



Department of
**Environment &
Conservation**

Underground Storage Tank Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
June 2, 2021

ENFORCEMENT OVERVIEW

The Division issued **28** orders between January 21, 2021 and May 13, 2021.

Of those orders, 3 are in Appealed status
and
6 are in Final-Probation status.

Appealed Orders

Appealed Order – In OGC

Summary of UST20-0133

Fac. ID No. 8-200092 / Ski Daddy's LLC

- Director's Order signed February 1, 2021
- Order appealed on March 11, 2021
- Order for:
 - Failing to install the solenoid required to correct for the slope from piping to tank top of the diesel UST
 - Failing to monitor the tanks and piping for a release at least every 30 days
 - Failing to provide documents, testing and monitoring records
- Civil Penalty – \$21,120.00

- The case has been appealed and is in OGC

Appealed Order – In OGC

Summary of UST20-0138

Fac. ID No. 8-490140 / Midway Grocery No. 3

- Director's Order signed March 24, 2021
- Order appealed on April 23, 2021
- Order for:
 - Failing to have one or more petroleum UST systems to have one or more persons designated as Class A, Class B and Class C Operators
 - Failing to provide documents, testing and monitoring records
- Civil Penalty – \$4,560.00

- The case has been appealed and is in OGC

Appealed Order – In OGC

Summary of UST20-0141

Fac. ID No. 2-870012 / Friends Market and Deli

- Director's Order signed February 5, 2021
- Order appealed on March 22, 2021
- Order for:
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to designate Class A, Class B and Class C operators
 - Failing to maintain records of impressed current cathodic protection rectifier inspections
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to operate and maintain corrosion protection system to provide continuous protection
 - Failing to provide documents, testing and monitoring records
- Civil Penalty – \$32,800.00

- The case has been appealed and is in OGC

Final-Probation Orders

Final-Probation Order

Summary of UST20-0089

Fac. ID No. 8-490073/ 866 Highway 51 North By-pass

- Expedited Director's Order signed February 1, 2021
- Final on March 24, 2021
- Violations Addressed on Director's Order:
 - Failing to use overfill prevention system
- Penalty:
 - Upfront – Tank School
 - Contingent – \$2,000.00

- The request to attend tank school was received February 25, 2021

Final-Probation Order

Summary of UST20-0134

Fac. ID No. 2-070116 / Eagle Market

- Expedited Director's Order signed February 1, 2021
- Final on March 11, 2021
- Violations Addressed on Director's Order
 - Failing to perform annual line tightness tests
- Penalty:
 - Upfront – Tank School
 - Contingent – \$8,000.00

- The request to attend tank school was received February 17, 2021.

Final-Probation Order

Summary of UST20-0136

Fac. ID No. 5-830344 / Thornton's, Inc. No. 610

- Expedited Director's Order signed February 1, 2021
- Final on March 11, 2021
- Violations Addressed on Director's Order
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized piping
- Penalty:
 - Upfront – Tank School
 - Contingent – \$8,000.00

- The request to attend tank school was received February 17, 2021.

Final-Probation Order

Summary of UST20-0144

Fac. ID No. 8-570386 / A and A One Stop

- Expedited Director's Order signed March 2, 2021
- Final on April 18, 2021
- Violations Addressed on Director's Order
 - Failure to monitor tanks at least monthly
- Penalty:
 - Upfront – Tank School
 - Contingent – \$6,400.00

- The request to attend tank school was received March 24, 2021.

Final-Probation Order

Summary of UST21-0018

Fac. ID No. 3-331146 / Mr. Zip Store No. 524

- Expedited Director's Order signed March 30, 2021
- Final on May 7, 2021
- Violations Addressed on Director's Order
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
- Penalty:
 - Upfront – \$400.00
 - Contingent – \$1,600.00
- The upfront penalty was received and owner is on probation for one year.

Final-Probation Order

Summary of UST21-0027

Fac. ID No. 6-510025 / Nick and Bubba's Market

- Expedited Director's Order signed April 15, 2021
- Final on May 30, 2021
- Violations Addressed on Director's Order
 - Failure to provide spill prevention equipment that will prevent a release of petroleum to the environment
- Penalty:
 - Upfront – Tank School
 - Contingent – \$2,000.00

- The request to attend tank school was received April 30, 2021.

Questions?

