

The Environmental Appeals Board
United States Environmental Protection Agency

DATE 4-20-21

SILKY ASSOCIATES, LLC

APPEAL NO. RCRA 21-02

ANSWER TO #1

DECLARATION OF MELISSA TOFFEL

AS THIS ALL WORK started with a Mexican Guy
came to my Gas Station. He told me that he come
from EPA and he have taken photos of all
UNDERGROUND FUEL TANK.

After that OFFICER MELISSA TOFFEL
I got some call and papers to provide or send
All the Reports as per her LIST.

I have send all papers such as

- ① Live Detector Test
- ② Cathodic Protection Meter Monthly Reading
- ③ Veeder Root Current-Reading

She asked me to provide or get me
current-Report. then I call Mr. Gary owner
of PRECISION LINE TESTING, LLC. He come on
9-10-2017 and done the Testing. According
the Test. All the Data Detector Test come
Good and PASS. Attach the Report with this.

and I also Request him to do (UST.) Under Ground
Ground Nitrog Test. Then he came after some day
He tried But he was not getting Reading. He said
some Anoid me he get Bad.

I call other company P.T.S. He also
found that some were some ~~thing~~ thing wrong
Then I call UST CORROSION MANAGEMEST. He
Come checked. His People (Technician) check all over
around the TANKS. said we have installed (ANOD)
Previously some time 2013-14 they are good but
Near side some Anodi they get bad they
have to change. On there next trip come and
Replace all the Bad Anoid After that
They got correct Reading on Cathodic Protection
meter and they send by E-MAIL CERTIFICATE
to EPA office to milissa Toffel She told me
I she get the Certificate.

I have conversation and talk with

For her (Milissa) She said if you do not do those
Test it will be very big Penalty. Then I said I
am doing all you told me still I will be Penl
Penaltise. With milissa quickly replied no no
not this time. if you do I have no choice
closing the shore and do Bankruptcy. She said
I am not doing.

Because of those Rule of Over
Fill. demand of Over fill equipment was very
high. Every body want to instal that's why

it was sale out Quick and manufacturer could not supply to full fill demand. I tried this Problem but she was not listening. & With the help of Petro Supply I spoke to supplier manufacturer Salesperson requested and told the Problem Finally he understand and supplied to Petro Supply and I got Over Fill equipment for all my underground TANK and in front of DEQ OFFISER in his present PES Petroleum Mrs Vans Orlandi installed.

When all wear installed, The officer informed officer Milissa Tuffel release the Restriction on from all my TANK AS in Milissa Tuffel Declaration had Discribe, This was the IV Violation as per officer Milissa.

But I just remember that I have Veeder Root model TLC 350 with CSLD which is Program every thing which was made for. It was program as:-

- ① Give Fuel INVENTORY REPORT
- ② Low Product Alarm
- ③ INFORM Delivery Needed
- ④ Any Water in the TANK REPORT
- ⑤ Programmed 0.2 GAL/HR TEST
- ⑥ OVER FILL OF FUEL IN TANK ALARM

I remember in Past one time Veeder

Root Buzing Alarm I run to feeder Root to check what happened why it Alarmed, I saw it was for Over Fill sign and I run to Delivery TRUCK

Driver but some how he told yes I stop Filling. I talk to Technician of Petro Supply that Veeder Root - is Promed with CSLD chip for Over Fill Fuel it will Alaram.

It means I already have Overfill System in my Veeder Root, It mean I have not- Voileted overfill Rules as made by VA. Government. I should forgive for this Voilation

VA. Government - they had Proposal of OVER FILL FUEL in TANK in 2003 and it was Passed Approved in 2004 of Feb. (Feb 2004) and I have Purchase this Gas Station from PILOT. CORPORATION. Before this also it was law that Gas station should have OVER Fill System But - in Partiamental-Assembly it was Proposed in 2003 all Gas station ~~must~~^{MUST} have Over Fill means everyone and this law was Approved in Feb 2004, and I have Purchase this Pilot Gas station in JUNE 30-2005.

I have Purchase from Pilot Corp. that it will be good by Buy that they will be operated with all Code and Law.

It was Environment Department
OR DEQ they should Force all the Govt. Code
which was made in Feb 2004. I think
they not checked them. Because ~~for~~ of Department
Negligious Pilot - not updated the Gas
station, even that they do not have Leak
Detector on one of Tank. Mid Atlantic Comp.
Technician told me when they were
installing New But old Dispenser. They are the
one notice and then they instal the Leak
Dedector (12-~~14~~ year ago As I am trying to
remember.

If Department - have checked
then I do not have this Penlty low
suit - and I do not have to spend
my saving and all the trouble. There
was 2004 to 2005 over one year of
time to Force overfill Law. I hope
you will Forgive me. PARDEN ME
and Relise me ~~Est~~ From all these
Penalty. I have tried to save Court
time. I have cut lot - thing to save time
I have UP Dated my Gas station with all the
CODE. I am doing every year Leak Dedector

test From 2014 to 2020 & and UST also updated
uptill now.

Officer Michel Kelly on 11-11-2021

INSPECTED the Place and took Picture of all
Current Report.

I ~~to~~ Request save me and

Forgive me, Pardon me.

Your

Jahmir S. Bogga

Attached Leak Dedectay 2017
and Yeeds Root some old Report.

Line/LD Test Data Sheet

COMPANY	Silky Associates LLC	TEST NUMBER	170920A-08
LOCATION	Lucky Mart	TEST DATE	9/20/2017
ADDRESS	200 E. Williamsburg Road	TECHNICIAN	Gary Burchard
CITY / STATE	Sandston, VA 23152	CERTIFICATION	3461.LTN

LINE TEST					
Product	Regular	Premium	Diesel	Kerosene	
STP Pressure	30	30	28	29	
Isolation	Iso Plug	Iso Plug	Iso Plug	Check Valve	
Test Pressure	50	50	50	50	
Initial Level	0.0375	0.0375	0.0375	0.0470	
Final Level	0.0038	0.0375	0.0375	0.0470	
Leak Rate	0.0000	0.0000	0.0000	0.0000	
Start Time	10:40	10:40	10:40	11:30	
End Time	11:25	11:25	11:25	12:00	
Test Time	45	45	45	30	
Result	Pass	Pass	Pass	Pass	

LD TEST					
LD Model	FX1V	LD-2000	XLD	FX1DV	
Serial #	116-056	-	-	116-058	
Check Valve PSI	16	22	18	20	
Resiliency	75	75	25	25	
Test Leak Rate	3 gph	3 gph	3 gph	3 gph	3 gph
Opening Time	6	4	4	5	
Result	Pass	Pass	Pass	Pass	

COMMENTS

"The Service You Can Trust"

P.O. Box 53 * Powhatan, VA 23139 * Tel (804) 564-3178

LUCKY MART
200 E WILLIAMSBURG
SANDSTON VA 23150

MAR 11, 2021 10:43 AM

SYSTEM STATUS REPORT

- - - - -
T 1:LOW PRODUCT ALARM
T 1:INVALID FUEL LEVEL
T 1:DELIVERY NEEDED
T 5:LOW PRODUCT ALARM
T 5:INVALID FUEL LEVEL
T 5:DELIVERY NEEDED

INVENTORY REPORT

T 1:SUPER
T 1:INVALID FUEL LEVEL
VOL INVALID 333 GALS
ULLAGE = 9681 GALS
90% ULLAGE= 8679 GALS
TC VOLUME = 333 GALS
HGT INVALID 7.09 INCHES
STK HEIGHT= 6.29 INCHES
WATER VOL = 0 GALS
WATER = 0.00 INCHES
TEMP = 61.2 DEG F

T 2:UNLEADED
VOLUME = 3233 GALS
ULLAGE = 6781 GALS
90% ULLAGE= 5779 GALS
TC VOLUME = 3255 GALS
HEIGHT = 34.46 INCHES
STK HEIGHT= 35.70 INCHES
WATER VOL = 12 GALS
WATER = 0.80 INCHES
TEMP = 50.2 DEG F

T 3:UNLEADED2
VOLUME = 3235 GALS
ULLAGE = 6779 GALS
90% ULLAGE= 5777 GALS
TC VOLUME = 3258 GALS
HEIGHT = 34.47 INCHES
STK HEIGHT= 31.97 INCHES
WATER VOL = 15 GALS
WATER = 0.92 INCHES
TEMP = 49.3 DEG F

T 4:KERO
VOLUME = 432 GALS
ULLAGE = 3568 GALS
90% ULLAGE= 3168 GALS
TC VOLUME = 434 GALS
HEIGHT = 10.54 INCHES
STK HEIGHT= 15.29 INCHES
WATER VOL = 0 GALS
WATER = 0.00 INCHES
TEMP = 50.5 DEG F

T 5:DIESEL
T 5:INVALID FUEL LEVEL
VOL INVALID 270 GALS
ULLAGE = 3730 GALS
90% ULLAGE= 3330 GALS
TC VOLUME = 270 GALS
HGT INVALID 7.64 INCHES
STK HEIGHT= 7.64 INCHES
WATER VOL = 0 GALS
WATER = 0.00 INCHES
TEMP = 51.0 DEG F

MANIFOLDED TANKS
INVENTORY TOTALS

T 2:UNLEADED
T 3:UNLEADED2
VOLUME = 6468 GALS
TC VOLUME = 6513 GALS

* * * * * END * * * * *

LUCKY MART
200 E WILLIAMSBURG
SANDSTON VA 23150

MAR 3. 2021 6:00 AM

INVENTORY REPORT

T 1: SUPER

VOLUME = 980 GALS
ULLAGE = 9034 GALS
90% ULLAGE = 8032 GALS
TC VOLUME = 986 GALS
HEIGHT = 14.80 INCHES
STK HEIGHT = 14.00 INCHES
WATER VOL = 136 GALS
WATER = 3.88 INCHES
TEMP = 50.3 DEG F

T 2: UNLEADED

VOLUME = 992 GALS
ULLAGE = 9022 GALS
90% ULLAGE = 8020 GALS
TC VOLUME = 998 GALS
HEIGHT = 14.93 INCHES
STK HEIGHT = 16.17 INCHES
WATER VOL = 18 GALS
WATER = 1.02 INCHES
TEMP = 50.9 DEG F

T 3: UNLEADED2

VOLUME = 1044 GALS
ULLAGE = 8970 GALS
90% ULLAGE = 7968 GALS
TC VOLUME = 1050 GALS
HEIGHT = 15.45 INCHES
STK HEIGHT = 12.95 INCHES
WATER VOL = 15 GALS
WATER = 0.92 INCHES
TEMP = 50.2 DEG F

T 4: KERO

VOLUME = 497 GALS
ULLAGE = 3503 GALS
90% ULLAGE = 3103 GALS
TC VOLUME = 499 GALS
HEIGHT = 11.62 INCHES
STK HEIGHT = 16.37 INCHES
WATER VOL = 0 GALS
WATER = 0.00 INCHES
TEMP = 50.1 DEG F

T 5: DIESEL

T 5: INVALID FUEL LEVEL
VOL INVALID 270 GALS
ULLAGE = 3730 GALS
90% ULLAGE = 3330 GALS
TC VOLUME = 270 GALS
HGT INVALID 7.64 INCHES
STK HEIGHT = 7.64 INCHES
WATER VOL = 0 GALS
WATER = 0.00 INCHES
TEMP = 50.3 DEG F

MANIFOLDED TANKS

INVENTORY TOTALS

T 2: UNLEADED

T 3: UNLEADED2

VOLUME = 2036 GALS

TC VOLUME = 2048 GALS

* * * * * END * * * * *

LUCKY MART
200 E WILLIAMSBURG
SANDSTON VA 23150

MAR 3, 2021 8:00 AM

CSLD TEST RESULTS

MAR 3, 2021 8:00 AM

T 1: SUPER
PROBE SERIAL NUM 214394

0.2 GAL/HR TEST
PER: MAR 3, 2021 PASS

T 2: UNLEADED
T 3: UNLEADED2
PROBE SERIAL NUM 213881

0.2 GAL/HR TEST
PER: MAR 3, 2021 PASS

T 4: KERO
PROBE SERIAL NUM 379372

0.2 GAL/HR TEST
PER: MAR 3, 2021 PASS

T 5: DIESEL
PROBE SERIAL NUM 079137

0.2 GAL/HR TEST
PER: NO RESULTS AVAILABLE

----- IN-TANK ALARM -----
T 3: UNLEADED2
DELIVERY NEEDED
MAR 3, 2021 1:16 PM