Underground Storage Tank Enforcement Update

Underground Storage Tanks and Solid Waste Disposal Control Board
August 4, 2021

Rhonda Key, Environmental Manager
The Division issued 10 orders between May 14, 2021 and July 16, 2021.

Of those orders, 1 is in Appealed status and 2 are in Final status.
Appealed Order
Summary of UST21-0024
Fac. ID No. 3-310048 / Palmer Market

- Director’s Order signed May 18, 2021
- Order appealed on June 7, 2021
- Order for:
  - Failing to perform monthly release detection monitoring for the diesel tank
  - Failing to operate and maintain corrosion protection systems to continuously provide corrosion protection
  - Failing to install other system parts in accordance with manufacturer’s installation instructions
  - Failure to cooperate with the Division
- Civil Penalty – $15,840.00

- The case was appealed on 6/7/2021 and is in OGC. No hearing has been set.
Final Order
Final Order

Summary of UST21-0052
Fac. ID No. 8-840038 / City Service Station No. 2

- Director’s Order signed May 18, 2021
- Final on June 19, 2021
- Violations Addressed on Director’s Order
  - Failure to monitor tanks at least monthly
- Penalty:
  - Upfront – $6,400.00
  - Contingent – $0.00

- The Order was served by private process server on May 5, 2021. The Order will become final on June 4, 2021.
Summary of UST21-0037
Fac. ID No. 9-791966 / Quick Mini Mart

- Director’s Order signed May 26, 2021
- Violations on Director’s Order
  - Failing to install other system parts in accordance with manufacturer’s installation instructions
  - Failing to cooperate with the Division
- Penalty:
  - Upfront – $2,400.00

The Order was served by private process server on June 24, 2021. The Order will become final on July 25, 2021.
Signed Orders
Signed Order

Summary of UST21-0042

Fac. ID No. 5-850036/ Bubba’s Market

- Expedited Director’s Order signed June 25, 2021
- Final on August 6, 2021
- Violations Addressed on Director’s Order:
  - Failure to monitor tanks at least monthly
- Penalty:
  - Upfront – $640.00
  - Contingent – $2,560.00
Signed Order

Summary of UST21-0011
Fac. ID No. 9-790658 / Kangaroo Express No. 101

- Director’s Order signed June 3, 2021
- Final on July 22, 2021
- Violations on Director’s Order
  - Failing to monitor tanks at least monthly
  - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
  - Failing to test line leak detectors annually
  - Failing to maintain a log of monthly inspections of spill catchment basins for 12 months
  - Failing to maintain a log of at least the last 12 months of visual inspections for seeps and drips after removing the dispenser cover
  - Failing to cooperate with the Division

- Penalty:
  - Upfront – Tank School
  - Contingent – $4,000.00
Summary of UST21-0019

Fac. ID No. 3-330758 / Town of Lookout Mountain

- Expedited Director’s Order signed June 25, 2021
- Final on August 5, 2021
- Violations on Director’s Order
  - Failure to perform annual line tightness tests
- Penalty:
  - Upfront – Tank School
  - Contingent – $4,000.00
Signed-Pending SOP Orders
Summary of UST21-0003
Fac. ID No. 8-200010 / Smiley’s

- Director’s Order signed May 18, 2021
- Violations on Director’s Order
  - Failing to maintain the impressed current CP system
  - Failing to cooperate with the Division
- Penalty:
  - Upfront – $2,400.00

- The Order is out for service via certified mail, after unsuccessful attempts to serve via process server.
Summary of UST21-0015
Fac. ID No. 9-791620 / E&A, Inc.

- Director's Order signed May 26, 2021
- Violations on Director’s Order
  - Failing to perform monthly release detection monitoring for tanks
  - Failing to install other system parts in accordance with manufacturer's installation instructions
  - Failing to perform galvanic corrosion system tests every three years
  - Failing to conduct annual line tightness tests or do monthly monitoring on pressurized underground piping
  - Failing to perform annual line leak detector tests
  - Failing to designate one or more persons as Class A, Class B and Class C operators
  - Failing to provide an emergency response sign or manual for trained Class C operators
  - Failing to cooperate with the Division
  - Failing to pay the annual tank fees, late penalties and interest
- Penalty:
  - Upfront – $45,240.00 and pay all outstanding annual tank fees, late penalties and statutory interest due and owing.

- This order is being reviewed due to unsuccessful attempts to serve via process server.
Summary of UST21-0017

Fac. ID No. 5-191221 / Mapco Express No. 3304

▪ Expedited Director’s Order signed May 26, 2021
▪ Violations on Expedited Director’s Order
  • Failing to test line tightness test annually
  • Failing to monitor a tank for release at least monthly
▪ Penalty:
  • Upfront – $1,040.00
  • Contingent – $4,160.00

▪ The Order is out for service via certified mail.
Summary of UST21-0031
Fac. ID No. 1-460072 / Paradise Gas and Grill

- Expedited Director’s Order signed June 25, 2021
- Violations Addressed on Expedited Director’s Order
  - Failing to test line tightness test annually or do monthly monitoring on pressurized underground piping
  - Failing to monitor a tank for release at least monthly
- Penalty:
  - Upfront – Tank School
  - Contingent – $20,800.00

- The Order is out for service via certified mail.
Questions?