CERTIFICATE OF SERVICE

I certify that copies of the Request to dismiss case (insert title) in the matter of *Silky Associates, L.L.C.*, RCRA (9006) Appeal No. 21-02, were sent to the following persons on 8/19/21 (insert date) in the manner indicated below.

Method of Service: email **(identify how you sent the document, such as email, U.S. Mail or other reliable commercial delivery service)**

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Lakhmir Bagga (insert signature)

ENVIROMENTAL APPEALS BOARD
UNITED STATES ENVIROMENL PROTECTION AGENCY
WASINGTON, D C.

IN RE

SILKY ASSOCIATES L.L.C.	RCRA(9006)
DOCET NO. RCRA-03-298-0131	APEAL NO. 21-02

REQUEST TO DISMISS THISCASE
BECAUSE UNDER THE TITLE 9 ENVIROMENT
TITLE OF REGULATION 9VAC 25-580 UNDER THE
& SUBJECT SPILL AND OVERFILL PREVENTION EQUIPMENT

IN this Regulaton VAC25-650 Title Spill and Overfill Provention EQUIPMENT clearly Explain what kind of equipmet have to use As in "EXIBIT B2" I HIGHLITED all the lines. Whole chapter is for spill and overfill Provention But Specialy on line "b" OWNERS AND OPERATERS are not REQUIRED to use the Spill and ~~Overfill~~ Overfill Prevention equipment Specified in subdivision "3 a" that is (a) AUTOMETICALLY SHUTOFF FLOW in to the TANK is when the tank is no more than 95% Full.
(1) Alternative equipment is used that is determined the Board. The Whole chapter is Highlited in EXHBIT B2. instead of writing here.

IN this Matter EPA OFFICER ignored the the law of Virginia Title 9VAC-25-580 not Putting any attention to Alternative other equipmet- ~~that~~ that there officer took the Photograp of all 5 TANK but never thout there may be other equipment allowed by the Board.

Millisa Toffel ignore the Tittle of Regulation
9VAC25-580 Chaptor 3 spill and overfill "b" and b(1) owners
and Operators not required other equipment can be used
as permitted by the Board but still she insist on
Auto shut Drop tube to install in all tank Other-
wise you will bee Penaltise Huge Money as discribe
in her Feb 21-2018 letter by Law. I have no choice
Factory (Manufecterer) was behind Production Accordig
to demand as soon as they supplied & Installed all
in my tank. As under this law I was allready
Equipd with all the equipment as required. Now
I have all the equipment as Millisa Toffel still I
am punished with huge Penalty When as per
this Tittle 9VAC25-580 I should not be Punished
and this case should be stop here and Release
from this Penalty and I Request to dissmise
this because this will be unfair and unjustice
As I am Boging and Requisting to all the
JUDGES under this law I should not be
Punished

Just Yours.
Fabian's Baggs
FOR SILKY ASSOCITES. LLC.

(3) Underwriters Laboratories of Canada Guide ULC-107, "Glass Fiber Reinforced Plastic Pipe and Fittings for Flammable Liquids"; and

(4) Underwriters Laboratories of Canada Standard CAN 4-S633-M81, "Flexible Underground Hose Connectors."

b. The piping is constructed of steel and cathodically protected in the following manner:

(1) The piping is coated with a suitable dielectric material;

(2) Field-installed cathodic protection systems are designed by a corrosion expert;

(3) Impressed current systems are designed to allow determination of current operating status as required in subdivision 3 of 9VAC25-580-90; and

(4) Cathodic protection systems are operated and maintained in accordance with 9VAC25-580-90; or

NOTE: The following codes and standards may be used to comply with subdivision 2 b of this section:

(a) National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code";

(b) American Petroleum Institute Publication 1615, "Installation of Underground Petroleum Storage Systems";

(c) American Petroleum Institute Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems"; and

(d) National Association of Corrosion Engineers Standard RP-01-69, "Control of External Corrosion on Submerged Metallic Piping Systems."

"B2" EXHIBIT.

c. The piping construction and corrosion protection are determined by the board to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than the requirements in subdivisions 2 a through b of this section.

3. Spill and overfill prevention equipment.

a. Except as provided in subdivision 3 b of this section, to prevent spilling and overfilling associated with product transfer to the UST system, owners and operators must use the following spill and overfill prevention equipment:

(1) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin); and

(2) Overfill prevention equipment that will:

(a) Automatically shut off flow into the tank when the tank is no more than 95% full;

(b) Alert the transfer operator when the tank is no more than 90% full by restricting the flow into the tank or triggering a high-level alarm; or

(c) Restrict the flow 30 minutes prior to overfilling, alert the operator with a high level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling.

b. Owners and operators are not required to use the spill and overfill prevention equipment specified in subdivision 3 a of this section if:

(1) Alternative equipment is used that is determined by the board to be no less protective of human health and the environment than the equipment specified in subdivision 3 a (1) or (2) of this section; or

(2) The UST system is filled by transfers of no more than 25 gallons at one time.

4. Installation. All tanks and piping must be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions.

NOTE: Tank and piping system installation practices and procedures described in the following codes may be used to comply with the requirements of subdivision 4 of this section:

a. American Petroleum Institute Publication 1615, "Installation of Underground Petroleum Storage System";

b. Petroleum Equipment Institute Publication RP100, "Recommended Practices for Installation of Underground Liquid Storage Systems"; or

c. American National Standards Institute Standard B31.3, "Petroleum Refinery Piping," and American National Standards Institute Standard B31.4 "Liquid Petroleum Transportation Piping System."