



Oregon Department of Environmental Quality

OAR 340-160 Update Q&A

June 25, 2025 Webinar

On June 25, 2025, DEQ hosted a webinar about updates to OAR Chapter 340, Division 160, the rules that govern the contractors who perform UST Services. This is a compilation of the questions asked during that webinar and their answers.

Q&A

Philip Keehnel

Q: Was the tester that provided false passing results, Fined, prosecuted, loose his license?

A: Some of these instances have and will result in enforcement against the contractor... all have resulted in enforcement against the permitted facility.

Michael Driggs 09:40 AM

Q: We need a more detailed breakdown in regards to MFG certification. For instance, i have my ICC and Line Test Method Cert, but would OR require me to also have certs for APP, OPW, Smith, Ameron, Environ, etc? I think a chart would be helpful in regards to the level of cert required.

A: Oregon requires that testing, repair and installation be performed according to manufacturer's requirements. If a manufacturer requires a tester, installer or repair tech to have a current certification, then Oregon requires documentation of that certification along with the notification. A partial list is attached.

Anonymous attendee 09:44 AM

Q: To be clear, all repairs need to have 3 day notification? Says there is a leak at a flex in a dispenser UDC. 3 day notice will need to be filed and then wait for the 3 days + additional 3 days for response before proceeding with repair?

A: OAR 340-160-0021(5): In the case of an emergency repair, where delay could result in danger to human health or a release of petroleum into the environment, a UST Service Provider must satisfy the requirements of section (1) above within 72 hours of completing the repair.

Anonymous attendee 09:45 AM

Q: The manufacturer does not upgrade their equipment every year. Example the UST has not changed in the last 30 years. Do we have to get certified every year or every 30 years?

A: Whatever the manufacturer requires for re-certification is what DEQ requires. Some certifications are good forever; many require recertification every two years.

Steve King 09:45 AM

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Q: Just to confirm, Is the tester now required to submit all customers test data to DEQ, or to the customer and the customer submits it to DEQ?

A: Chapter 340 Division 160 applies to UST Service Providers and Supervisors. They are the ones who must satisfy the requirements in these rules.

Luke Pike 09:48 AM

Q: Is the 3-day scheduled testing form live on YDO right now or will it go live on July 1st?

A: The 3 day notice for scheduled testing and repairs will be live in YDO on July 1, 2025.

Follow ups:

Stephanie Rivelli 10:01 AM

Q: Do we need to submit the clean air testing such as SPD and PV testing separately under the clean air icon?

A: The UST submittals are only for notifications and documentation required for the UST program. Air Quality at DEQ has its own submittals in Your DEQ Online.

Brad Hughbanks 11:00 AM

Q: So it is just available but not being sent to your AB owner list? The added cost and responsibility lies heavily on them as well and without that, it feels like this licensed installer group becomes the messenger through added invoices and communication about temporary closures.

A: Permittees still have all of the responsibilities they have always had under Division 150 for maintaining records of compliance testing.

Philip Keehnel 09:50 AM

Q: A lot of the testers are not making repairs, and a lot of the Installers are not certified testers, so does there need to be 2 3-day notifications one form each person? If an installer completes his work, the owner or client is responsible for the 3rd party testing before operation. Which is the case for most major oil companies we work for, Is the installer still responsible for chasing down the paperwork and submitting to DEQ?

A: The processes for installations and modifications remain the same. The new submittals are for scheduled testing, repairs that come about during that testing, and scheduled repairs.

Vincent Ortiz 09:52 AM

Q: Trying to understand? Is the tester the responsible party for notifying DEQ or the site operator or both?

A: For scheduled testing and repairs, the UST Service Provider is responsible for notification and submitting result.

Garet Keehnel 09:52 AM

Q: Were the manufactures involved in this rule making and did they provide required licenses/certifications for their products? How are these requirements being delivered to DEQ for verification and will you provide those requirements to the contractors?

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A: We did not have manufacturers on our rules advisory committee. If a service provider tests or repairs a particular brand of equipment, then the service provider is responsible for making sure their employees are trained and certified to perform that work.

Brad Hughbanks 09:57 AM

Q. Is this presentation being distributed to all operators and jobbers so they are aware of their new responsibilities?

A. The recording of the presentation is available at <https://ormswd2.synergycs.com/HPRMWebDrawer/Record/6873862>

Garet Keehnel 09:58 AM

Q. What does "RO" stand for?

A. In Your DEQ Online, "RO" stands for "responsible official." An RO is YDO is allowed to submit submittals.

Steve King 09:59 AM

Q. Need some assistance setting up new Supervisors in YDO and getting Renewals completed in YDO.

A. The YDO Help Desk webpage is: <https://oregondeq.atlassian.net/servicedesk/customer/portal/2>

Michael Driggs 10:00 AM

Q. For the facilities, why not add a little tank icon if theres a ust attached to it

A. Thank you for the suggestion. We will share it with the YDO team.

Stephanie Rivelli 10:01 AM

Q Do we need to submit the clean air testing such as SPD and PV testing separately under the clean air icon?

A: The UST submittals are only for notifications and documentation required for the UST program. Air Quality at DEQ has its own submittals in Your DEQ Online.

John Olko 10:03 AM

Q. Are there instructions on how to set up Your DEQ Online? How to link facilities, etc?

A. Yes, there are user guides available as well as a YDO help desk staff to help. Here is a link to get you started: <https://www.oregon.gov/deq/permits/Pages/UST-in-YDO.aspx>

Luke Pike 10:04 AM

Q. What is the purpose for the 'Consultant' role? In order to renew your testing license you need to have an RO account and access any other important forms so to me it seems like the Consultant role doesn't have much functionality as a tester.

A. Your DEQ Online is used across many DEQ programs, each of which has its own requirements. The UST Program does not really use the Consultant role feature.

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Anonymous attendee 10:05 AM

Q: Can you verify if the Service Provider should be set up as a "consultant" linked to the RO account? Or if the service provider applies for a RO account?

A: The UST Service Provider must submit from a YDO account that is set up as an RO.

Ryan McHenry 10:06 AM

Q: Can office staff create an account for the company to schedule testing or does this have to be completed by tester?

A: Any authorized employee of a licensed UST Service Provider may submit on behalf of that company.

Blake Hamalainen 10:08 AM

Q: Does DEQ expect the service provider to submit notifications via YDO or the owner? What scenarios might this be different?

A: The requirements of OAR Chapter 340, Division 160 apply to UST Service Providers and Supervisors. The requirements for UST owners and operators that are contained in Division 150 have not changed.

Eli La Franchi 10:11 AM

Q: If you're in the middle of a Modification, do you need to notify three days before you test? Example Hydro sumps or secondary?

A: UST Service Providers must notify DEQ 3 business days before all scheduled testing.

Anonymous attendee 10:11 AM

Q If the required schedule notification form for regularly scheduled compliance testing go live July 1st and is not ready yet, how do service providers notify for testing to commence July 1st, 2nd, etc and ensure we are compliant?

A: If DEQ has not made the required submittals available by July 1, the UST Service Providers will not be held responsible for that. Submit them when you can.

Garet Keehnel 10:12 AM

Q: If the work is scheduled out for a month down the road can we submit the 3 day notice ahead of time? What happens if the scheduled repair date is moved. Do we need to submit a new 3 day notice? Can the existing 3 day notice be modified once submitted?

A: UST Service Providers must notify DEQ at least 3 business days before scheduled testing or repairs. The notifications may be submitted earlier. Approved submittals in YDO may be amended, if the work date changes.

Addie McHenry 10:15 AM

Q: Then office staff would need a consultant account or a RO account? (for scheduling testing)

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A: UST Service Providers must submit as RO.

Garrett Hale 10:17 AM

Q: Can service provide have more than 1 RO For a site

A: Yes. There is no limit on the number of ROs that can be associated with a site in YDO.

Anonymous attendee 10:18 AM

Q: Does normal scheduled system testing require the 3 day notification in YDO?

A: Yes, all scheduled system testing requires notification.

Michael Driggs 10:18 AM

Q: Why can't we just upload a cover page for test report. These test reports will be made publicly available so there's no protection for us as a provider to get paid by the client when they can just go online and download these

A: YDO has been configured so that only the RO who submits an Annual Testing Results submittal can see if.

Anonymous attendee 10:24 AM

Q: I have already set my account up as a consultant, it says it cannot be changed. Is there a way to delete the account and recreate an RO account using the same email address?

A: Yes, please submit a ticket/request to the YDO help desk and they can help you reset the account. You can find the link here: <https://www.oregon.gov/deq/permits/Pages/UST-in-YDO.aspx>

Michael Driggs 10:30 AM

Q: We're requiring sump testing and use of double walled piping, yet no testing of the outer wall required....

Oregon DEQ does not require more strict testing than the federal requirements.

Roger Edens 10:34 AM

Q: Are we still allowed to use jumpers between line secondaries in sumps, leaving the last UDC and STP open?

A: Yes, for sites using interstitial monitoring for release detection, the piping secondaries can be connected across the intermediate UDCs and communicate with a sensor in the tank top sump and the last dispenser UDC.

Ryan McHenry 10:41 AM

Q: if there are no tank charts present do we just call it a failure? This is not the testers responsibility to track down tank charts for every site. The site should be held responsible for having these available.

A: By signing a passing overfill test, a UST Service Provider is certifying that the overfill equipment meets the requirements for either blocking the flow of fuel in the fill pipe, reducing the flow of fuel by blocking the vent line, or sounding an audible alarm when the fuel in the tank reaches the appropriate capacity. Without accurate tank charts, that certification is not possible. If no tank charts are available, the service provider must submit to

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DEQ the information that shows how a passing test result was calculated. If that is not possible, the no passing test result is possible, and the test fails.

Stephanie Rivelli 10:43 AM

Q: Can DEQ clarify whether tank charts should be uploaded with overfill testing every time?

A: If tank charts are available, then they must be included. If no tank charts are available, then you must include your methodology for determining the fuel depth at the correct percentage.

Ryan McHenry 10:49 AM

Q: Would a replacement of a leak detector require a 3- day notice?

A: Emergency repairs must be reported to DEQ within 72 hours of performing the repair.

Gina Morrell 10:54 AM

Q: Since we have 30 days to upload results, I would recommend setting up to send results on the 29th day. Hopefully your client will have paid by then.

A: UST Service Providers have 30 days to submit test results to DEQ.

Blake Hamalainen 10:56 AM

Q: If a sensor in a sump alarms, the owner visually inspects the sump and does not see any signs of a release and suspects a faulty sensor. The owner calls a service provider to further investigate but they cannot make it to the site until the following week. Does the owner need to notify DEQ via YDO of a suspected release within 24hrs? Does the system need to be taken out of service until the alarm is investigated/replaced by the service provider?

A: Permittees must report suspected releases to DEQ within 24 hours. The permittee makes the determination whether further investigation is required to decide whether there is a leak or not.

Q: Brad Hughbanks 11:00 AM

Q: So it is just available but not being sent to your AB owner list? The added cost and responsibility lies heavily on them as well and without that, it feels like this licensed installer group becomes the messenger through added invoices and communication about temporary closures.

A: The requirements of OAR Chapter 340, Division 160 apply to UST Service Providers and Supervisors. The requirements for UST owners and operators that are contained in Division 150 have not changed

Ryan McHenry 11:05 AM

Q: Can you test your own equipment if you're the station owner and a licensed tester?

A: Yes, see OAR 340-150-0156.

Anonymous attendee 11:18 AM

Q: In the documentation that you release, will there be a list of equipment that if touched will then need to be tested? a side by side of equipment and required test would be helpful.

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A: The equipment that must be tested is unique to each site. The tests that are required monthly, annually and triennially are described in OAR Chapter 340, Division 150.

Tucker Brown 09:49 AM

Q: If piping is like for like why is the leak detector required to be tested.

A: Replacement of components that require breaking apart piping (ex. Replacing a turbine, dispensers, etc.) can result in damage to piping. To ensure the system was not impacted during this work, a systems functionality test needs to be performed (ie. Testing lines for tightness and leak detection as functioning).

Ryan McHenry 09:50 AM

Q: So each time a LD is replaced you have to perform a line test

A: No. A replaced LLD should be confirmed as passing and seeing a 3gph leak by conducting a functionality test of that leak detector to ensure the component in-situ functions as designed. A tightness test of the line is not required where piping has not been altered.

Anonymous attendee 09:50 AM

Q: Does "attached to piping" mean in the dispenser as well

A: Yes, replacement of components that require breaking apart piping (ex. Replacing a turbine, dispensers, etc.) can result in damage to piping. To ensure the system was not impacted during this work, a systems functionality test needs to be performed (ie. Testing lines for tightness and leak detection as functioning).

Ryan McHenry 10:48 AM

Q: If ball valves are used as isolation so why would we have to test the line?

A: Correct, to clarify, only work that requires breaking apart piping requires testing the lines for tightness afterward.

David Edens 10:49 AM

Lines are typically isolated at the ball valve after the LD. and therefore not in the line test, to that end, should follow up line tests be required to isolate against the turbine check valve?

Donald Reeves 10:50 AM

Q: What if I have to pull a LLD to test a line (no other way to isolate) How do I test a line after re-installation?

A: Again to clarify, only after breaking into piping must a line tightness test be performed.

Todd Roark 11:11 AM

Q: Just to clarify, After a leak detector is replaced we need to perform a line pressure test?

No. just a functionality test of the replaced line leak detector

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