



Department of
**Environment &
Conservation**

Underground Storage Tank Enforcement Update

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

ENFORCEMENT OVERVIEW

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

Appealed Order – In OGC

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.

Final Order

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

Signed Order

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

Signed-Pending SOP Order

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.

Signed-Pending SOP Order

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.

Signed-Pending SOP Order

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.

Signed-Pending SOP Order

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?

