, category 27.

5. On December 3, 2010, DEQ issued Standard Air Contaminant Discharge Permit No. 05-2606 (the Permit) to Respondent. On March 29, 2013, DEQ modified and reissued the Permit. The Permit authorizes Respondent to discharge air contaminants from the Facility in conformance with the requirements, limitations and conditions set forth in the Permit. The Permit was in effect at all material times.

6. Condition 36 of the Permit prohibits Respondent from causing or allowing emissions of total (both filterable and condensable) particulate matter (PM) from RECIP01 through RECIP12 in excess of 5.3 pounds per hour (lbs/hr) based on a six-hour average, excluding startups and shutdowns. This is a Best Available Control Technology (BACT) limit established in accordance with OAR 340-224-0070(1).

7. On or about August 9, 2017, Respondent conducted performance testing on RECIP12 in accordance with Conditions 43 and 47 of the Permit to demonstrate compliance with Condition 36 of the Permit. During the test, when operating RECIP12 at 40% load, total PM emissions from RECIP12 measured 5.92 lbs/hr as a six-hour average.

8. Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75KW, must comply with the emission standards in Table 1 of NSPS 4J. 40 CFR 60.4233(e).

9. Owners and operators of stationary SI ICE with engines greater than 500 HP that are not certified engines and that must comply with the emission standards in 40 CFR 60.4233(e), must demonstrate compliance with the emission standards in Table 1 of NSPS 4J for pollutant emissions, including volatile organic compound (VOCs), by conducting an initial performance test (emissions testing) and subsequent performance tests of the stationary SI ICE every 8,760 hours of operation or every three years thereafter, whichever comes first. 40 CFR 60.4243(b)(2)(ii).

10. Respondent conducted initial performance testing of RECIP01 through RECIP12 for compliance with the VOC emission standards in Table 1 of NSPS 4J in 2014 and subsequent testing of

RECIP01 through RECIP12 on August 8, 2017, through August 18, 2017.

11. Between August 2017 and December 2025, Respondent failed to perform subsequent performance tests of RECIP01 through RECIP12 for VOC emissions by either reaching the three-year mark (August 2020) since the previous performance test and not testing, or reaching the maximum 8,760 operating hours without testing as follows:

Engine	Required to Test by	Test Requirement
RECIP01	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated
RECIP02	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated
RECIP03	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated
RECIP04	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated
RECIP05	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Feb 2024	Every 8,760 hours operated
	Oct 2025	Every 8,760 hours operated
RECIP06	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Feb 2024	Every 8,760 hours operated
	Oct 2025	Every 8,760 hours operated
RECIP07	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Feb 2024	Every 8,760 hours operated
	Sep 2025	Every 8,760 hours operated
RECIP08	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated
RECIP09	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated
RECIP10	Aug 2020	Every three years
	Nov 2022	8,760 hours operated
	Apr 2024	8,760 hours operated
RECIP11	Aug 2020	Every three years
	Nov 2022	Every 8,760 hours operated
	Apr 2024	Every 8,760 hours operated

RECIP12	Aug 2020 Jan 2023 Jun 2024	Every three years Every 8,760 hours operated Every 8,760 hours operated

12. Respondent did not resume regular subsequent performance testing of RECIP01 through RECIP12 for VOC emissions until December 2025.

13. Respondent monitors carbon monoxide (CO) emissions from each engine by using two continuous emission monitoring systems (CEMS) that monitor CO concentrations at the inlet and outlet of the oxidation catalyst of each engine. Condition 26 of the Permit requires that, during the initial performance test utilizing the CEMS (Condition 26.a of the Permit), Respondent must record the oxidation catalyst pressure drop, inches of water (H_2O) for each engine (Condition 26.c.v of the Permit).

14. To demonstrate continuous compliance with the CO reduction requirements in Condition 24 of the Permit, Condition 29 of the Permit requires that Respondent maintain each oxidation catalyst of each engine such that the pressure drop across the catalyst does not change by more than two inches of water at 100% load ± 10% from the pressure drop across the catalyst that was measured during the initial performance test as detailed in Condition 26 of the Permit. Respondent is required to measure this operating parameter once per calendar month while the engine is in operation.

15. During the initial performance tests utilizing the CEMS in 2014 (initial performance tests), nor during any subsequent performance tests, Respondent failed to record and establish the oxidation catalyst pressure drop for RECIP01 through RECIP12 when operating those engines at 100% load ± 10% as required by Condition 26.c.v of the Permit.

16. Because Respondent had not established the engine catalyst allowable pressure drop ranges, Respondent did not monitor monthly compliance with the pressure drop range requirements in Condition 29 of the Permit.

III. CONCLUSIONS

1. As described in Section II, Paragraphs 6 and 7 above, Respondent violated Condition 36 of the Permit, OAR 340-224-0070(2) and ORS 468A.045(2) by causing or allowing RECIP12 to exceed the 5.3 lbs/hr six-hour average total PM BACT limit. Specifically, during a performance test of

RECIP12, on or about August 9, 2017, the total PM emissions from RECIP12, when operating at 40% load, measured 5.92 lbs/hr PM as a six-hour average. This is a Class I violation according to OAR 340-012-0054(1)(l). DEQ hereby assesses a $10,200 for this violation.

2. As further described in Section II, Paragraphs 9 through 12 above, Respondent violated 40 CFR 60.4243(b)(2)(ii) and OAR 340-238-0060(1)(b) by failing to conduct performance tests of stationary SI ICEs (RECIP01 through RECIP12) to demonstrate compliance with the VOC emission standards in Table 1 of NSPS 4J by failing to conduct performance testing by August 2020 (within three years of the prior performance tests in August 2017), and failing to conduct subsequent performance tests of RECIP01 through RECIP12 each time an engine operated an additional 8,760 hours. Specifically, as shown in Section II, Paragraph 11 above, after the August 2020 performance tests were required, RECIP01 through RECIP04 and RECIP08 through RECIP12 reached or exceeded an additional 8,760 hours of operation twice before December 2025 without Respondent conducting a performance test for VOC emissions on those engines and RECIP05 through RECIP07 reached or exceeded an additional 8,760 hours of operation three times before December 2025 without Respondent having conducted a performance test on those engines for VOC emissions. These are Class I violations according to OAR 340-012-0054(1)(p). DEQ hereby assesses a $ 40,195 civil penalty for these violations.

3. As further described in Section II, Paragraphs 13 and 15 above, Respondent violated Conditions 26.v of the Permit by failing to measure and record during the initial performance tests required by Condition 26 of the Permit, or during subsequent performance tests, the pressure drop across the catalyst of RECIP01 through RECIP12, when the engines operated at 100% load ± 10%. These are Class II violations according to OAR 340-012-0054(2)(a). DEQ has not assessed a civil penalty for these violations.

4. From at least 2014 through 2025, as further described in Section II, Paragraphs 14 through 16 above, Respondent violated Condition 29 of the Permit by failing to monthly monitor pressure drop across the catalyst of RECIP01 through RECIP12, when the engines operated at 100% load ± 10%, to ensure the pressure drop across the catalyst did not change by more than two inches of water from the

pressure drop across the catalyst that was measured during the initial performance test. Specifically, because the pressure drop was not established for these engines at 100% load ± 10% during the initial performance test or during subsequent tests thereafter, Respondent had no initial water column baseline by which to measure the allowable pressure drop to demonstrate compliance with the requirements of Condition 29. These are Class III violations according to OAR 340-012-0054(3)(a). DEQ has not assessed a civil penalty for these violations.

IV. ORDER TO PAY CIVIL PENALTY

Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondent is hereby ORDERED TO:

Pay a total civil penalty of $50,395. The determination of the civil penalty is attached as Exhibits 1 and 2 and is incorporated as part of this Notice.

If you do not file a request for hearing as set forth in Section V below, please pay the penalty as follows:

Pay online with e-check (ACH) or credit card. Go to Your DEQ Online here: https://ydo.oregon.gov. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the reference number and Account ID included on the attached payment slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges, or

Pay by check or money order: Make check payable to "Department of Environmental Quality" and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order and note the case number on your check.

V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ must receive your request for hearing **within 20 calendar days** from the date you receive this Notice. If you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached exhibits, you must do so in your request for hearing, as factual matters not denied will be considered admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for

further information about requests for hearing.) You must send your request to: **DEQ, Office of Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232**, fax it to **503-229-6762** or email it to **DEQappeals@deq.state.or.us**. An administrative law judge employed by the Office of Administrative Hearings will conduct the hearing, according to ORS Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be represented by an attorney at the hearing; however, you are not required to be. If you are an individual, you may represent yourself. If you are a corporation, partnership, limited liability company, unincorporated association, trust or government body, you must be represented by an attorney or a duly authorized representative, as set forth in OAR 137-003-0555.

Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil. The Oregon Military Department does not have a toll-free telephone number.

If you fail to file a timely request for hearing, the Notice will become a final order by default without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates the relevant portions of its files, including information submitted by you, as the record for purposes of proving a prima facie case.

10/29/2020
Date

Erin Saylor, Manager
Office of Compliance and Enforcement

EXHIBIT 1

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION 1: Causing or allowing total PM emissions from RECIP12 to exceed the 5.3 lbs/hr six-hour average total PM BACT limit, in violation of Condition 36 of Air Contaminant Discharge Permit No. 05-2606, OAR 340-224-0070(2) and ORS 468A.045(2).

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0054(1)(l).

MAGNITUDE: The magnitude of the violation is moderate, pursuant to OAR 340-012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 for this violation, and the information reasonably available to the Department does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is: $BP + [0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is $6,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(A) because Respondent operates the facility under an Air Contaminant Discharge Permit issued pursuant to PSD regulations under OAR 340, division 224.

"P" is whether Respondent has any prior significant actions, as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 10 according to OAR 340-012-0145(2)(a)(C) and (D) and OAR 340-012-0145(2)(b) because Respondent had one Class I prior significant action in Case No. AQ/V-NWR-13-125 issued November 12, 2013, one Class I prior significant action in Case No. AQ/V-NWR-15-173 issued November 24, 2015, and eight Class I violations in Mutual Agreement and Final Order No. AQ-V-NWR-2016-049 issued on March 18, 2016.

"H" is Respondent's history of correcting prior significant actions and receives a value of -2 according to OAR 340-012-0145(3)(a), because Respondent corrected all violations cited as prior significant actions.

"O" is whether the violation was repeated or ongoing and receives a value of 0 according to OAR 340-012-0145(4)(a), because there is insufficient information on which to base a finding under paragraphs (4)(b) through (4)(d).

"M" is the mental state of Respondent and receives a value of 2 according to OAR 340-012-0145(5)(b), because Respondent reasonably should have known of the 5.3 lbs/hr six-hour

average total PM BACT limit. Condition 36 of the Permit expressly prohibits Respondent from causing or allowing Total PM emission from RECIP01 through RECIP12 to exceed 5.3 lbs/hr as a six-hour average (excluding startup /shutdown).

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of -3 according to OAR 340-012-0145(6)(c) because Respondent made reasonable efforts to mitigate the effects of the violation. Upon receiving the test results, Respondent limited operation of RECIP12 to 70% or higher loads where the performance testing demonstrated compliance with the VOC limit, conducted engineering tests in an attempt to determine why RECIP12 exceeded the total PM BACT limit at 40% load during the August 9, 2027, performance test, and performed a new reference method performance test on October 26, 2017, which demonstrated RECIP12 complied with the Total PM BACT limit at 40% load.

"EB" is the approximate dollar value of the benefit gained, and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of $0 as there is insufficient information on which to base a finding and Respondent's costs to conduct repeated emissions testing likely outweighed any delayed expenditures to return to compliance.

PENALTY CALCULATION: Penalty = BP + [0.1 x BP) x (P + H + O + M + C)] + EB
= $6,000 + [(0.1 x $6,000) x (10 + -2 + 0 + 2 + -3] + $0
= $6,000 + ($600 x 7) + $0
= $6,000 + $4,200 + $0
= $10,200

EXHIBIT 2

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION 2: Failing to conduct performance tests of stationary SI ICEs (RECIP01 through RECIP12) to demonstrate compliance with the VOC emission standards in Table 1 of NSPS 4J by failing to conduct performance testing within three years of the prior performance tests and failing to conduct subsequent performance tests of RECIP01 through RECIP12 each time an engine operated an additional 8,760 hours, in violation of 40 CFR 60.4243(b)(2)(ii) and OAR 340-238-0060(1)(b).

CLASSIFICATION: These are Class I violations pursuant to OAR 340-012-0054(1)(p).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is: $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is $6,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(A) because Respondent operates the facility under an Air Contaminant Discharge Permit issued pursuant to PSD regulations under OAR 340, division 224.

"P" is whether Respondent has any prior significant actions, as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 10 according to OAR 340-012-0145(2)(a)(C) and (D) and OAR 340-012-0145(2)(b) because Respondent had one Class I prior significant action in Case No. AQ/V-NWR-13-125 issued November 12, 2013, one Class I prior significant action in Case No. AQ/V-NWR-15-173 issued November 24, 2015, eight Class I violations in Mutual Agreement and Final Order No. AQ-V-NWR-2016-049 issued on March 18, 2016, and 11 Class I violations in Mutual Agreement and Final Order No. AQ/TV-HQ-2024-042 issued on April 19, 2024.

"H" is Respondent's history of correcting prior significant actions and receives a value of -1 according to OAR 340-012-0145(3)(b) because some of the violations were uncorrectable and Respondent took reasonable efforts to minimize the effects of the violations cited as prior significant actions.

"O" is whether the violation was repeated or ongoing and receives a value of 4 according to OAR 340-012-0145(4)(d) because there were more than 28 occurrences of the violation.

According to OAR 340-012-0145(4), each repeated occurrence of the same violation and each day of a violation with a duration of more than one day is a separate occurrence when determining the "O" factor. Respondent failed to perform VOC performance testing three times on each of the 12 engines at either the required three years or 8,760 hours of operation intervals. Respondent was then late performing a fourth test of RECIP05 through RECIP07 when those engines again reached an additional 8,760 hours of operation for a total of 39 missed or late tests which equals 39 occurrences.

"M" is the mental state of the Respondent and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. According to OAR 340-012-0030(15), negligent means the respondent failed to take reasonable care to avoid a foreseeable risk of conduct constituting or resulting in a violation. 40 CFR 60.4243(b)(2)(ii) expressly required that Respondent conduct performance testing for VOC emissions on RECIP01 through RECIP12 within three years of the prior performance tests and subsequent VOC emissions performance tests of RECIP01 through RECIP12 each time an engine operated an additional 8,760 hours. In addition, in a September 29, 2014, request to the US Environmental Protection Agency (US EPA) requesting approval of alternative testing for nitrogen oxides (NOx) and carbon monoxide (CO) emissions, Respondent acknowledged that to satisfy the testing requirements of NSPS 4J, "Subsequent performance testing is required for all three pollutants [NOX, CO and VOC)] every 8,760 hours or 3 years, whichever comes first." Therefore, by failing to take reasonable care to ensure it continued subsequent performance testing of all 12 engines for compliance with the VOC emission standards in NSPS 4J, Respondent failed to take reasonable care to avoid a foreseeable risk it would violate the NSPS 4J performance test requirements and Oregon law.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of -2 according to OAR 340-012-0145(6)(d) because Respondent eventually made some efforts to minimize the effects of the violations. Respondent resumed regular VOC performance testing. Respondent resumed regular subsequent performance testing of RECIP01 through RECIP12 on December 16, 2025, through December 19, 2025.

"EB" is the approximate dollar value of the benefit gained, and the costs avoided or delayed as a result of Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of $25,195. This is the amount Respondent gained by avoiding spending approximately $9,600 to performance test all 12 engines by August 2020 at the three-year mark and to retest each engine as it reached an additional 8,760 of operation as follows: $8,800 to test RECIP01 through RECIP11 by November 2022; $800 to test RECIP12 by January 2023; $4,500 to test RECIP05 through RECIP07 by February 2024; and by delaying spending costs to retest each engine as it reached an additional 8,760 hours of operation as follows: $12,000 to retest RECIP01 through RECIP04 and RECIP08 through RECIP11 by April 2024 instead of testing in December 2025; $1,500 to retest RECIP12 by June 2024 instead of testing December 2025; $1,500 to retest RECIP07 by September 2025 instead of testing December 2025 and $3,000 to retest RECIP05 and RECIP06 by October 2025 instead of testing December 2025. This "EB" was calculated

pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

PENALTY CALCULATION: Penalty = BP + [(0.1 x BP) x (P + H + O + M + C)] + EB
= $6,000 + [(0.1 x $6,000) x (10 + -1 + 4 + 4 + -2)] + $25,195
= $6,000 + (600 x 15) + $25,195
= $6,000 + $9,000 + $25,195
= $40,195

Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100

State of Oregon
Department of Environmental Quality

Phone: 503-229-5437
Fax: 503-229-5850

CIVIL PENALTY - ORS 468.135(2)

DATE:	October 29, 2026
RESPONSE DATE*:	January 7, 2027
TOTAL PENALTY:	$50,395.00

Account Name:	PORTLAND GENERAL ELECTRIC COMPANY		
Account Type:	Vendor/Organization/Company	Reference Number:	**CPGFD2700042**
SubSystem ID:	216677	FIMS Acct. ID:	20330

Penalty Summary

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
$ 50,395.00	$ 0.00	$ 0.00	$ 0.00	$ 50,395.00

*This is the date the penalty is due if you do not exercise your right to appeal the attached order. Payment of this penalty is subject to the exercise of your options or right to appeal as described in the enclosed enforcement documents.

To Pay Online with ACH or Credit Card Visit https://ydo.oregon.gov and select 'Register Account'

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

DEQ

REFERENCE NO.	CPGFD2700042		
PAYCODE:	00401 7400 10040 74001 0500 000000 00		
FEE PROGRAM ID:	950	RESPONSE DATE:	January 7, 2027
FIMS ACCT. ID:	20330	TOTAL PENALTY DUE:	$50395.00

AMOUNT ENCLOSED:

MAKE CHECK PAYABLE TO: Department of Environmental Quality

DEQ FINANCIAL SERVICES - LBX4244
PO BOX 4244
PORTLAND OR 97208-4244

☐ Check this box if updated address information has been provided on the back of the form.

00401 7400 10040 74001 0500 000000 0095000203305CPGFD2700042000503950003

State of Oregon
Department of Environmental Quality

State of Oregon Department of Environmental Quality

CIVIL PENALTY - ORS 468.135(2)

700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100
Phone: 503-229-5437
Fax: 503-229-5850

Penalty Detail

Transaction Date	Description	Amount
10/28/2026	2026-624 AQ-ACDP-NWR-2026-624	$50,395.00

SFMS Agencies Use:

Trans Code	Treasury Fund	SFMS	Index	PCA (5)	Agency Object	Project #	Phase
723	00401	7400	10040	74001	0500	00000	00

Address Changes

Please visit https://ydo.oregon.gov to update your mailing address online or provide the following information:

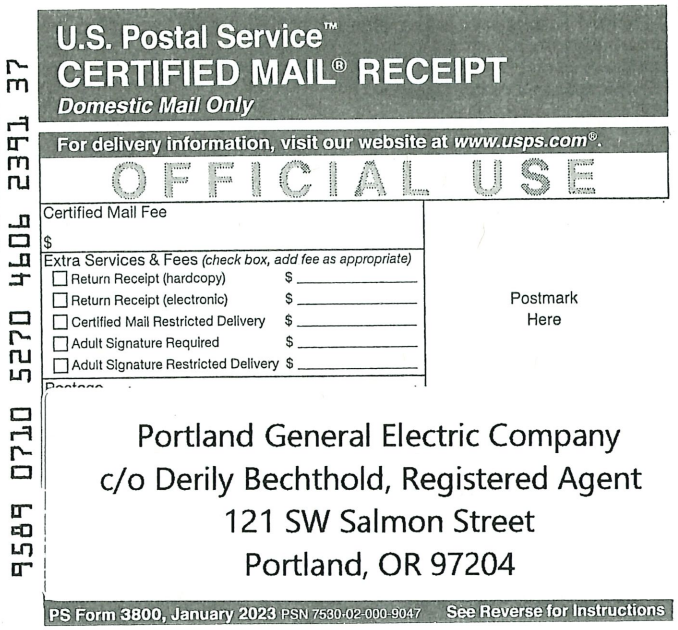
Name _____

Address _____

City, State, Zip _____

CERTIFICATE OF MAILING

I hereby certify that I served DEQ Case No. AQ/ACDP-NWR-2026-624 upon:



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Portland General Electric Company
c/o Derily Bechthold, Registered Agent
121 SW Salmon Street
Portland, OR 97204

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

By mailing a true copy of the above by placing it in a sealed envelope, with postage prepaid at the DEQ/DAS mail services in Portland, Oregon on October 29, 2026

Isaac Griffith

Isaac Griffith, Case Coordinator
Office of Compliance & Enforcement
Department of Environmental Quality