

PROPOSED KIRBY PARKWAY

**Walnut Grove Road to Macon Road
Memphis, Shelby County, Tennessee**

***LETTER REPORT:* REVIEW OF POTENTIAL ENVIRONMENTAL ISSUES**

**Prepared by
William R. Davis, Jr.
Palmer Engineering, Inc.
2416 21st Avenue South
Suite 306
Nashville, Tennessee 37212**

**Prepared for
Tennessee Department of Transportation Environmental Division
and
Shelby County, Tennessee Government**

September 2007



September 18, 2007

Mr. Tom Love, Transportation Manager I
Tennessee Department of Transportation
Environmental Division
505 Deadrick Street, Suite 900
Nashville, Tennessee 37243-0034

**Re: Review of Potential Environmental Issues on Proposed Kirby Parkway
Memphis, Shelby County, Tennessee**

Dear Mr. Love:

Palmer Engineering Co. (Palmer) has conducted a review of potential environmental issues associated with the proposed Kirby Parkway in Memphis, Shelby County, Tennessee. The review included an environmental database report from Environmental Data Resources Inc. (EDR), interviews, regulatory file reviews, site visits, and findings, conclusions, environmental professional opinions, and recommendations. Figure 1 depicts the proposed Kirby Parkway routing and sites of environmental interest superimposed onto an aerial photograph.

The following sections discuss the results of the investigation.

Environmental Database Report. Palmer contracted Environmental Data Resources, Inc. (EDR) of Milford, Connecticut, to perform an electronic database report on the proposed roadway project. Palmer instructed EDR to conduct a radius report rather a corridor report to limit the number of sites with environmental records to those sites east of the Wolf River. EDR reported 65 sites with environmental records within the search area. Palmer identified 14 sites that were both within the search radius for the databases in which they were listed and were of environmental interest in connection with the proposed project. These sites, listed by their map number in the EDR report and Figure 1, are summarized in Table 1. In addition, EDR listed 29 sites with incorrect or incomplete addresses, preventing proper mapping (also referred to as "orphan sites"). Of these orphan sites, Palmer determined that all were outside the area of interest.

Interviews. Ms. Lee Carolan and the writer attended a meeting with Mr. Jordan English and Mr. Phillip Davis with the Division of Remediation at the TDEC Environmental Field Office (EFO) in Memphis, Tennessee, on July 27, 2007. We discussed potential sites of environmental concern along and near the proposed Kirby Parkway route. Of particular interest is the former Shelby County Penal Farm Landfill (ID # SNL 7 90000028), located on property adjoining the proposed Kirby Parkway route and south of Walnut Grove Road. The currently proposed plans indicate that soil disturbance will occur only along the north side of Walnut Grove Road in this area. Mr. English said that the landfill was now closed and capped, and that monitoring of wells within the site is ongoing as a part of the landfill closure plan. The TDEC consensus is that future construction activities for the proposed Kirby Parkway north of Walnut Grove Road would not encounter contamination from

the landfill. A telephone interview was conducted with Ms. Cindy Patton of the Division of Underground Storage Tanks (DUST) in the Memphis EFO on August 27, 2007, regarding the UST closure status of the Shelby County Health Care Center (ID # 9-72177). Palmer conducted a telephone interview with Mr. Gary Lubin on August 31, 2007, regarding past uses of property at Macon and Whitten Roads.

Regulatory File Reviews. Palmer reviewed files in the Memphis EFO on July 27, 2007, for the facilities listed in Table 1 to determine the current status of each site and to determine possible impacts to the project. Palmer also reviewed files for the Stuckey's Travelers Inn (AKA JMK Gas and Fuel Mart, ID # 9-790678) and the Shelby County Landfill Convenience Center (ID # CCC 790001522) at TDEC's DUST and Division of Solid Waste Management (DSWM) on August 31, 2007. The findings of these file reviews are summarized in Table 1; copies of file review documents are in Appendix A.

Site Visits. Palmer conducted site visits on April 4 and 5, 2006, June 14, 2007, and July 26 and 27, 2007. The purpose of the site visits was to field check the proposed routing for potential sites of environmental interest, and to field check sites with environmental records identified in the electronic database report, interviews, and regulatory file reviews.

One site of potential interest not listed in the EDR database report is an abandoned commercial site observed on the northeast corner of the intersection of Macon and Whitten Roads. The site, containing asphalt paving and concrete slabs typical of commercial use, is at the northern terminus of the proposed ROW on Whitten Road. Palmer contacted the real estate agency whose sign appeared on site to inquire about the past usage of the property. Mr. Gary Lubin of McKowlsky Leeman Greenburg Realty said the site, owned by Robert Fogelman, was formerly a small commercial center that was destroyed by fire about 10 years ago. He said that he was not aware of any environmental problems associated with the property, and that no fuel station was formerly on the property. Regulatory records reviews indicated that no registered USTs are listed at any address adjoining or including the Fogelman property.

Findings. The findings of the site visits, interviews, and regulatory file reviews are summarized in Table 1. Of the sites listed in the table, none are expected to impact to the proposed routing of the project.

Conclusions. Based on the findings listed in Table 1, Palmer concludes that the risk of environmental impact to the proposed routing of Kirby Parkway is low. Current plans for construction activities along Walnut Grove Road north of the former Shelby County Penal Farm Landfill are not expected to encounter any contaminated soil or groundwater from the former landfill. These activities are currently planned for the north side of Walnut Grove Road to avoid encroaching upon the landfill cap and active monitoring wells associated with the landfill.

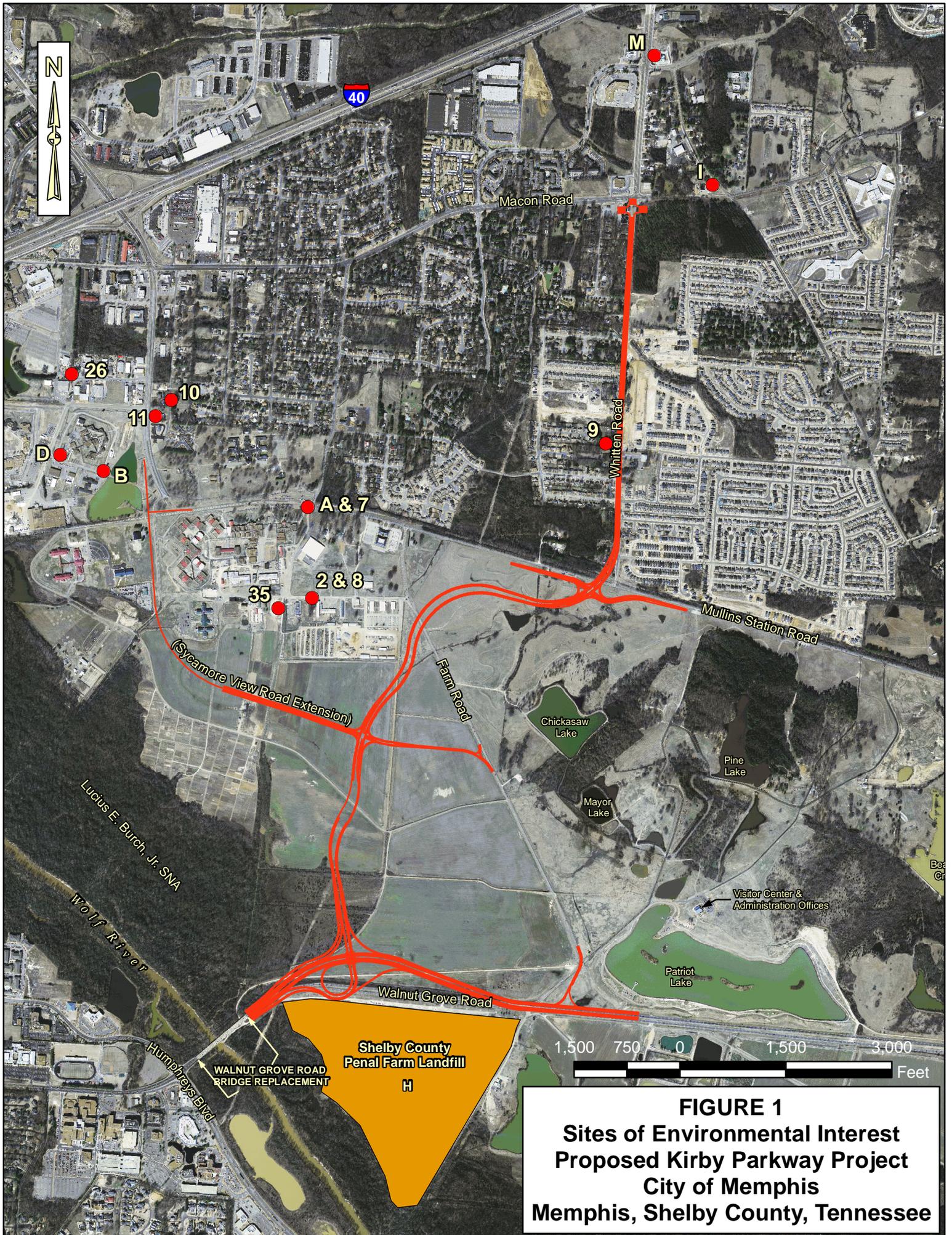


FIGURE 1
Sites of Environmental Interest
Proposed Kirby Parkway Project
City of Memphis
Memphis, Shelby County, Tennessee

**Table 1.
 Summary of Sites With Potential Environmental Issues
 Proposed Kirby Parkway – Walnut Grove Road to Macon Road
 Memphis, Shelby County, Tennessee**

Map ID	Site Name	Issue(s)	Location	Findings	Conclusion
2	Fleet Services	UST/ Historic UST	within 0.25 mi. W. of ROW	closure letter dated 10/27/99	not likely to impact the project based on closure letter and expected direction of groundwater flow being away from the project
A3 A4 A5 A6	Corrections Center Service Station	Historic UST/ LUST SQG	within 0.7 mi. W. of ROW	no closure letter; site is in monitoring status; RCRA violations in 1991 & 1993	Not likely to impact the project due to distance and expected direction of groundwater flow being away from the project
B14 B15	Mark Luttrell Reception Center	UST/ Historic UST	possibly adjoining the ROW to the W. at 6000 State Rd	closure letter dated 03/24/99	not likely to impact the project based on closure letter and the expected direction of groundwater flow being away from the project
D22 D23	Federal Correction Institution	Historic UST, RCRA SQG	within 0.25-mi. W. of ROW at 1101 John Dennie Rd	closure letter dated 09/01/93; RCRA violations in 1985 & 1987	not likely to impact the project based on closure letter; site outside applicable radius for RSCA issues
26	James J. Campbell Co.	Historic UST	within 0.25-mile N. of ROW at 6012 Resources Rd	closure letter dated 06/23/92	not likely to impact the project based on closure letter
7	Shelby Co. Health Care Center	LUST	within 0.5 mi. NW of ROW	closure letter dated 12/16/98	not likely to impact the project based on closure letter and expected direction of groundwater flow being away from the project
8	Kroger Fuel Center	LUST	within 0.25 mi. W. of ROW	same site as Fleet Services, Map ID 2; closure letter dated 10/27/99	not likely to impact the project based on closure letter and expected direction of groundwater flow being away from the project
9	Palmer Iron Works	RCRA SQG	adjoins ROW at 1157 Whitten Rd	residential site with shed at rear of property; file review indicated TDEC listing of this site as a HW generator was in error	no impact to the project is expected
10	Memphis Police Heliport	LUST	possibly adjoining the ROW to the N. at 999 Dovecrest Rd	closure letter dated 02/25/02	not likely to impact the project based on closure letter
11	Shelby County Fire Dept. – Generator House	UST/ Historic UST	possibly adjoining the ROW to the N. at 1115 Sycamore View Dr	TDEC file indicated the site had a discrepancy on the tank material of manufacture	no violations; appears to be a UST records inconsistency; unlikely to impact the project
H37 H38	Shelby County Penal Farm Landfill	Solid waste landfill	adjoins ROW to S. of Walnut Grove Rd	site is closed with active monitoring wells; proposed plans do not call for disturbance of landfill cap	landfill boundaries are well-defined; landfill is not likely to be encountered during proposed construction activities
I39	McLemore Market #6	LUST	within 0.25-mi. E. of ROW at 6882 Macon Rd	closure letter dated 02/21/01	not likely to impact the project based on closure letter
35	Shelby County Convenience Center	Recycling Center	within 0.5-mi. W. of the ROW at 1075 Mullins Station Rd	no violations; registered in 2005; facility recycles household wastes	site is outside applicable radius for RCRA
M53 M54	Stuckey's Travelers Inn, now JMK Gas and Food Mart	LUST, UST, Historic UST	within 0.25 mile of N. terminus of project at 6790 Raliegh-Legrange Rd	TDEC closure email dated 07/22/02 for two former USTs at Stuckey's; TDEC Order of Non-Issuance of New UST Certificate dated 02/28/07 remains in effect for the owner of JMK Gas and Food Mart; cause was failure to submit application and fees for a new UST certificate; facility is closed	not likely to impact the project based on closure letter

Notes

1. Sites on the EDR report located west of the Wolf River were considered unlikely to impact the project due to the presence of the river, although some sites may lie within 0.25-mile of the project.
2. Sites outside the ASTM E 1527-05 search radius are not shown in this table or on Figure 1.

Mr. Tom Love

Review of Potential Environmental Issues Associated With Proposed Kirby Parkway

September 18, 2007

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Recommendations. Use of property on the south side of Walnut Grove Road for construction activities must be avoided due to the presence of the capped landfill and associated active monitoring wells.

If you have any questions on the information presented in this letter report, please contact me at 615/297-8957.

Sincerely,

Palmer Engineering Company

A handwritten signature in blue ink, appearing to read "William R. Davis, Jr.", with a stylized flourish at the end.

By: William R. Davis, Jr., CHMM, CPESC
Senior Project Manager

Enclosures

Appendix A
Regulatory Agency Documents Obtained Under the Freedom of Information Act



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7939 STATEWIDE 1-888-891-8332 FAX (901) 368-7979**

July 25, 2007

Mr. William R. Davis, Jr., CHMM, CPESC
Senior Project Manager
Palmer Engineering Company
Suite 306
2416 21st Avenue South
Nashville, TN 37212

RE: Request for Regulatory Information
Environmental Sites in and Near the Proposed Kirby Parkway
Shelby County, Tennessee

Dear Mr. Davis:

Pursuant to Tennessee Code Annotated (TCA) Section 68-212-206, a list of sites that are eligible for investigation, identification, containment, and/or cleanup of hazardous substances is promulgated. This list is revised periodically to reflect new or changed information, including additions and deletions. This promulgated list of inactive hazardous substance sites and site files are public record and are open for your inspection. The promulgated list refers only to the list of inactive hazardous substance sites found in Chapter 1200-1-13-.13 of the Rules of the Tennessee Department of Environment and Conservation (TDEC), Division of Remediation (DOR) (formerly the Division of Superfund).

In addition to the promulgated list, the Tennessee General Assembly has enacted laws establishing two programs overseen by TDEC DOR. These programs are the Voluntary Oversight and Assistance Program (VOAP), as established by amendment to Part 2 of the Tennessee Hazardous Waste Management Act and codified in TCA Section 68-212-224, and the Dry Cleaner Environmental Response Program (DCERP), as established by TCA Section 68-217-111. The VOAP allows parties to address Brownfield's projects that may be impacted by real or perceived contamination with DOR oversight. DCERP provides funding and oversight for the investigation and remediation of sites contaminated with solvents from dry cleaning operations.

Other sites exist that require joint oversight between DOR and a Federal agency. Defense State Memorandum of Agreement (DSMOA) sites and National Priorities List (NPL) sites currently proceed with State oversight that facilitates a Federal lead agency, such as the United States (US) Environmental Protection Agency or an assigned branch of the US Military. When the EPA serves as the lead agency for sites that are not on the NPL list, the State also participates in oversight activities.

Information regarding sites involved in the manufacture, storage, and/or use of hazardous materials is not included on any of these lists. In addition, treatment, storage, and/or disposal facilities and hazardous waste generator sites are not included on these lists. Further information regarding sites that are not overseen by TDEC DOR may be gathered from the appropriate State regulatory agency or from the US EPA's Envirofacts Data Warehouse and Applications web site. The address for this site is: <http://www.epa.gov/enviro>.

Based upon the information you furnished, the footprint of the proposed Kirby Parkway lies immediately adjacent to a non-NPL EPA lead site. This site is as follows:

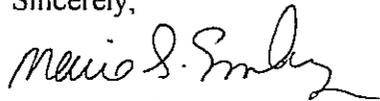
- Shelby County Penal Farm Landfill (79-607) 6791 Walnut Grove Rd.
Memphis, TN 38120

Although DOR routinely updates our database of current active Division of Remediation sites, we do not have knowledge of all hazardous material activity within the Shelby, Tipton, and Fayette County area (i.e. illegal dumping activities).

A map of the area is enclosed. The map presents the American Society of Testing and Materials (ASTM) suggested one-mile radius search for remediation sites and captures current active DOR sites within the search radius of the footprint for the proposed Kirby Parkway.

Should you have additional questions or desire to examine our files, please contact this office at (901) 368-7939.

Sincerely,



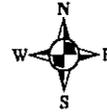
Merrie Embry
Project Manager

Enclosures

cc: TDEC DOR MFO

Tennessee Department of Environment and Conservation
Division of Remediation
Memphis Environmental Field Office

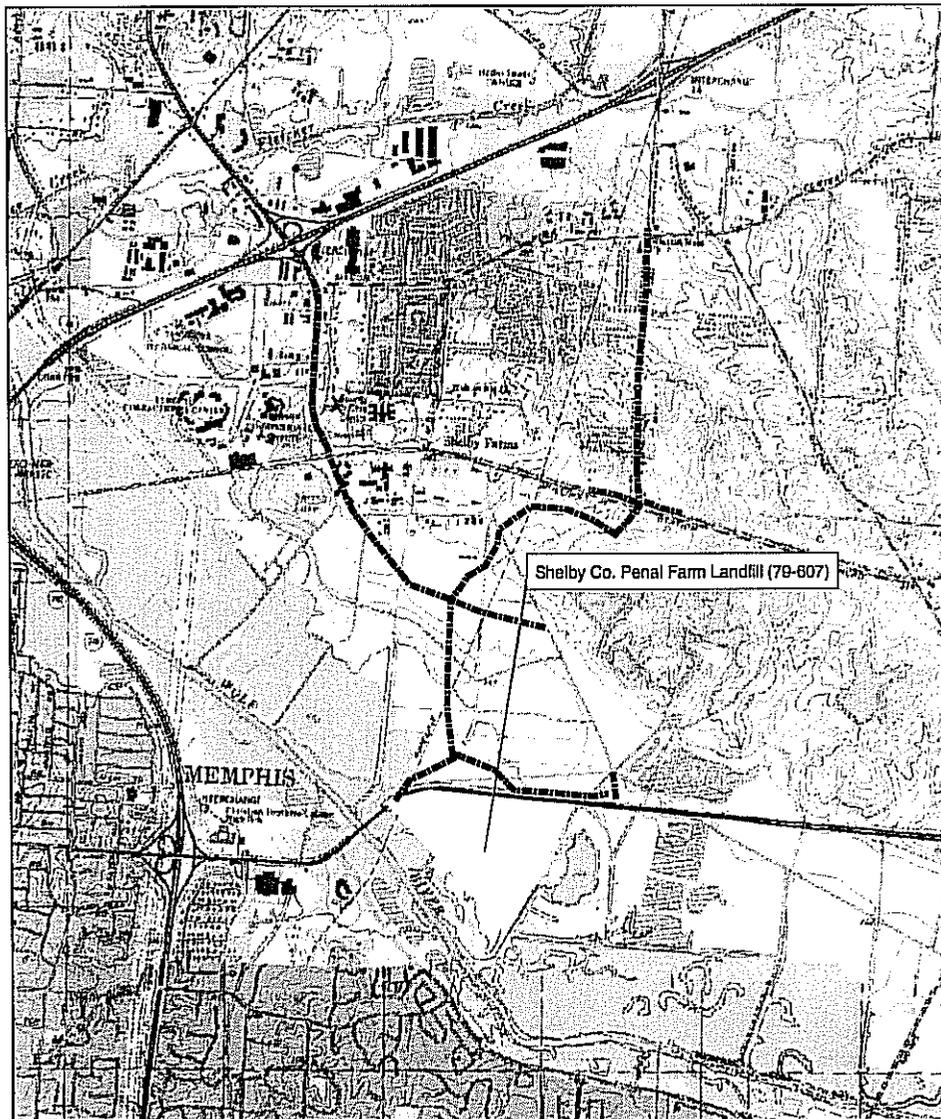
Request for Regulatory Information
Environmental Sites in and near the Proposed Kirby Parkway
Shelby County, Tennessee



Prepared By: Merrie Embry *MBE*

Date: July 23, 2007

*The information on this map is subject to revision without notice and is not valid for resale.
Information taken from United States Geological Survey quadrangle maps.





ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7939 STATEWIDE 1-888-891-8332 FAX (901) 368-7979

October 27, 1999

Mr. Rex Waits
Shelby County Fleet Services
6355 E. Mullins Station Road
Memphis, Tennessee 38134

RE: Case Closure
Correction Center Service Station
1045 Mullins Station Road, Memphis, Shelby County, TN
Facility ID # 9-792159

Dear Mr. Waits:

The Division of Underground Storage Tanks has reviewed the Monitor Well Abandonment Report dated October 20, 1999 for the above referenced facility. Based on the information available, this case is considered closed. However, the Division reserves the right to require additional action if necessary.

If you have any questions concerning this correspondence, call me at (901) 368-7971.

Sincerely,

Cynthia J. Patton
Division of Underground Storage Tanks

c: Fisher & Arnold, Inc.
Nashville UST Central Office - Technical Review Section
UST Memphis Environmental Assistance Center

fo-010i



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
ENVIRONMENTAL FIELD OFFICE
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7939 STATEWIDE 1-888-891-8332 FAX (901) 368-7979

November 18, 2005

Mr. Jim Sutherlen
Shelby County Fleet Services
6200 Haley Road
Memphis, TN 38134

RE: Permanent Closure Report and
Application to Treat Petroleum Contaminated Soil - Approved
Shelby County Fleet Services
6200 Haley Road Main Shop
Memphis, Shelby County, TN
Facility ID # 9-792703

Dear Mr. Sutherlen:

The Division of Underground Storage Tanks (Division) has received the Permanent Closure Report dated October 11, 2005 (received on November 2, 2005) for the above referenced facility. Please note that the laboratory analytical reports must be original copies and signatures, not photocopies or electronic signatures. They shall be resubmitted to the Division by **December 20, 2005**.

In addition, the Division has approved your Application to Treat Petroleum Contaminated Soil dated September 22, 2005 (received on November 2, 2005). Enclosed is a copy of the approved application. During treatment these requirements must be followed:

1. Treatment activities shall be conducted in accordance with the approved application and shall not pose a hazard to human health or the environment or violate any federal, state, or local laws or regulation.
2. Treatment operations shall be managed to prevent any infiltration of precipitation or runoff.
3. Turning or tilling activities shall not compromise the integrity of the impermeable barrier on which the soil is placed.

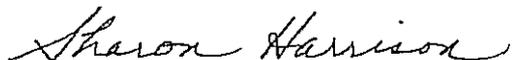
This office must be notified prior to soil treatment. Technical Guidance Document 005 shall be followed regarding sampling and reporting requirements.

Information is available at www.state.tn.us/environment/ust.

Mr. Jim Sutherlen
November 18, 2005
Page 2

If you have any questions concerning this correspondence, please call (901) 368-7976.

Sincerely,



Sharon Harrison
Division of Underground Storage Tanks

Enclosures: Application to Treat Petroleum Contaminated Soil (copy)

c: Nashville Central Office Technical File
Memphis UST Environmental Field Office Case File # 9-792703
Gene Bailey, Fisher & Arnold Environmental, Memphis, TN

fo-024I
2703111805.doc



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Underground Storage Tanks
4th Floor, L&C Tower
401 Church Street
Nashville, Tennessee 37243-1541

February 27, 2006

Shelby County Fleet Services
Attn: Jim Sutherlen
6200 Haley Road
Memphis, Tennessee 38134

Certified Mail No. 7004 1160 0003 3655 1477

Re: Fleet Services – Correction Center
6411 Haley Road
Memphis, Tennessee 38134
Facility ID # 9-792211
Enforcement Case # 513-05

Dear Mr. Sutherlen:

Enclosed is an Order and Assessment issued by the Tennessee Department of Environment and Conservation, Division of Underground Storage Tanks. The violations were discovered during a facility inspection conducted on February 15, 2005. Specifically, Division personnel discovered:

Violation #1: Failure to have adequate release detection in accordance with Rule 1200-1-15-.04(1)(a)1

<u>Individual Civil Penalty Amount for Violation</u>	<u>Multiplication Factor</u>	<u>Total Penalty Civil Penalty</u>
\$1,500.00	4	\$6,000.00

Violation #2: Failure to have corrosion protection on the flex connectors in accordance with Rule 1200-1-15-.02(1)(b)2.

<u>Individual Civil Penalty Amount for Violation</u>	<u>Multiplication Factor</u>	<u>Total Penalty Civil Penalty</u>
\$250.00	3	\$ 750.00

Violation #3: Failure to test the automatic line leak detectors annually in accordance with Rule 1200-1-15-.04(4)(a).

<u>Individual Civil Penalty Amount for Violation</u>	<u>Multiplication Factor</u>	<u>Total Penalty Civil Penalty</u>
\$750.00	4	\$3,000.00

Violation #4: Failure to test pressurized lines annually or have monthly monitoring in accordance with Rule 1200-1-15-.04(2)(b)1(ii).

<u>Individual Civil Penalty Amount for Violation</u>	<u>Multiplication Factor</u>	<u>Total Penalty Civil Penalty</u>
\$1,500.00	4	\$3,000.00

Total Amount of your Civil Penalty: \$12,750.00

The record reflects that, upon being notified, you performed the necessary actions to address the violations and returned to compliance. The Division is appreciative of your effort to return to compliance. For this reason, please note that the enclosed Order provides that you may resolve this matter without appeal for a reduction of **up to** one hundred percent in the above civil penalty.

Please review the enclosed Order, including the Notice of Rights, carefully. If you accept the Division's offer to resolve this matter for the reduced penalty you must, within thirty (30) days, sign and return the Request to Attend Underground Storage Tank Training and sign the Waiver of Rights at the end of the enclosed Order and Assessment and return to:

Division of Underground Storage Tanks
Attn: Rhonda Key
4th Floor, L & C Tower
401 Church St.
Nashville, TN 37243-1541

If you decline the Division's offer to resolve this matter without appeal for the reduced penalty amount you may exercise your right to appeal. However, if you neither accept the Division's offer nor timely appeal, then the entire civil penalty amount of \$12,750.00 will become due and subject to collection.

If you have any questions about this matter, please call Rhonda Key at (615) 532-0972.

Sincerely,

Stanley R. Boyd
Director

cc: Enforcement file
Memphis Field Office



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH
MEMPHIS, TENNESSEE 38115-1520

September 24, 1997

CERTIFIED MAIL P 182 161 206

Mr. Rex Waits
Shelby County Fleet Services
6355 E. Mullins Station Road
Memphis, Tennessee 38134

RE: UST Permanent Closure Report - Overexcavation
Correction Center Service Station
1045 Mullins Station Road, Memphis, Shelby County, TN
Facility ID # 9-792159

Dear Mr. Waits:

The Division of Underground Storage Tanks has received the September 12, 1997 Results of TGD - 011 Evaluation for the referenced facility. The analytical results indicate that the samples labeled SB-1, 19-21 feet and SB-2, 22-24 feet were above the Total Petroleum Hydrocarbons cleanup levels for the site.

Shelby County Fleet Services may overexcavate the contaminated areas to a maximum volume of 100 cubic yards. Additional overexcavation must have approval from this office. If water or bedrock is encountered during overexcavation, this office must be notified within 72 hours.

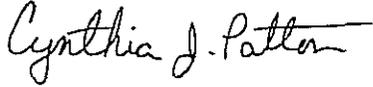
All fund eligible work must be conducted and/or overseen by an UST Approved Corrective Action Contractor to be eligible for reimbursement from the Tennessee Petroleum Underground Storage Tank Fund. The current list of approved contractors is enclosed. The enclosed Authorization for Fund Eligibility form should be completed to determine if the site is fund eligible.

Additional soil samples shall be collected from the overexcavated area at a depth of 19 to 24 feet to confirm that the contamination has been removed. An amended Permanent Closure Report shall be submitted to this office by **October 25, 1997**. The report shall contain the original or carbon copy of the analytical results, the estimated volume of overexcavated soil, a scaled site map identifying the area of overexcavation with the location of the additional sampling points and a description of the management of the contaminated soil. Photocopies of the analytical results will **NOT** be accepted. If overexcavation is not implemented or is not successful, this office must be notified by September 30, 1997.

Mr. Rex Waits
Shelby County Fleet Services
September 24, 1997
Page 2

If you have any questions concerning this correspondence, call me at (901) 368-7974.

Sincerely,



Cynthia J. Patton
Division of Underground Storage Tanks

Enclosures: UST Approved CAC List
Authorization For Fund Eligibility

c: PSI Environmental
Memphis UST Field Office
Nashville UST Central Office - Technical Review Section

fo-028h

~~#3~~ #3, #4,
#5 & #6
Conversions Center
Service Station

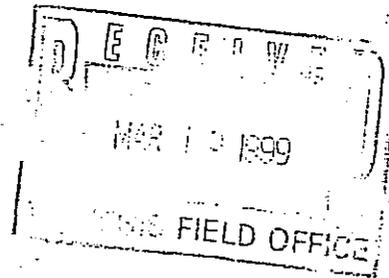


FISHER &
ARNOLD, INC.

9-72151
9-792173
9-792211

March 8, 1999

Mr. Chuck Nance
Memphis Environmental Assistance Center
Division of Underground Storage Tanks
Perimeter Park, Suite E-645
2510 Mt. Moriah
Memphis, Tennessee 38116-1520



Re: Shelby County Government
UST Compliance

Dear Mr. Nance:

Fisher & Arnold has reviewed the TDEC-UST letter dated January 26, 1999 which listed six currently active Shelby County petroleum underground storage tank sites which TDEC-UST records indicate non-compliance with the December 29, 1998 upgrade standards. The Division requested submittal of documentation to upgrade the files.

The following sites were identified:

Chuck 9-791205 Fueling Station 511 Alabama

TDEC records which indicate violations for required spill and overfill protection devices at this site are incorrect as both gasoline tanks at this site are currently equipped with spill and overfill protection devices.

A completed and signed Amended Notification Form is presented in Appendix A documents this equipment. The date of installation for this equipment is not known. No work orders, contractor invoices, contracts or other documentation could be produced.

Annual tightness testing is the release detection method for pressurized fiberglass product lines and monthly vapor well monitoring is the release detection method for the tanks. Both tanks passed tightness testing on 12-3-98. The tightness test report is presented in Appendix A. The pressurized fiberglass product piping system however, could not be properly tested. Shelby County has issued a purchase order to Cruzen Equipment Company to install ball valves to isolate individual lines and to retest the piping system.

F&A conducted monthly vapor monitoring for January and February, 1999. The results are presented in Appendix A. It is anticipated that Shelby County personnel will conduct future monthly vapor monitoring.

- Architects
- Engineers
- Environmental Consultants
- Interior Designers
- Landscape Architects
- Planners
- Surveyors



Mr. Chuck Nance Page 2

DANCE 9-792157 Administration Building 160 N. Mid-America Mall

TDEC records indicate violations for spill/overflow protection and corrosion protection. The UST stores fuel for an emergency power generator and is deferred from leak detection requirements.

Tightness testing was conducted at this site on December 3, 1998. The test report is presented in Appendix B. The tank and piping system were found to be sound. An impressed current cathodic protection system and spill/overflow protection devices were installed on the system in February, 1999. Post-installation tightness testing for the tank and piping system is included in the upgrade contract, but has not been completed at this time. A copy of the Scope of Work used for bid solicitation is presented in Appendix B. A completed Amended Notification Form with all necessary signatures will be forwarded as soon as possible.

DANCE 9-792173 Shelby County Justice Center 201 Poplar Avenue

TDEC records indicate violations for spill and overflow protection devices and for corrosion protection. The UST stores heating oil for the boiler system and also provides diesel fuel for the emergency power generators and as such, is deferred from leak detection requirements.

Tightness testing conducted at this site on December 3, 1998 indicated the tank and piping system to be sound. The report is presented in Appendix C. Southeast Compliance is under contract to install an impressed current cathodic protection system, spill/overflow protection devices, and to conduct post-installation tightness testing. The work is scheduled for March 3, 1999 and has not been completed at this time. A copy of the Scope of Work used for bid solicitation is presented in Appendix C. A completed Amended Notification Form with all necessary signatures will be forwarded as soon as possible following project completion.

DANCE 9-792211 Corrections Center Fueling Station 6355 Mullins Station

TDEC records indicate violations for spill and overflow prevention device on four USTs. Records also do not indicate any tank or product line release detection methods.

The TDEC records are incorrect. The site is currently equipped with spill/overflow prevention devices, a continuous tank and product vapor monitoring alarm system, and automatic shut-off valves on the pressurized product piping. Documentation of these devices could not be produced, and the date of installation is not known.

A completed Amended Notification Form with all appropriate signatures is

~~#1~~ #7
Shelby Co.
Health Care
Center



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH
MEMPHIS, TENNESSEE 38115-1520

December 16, 1998

Shelby County Health Care Center
1075 Mullins Station Rd.
Memphis, TN 38134

ATTENTION: Mr. James Powell

RE: **Final Approval of UST Closure**
Shelby County Health Care Center
1075 Mullins Station Rd., Memphis, TN
FID # 9-72177, Shelby County

Dear Mr. Powell:

The Division of Underground Storage Tanks has received the analytical results dated September 22, 1998, from the closure assessment for the above referenced facility. The results indicate that contamination is not above applicable cleanup levels. Therefore, based on the information available UST # 1 (6,000 gallon diesel) can be considered closed. At this time no further investigation is required. However, the Division reserves the right to require additional action if necessary.

Rule 1200-1-15-.02(3)(a) requires owners/operators to notify the Division of any changes (removal, change-in-service, new installation, etc.) made in the UST system. Since a notification form showing the tanks have been permanently closed and removed from the ground has already been submitted to the Nashville Central Office, this completes the closure process.

We certainly appreciate the cooperation you have given this office. If we can be of further assistance, or if you have any questions concerning this correspondence, please give me a call at (901) 368-7991.

Sincerely yours,

Chuck Nance, Environmental Specialist
Division of Underground Storage Tanks

Mr. James Powell
December 6, 1998
Page 2

cc: Tom Price
NCO - UST Fee & Notification Section
MFO - UST Closure File

Palmer #9
Iron
Works

Notification

08-12-97, 1:03 PM

Site Name: PALMER IRON WORKS EPA ID: TND 00-704-5271

Street: 1157 WHITTEN RD City: MEMPHIS State: TN Zip: 38128-

Physical location - street, city & state:
1157 WHITTEN RD MEMPHIS, TN 38128

Latitude (ddd.mmss): 0. Longitude (ddd.mmss): 0. TN County: 79 Shelby

Owner name: PALMER IRON WORKS Type: Phone & area code: (615) 555-1212

Manager name: PALMER IRON WORKS Type: Phone & area code: (615) 555-1212

Contact name: PALMER IRON WORKS Fax Number: () - Phone w/ area: (615) 555-1212

Number employees: 0 Year began: 0 SIC codes - primary first: 3446 Job Shop:

--- End frame 1 -----

Emergency contacts - name:	Time covered:	Phone & area:
A	() -	() -
B	() -	() -
C	() -	() -
D	() -	() -

--- End frame 2 -----

Recycle hazardous waste from offsite?

Date Received: 11/19/1980 Priority: R Gen(Y/n): N SQG(Y/n): N CESQG/MM:

Date closed: / / TSDR Status: Transporter Status:

Comments:

--- End frame 3 -----

DELETE

DEC 10 1981

NOV 28 1981

Dear Sir:

You were sent a hazardous waste notification package in the latter part of 1980, which our records indicate you have not responded to as of this date. This package contained information which informed you that the Tennessee Hazardous Waste Management Act (Tennessee Code Annotated, Section 53-6301 et. seq.) requires in part that "... any person who is generating a waste which is considered hazardous by department standards shall notify the department in writing of the quantities and composition of wastes generated and the method by which said person intends to store, treat or dispose of such wastes."

The Tennessee Department of Public Health's Hazardous Waste Management Rules, in Rule 1200-1-11-.03(2)(b), state "...a person who is a generator on the effective date of these Rules must notify the Department within 90 days of that date". The effective date of the Rules was March 2, 1981. The time for notification is now past and we have received nothing from you.

The Tennessee Code Annotated, Section 53-6314(a) provides for criminal penalties of up to a \$5,000 per day, per violation fine and an eleven month and twenty-nine day imprisonment, while Section 53-6314(b) provides for civil penalties of up to \$5,000 per day, per violation of this act and the Rules adopted pursuant thereto.

Please be advised that no later than 35 days from the receipt of this letter, the Department will initiate appropriate enforcement action against violators. Please, use the forms in the notification package that was previously mailed to you to notify. If you no longer have those forms, please contact this office at the address on the last page of this letter or telephone (615) 741-3424.

If you do not generate, store, transport, treat, or dispose of hazardous wastes, as defined by Tennessee Code Annotated, Section 53-6301 et. seq. and the Rules adopted pursuant to that act, please check the "NO" block below, sign the form and return all pages of this document to the Division. Please fold this document so that the Division address on the last page is showing, staple it, place a first class stamp on it and mail it back to the Division.

We urge you to reply within the thirty five day period and avoid any penalties.

Sincerely,
Tom Tiesler
Division Director

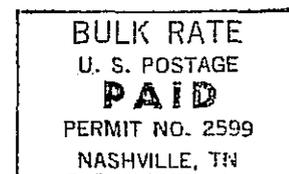
TND007045271

Does your facility/operation handle any hazardous waste according to Rule 1200-1-11-.03(1)(b)? YES NO

I certify that the information submitted by this document is true.
Signature of owner or manager Title Date
[Signature] Owner *[Signature]* Jan 22, 82

Tennessee Department of Public Health
Solid Waste Management
Seventh Floor TERRA Building
150 Ninth Avenue North
Nashville, Tennessee 37203

OFFICIAL BUSINESS
Hazardous waste notification



TND007045271
PALMER IRON WORKS
1157 WHITTEN RD
MEMPHIS

TN 38128



ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7939 STATEWIDE 1-888-891-8332 FAX (901) 368-7979

February 25, 2002

Mr. Bill Wilson
City of Memphis
281 East Parkway North
Memphis, Tennessee 38112

#10
Memphis
Police
Heliport

Re: Final Approval of Contaminated Closure
City of Memphis-Property Maintenance
Memphis Police Heliport
999 Dovecrest, Memphis, TN
Facility ID # 9-791184, Shelby County

Dear Mr. Wilson

The Division of Underground Storage Tanks (Division) has received the February 5, 2002, Permanent Closure Report Addendum for the referenced facility. Based on the information available tank Nos. 1 and 2 (10,000 and 4,000 gallon diesel, respectively) approved for closure on the August 6, 1992 application can be considered closed.

Information is available at www.state.tn.us/environment/ust.

If you have any questions concerning this correspondence, call (901) 368-7971.

Sincerely,

Cynthia Patton
Division of Underground Storage Tanks

c: Rick Creasman – ENCON Environmental
UST Central Office – Fees & Notification File
Memphis EAC Closure File # 9-791184

FO-009 / 061900(FINAL)



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH
MEMPHIS, TENNESSEE 38115-1520

March 24, 1999

*B14, 15
Mark Luttrell
Reception Center*

Ms. Penny Stafford
Capital Projects Management
312 8th Avenue N. Suite 1300
Nashville, TN 37243

RE: Final Approval of UST Closure
Mark Luttrell Reception Center
6000 Stage Road, Memphis, Shelby County, TN
Facility ID #0-791501

Dear Ms. Stafford:

The Division of Underground Storage Tanks has received the Permanent Closure Report dated March 4, 1999, for the referenced facility. The analytical results do not indicate contamination above the applicable cleanup levels. Based on the information available, the 500 gallon waste oil, 10,000 gallon gasoline and 1500 gallon diesel UST(s) approved for closure on the application dated September 24, 1998, can be considered closed. At this time no further investigation is required. However, the Division reserve the rights to require addition action if necessary.

According to the Permanent Closure Report, TDEC-DSWM has been contacted and is involved in the release pertaining to heating oil tanks.

Rule 1200-1-15.02(3)(a) requires owners/operators to notify the Division of any changes (removal, change-in-service, new installation, etc.) made in the UST system.

If an amended notification form has not been submitted, complete and mail the enclose form to:

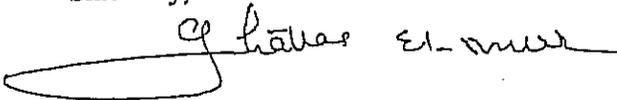
Ms. Penny Stafford
March 24, 1999
Page 2

Division of Underground Storage Tanks
Tennessee Department of Environment & Conservation
4th Floor, L&C Tower
401 Church Street
Nashville, TN 37243-1541

Information is available at www.state.tn.us/environment/ust

If you have any questions concerning this correspondence, call (901) 368-7973.

Sincerely,

A handwritten signature in black ink, appearing to read "Ghattas Murr", is written over a large, hand-drawn oval scribble.

Ghattas Murr
Division of Underground Storage Tanks

Enclosure: Notification Form

C: Nashville UST Central Office – Fee and Notification Section
Memphis UST Environmental Assistance Center

GM/03269901/lagr



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE
SUITE E-645, PERIMETER PARK
2500 MT. MORIAH
MEMPHIS, TENNESSEE 38115

September 1, 1993

Mr. Carlos Fox
Federal Correction Institute
1101 John A. Dennie Road
Memphis, TN 38134

#DD2,23
Federal
Correction
Institution

RE: Final Approval of UST Closure
Federal Correction Institute
1101 John A. Dennie Road
Facility ID # 0-792077, Shelby County

Dear Mr. Fox:

The Division of Underground Storage Tanks has received the analytical results from the above referenced petroleum underground storage tank (UST) closure. The results do not indicate contamination above the applicable cleanup levels. Based on this information, the three USTs approved for closure on the application dated December 31, 1992 can be considered closed. At this time no further investigation is required. However, the Division may require additional action should a problem become apparent in the future.

Rule 1200-1-15-.02(3)(a) requires owners/operators to notify the Division of any changes (removal, change-in-service, new installation, etc.) made in the UST system.

If an amended notification form has not been submitted, complete the enclosed form and mail to:

Tennessee Department of Environment and Conservation
Division of Underground Storage Tanks
- Fourth Floor, L and C Tower
401 Church Street
Nashville, Tennessee 37243-1541

Mr. Carlos Fox
September 2, 1993
Page 2

If you have any questions concerning this correspondence,
contact me at (901) 543-6695.

Sincerely,



Glenn A. Birdwell
Division of Underground Storage Tanks

GAB\79063244\aa

Enclosure: Notification Form

c: Memphis UST Field Office
Nashville UST Central Office - Technical Review Section



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Underground Storage Tanks
Suite E-645, Perimeter Park
2500 Mt. Moriah
Memphis, Tennessee 38115-1511

June 23, 1992

#26
James J.
Campbell Co.,

Mr. John J. Campbell Company, Inc.
6012 Resources Drive
Memphis, TN 38134

RE: Closure of Underground Storage Tank System at
John J. Campbell Company, Inc.
6012 Resources Drive
Memphis, TN 38115
U.S.T. Facility ID #9-790133

Dear Mr. Campbell:

The Division of Underground Storage Tanks (the Division) has received the results of the chemical analyses on the soil samples taken during the removal or closure of your underground storage tank system located at the above referenced site. Upon review, it appears that all appropriate measures have been taken to remediate any release and to prevent future releases from the above mentioned underground storage tanks. At this time, the Division does not see the necessity for further investigation or enforcement but will reserve the right to require additional effort if evidence of contamination arises in the future.

Please feel free to contact me at 901/543-6695 with any questions or comments regarding this correspondence.

Sincerely,

William M. Scanlan

William M. Scanlan, Geologist
Division of Underground Storage Tanks

WMS/lagr

cc: Division of Underground Storage Tanks, Nashville
Memphis Environmental Center

027



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Solid Waste Management
Fifth Floor, L & C Tower
401 Church Street
Nashville, Tennessee 37243 - 1535
615-532-0780

July 27, 2005

Mr. Theodore Fox, Director
Shelby County Public Works Division
160 North Main, #801
Memphis, TN 38104

RE: Registration of Convenience Center
Shelby County Recycle Center – CCC 79-1522

Dear Mr. Fox:

Your application for registration of the above-referenced Convenience Center, located in Shelby County at 1075 Mullins Station, #202 Building C, Memphis, Tennessee, (latitude 35°09'09"N / longitude 89°52'05" W), has been reviewed and approved. This letter will serve as official notice that the referenced facility has been registered by the Department of Environment and Conservation, Division of Solid Waste Management, under Rule 1200-1-7-.02(1)(c)(1)(iv) of Tennessee's Solid Waste Processing and Disposal Regulations. This facility shall be deemed to have a Permit-by-Rule, provided the criteria of Rule 1200-1-7-.10(3) are met, including the permit conditions as submitted with your application.

The registration number for this facility is CCC 79-1522. This number should be used on all reports and correspondence to the Department or Division regarding this facility.

If you have questions concerning this letter, please feel free to contact Elizabeth A. Cates at (615) 532-0834.

Sincerely,

A handwritten signature in black ink that reads "Mike Apple".

Mike Apple
Director

cc: Phillip Davis, DSWM/Memphis Field Office
Elizabeth A. Cates, DSWM/Nashville Central Office
Central Files, DSWM/Nashville Central Office



ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7939 STATEWIDE 1-888-891-8332 FAX (901) 368-7979

July 22, 2005

Mr. Theodore Fox
Director, Shelby County Public Works
160 North Main, #801
Memphis, Tennessee 38104

RECEIVED
DIV SOLID WASTE MGT

JUL 28 2005

Group No. _____ File No. _____

ID No. _____

RE: Permit-by-Rule Application
Shelby County Recycling Center (Household Hazardous Waste)
Memphis, Shelby County, Tennessee

Dear Mr. Cook:

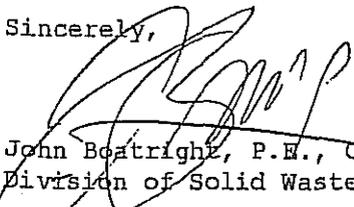
In accordance with the Tennessee Solid Waste Disposal Act, T.C.A. 68-211-101 et seq., and the Regulations Governing Solid Waste Processing and Disposal in Tennessee, Rule Chapter 1200-1-7, the Permit-by-Rule application for the above facility has been reviewed. Specifically, the standards for Solid Waste Convenience Centers were addressed. Based on this review, the permit application is complete and will be forwarded to the Division's Central Office for further action.

Completion of the Field Office review does not constitute authorization to begin operations at the proposed facility. A letter from the Division's Central Office will notify you of the Divisions decision concerning the proposed facility and will, if approved, include the facility's Solid Waste Identification Number.

If a performance bond or other form of financial instrument is required for the proposed facility, waste may not be received until the amount specified has been posted. A letter from the Division's Central Office will notify you of the amount required.

If you have any questions concerning this letter, please do not hesitate to contact me at 901\368-7939.

Sincerely,


John Boatright, P.E., CHMM
Division of Solid Waste Management

JWB\07220501/adm

cc: DSWM Nashville file
DSWM Memphis file
Larry Smith, Shelby County

From: Philip Davis
To: Cates, Elizabeth.A
Date: 7/20/2005 2:58:06 PM
Subject: Re: Memphis Household HW facility

Elizabeth:

Yes. John brought a copy of the application up last week and gave it to Jeff. I believe that the application is sufficient. John will be sending a letter to Shelby County to let them know that it is OK to begin construction. I don't know if a PBR # will be issued until construction commences. That'll probably be decided on your end, right?

Anyway, we have a copy and believe it is good to go.

Let me or John know if you have any questions.

Philip

Philip J. Davis, P.G.
Environmental Field Office Manager
Memphis Environmental Field Office
Division of Solid Waste Management
Tennessee Department of Environment and Conservation

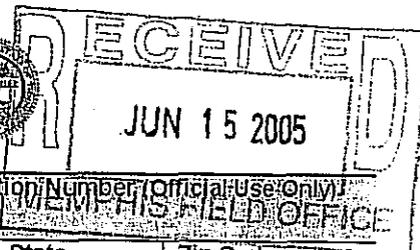
>>> Elizabeth.A Cates 7/18/05 12:58:34 PM >>>

Philip, I got an application today for a convenience center to handle household hazardous waste. Just checking to see if you also got a copy.
Elizabeth

CC: Boatright, John

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 DIVISION OF SOLID WASTE MANAGEMENT
 SOLID WASTE PERMIT BY RULE NOTIFICATION

RECEIVED
 DIVISION OF SOLID WASTE MGT



JUL 14 2005

1. a. Full, Legal Name of Facility
 Shelby County Recycle Center

b. Facility Mailing Address
 1075 Mullins Station, # 202 Bldg. C

c. Physical Location or Address of Facility
 300' South of intersection of Nixon & Haley Road

d. Latitude (degrees, minutes, and seconds)
 35° 9' 9"

e. Name of Facility Manager or Site Operator
 Larry J. Smith

f. Affiliation of Site Operator (If different from permittee)

Group No. _____ File No. _____

Identification Number (Official Use Only)

ID No. _____ City _____ State TN Zip Code 38134

Area 10 Shelby Farms County Shelby

Longitude (degrees, minutes, and seconds)
 89° 52' 05"

Phone Number With Area Code
 (901) 379-7024

2. a. Name of Applicant (Corporation, etc.) as Permittee
 Shelby County Government

b. Name of Responsible Official
 Ted Fox - Director, Public Works Division

c. Responsible Official's Mailing address
 160 N. Main, # 801

3. a. Landowner Name
 Shelby County Government

b. Landowner Mailing Address
 n/a

Phone Number With Area Code
 (901) 545-4266

Phone Number With Area Code
 (901) 545-2745

City Memphis State TN Zip Code 38104

Phone Number With Area Code
 (901) 545-4266

City _____ State _____ Zip Code _____

c. Signature of Landowner _____ Date _____

4. a. Type of Permit-By-Rule Requested:

Coal Ash Facility Land Application Tire Storage Facility

Convenience Center Processing Facility Transfer Station

b. Description of Activities and Wastes Handled or Processed:

Household Hazardous Waste Drop-Off Site

c. Amount of Waste Handled/Processed/Stored:

Weight > 2 tons/day Volume _____ cubic yards/day Maximum Storage Capacity _____ cubic yards

5. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

Date 6/13/05

Signature of Responsible Official

Typed Name of Responsible Official Theodore Fox

Official Title Director, Public Works Division

Signature of Notary

Date Commission Expires MAY 9, 2007

INSTRUCTIONS FOR SOLID WASTE PERMIT BY RULE NOTIFICATION

Complete this form for each facility that is processing and/or disposing of solid waste in Tennessee. If multiple facilities exist or are planned, describe each facility and its wastes on a separate form. **Submit completed documents to the respective field office in your area.**

Each existing facility must submit this form along with the required information [1200-1-7-.02(1)(c)2.] within ninety (90) days after the effective date of this rulemaking. Facilities beginning operation after the effective date of this rulemaking must submit this form along with the required information [1200-1-7-.02(1)(c)2] at least thirty (30) days before beginning operation.

- Line 1a. **Full, Legal Name of Facility** - The full, legal name for this site to distinguish it from any other site the applicant or organization may own or operate in Tennessee. **Identification Number** - leave blank for Division usage.
- b. **Facility Mailing Address** - Give a complete mailing address for physical facility location.
- c. **Physical Location or Address of Facility** - Information that will aid the Division in going to the site/facility. Do not give a Post Office Box Number.
- d. Supply the **latitude and longitude** of the site with the precision of degrees, minutes and seconds. Latitude and longitude may be found by using a U. S. Geological Survey quadrangle map.
- e. **Name of Facility Manager or Site Operator** - The name and phone number of the manager or person who is responsible for the direction of activities at the site/facility.
- f. **Affiliation of Site Operator (If different from permittee)** - If site is operated by person or entity other than permittee, furnish name of person or corporation, etc.
- Line 2a. **Name of Applicant (Corporation, etc) as Permittee** - Name of legal entity making application (individual, corporation, government agency, etc.) This will be the permittee of record.
- b. **Name of Responsible Official** - The name and phone number of the person whom the Division may contact for further information about the contents of this form and who is authorized by the permittee to complete this notification form.
- c. **Responsible Official Mailing address** - Address of Responsible Official representing the permittee having authority to make application.
- Line 3a. **Landowner name** - The person(s) or organization name(s) and phone number(s) of the immediate owner(s) of the property [attached letter from landowner(s) as required by Rule 1200-1-7-.02(2)(d)1.(iv)].
- b. **Landowner Mailing address** - A complete mailing address for landowner.
- c. **Signature of Landowner** - The landowner(s) must sign and date the notification form.
- Line 4a. **Type of Permit-By-Rule Requested** - Check the appropriate type(s).
- b. **Description of Activities and Wastes Handled or Processed** - Provide a brief narrative statement that describes the activities and wastes handled or processed at the facility.
- c. **Amount of Waste Handled/Processed/Stored** - Provide an estimate of the daily weight in tons/day and/or volume in cubic yards/day that will be handled at the facility. Indicate the maximum amount of waste that can be stored in cubic yards.
- Line 5 **Certification** - After all documents have been compiled for submission to the Division, the manager or owner responsible for the site must sign, date and give title. This signature must be notarized.



Shelby County Government

A C Wharton, Jr.
Mayor

June 10, 2005

To: Mr. Philip Davis TDEC Div. of Solid Waste

Fr: Larry J. Smith, Shelby County Environmental Programs

Re: PBR for HHW site classed as a Convenience Center

Convenience Center Design Standards and operation the following narrative is tailored to the rules found at 1200-1-7-.10 section 3 attached.

Access: Shelby County's facility, hereafter the "facility" will be located in area 10 within Shelby Farms. It is now fenced and gated. The gate will be locked when the site is not in operation. Hours of operation will be clearly posted at the entrance to the facility.

Dust and Mud control: The area surrounding the facility will be paved with blacktop, approximately 1 acre. The two lane access road has been asphalted and striped. The remainder of the site shall be graveled as needed.

Run on and Run off Control: Existing stormwater drainage routes all upstream flow around the facility. On site run off will all flow through a detention pond capable of handling 10 year storm. This detention pond will be equipped with an emergency stop gate to hold any spills from the site.

Fire Safety: Site will be equipped with a fire hydrant and the facility will have a sprinkler system. Memphis City fire Department is within five minutes and will be notified of the operation.

Communication: Phone service will be provided to the site.

Personnel: The facility shall be a five thousand plus square foot building with three working bays, one loading bay, one bathroom, storage room and office.

Water: shall be provided to the facility. The facility will have a sprinkler system, chemical shower and public bathroom as well as hose outlet.

There will be no process water at the site.

S.C.E.I.C.

1075 Mullins Station Road • Memphis, Tennessee 38134 • (901) 379-7020 • Fax (901) 379-7021
<http://www.co.shelby.tn.us>

Waste Handling: The facility will be primarily used for the collection and temporary storage of household hazardous waste. All materials will be stored on hard surface and under a roof in containers and bins. The site will be policed daily for trash and debris and any illegal dumping will be documented and reported.

Facility supervision. Personnel will go through a hazardous materials course performed by Shelby County Fire Department's Hazard Response Manager, Mathew Schneider.

Site Restrictions

Wetlands: No wetlands will be impacted by the facility. There are no wetlands on the site.

100 year floodplain: The facility is not within the 100 year floodplain see enclosed FEMA map.

Threatened or Endangered Species: There are no federally threatened or endangered species living within the site for the facility. There are no State listed threatened or endangered species that will be impacted in any way by the facility.

Located more than 50 feet from a stream: The facility is more than 50 feet from a stream. There is a ditch that flows through the facility grounds which may or may not be an ARAP stream. In any event the facility will have no impact on the this feature and is 50 feet away.

Special waste: The facility does not plan to accept any special waste at any time.

Medical Waste: The facility will not accept medical waste. This ban along with the non-acceptance of explosives and radioactive waste will be posted at the entrance sign.

Shelby County is currently planning to release a sealed bid for design and construction of a five thousand+ square foot facility based on the enclosed sketches. This facility is based on the Nashville site with their in-put as to improvements they would have made to the structure. Additionally the Knoxville operator advised that the Nashville design was better suited than the Knoxville facility for over all convenience and safety.

Enclosed Exhibits

- A FEMA map of site
- B Topographic map with longitude and latitude
- C Photos of Nashville and Knoxville HHW facility
- D Aerial of site
- E Sketches of facility design

(Rule 1200-1-7-.10, continued)

(iii) A site location map is submitted on a USGS Topo map.

2. Number of centers - The service area of a county is defined as follows:

(i) Service area - The service area of a county is defined as follows:

(I) County area in square miles less in square miles the following;

I. Federal lands or reservations;

II. State lands or reservations;

III. Forestry reserves as held by wood processing industry;

IV. Municipal corporations served by mandatory collection;

V. Federally managed water bodies or rivers; or;

(II) Population as certified by the most recent census as per the U.S. Bureau of Census less the population served by mandatory collection service.

(ii) The minimum number of centers shall be established as follows:

(I) The service area in square mile divided by one hundred eighty square miles (180 mi^2); or

(II) The service area population divided by 12,000.

(All calculations shall be rounded to the nearest whole number).

(c) Higher Level of Service - If a county or region proposes an alternative system, said system shall be approved by the Commissioner. The proposed system must provide a higher level of service than convenience centers. The county or region must, at a minimum, provide a review as per paragraph (4) of this rule and state in detail the criteria by which the system provides a higher level of service.

(3) Design and operation standards

(a) Access - The facility shall restrict unauthorized access by means of fencing with the ability to secure access points. Operating hours shall be posted at the facility.

(b) Dust and Mud Control - In order to prevent the creation of a nuisance or safety hazard all surfaces utilized for access and general operation shall be paved (includes compacted stone).

(c) Run-on and Run-off Control

1. In order to prevent operational hazards all run-on surface water shall be diverted around the facility.

2. In order to prevent ponding of water, the surface of the facility shall be graded to assure proper runoff control. All runoff shall be diverted to an area that can be controlled with reference to release from the property. The release area shall be properly graded and stabilized to prevent erosion or other damage to adjoining properties. Release of solids in the runoff must be controlled.

(Rule 1200-1-7-.10, continued)

(d) Fire safety - The facility must have on-site, properly maintained, fire suppression equipment. Arrangements must be made with the nearest available fire protection agency to provide additional protection.

(e) Communication - There shall be maintained during operating hours on-site equipment capable of notifying the appropriate authorities of an emergency, unless it is demonstrated to the Commissioner's satisfaction that such requirement would be an unreasonable hardship at the convenience center location.

(f) Personnel facilities

1. In order to provide shelter during inclement weather and store necessary records and supplies a suitable structure shall be provided on-site.

2. Sanitary facilities shall be provided.

(g) Water - Service water should be provided to the facility if equipment and/or the facility management requires such water for maintenance.

(h) Process water - If mechanical compaction is utilized all liquid generated by this equipment shall be collected and properly managed.

(i) Waste Handling

1. Recycled material shall be placed in separate receiving containers;

2. All waste handling (including loading and unloading) shall be conducted on paved surfaces (pavement includes compacted stone);

3. There is no storage of solid waste at the facility except in containers, bins, or on paved surface designed for such storage;

4. All litter shall be collected at the beginning and end of each working day. Incidents of illegal dumping shall be referred to local authorities and addressed in the annual revision of the solid waste plan.

(j) Facility supervision - Trained personnel must always be present during operating hours. Training will be established as per T.C.A. §68-211-853.

(k) Siting restrictions

1. Convenience centers shall not be located within wetlands, unless the owner or operator makes the applicable demonstrations to the Commissioner as referenced at Rule 1200-1-7-.04(2)(p).

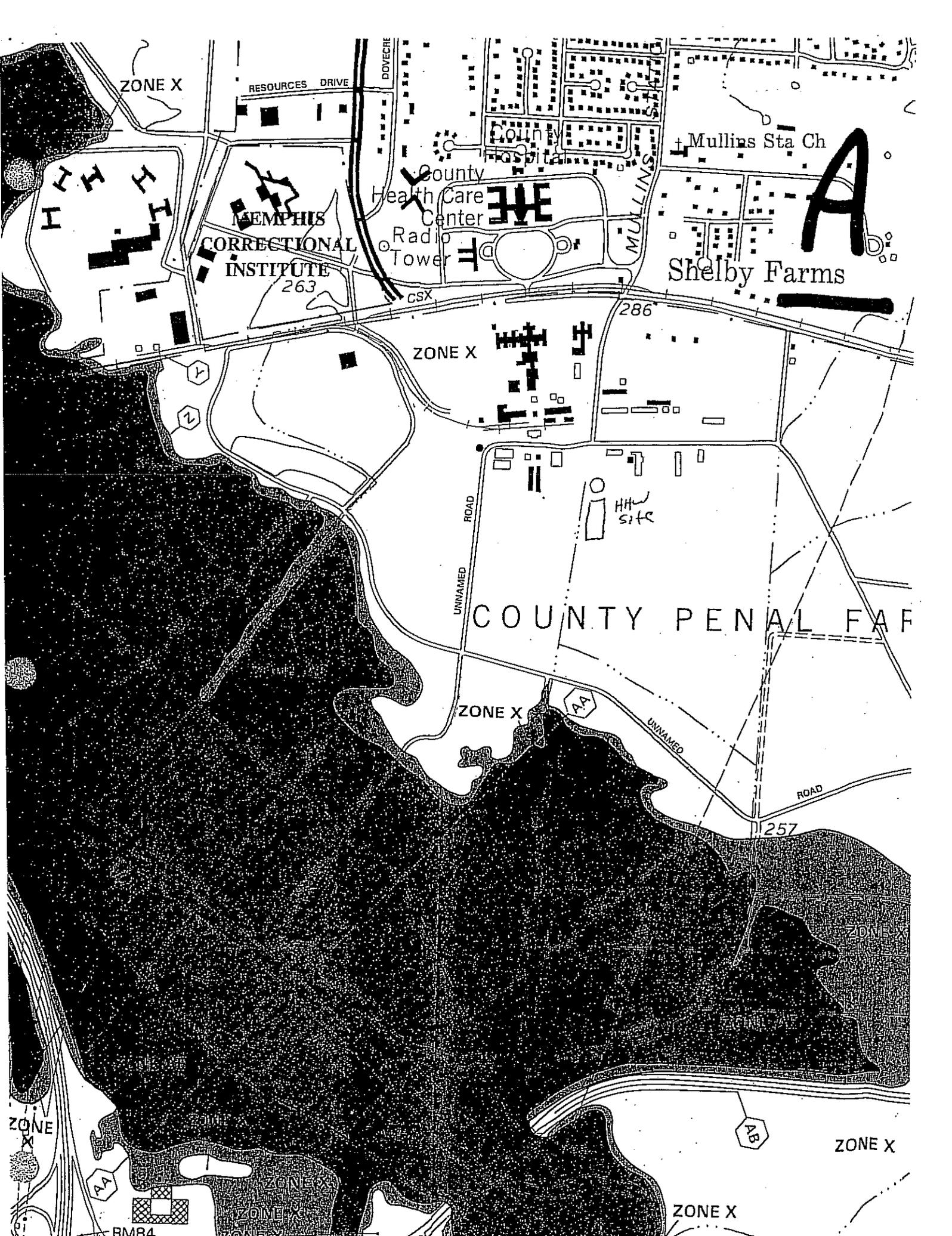
2. The facility must not be located in a 100 year floodplain, unless the demonstration is made to the Commissioner as required at Rule 1200-1-7-.04(2)(n).

3. The facility must not cause or contribute to the taking of any endangered or threatened species of plants, fish or wildlife; or result in the destruction or adverse modification of a critical habitat.

4. New convenience centers must not be located within fifty (50) feet of streams. In order to protect these, the area within the fifty feet must have a stable vegetative cover.

(Rule 1200-1-7-.10, continued)

- (l) The facility shall not receive special waste unless approval is received from the Department in writing. Approval will require the construction of special containment areas.
 - (m) The facility shall not receive medical waste.
- (4) Municipal Solid Waste Collection and Plan
- (a) Annually each solid waste disposal region shall revise the local plan as required by T.C.A. §68-211-814. This annual revision shall consider:
 - 1. Survey of roadside dumps;
 - 2. Citizen complaints;
 - 3. Alternative systems available;
 - 4. Volume of waste received or collection by the existing systems.
 - (b) This report shall be submitted to the Department of Environment and Conservation by March 31 of each year.
- (5) Economic Index
- (a) Matching rates for convenience center grants shall be determined using the mean of a county's rank for equalized property tax generation and per capita income. Property tax generation shall be the equalized value of property as published in the Tennessee State Tax Aggregate Report by the State Board of Equalization. Per capita income shall be the income figure published by the United States Department of Commerce, Bureau of Economic Analysis.
 - (b) The Department shall issue annually in March the County ranking based on this mean.
 - (c) The local share required to match grant funds shall be 10% for those counties in the lower one-half (½) of the economic index. Those counties in the upper one-half (½) of the economic index shall be required to provide a 20% local match.
- (6) Requirements for Operation and Use of County Public Collection Receptacles for Municipal Solid Waste
- (a) By March 31 of each year, each county which maintains and uses receptacles for the collection of municipal solid waste from the general public at sites separate from a convenience center, shall include the following information as part of the Solid Waste Region's annual report (which is submitted to the Division of Community Assistance):
 - 1. The number of receptacles in the County;
 - 2. The location of all receptacles;
 - 3. Collection times for such receptacles; and
 - 4. Operation procedures and security measures adopted and enforced to maintain and service the receptacles and to ensure the protection of public health and safety. Such information in this part must be in the form of a narrative manual and meet the minimum requirements in subparagraph (b).



ZONE X

RESOURCES DRIVE

DOVECRE

MULLINS

Mullins Sta Ch

County Health Care Center
Radio Tower

MEMPHIS CORRECTIONAL INSTITUTE
263

A

Shelby Farms

ZONE X

286

UNNAMED ROAD

COUNTY PENAL FARM

HH SITE

ZONE X

AA

UNNAMED ROAD

ROAD

257

ZONE X

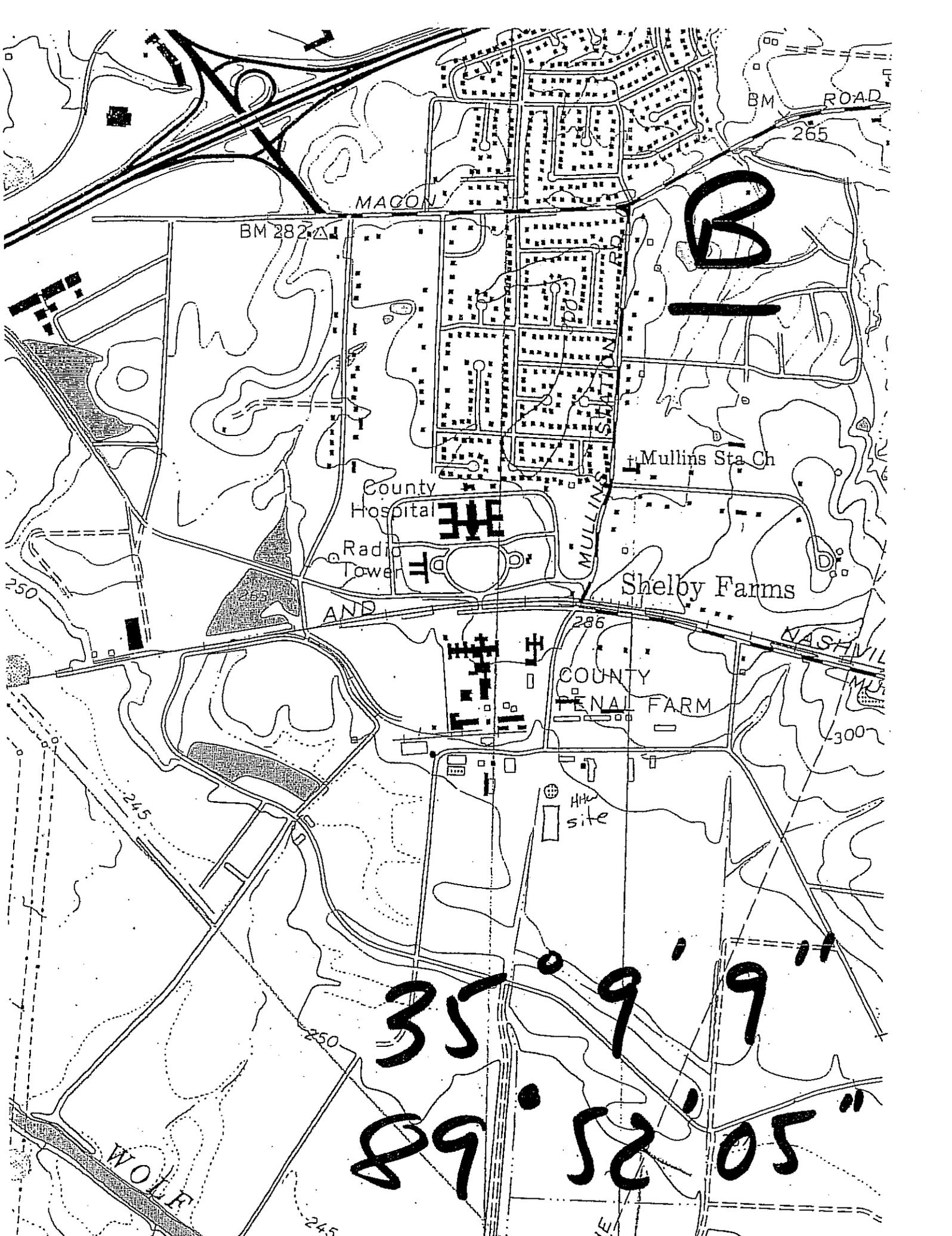
ZONE X

ZONE X

ZONE X

BM84

AB



MACDON

BM ROAD 265

BM 282

B

MULLINS STATION RD

Mullins Sta Ch

County Hospital

Radio Tower

Shelby Farms

AND

COUNTY PENAL FARM

NASHVILLE

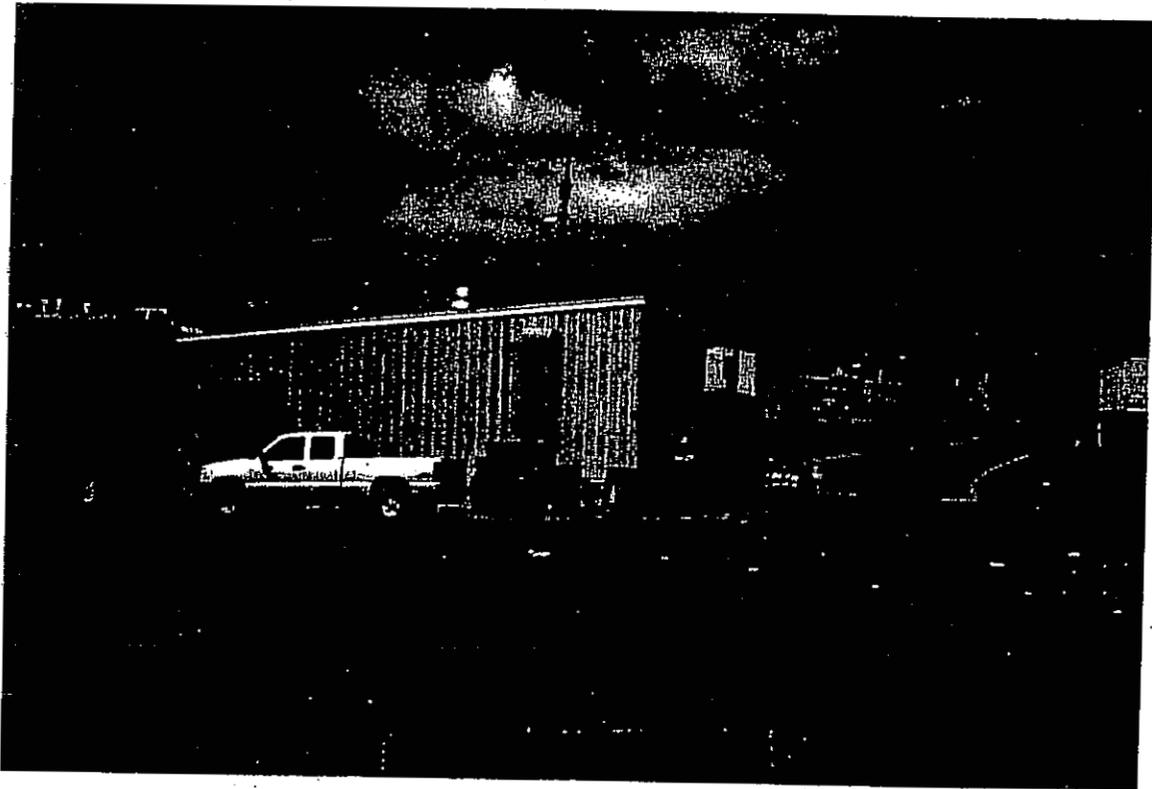
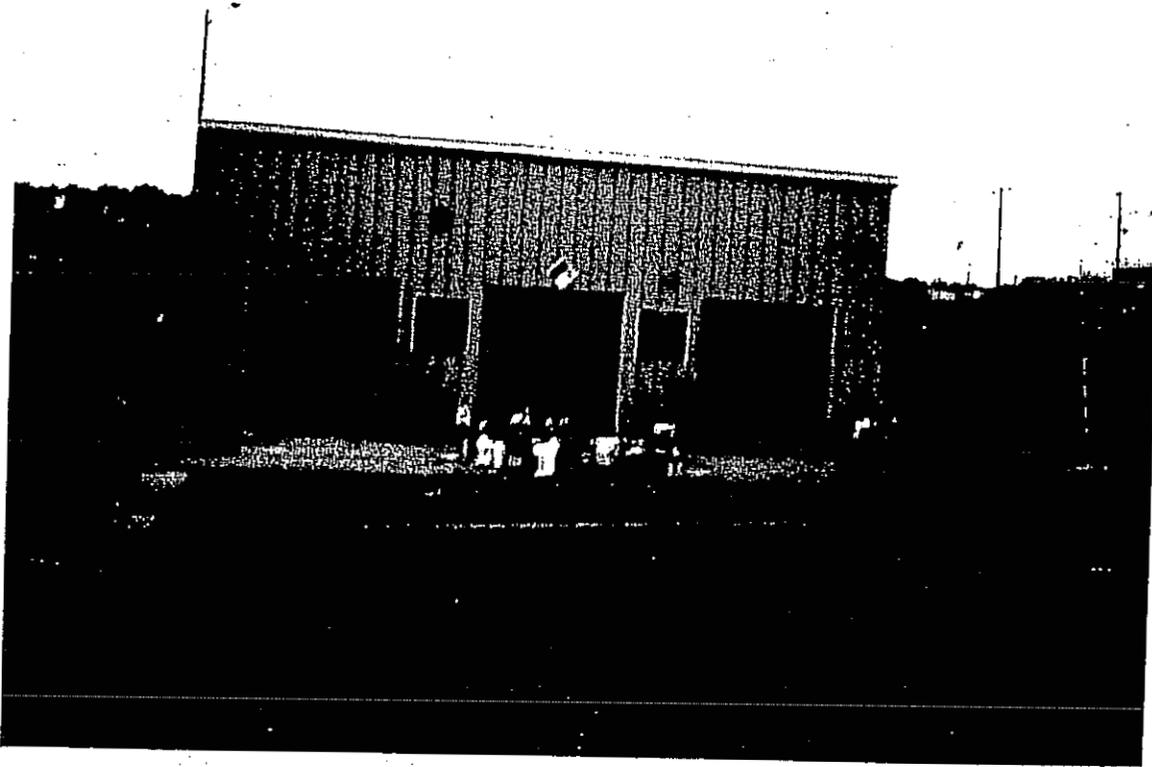
AW site

35° 9' 9"

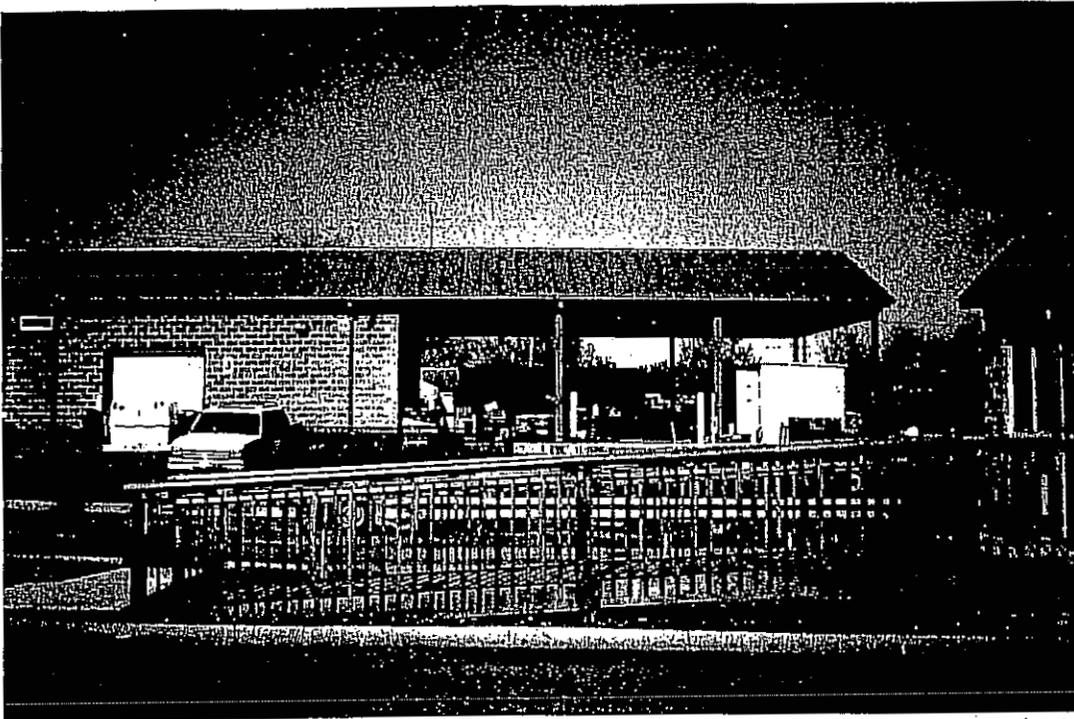
89° 52' 05"

WOLF

C
2



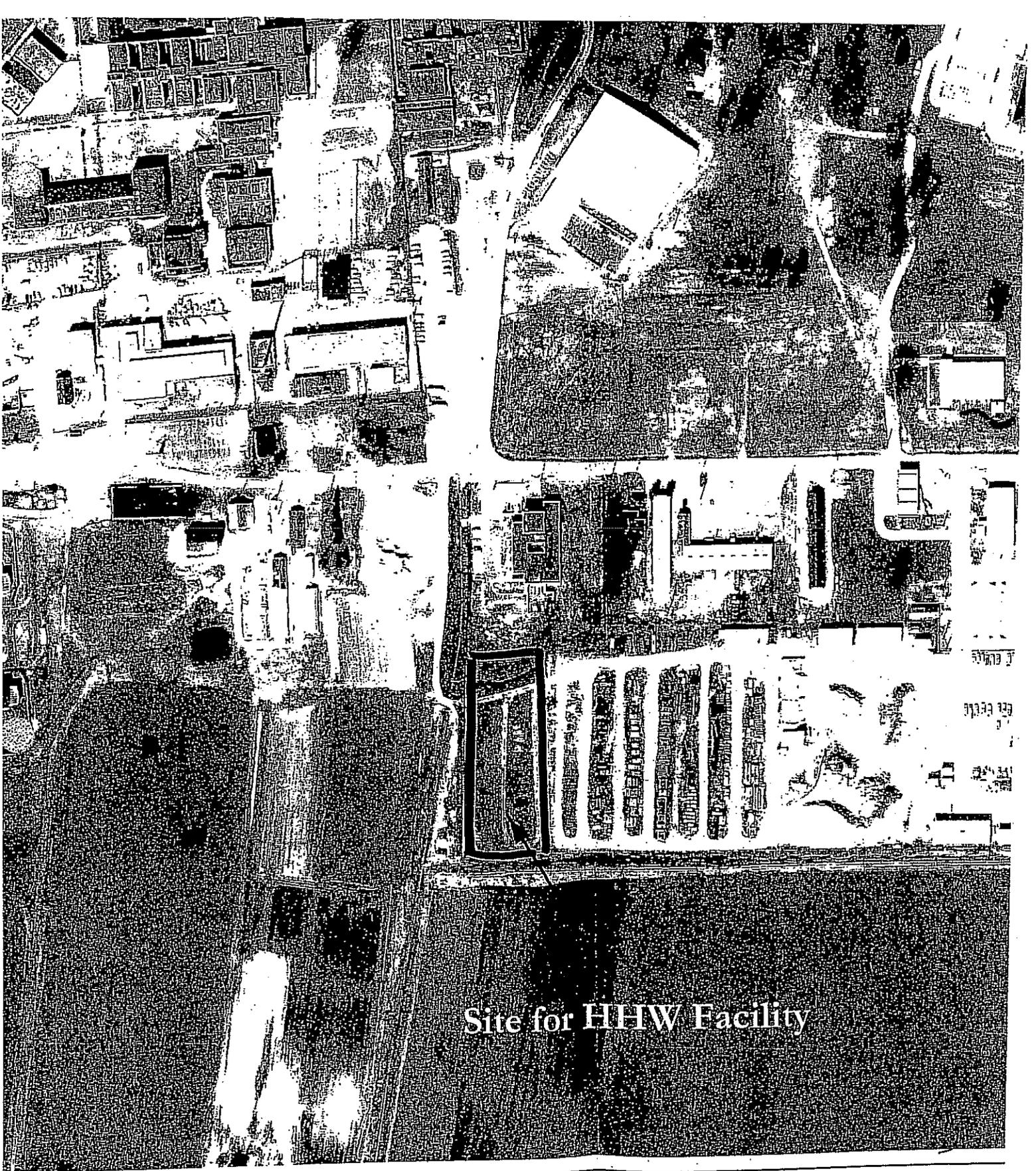
Nashville Household Hazardous Waste facility
2004. Note three doors each going into a separate bay
connected by internal doorways. The material flows through each
bay to a central storage and loading area that runs behind
all three bays. Note loading dock. Shelby County design will
be similar except we will also provide covered port at front
and office, storage and public restroom along one side.



C
K

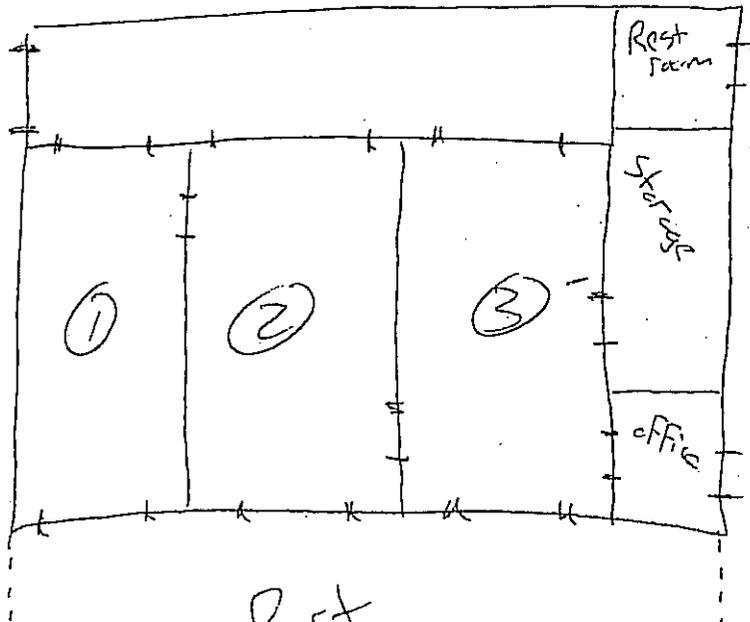
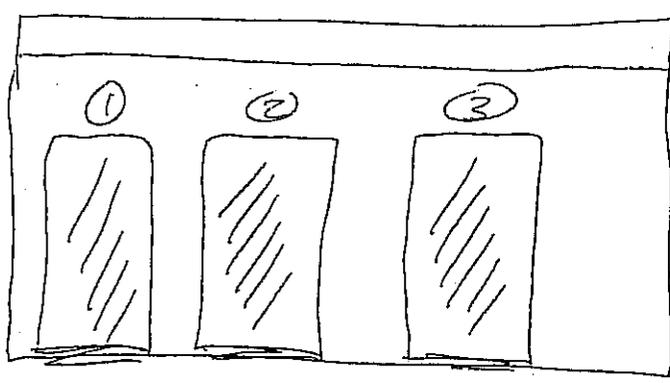
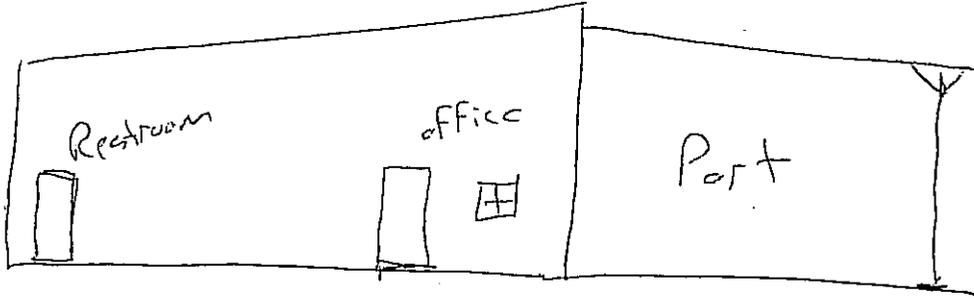
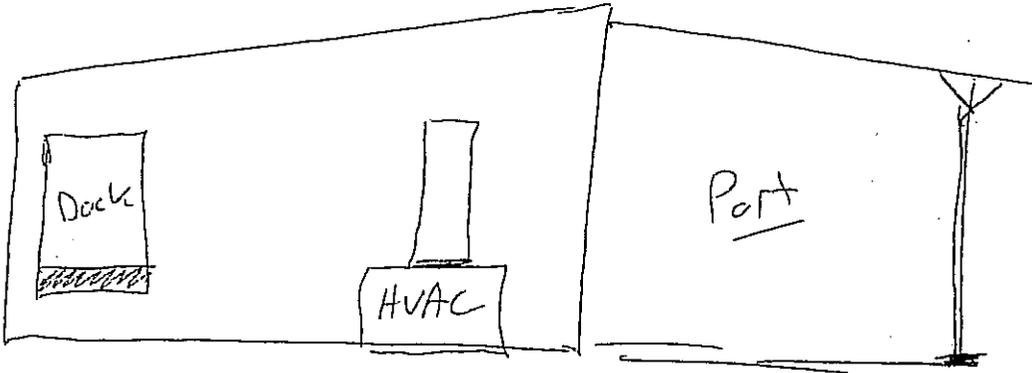


Knoxville's Household Hazardous Waste facility 2004. Note single door building. Their design put all material through one large room, then out to open air dock for storage and transport. Knoxville advised using Nashville three bay building design.



Site for HHW Facility

D



GREATER MEMPHIS

THE COMMERCIAL APPEAL | SATURDAY, MAY 28, 2005

No budget

No holiday: Tenn. lawmakers
to try again today | B2

IN THE NEWS/B3

DEATHS/B4-5

VIEWPOINTS/B6-7



Waste site would take all hazards

City seeking grant, partners

TOM CHARLIER

tcharlier@commercialappeal.com

When it comes to collecting household hazardous waste, once or twice a year is not enough, officials say.

Memphis and Shelby County officials are trying to arrange for a permanent operation to take place of the special events held in recent years to collect paint, pesticides and other household wastes.

The city is seeking a \$500,000 state grant to fund the construction of a collection complex. It has begun preliminary talks with suburban municipalities about having them chip in to help cover operating costs.

See HAZARDOUS, B2

HAZARDOUS WASTE COLLECTION

problem: Each year, the average U.S. household generates 200 pounds of hazardous waste (paint, pesticide, drain cleaner, lighter fluid and other household toxins), according to the Environmental Protection Agency. This stuff goes into landfills.

solution: Memphis hopes to get a \$500,000 state grant and build a year-round collection complex like those in Nashville and Knoxville. Right now, the city and county have annual collection events once or twice a year.

Continued from page B1

HAZARDOUS

"We're hoping to build a site at some point, a permanent facility," said Andy Ashford, recycling and composting administrator for Memphis.

"These once-a-year events are just not enough to handle the demand that we have."

Household hazardous wastes, which include everything from drain cleaners to lighter fluid, long have been recognized as potential environmental threats if unsafely stored or disposed of with other trash in municipal landfills.

The average U.S. household generates 200 pounds of it a year, according to the Environmental Protection Agency.

In recent years, local agencies have sponsored infrequent household hazardous waste-collection events at the fairgrounds or different sites in East Memphis.

But cities like Knoxville and Nashville have taken advantage of state grants earmarked for use in building year-round facilities.

For instance, Knoxville's eight-year-old center, the first of its kind in the state, is open eight hours on weekdays and four hours on Saturdays. Resi-

dents can bring up to 20 gallons or 100 pounds of waste per visit.

Like the operations in other cities, the Memphis facility would not treat the waste, just collect it. A contractor would be hired to haul the waste to disposal sites.

"It'll be strictly collection and transfer out," Ashford said.

Although Memphis would be the grant recipient building the center, the city might subcontract the operating duties to Shelby County, Ashford said.

Local officials have identified a possible site for the center

south of Haley Road in the Shelby Farms area. But Ashford emphasized that no final decision has been made.

—Tom Charlier: 529-2572

Public Notice

CITY OF MEMPHIS
AUCTION OF UNCLAIMED VEHICLES
THE FOLLOWING VEHICLES WILL BE SOLD AT
PUBLIC AUCTION 12:00 NOON AT 485 KLINKE
AVENUE UNLESS CLAIMED BY THE OWNER



ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
SUITE E-645, PERIMETER PARK
2510 MT. MORIAH ROAD
MEMPHIS, TENNESSEE 38115-1520
PHONE (901) 368-7939 STATEWIDE 1-888-891-8332 FAX (901) 368-7979

February 21, 2001

Mr. Billy McLemore
WF & BM McLemore Food Stores
1619 Bartlett Road
Memphis, TN 38120

I 39
McLemore
Market #6

Re: Final Approval of Non-Contaminated Closure
McLemore Markets #6
6882 Macon Road, Memphis, TN
Facility ID #9-790846, Shelby County

Dear Mr. McLemore:

The Division of Underground Storage Tanks (Division) has received the February 2, 2001 Permanent Closure Report for the referenced facility. The analytical results do not indicate contamination above the applicable cleanup levels. Based on the information available, the #1 6000 gallon gasoline, and #2 6000 gallon gasoline USTs approved for closure on the September 25, 2000 application can be considered closed.

Rule 1200-1-15-.02(3)(h) states, in part: "Any change in the status of the tanks at a petroleum UST facility shall be reported within thirty (30) days of said change. This includes but is not limited to changes of ownership, upgrading or replacement of tanks, changes in mailing address, and changes in service. Such reports shall be made using an amended notification form."

Information is available at www.state.tn.us/environment/ust.

If you have any questions concerning this correspondence, call (901) 368-7972.

Sincerely,

David Groce
Division of Underground Storage Tanks

c: UST Central Office – Fees & Notification File
Memphis EAC

FO-020 / 061900(FINAL)



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Underground Storage Tanks
4th Floor, L&C Tower
401 Church Street
Nashville, Tennessee 37243-1541

MS3, SA
Stacker's ~~SA~~
Travelers ~~SA~~
JMK Gas &
Food Mart

March 1, 2007

Yogi Of Memphis
1776 Whitten Road
Memphis, TN 38134

Certified Mail
7160-3901-9848-7539-3607

Re: Order of Non-Issuance of New UST Certificate
9790678
JMK Gas and Food Mart

Dear Tank Owner:

Enclosed is an Order issued by the Director of the Division of Underground Storage Tanks, Tennessee Department of Environment and Conservation. Please read it carefully and pay special attention to the NOTICE OF RIGHTS section. Also, if you own more than one facility in West Tennessee, please pay attention to the Attachment to the Order which lists all of the facilities that are impacted by this Order of Non-Issuance of New UST Certificates.

If you have any questions about this matter, please Dan Ostrander at (615) 532-0982.

Sincerely,

A handwritten signature in cursive script that reads "Stanley R. Boyd".

Stanley R. Boyd
Director

Enclosure

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

IN THE MATTER OF:)	DIVISION OF UNDERGROUND
)	STORAGE TANKS
Yogi Of Memphis)	
RESPONDENT)	

ORDER OF NON-ISSUANCE OF NEW UST CERTIFICATE

NOW COMES James H. Fyke, Commissioner of the Tennessee Department of Environment and Conservation (the "Commissioner"), and states:

PARTIES

I.

James H. Fyke is the duly appointed Commissioner of the Tennessee Department of Environment and Conservation (the "Department"), and among other duties and responsibilities, he is charged with the responsibility for administering and enforcing the Tennessee Petroleum Underground Storage Tank Act (the "Act") (T.C.A. § 68-215-101 *et seq.*). Stanley R. Boyd is the duly appointed Director of the Underground Storage Tank Division (the "Division"). He has received written delegation from the Commissioner to administer and enforce particular aspects of the Act.

II.

Yogi Of Memphis (hereinafter, the "Respondent") is the owner of the subject tank systems located at JMK Gas and Food Mart, 6790 Raleigh Lagrange, Memphis, TN 38134.

JURISDICTION

III.

When the Director finds upon investigation that any provision of the Tennessee Code Annotated, § 68-215-101 *et seq.*, is not being carried out, and that effective measures are not being taken to comply with the provisions of the Act, pursuant to T.C.A. § 68-215-114, he may issue an Order for correction to the responsible party, and this Order shall be complied with within the time limit specified in the Order. Further, the Director has the Authority to assess civil penalties against any person who violates or fails to comply with the Act, pursuant to T.C.A. § 68-215-121 of the Act. Pursuant to T.C.A. § 68-215-112, rules of the Department governing underground storage tanks have been promulgated and are effective as the Official Compilation of the Rules and Regulations of the State of Tennessee, Chapter 1200-1-15.

IV.

The Respondent is a person as defined at T.C.A. § 68-215-103(10), and has violated the Act as hereinafter stated.

FACTS

V.

On or about January 1, 2007, the division sent the Respondent an invoice for each facility the Respondent owns in West Tennessee and a letter which stated the following: (1) the current UST certificate for the facility would expire on March 31, 2007; (2) the Respondent needed to make a timely and sufficient application for a new UST certificate; (3) to make a timely and sufficient application, the Respondent had to submit payment to the division of all annual fees, late penalties, and final civil penalties owed, and payment must be received by January 31, 2007; (4) a late payment penalty of 5% would be assessed if payment of annual fees and late penalties was not timely made, and (5) if the Respondent did not make a timely and sufficient application as described above, the division would not issue the Respondent a new UST certificate upon expiration of the current certificate.

VI.

On or about February 1, 2007, the Respondent was sent a Notice of Non-Compliance and a billing statement by certified mail. The Notice of Non-Compliance stated that the Respondent had not made a timely and sufficient application for a new UST certificate because the Respondent had not timely paid all annual fees and late payment penalties as required. This letter also informed the Respondent that the division had assessed a 5% late payment penalty and that a new UST certificate for any facility the Respondent owns in West Tennessee would not be issued unless payment of all annual fees and late payment penalties was received by February 21, 2007.

VII.

To date, the Respondent has not made a timely and sufficient application for a new UST Certificate.

VIOLATIONS

VIII.

Under T.C.A. § 68-215-106(c)(1), a new annual UST certificate cannot be issued if all annual fees, late penalties and final civil penalties have not been paid.

IX.

By failing to pay annual fees and late payment penalties, the Respondent has violated T.C.A. § 68-215-104 (3), which states:

It is unlawful to: Refuse or fail to pay to the department fees assessed pursuant to the provisions of this chapter and in violation of the rules, regulations, or orders of the commissioner or board.

ORDER

X.

WHEREFORE, pursuant to the authority vested by T.C.A. §§ 68-215-106, 68-215-114 and 68-215-119, I, Stanley R. Boyd, ORDER that:

1. The Respondent shall not be issued a new annual UST certificate for any West Tennessee facility because the Respondent has failed to pay all annual fees and late penalties due.
2. The current annual UST certificate for any facility the Respondent owns in West Tennessee shall expire and no longer be in effect after March 31, 2007, the Respondent is not allowed to receive petroleum at any facility the Respondent owns in West Tennessee, and any facility the Respondent owns in West Tennessee shall be listed on the Do Not Deliver list.
3. If the Respondent objects to this Order, the Respondent, pursuant to T.C.A. §68-215-119, may file with the division a written petition setting forth the grounds and reasons for such objection and requesting a hearing before the Tennessee Petroleum Underground Storage Tank Board ("Board").
4. If a written petition for appeal is not received by March 31, 2007, then this Order will become final and will not be subject to review.
5. If the division receives a written petition for appeal from the Respondent by the deadline referenced above in item 4, the division will seek to have the case heard by the Board on an expedited basis.

6. This Order will become effective and final on April 1, 2007. If all annual fees and late penalties owed by the Respondent are received by March 31, 2007, then a new certificate will be issued to the Respondent for each facility the Respondent owns in West Tennessee and this Order shall be moot.

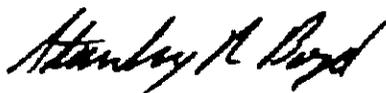
The Respondent is advised that the foregoing Order is not in any way to be construed as a waiver, express or implied, of any provision of the law or regulations, including but not limited to, future enforcement for violations of the Act and Regulations which are not charged as violations in this Order.

NOTICE OF RIGHTS

The Respondent is hereby advised that in accordance with Tennessee Code Annotated § 68-215-119, the Respondent may secure review of this Order by filing with the Director a written petition setting forth each ground and reason for the Respondent's objections and requesting a hearing before the Board. The Respondent must also file the written petition within thirty (30) days of service of this Order. If the required written petition is filed within thirty (30) days of service of this Order, then the Respondent will have perfected an appeal and will have an opportunity for a hearing before the Board. If the required written petition is not filed within thirty (30) days of service of this Order, then the Respondent will be deemed to have consented to the Order, and it will not be subject to review pursuant to Tennessee Code Annotated § 68-215-119.

The hearing, for which the Respondent properly petitions, is a contested case hearing governed by Tennessee Code Annotated § 4-5-301 *et seq.* (the Uniform Administrative Procedures Act). The hearing is in the nature of a trial before the Board sitting with an Administrative Law Judge. The Respondent may subpoena witnesses on their behalf to testify at trial.

Issued by the Director of the Division of Underground Storage Tanks this 28th day of February, 2007.



Stanley R. Boyd, Director
Division of Underground Storage Tanks
Tennessee Department of Environment and Conservation

A written petition for appeal and/or any questions pertaining to this Order should be addressed to Dan Ostrander, Division of Underground Storage Tanks, 4th Floor, L & C Tower, 401 Church Street, Nashville, Tennessee 37243-1541, (615-532-0982).

Checks for payment of the civil penalties, annual fees, or late penalties shall be made payable to the "Treasurer, State of Tennessee" and should be sent to:

Department of Environment and Conservation
Division of Fiscal Services, Consolidated Fees Unit (CFU)
14th Floor, L & C Tower
401 Church Street
Nashville, Tennessee 37243.

When paying annual fees and late penalties, return your billing statement along with payment.

When paying civil penalties, write your Order number on the check for recordkeeping purposes.

**Division of Underground Storage Tanks
Facilities Invoiced for
2006-2007 Annual Tank Fees**

***** Attachment to Order of Non-Issuance of UST Certificate*****

Yogi Of Memphis
1776 Whitten Road
Memphis , TN 38134

9790678

9790678

JMK Gas and Food Mart



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Underground Storage Tanks
401 Church Street, 4th Floor, L & C Tower
Nashville, Tennessee 37243-1541

March 1, 2007

Certified Mail#: 7160 3901 9849 7085 1620
RETURN RECEIPT REQUESTED

309153
Yogi Of Memphis
1776 Whitten Road
Memphis, TN 38134

***** NOTICE OF FUND INELIGIBILITY *****
DUPLICATE

RE: UST Facility ID#: 9790678

Invoice#: INV0000000066974

Dear Underground Storage Tank Owner and/or Operator:

According to our records, you have not yet paid the annual fee for tanks and/or compartments for which you were invoiced in January of 2007 and for which you were sent a past-due statement in February of 2007.

You must either pay the Annual Fee plus any Late Penalty, or you must provide proof of payment, such as a copy of the face of a cancelled check before the end of this month to avoid the accrual of another 5 % monthly late payment penalty on the amount due. Annual fees are required for all tanks and/or compartments which were not permanently closed before January 1, 2007.

This fee must be paid before an Underground Storage Tank Registration Certificate will be issued to the facility. If you do not have a current registration certificate, you cannot legally receive product deliveries. In addition, the Division now lists all facilities without a valid certificate on the Division's web site. Now fuel distributors can check this web site to determine if they can legally deliver fuel to your tanks. Annual Fee payment should have been received in the office of the Division of Fiscal Services – Consolidated Fee Section on or before the due date stated on the invoice regardless of your postmark or the date on the check. Because your payment was not received when due, a late penalty of 5% has been added at the end of each month since the fee or late payment penalty first became due. Payments should be mailed to:

State of Tennessee
Department of Environment and Conservation
Division of Fiscal Services – Consolidated Fee Section
401 Church Street, 14th Floor, L & C Tower
Nashville, TN 37243

This letter is to notify you that you are not in compliance with the requirements for maintaining Fund Eligibility. If your site is currently eligible for reimbursement for contamination cleanup from the State Fund and if you do not pay this

(Over)

From: Cindy Patton
To: Dan Ostrander
Date: 4/24/02 4:43PM
Subject: 9-790678 Yogi of Memphis, (Stuckey's)

Dan,
I met with Kenny Patel today. We have found the missing analytical data for the Permanent Closure Report. I called Teresa Denton to inform her. After three years we can finally close the site!
Thanks

From: Cindy Patton
To: Dan Ostrander
Date: 7/22/02 8:08AM
Subject: 9-790678

Dan,
I have closed this case. The closure is now complete. This was an Enforcement Case. Thanks
Cindy

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF UNDERGROUND STORAGE TANKS**

AMENDED NOTIFICATION FOR UNDERGROUND STORAGE TANKS

SELLER REPORTING CHANGE OF OWNERSHIP OF TANKS

9-790678

INSTRUCTIONS and **GENERAL INFORMATION**

Who Must Notify? In the case of a sale of tanks, the seller must submit the amended notification form and must also inform the buyer of the notification requirement.

When To Notify? Any change in the status of the tanks at a petroleum underground storage tank facility must be reported within thirty (30) days of such change.

Where To Notify? Division of Underground Storage Tanks
Tennessee Department of Environment and Conservation
401 Church Street
L & C Tower - Fourth Floor
Nashville, TN 37243-1541

Penalties: Any seller who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

STATE USE ONLY	
ID NUMBER	9-790678
DATE RECEIVED	
A. Date Entered Into Computer	_____
B. Data Entry Clerk Initials	_____
C. Owner Was Contacted to Clarify Responses, Comments	_____
_____	_____
_____	_____

Please type or print in ink all items except "signature" in section

ID NUMBER 9-790678

I. OWNERSHIP OF TANK(S)

Seller's Name (Corporation, Individual, Public Agency, or Other Entity)
MEERA LLC DBA STUCKEYS

Street Address
1776 WHITTEN RD A

Memphis TN 38134

City State ZIP Code

SHELBY

County

Phone Number (Include Area Code)

Buyer's Name (Corporation, Individual, Public Agency, or Other Entity)
Yogi of Memphis LLC

Street Address
1776 Whitten Rd

Memphis TN 38134

City State ZIP Code

Selby County

County

Phone Number (Include Area Code) 901 386 5500

II. LOCATION OF TANK(S)

Give the County Tax Map and Parcel numbers for this location:

Map # _____ Parcel # _____

Facility Name or Company Site Identifier, as applicable
JMK GAS & FOOD MART

Street Address (P.O. Box not acceptable)
1776 WHITTEN RD.

Memphis TN 38134

City State ZIP Code

SHELBY CO. Municipality

III. BUYER INFORMED BY SELLER

The seller informed the buyer of the notification requirement on _____ by: _____ (date)

(Mark all that apply.)

_____ mail

_____ certified mail

_____ language in sales contract

other (explain) Was not informed

IV. CERTIFICATION (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title
KANAIYALAL C. Patel (Print)

Signature [Signature]

Date Signed 02/26/02





Notification for Underground Storage Tanks

State Agency Name and Address

UST Division, 4th Floor, L&C Tower, 401 Church St., TN DEC, Nashville, TN

ID NUMBER

9-790678

TYPE OF NOTIFICATION

A. NEW FACILITY B. AMENDED C. CLOSURE

2 No. of tanks at facility _____ No. of continuation sheets attached

INSTRUCTIONS

Please type or print in ink all items except "signature" in section VIII. This form must be completed for each location containing underground storage tanks. If more than five (5) tanks are owned at this location, photocopy the following sheets, and staple continuation sheets to the form.

DATE RECEIVED

A. Date Entered Into Computer _____

B. Data Entry Clerk Initials _____

C. Owner Was Contacted to _____

Clarify Responses, Comments

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuance of its use.

c) If the State agency so requires, any facility that has undergone any changes in facility information or tank system status (only amended tank information needs to be included).

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. Gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;

2. tanks used for storing heating oil for consumptive use on the premises where stored;

3. septic tanks;

4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;

5. surface impoundments, pits, ponds, or lagoons;

6. storm water or waste water collection systems;

7. flow-through process tanks;

8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;

9. storage tanks situated in an underground area (such as a basement, cellar, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101.14 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Send completed forms to:

Underground Storage Tank Division
4th Floor, L&C Tower
401 Church Street
Tennessee Department of Environment & Conservation
Nashville, TN 37243-1541

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use. 3. If the State requires notification of any amendments to the facility send information to State agency immediately.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

I. OWNERSHIP OF TANK(S)

II. LOCATION OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)

VOEGEL OF MEMPHIS

Street Address
1776 WHITTEN RD.

City, State, ZIP Code
MEMPHIS TN 38134

County
SHELBY Co.

Phone Number (Include Area Code)
(901) 386-5500

Date of Purchase
February 28, 1999

If required by State, give the geographic location of tanks by degrees, minutes, and seconds. Examples Lit. 42, 36, 12 N Long. 85, 24, 17W

Latitude _____ Longitude _____

State Tax Map No. _____ State Tax Parcel No. _____

Facility Name or Company Site Identifier, as applicable

JMK GAS & FOOD MART

Street Address (P.O. Box Not Acceptable)
1776 WHITTEN RD.

City, State, ZIP Code
Memphis TN

County, Municipality
SHELBY Co.



#256 enclosed

Notification for Underground Storage Tanks		
State Agency Name and Address UST Division, 4th Floor, L&C Tower, 401 Church St., TN DEC, Nashville, TN		ID NUMBER <u>9-790678</u>
TYPE OF NOTIFICATION		DATE RECEIVED
<input type="checkbox"/> A. NEW FACILITY	<input checked="" type="checkbox"/> B. AMENDED	<input type="checkbox"/> C. CLOSURE
<u>2</u> No. of tanks at facility	_____ No. of continuation sheets attached	
INSTRUCTIONS		
Please type or print in ink all items except "signature" in section VIII. This form must be completed for each location containing underground storage tanks. If more than five (5) tanks are owned at this location, photocopy the following sheets, and staple continuation sheets to the form.		
		A. Date Entered Into Computer _____ B. Data Entry Clerk Initials _____ C. Owner Was Contacted to Clarify Responses, Comments _____ _____ _____

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

c) If the State agency so requires, any facility that has undergone any changes to facility information or tank system status (only amended tank information needs to be included).

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. Gasoline, used oil, or diesel fuel, and 2. Industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;

3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101.14 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 34.7 pounds per square inch absolute).

Where To Notify? Send completed forms to:

Underground Storage Tank Division
4th Floor, L&C Tower
401 Church Street
Tennessee Department of Environment & Conservation
Nashville, TN 37243-1541

When to Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use. 3. If the State requires notification of any amendments to the facility send information to State agency immediately.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

RECEIVED
MAR 8 2002
UNDERGROUND STORAGE TANKS

I. OWNERSHIP OF TANK(S)		II. LOCATION OF TANK(S)	
Owner Name (Corporation, Individual, Public Agency, or Other Entity) <u>VOEGEL OF MEMPHIS</u>		If required by State, give the geographic location of tanks by degrees, minutes, and seconds. Example: Lat. 42, 36, 12 N Long. 83, 24, 17 W	
Street Address <u>1776 WHITTEN RD</u>		Latitude _____	Longitude _____
City, State, ZIP Code <u>Memphis TN 38134</u>		State Tax Map No. _____	State Tax Parcel No. _____
County <u>SHELBY Co.</u>		Facility Name or Company Site Identifier, as applicable <u>JMK GAS & FOOD MART</u>	Street Address (P.O. Box Not Acceptable) <u>1776 WHITTEN RD.</u>
Phone Number (include Area Code) <u>(901) 386-5500</u>		City, State, ZIP Code <u>Memphis TN</u>	County, Municipality <u>SHELBY Co.</u>
Date of Purchase <u>February 28, 1999</u>			

III. TYPE OF OWNER		IV. INDIAN LANDS	
<input type="checkbox"/> Federal Government	<input checked="" type="checkbox"/> Commercial	Tanks are located on land within an Indian Reservation or on other trust lands. <input type="checkbox"/>	Tribe or Nation:
<input type="checkbox"/> State Government	<input type="checkbox"/> Private	Tanks are owned by native American nation, tribe, or individual. <input type="checkbox"/>	
<input type="checkbox"/> Local Government			

V. TYPE OF FACILITY

Select the Appropriate Facility Description

<input checked="" type="checkbox"/> Gas Station / <i>CONVENIENCE RESTAURANT</i>	<input type="checkbox"/> Railroad	<input type="checkbox"/> Trucking/Transport
<input type="checkbox"/> Petroleum Distributor	<input type="checkbox"/> Federal - Non-Military	<input type="checkbox"/> Utilities
<input type="checkbox"/> Air Taxi (Airline)	<input type="checkbox"/> Federal - Military	<input type="checkbox"/> Residential
<input type="checkbox"/> Aircraft Owner	<input type="checkbox"/> Industrial	<input type="checkbox"/> Farm
<input type="checkbox"/> Auto Dealership	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other (Explain)

VI. CONTACT PERSON IN CHARGE OF TANKS

Name	Job Title	Address	Phone Number (Include Area Code)
<i>KENNY PATEL</i>	<i>OWNER</i>	<i>1776 Whitten Rd. (B) APT # 102</i>	<i>(901) 286-5500</i>

VII. FINANCIAL RESPONSIBILITY

I have met the financial responsibility requirements in accordance with 40 CFR Subpart H

Check All that Apply		
<input type="checkbox"/> Self Insurance	<input type="checkbox"/> Guarantee	<input type="checkbox"/> State Funds
<input type="checkbox"/> Commercial Insurance	<input type="checkbox"/> Surety Bond	<input type="checkbox"/> Trust Fund
<input type="checkbox"/> Risk Retention Group	<input type="checkbox"/> Letter of Credit	<input type="checkbox"/> Other Method Allowed Specify

VIII. CERTIFICATION (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative (Print)	Signature	Date Signed
<i>KANAIYALAL C. PATEL</i>	<i>[Signature]</i>	<i>2-26-02</i>

EPA estimates public reporting burden for this form to average 30 minutes per response including time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding this burden estimate to Chief, Information Policy Branch PM-223, U.S. Environmental Protection Agency, 401 M Street, Washington D.C. 20460, marked "Attention Desk Officer for EPA." This form amends the previous notification form as printed in 40 CFR Part 280, Appendix I. Previous editions of this notification form may be used while supplies last.

IX. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification Number	Tank No. <u>4</u>	Tank No. <u>5</u>	Tank No. _____	Tank No. _____	Tank No. _____
1. Status of Tank (mark only one) Currently in Use <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Temporarily Out of Use <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <small>(Remember to fill out section X.)</small> Permanently Out of Use <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <small>(Remember to fill out section X.)</small> Amendment of Information <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
2. Date of Installation (mo./year)	<u>5/99</u>	<u>5/99</u>			
3. Estimated Total Capacity (gallons)	<u>10,000</u>	<u>10,000</u>			
4. Material of Construction (Mark all that apply) Asphalt Coated or Bare Steel <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Cathodically Protected Steel <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Epoxy Coated Steel <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Composite (Steel with Fiberglass) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Fiberglass Reinforced Plastic <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Lined Interior <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Double Walled <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Polyethylene Tank Jacket <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Concrete <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Excavation Liner <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Unknown <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Other, Please specify <u>ACT 100</u> <u>ACT 100</u> <u>2 COMPARTMENT TANK</u> Has tank been repaired? <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
5. Piping (Material) (Mark all that apply) Bare Steel <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Galvanized Steel <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Fiberglass Reinforced Plastic <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Copper <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Cathodically Protected <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Double Walled <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Secondary Containment <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Unknown <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Other, Please specify <u>FLEXIBLE PLASTIC</u> <u>FLEXIBLE PLASTIC</u>					
6. Piping (Type) (Mark all that apply) Suction: no valve at tank <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Suction: valve at tank <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Pressure <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Gravity Feed <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Has piping been repaired? <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					

Tank Identification Number	Tank No. <u>4</u>	Tank No. <u>5</u>	Tank No. _____	Tank No. _____	Tank No. _____
7. Substance Currently or Last Stored In Greatest Quantity by Volume					
Gasoline	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> (4K)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diesel	<input type="checkbox"/>	<input checked="" type="checkbox"/> (6K)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gasohol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kerosene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heating Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Used Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, Please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<u>2 Comp</u> <u>6K/4K</u>			
Hazardous Substance CERCLA name and/or, CAS number	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mixture of Substances Please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

X. TANKS OUT OF USE, OR CHANGE IN SERVICE

1. Closing of Tank					
A. Estimated date last used (mo./day/year)	<input type="text"/>				
B. Tank was removed from ground	<input type="checkbox"/>				
C. Estimated date tank was closed in ground or removed (mo./day/year)	<input type="text"/>				
D. Tank filled with inert material	<input type="checkbox"/>				
	<input type="checkbox"/>				
	<input type="checkbox"/>				
F. Change in service	<input type="checkbox"/>				
2. Site Assessment Completed	<input type="checkbox"/>				
Evidence of a leak detected	<input type="checkbox"/>				

XI. CERTIFICATION OF COMPLIANCE (COMPLETE FOR ALL NEW AND UPGRADED TANKS AT THIS LOCATION)

Tank Identification Number	Tank No. <u>4</u>	Tank No. <u>5</u>	Tank No. _____	Tank No. _____	Tank No. _____					
1. Installation										
A. Installer certified by tank and piping manufacturers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. Installer certified or licensed by the implementing agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
C. Installation inspected by a registered engineer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
D. Installation inspected and approved by implementing agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
E. Manufacturer's installation check-lists have been completed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
F. Another method allowed by State agency. Please specify.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Release Detection (Mark all that apply)										
	TANK	PIPING	TANK	PIPING	TANK	PIPING	TANK	PIPING	TANK	PIPING
A. Manual tank gauging	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
B. Tank tightness testing	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
C. Inventory controls	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
D. Automatic tank gauging	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
E. Vapor monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Groundwater monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Interstitial monitoring double walled tank/piping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Interstitial monitoring/secondary containment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Automatic line leak detectors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
J. Line tightness testing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
K. Other method allowed by Implementing Agency. Please specify.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Spill and Overfill Protection										
A. Overfill device installed	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
B. Spill device installed	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	

OATH: I certify the information concerning installation that is provided in section XI is true to the best of my belief and knowledge.

Installer: _____
 Name _____ Position _____ Signature _____ Date _____
 _____ Company _____

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 DIVISION OF UNDERGROUND STORAGE TANKS

RECEIVED

MAR 4 2002

AMENDED NOTIFICATION FOR UNDERGROUND STORAGE TANKS
 SELLER REPORTING CHANGE OF OWNERSHIP OF TANKS

UNDERGROUND STORAGE
 TANK PROGRAM

INSTRUCTIONS and **GENERAL INFORMATION**

Who Must Notify? In the case of a sale of tanks, the seller must submit the amended notification form and must also inform the buyer of the notification requirement.

When To Notify? Any change in the status of the tanks at a petroleum underground storage tank facility must be reported within thirty (30) days of such change.

Where To Notify? Division of Underground Storage Tanks
 Tennessee Department of Environment and Conservation
 401 Church Street
 L & C Tower - Fourth Floor
 Nashville, TN 37243-1541

Penalties: Any seller who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

STATE USE ONLY

ID NUMBER _____

DATE RECEIVED _____

A. Date Entered Into Computer _____

B. Data Entry Clerk Initials _____

C. Owner Was Contacted to Clarify Responses, Comments _____

Please type or print in ink all items except "signature" in section

ID NUMBER 9-790678

I. OWNERSHIP OF TANK(S)

Seller's Name (Corporation, Individual, Public Agency, or Other Entity)
MEERA LLC DBA STUCKEYS

Street Address
1776 WHITTEN RD A

Memphis TN 38134

City State ZIP Code

SHELBY

County

Phone Number (Include Area Code) _____

Buyer's Name (Corporation, Individual, Public Agency, or Other Entity)
Yogi of Memphis LLC

Street Address
1776 WHITTEN RD

Memphis TN 38134

City State ZIP Code

County Selby County

Phone Number (Include Area Code) 901 386 5501

II. LOCATION OF TANK(S)

Give the County Tax Map and Parcel numbers for this location:
 Map # _____ Parcel # _____

Facility Name or Company Site Identifier, as applicable
JMK GAS + Food MART

Street Address (P.O. Box not acceptable)
1776 WHITTEN RD

Memphis TN 38134

City State ZIP Code

SHELBY Co.

County Municipality

III. BUYER INFORMED BY SELLER

The seller informed the buyer of the notification requirement on _____ by:
 (date)

(Mark all that apply.)

_____ mail

_____ certified mail

_____ language in sales contract

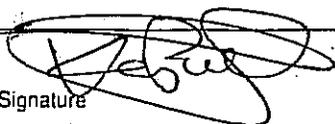
other (explain) Was not informed

IV. CERTIFICATION (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title
KANAIYALAL C. Patel

GM
 (Print)

Signature


Date Signed
02/26/02



RECEIVED

DEC 29 1998

UNDERGROUND STORAGE TANK PROGRAM UST OWNER/OPERATOR TEMPORARY CLOSURE AFFIDAVIT

Facility ID # 15418 Facility No. - 9-790678
Facility Name & Address Stuckey's & Travellers inn
(Print)

List the tank number, size, contents, and date emptied for all tanks to be closed:

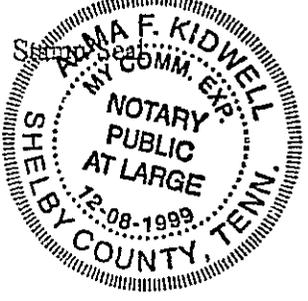
Tank Number	Size	Contents	Date Emptied
<u>1</u>	<u>10000 Gal.</u>	<u>Diesel</u>	<u>12/22/98</u>
<u>2</u>	<u>10000 Gal.</u>	<u>Gasoline (Regular)</u>	<u>12/22/98</u>
<u>3</u>	<u>6000 Gal.</u>	<u>Gasoline (Premier)</u>	<u>12/22/98</u>
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

I certify under penalty of law, including but not limited to penalties of perjury, that one (1) inch or less of product or residue is contained in the tank(s) listed above. I certify that no product will be placed in the tank(s) subsequent to the completion and submission of this affidavit to the Division. I am aware that the Tennessee Petroleum Underground Storage Tank Regulations require that the tank(s) listed above be either permanently closed or upgraded if the tank(s) remain(s) temporarily closed for more than twelve (12) months. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for intentional violations.

RAMAN
UST owner/operator (Print name)
R. Patel
Signature
12/22/98
Date

STATE OF Tennessee COUNTY OF SHELBY County
Sworn to and subscribed before me by RAMAN PATEL on this date
12-22-98. My commission expires 12-8-99.

ALMA F. KIDWELL
Notary Public (Print name)
Alma F. Kidwell
Signature
12-22-98
Date



RECEIVED

DEC 29 1998



UNDERGROUND STORAGE TANK PROGRAM

Notification for Underground Storage Tanks		ID NUMBER
State Agency Name and Address UST Division, 4th Floor, L&C Tower, 401 Church St., TN DEC, Nashville, TN		DATE RECEIVED
TYPE OF NOTIFICATION <i>Temporary</i>		A. Date Entered into Computer _____
<input type="checkbox"/> A. NEW FACILITY	<input type="checkbox"/> B. AMENDED	<input type="checkbox"/> C. CLOSURE
<u>3</u> No. of tanks at facility	_____ No. of continuation sheets attached	
INSTRUCTIONS		
Please type or print in ink all items except "signature" in section VIII. This form must be completed for each location containing underground storage tanks. If more than five (5) tanks are owned at this location, photocopy the following sheets, and staple continuation sheets to the form.		
Clarify Responses, Comments		

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

c) if the State agency so requires, any person who has made any changes to facility information or tank system status. Only amended tank information needs to be included).

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. Gasoline, used oil, or diesel fuel, and 2. Industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;

3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an interstate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mine-working drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Send completed forms to:

Underground Storage Tank Division
4th Floor, L&C Tower
401 Church Street
Tennessee Department of Environment & Conservation
Nashville, TN 37243-1641

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use. 3. If the State requires notification of any amendments to the facility send information to State agency immediately.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

I. OWNERSHIP OF TANK(S)

II. LOCATION OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity) _____

Street Address _____

City Menghi State TN ZIP Code 38134

County SHELBY

Phone Number (include Area Code) _____

Date of Purchase 8/10/95

If required by State, give the geographic location of tanks by degrees, minutes, and seconds. Example: Lat. 42, 36, 12 N Long. 85, 24, 17W

Latitude _____ Longitude _____

State Tax Map No. _____ State Tax Parcel No. _____

Facility Name or Company Site Identifier, as Applicable _____

Street Address (P.O. Box Not Acceptable): _____

City _____ State _____ ZIP Code _____

County _____ Municipality _____



Change of our ship;

Notification for Underground Storage Tanks		
State Agency Name and Address UST Division, 4th Floor, L&C Tower, 401 Church St., TN DEC, Nashville, TN		ID NUMBER <u>9-790678</u>
TYPE OF NOTIFICATION <u>95 AUG 23 PM 1 51</u>		DATE RECEIVED
<input type="checkbox"/> A. NEW FACILITY	<input checked="" type="checkbox"/> B. AMENDED TN DEPT. ENV. & CON.	A. Date Entered Into Computer _____
_____ No. of tanks at facility	_____ No. of continuation sheets attached	B. Data Entry Clerk Initials <u>ALP</u>
INSTRUCTIONS		C. Owner Was Contacted to Clarify Responses. Comments <u>8/24/95</u>
Please type or print in ink all items except "signature" in section VIII. This form must be completed for each location containing underground storage tanks. If more than five (5) tanks are owned at this location, photocopy the following sheets, and staple continuation sheets to the form.		

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

c) if the State agency so requires, any facility that has undergone any changes to facility information or tank system status (only amended tank information needs to be included).

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. Gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;

3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subcode C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Send completed forms to:

Underground Storage Tank Division
4th Floor, L&C Tower
401 Church Street
Tennessee Department of Environment & Conservation
Nashville, TN 37243-1541

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use. 3. If the State requires notification of any amendments to the facility send information to State agency immediately.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

I. OWNERSHIP OF TANK(S)

II. LOCATION OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)

Meerva LLC DBA Stuckey & Travellers inn

Street Address

6790 Raleigh LaGRANGE RD

City

State

38134

ZIP Code

County

Shelby

Phone Number (Include Area Code)

901-386-5500

Date of Purchase

8/10/95

If required by State, give the geographic location of tanks by degrees, minutes, and seconds. Examples: Lat. 42, 36, 12 N Long. 85, 24, 17W

Latitude _____

Longitude _____

State Tax Map No. _____

State Tax Parcel No. _____

Facility Name or Company Site Identifier, as applicable

Meerva LLC DBA Stuckey & Travellers inn

Street Address (P.O. Box Not Acceptable)

6790 Raleigh LaGrange RD

City

Memphis

State

TN

38134

ZIP Code

County

Shelby

Municipality

III. TYPE OF OWNER		IV. INDIAN LANDS	
<input type="checkbox"/> Federal Government	<input checked="" type="checkbox"/> Commercial	Tanks are located on land within an Indian Reservation or on other trust lands. <input checked="" type="checkbox"/> No	Tribe or Nation:
<input type="checkbox"/> State Government	<input type="checkbox"/> Private	Tanks are owned by native American nation, tribe, or individual. <input checked="" type="checkbox"/> No	
<input type="checkbox"/> Local Government			

V. TYPE OF FACILITY

Select the Appropriate Facility Description

<input checked="" type="checkbox"/> Gas Station	<input type="checkbox"/> Railroad	<input type="checkbox"/> Trucking/Transport
<input type="checkbox"/> Petroleum Distributor	<input type="checkbox"/> Federal - Non-Military	<input type="checkbox"/> Utilities
<input type="checkbox"/> Air Taxi (Airline)	<input type="checkbox"/> Federal - Military	<input type="checkbox"/> Residential
<input type="checkbox"/> Aircraft Owner	<input type="checkbox"/> Industrial	<input type="checkbox"/> Farm
<input type="checkbox"/> Auto Dealership	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other (Explain) _____

VI. CONTACT PERSON IN CHARGE OF TANKS

Name	Job Title	Address	Phone Number (Include Area Code)
Raman Patel	President	6790 Raleigh LAGRA GLEN Memphis TN 38134	901-386-5500

VII. FINANCIAL RESPONSIBILITY

I have met the financial responsibility requirements in accordance with 40 CFR Subpart H

Check All that Apply

<input type="checkbox"/> Self Insurance	<input type="checkbox"/> Guarantee	<input checked="" type="checkbox"/> State Funds
<input type="checkbox"/> Commercial Insurance	<input type="checkbox"/> Surety Bond	<input type="checkbox"/> Trust Fund
<input type="checkbox"/> Risk Retention Group	<input type="checkbox"/> Letter of Credit	<input type="checkbox"/> Other Method Allowed Specify _____

VIII. CERTIFICATION (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative (Print)	Signature	Date Signed
	<i>Raman Patel</i>	8/19/95

EPA estimates public reporting burden for this form to average 30 minutes per response including time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding this burden estimate to Chief, Information Policy Branch PM-223, U.S. Environmental Protection Agency, 401 M Street, Washington D.C. 20460, marked "Attention Desk Officer for EPA." This form amends the previous notification form as printed in 40 CFR Part 280, Appendix I. Previous editions of this notification form may be used while supplies last.

Raman Patel

A&L Analytical Laboratories, Inc.



411 North Third Street • Memphis, TN 38105-2723 • (901) 527-2760 • FAX: (901) 526-4031

PAGE 4 of 5
REPORT NUMBER
192-001A

ACCT # 7700

July 10, 1992

P.O. # 8-263
Project # 05-K3761-6C
Project Name: Stuckey's
TDCE # 9790676
Data Rec'd: 7-8-92

Environmental Protection Systems
Attn: Derrick Hawkins
4145 Willow Lake Blvd.
Memphis, TN 38118

40615 40616
05-7892-DH 05-7892-DH
3B Soil 4B Soil
7-8-92 7-6-92
12:30 2:30

LABORATORY NUMBER:

SAMPLE IDENTIFICATION:

ANALYSIS:

Benzene (ppm)
Toluene (ppm)
Ethyl Benzene (ppm)
Total Xylenes (ppm)
Gasoline Range Organics (ppm)
Diesel Range Organics (ppm)
Total Petroleum Hydrocarbons (ppm)

Extraction Analysis

Date	Date	Count
7/9/92	7/9/92	< 1
7/9/92	7/9/92	5
7/9/92	7/9/92	4
7/9/92	7/9/92	15
7/9/92	7/9/92	24
7/8/92	7/9/92	2
7/8-7/9	7/8-7/9	24

Method of Detection: GC/EAL
FID/FID

Limit of Detection: BTEX (ppm)
Gasoline Range Organics (ppm)
Diesel Range Organics (ppm)
Total Petroleum Hydrocarbons (ppm)

< denotes less than

TPH extracted by Method 3550 from "Test Methods for Evaluating Solid Waste. Physical/Chemical Methods", US EPA, SW-846, 3rd Edition, September 1986.

Analysis according to SW-846 Methods 8000, 8020, & 8100
Sampled by Client.

A S L Environmental Services

Signature of Jeffrey H. Papasan, Director

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Notification for Underground Storage Tanks

FORM APPROVED
OMB NO. 1024-0047
APPROVAL BY EPA 10/1/85

I.D. Number **STATE USE ONLY**
9 790678
Date received

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

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What Tanks Are Included? An underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded. Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;
3. septic tanks;

4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

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Where To Notify? Completed notification forms should be sent to the address given at the top of this page.

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

INSTRUCTIONS

Please type or print in ink all items except "signature" in Section V. This form must be completed for each location containing underground storage tanks. If more than 5 tanks are owned at this location, photocopy the reverse side, and staple continuation sheets to this form.

Indicate number of continuation sheets attached

I. OWNERSHIP OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)

D. N. DESAI DBA ENVY ENTERPRISES

Street Address

6790 RALEIGH LAGRANGE

County

SHELBY

City

MEMPHIS

State

TN.

ZIP Code

38134

Area Code

901

Phone Number

388 5900

Type of Owner (Mark all that apply)

Current

State or Local Gov't

Private or Corporate

Former

Federal Gov't (GSA facility I.D. no. _____)

Ownership uncertain

II. LOCATION OF TANK(S)

(If same as Section I, mark box here)

Facility Name or Company Site Identifier, as applicable

STUCKEYS TRAVELER'S INN

Street Address or State Road, as applicable

6790 RALEIGH LAGRANGE

County

SHELBY

City (nearest)

MEMPHIS

State

TN.

ZIP Code

38134

Indicate number of tanks at this location

3

Mark box here if tank(s) are located on land within an Indian reservation or on other Indian trust lands

III. CONTACT PERSON AT TANK LOCATION

Name (If same as Section I, mark box here)

Job Title **OWNER**

Area Code

901

Phone Number

388 5997

IV. TYPE OF NOTIFICATION

Mark box here only if this is an amended or subsequent notification for this location.

V. CERTIFICATION (Read and sign after completing Section VI)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative

D. N. DESAI OWNER

Signature

D. N. Desai

Date Signed

6/13/86

CONTINUE ON REVERSE SIDE

VI. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification No. (e.g., ABC-123), or Arbitrarily Assigned Sequential Number (e.g., 1,2,3...)	Tank No. 1	Tank No. 2	Tank No. 3	Tank No.	Tank No.
1. Status of Tank (Mark all that apply <input checked="" type="checkbox"/>)					
Currently in Use	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporarily Out of Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Permanently Out of Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brought into Use after 5/8/86	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Estimated Age (Years)	17	17	9		
3. Estimated Total Capacity (Gallons)	10000	10000	6000		
4. Material of Construction (Mark one <input checked="" type="checkbox"/>)					
Steel	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concrete	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fiberglass Reinforced Plastic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, Please Specify					
5. Internal Protection (Mark all that apply <input checked="" type="checkbox"/>)					
Cathodic Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interior Lining (e.g., epoxy resins)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, Please Specify					
6. External Protection (Mark all that apply <input checked="" type="checkbox"/>)					
Cathodic Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Painted (e.g., asphaltic)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fiberglass Reinforced Plastic Coated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, Please Specify					
7. Piping (Mark all that apply <input checked="" type="checkbox"/>)					
Bare Steel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Galvanized Steel	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fiberglass Reinforced Plastic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cathodically Protected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, Please Specify					
8. Substance Currently or Last Stored in Greatest Quantity by Volume (Mark all that apply <input checked="" type="checkbox"/>)					
a. Empty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Petroleum					
Diesel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kerosene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gasoline (including alcohol blends)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Used Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, Please Specify					
c. Hazardous Substance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please Indicate Name of Principal CERCLA Substance OR Chemical Abstract Service (CAS) No.					
Mark box <input checked="" type="checkbox"/> if tank stores a mixture of substances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Additional Information (for tanks permanently taken out of service)					
a. Estimated date last used (mo/yr)	/	/	/	/	/
b. Estimated quantity of substance remaining (gal.)					
c. Mark box <input checked="" type="checkbox"/> if tank was filled with inert material (e.g., sand, concrete)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



DEPARTMENT OF ENVIRONMENT AND CONSERVATION

FILE REQUEST

DEPARTMENT USE ONLY

DIVISION(S): SLWM

DATE: 8/31/07

APPOINTMENT TIME: 1:00 (A.M. / P.M.)

PLEASE FOLLOWING (OR ATTACH YOUR BUSINESS CARD):



Suite 306
2416 21st Avenue South
Nashville, TN 37212
Phone: (615) 297-8957
Fax: (615) 297-8913
E-mail: bdavis@palmernet.com

William R. Davis, Jr., CHMM, CPESC
Senior Project Manager

E ZIP TELEPHONE

- g the normal business hours from 8:00 a.m. until 4:30 p.m., Monday through
ance and to assure prompt service and adequate time for file review, it is
recommended appointments be made during the hours of 8:30 a.m. and 3:00 p.m. Some documents in our files are
confidential under the Tennessee laws. Some documents may contain information that is confidential that can be redacted.
- The number of files reviewed at one time may be limited without authorization from the Division Manager or Environmental Assistance Center Administrative Manager.
 - Briefcases and other accessories (with the exception of writing materials -- notepads, pencils, etc.) are not allowed in the file area.
 - Do not mark on the file(s) or change the order of documents within the file(s).
 - Routine copies are charged at the rate of 10 cents per page. Non-routine copies are charged at the rate of 40 cents per page. Non-routine electronic copies are charged at the rate of \$5.00 per floppy disk and \$10.00 per CD disk. There may be additional charges to recover the cost for odd size, or otherwise difficult to handle copies. All charges are payable in advance by exact cash or check only.
 - Tags will be provided to mark any pages for staff to copy.
 - Staff will make copies as their work schedule permits. It may be necessary to return for the copies, or they may be mailed upon request.

I have read and understand the above file review procedures.

William R. Davis, Jr.
Signature
08/31/07
Date

FACILITY NAME	FACILITY I.D. #	COUNTY	# OF PAGES COPIED
Palmer	TND 00704 5271	Shelby	20
-		-	

TOTAL Pages Copied _____