



209 North Court Street
Lewisburg, WV 24901
304-645-4622

Telecopier 304-645-4064

DATE: June 25, 2012
TO: Lydia Guy - EPA Regional Hearing Clerk FAXNO.: 215 814 2603
FROM: Steve Hunter Associates (Evan Olds) PHONENO.: _____
SUBJECT: Hearing Request - Reynolds Oil

Number of pages including this page ~~30~~ 31

Comments:

Docket No. RCRA-03-2012-0163

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If any pages are missing, please call 304-645-4622.

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

IN RE:)
)
Reynolds Oil Company, Inc.)
)
Respondent.)

Docket No. RCRA-03-2012-0163

2012 JUN 26 AM 10:29
REGIONAL HEARING CLERK
EPA REGION III PHILADELPHIA

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RESPONDENT'S ANSWER TO ADMINISTRATIVE COMPLAINT, COMPLIANCE ORDER, NOTICE OF
RIGHT TO REQUEST HEARING, AND PROPOSED CIVIL PENALTY

Respondent Reynolds Oil company, Inc., by J. Steven Hunter, counsel, hereby responds
to the Complaint, Order, Notice, and Penalty in turn.

I. RESPONDENT'S ANSWER TO ADMINISTRATIVE COMPLAINT

A. Admissions

The Respondent admits the allegations of paragraph 1, 2, 3, 5, 8, 11, 12, 16, 18, 21,
22, 23, 26, 31, 35, 36.

B. Denials

The Respondent denies the allegations of paragraphs 4, 10, 19, 20, and 28. The
Respondent denies the allegations of paragraph 4 because the Respondent has no knowledge of
an EPA representative conducting a Compliance Evaluation Inspection. The Respondent does
have knowledge, however, of certain Compliance Monitoring Inspections in which the
Respondent satisfactorily passed and which are enclosed.

The Respondent denies allegations of paragraph 10. The Respondent did not receive and
has no knowledge of Information Requests sent on March 30, 2009, and July 12, 2010.

The Respondent denies the allegations in paragraphs 19 and 20. The K & S Mini Mart
was closed on November 24, 2008, was reopened on January 19, 2009, and was closed again on
June 30, 2010. It has been closed since June 30, 2010. Thus, during the relevant times, the K & S

Mini Mart did not "routinely contain regulated substances." On June 28, 2011, Ruth M. Porter, a UST Program Manager for the WVDEP, sent the Respondent a letter stating, "No deficiencies were noted during the inspection of your facility. You and your staff are to be commended for your commitment to proper operation and maintenance of your facility." This letter appears to indicate that K & S Mini Mart has been properly closed, emptied, and cleaned pursuant to 40 C.F.R. § 280.71. Thus, 40 C.F.R. § 280.31(a) does not apply.

The Respondent denies allegations in paragraph 28. The Respondent employs an electronic tank monitor as the method of leak detection.

C. Partial Admissions and Denials

The Respondent admits in part and denies in part the allegations of paragraphs 6, 7, 9, 17, 27, 29, 30, and 32. The Respondent admits in part and denies in part the allegations of paragraphs 6: it is admitted that the K & S Mini Mart contains four USTs as the Administrative Complaint indicates, but it is denied that each UST has routinely contained gasoline. As explained above, the K & S Mini Mart closed in 2008, reopened in 2009, and closed indefinitely in 2010.

The Respondent admits in part and denies in part the allegations of paragraph 7: the Respondent is the owner, not the operator, of the USTs.

The Respondent admits in part and denies in part the allegations of paragraph 9: during "all times relevant hereto," the Facilities were not used to store regulated substances. The K & S Mini Mart was closed on November 24, 2008 and did not contain regulated substances. On January 19, 2009, the K & S Mini Mart was reopened and contained regulated substances. Since June 30, 2010, K & S Mini Mart has been closed and has not contained regulated substances.

However, the USTs referenced in paragraph 5 have not been empty and have contained regulated substances during relevant times.

The Respondent admits in part and denies in part the allegations of paragraph 17: pursuant to 40 C.F.R. § 280.31(a) which is incorporated by WVUSTR § 33-30-2.1, "All corrosion protection systems must be operated and maintained to continuously provide corrosion protection to the metal components of *that portion of the tank and piping that routinely contain regulated substances* and are in contact with the ground" (emphasis added). The Respondents response to paragraphs 19 and 20 expounds on this matter.

The Respondent admits in part and denies in part the allegations of paragraph 27: it is admitted that owners and operators of UST systems must report to the implementing agency within 24 hours of monitoring results from a detection method that indicates a possible release pursuant to 40 C.F.R. § 280.50, but it is denied that exceptions are not relevant.

The Respondent admits in part and denies in part the allegations of paragraphs 29 and 30. According to 40 C.F.R. § 280.45, "The results of any sampling, testing, or monitoring must be maintained for at least 1 year." For reasons set forth below and pursuant to said code section, the Respondent did not keep the records relevant to these allegations. As such, the Respondent can neither confirm nor deny the allegations of paragraphs 29 and 30, especially the alleged time. The Respondent can confirm that before K & S closed indefinitely, the electronic tank monitor did not operate when the tank was nearly empty. Thus, while the release detection testing for one of the K & S Mini Mart's 8,000 gallon USTs *may* have indicated a "fail" in March and April of 2008, it did not indicate a possible release, but rather, the testing indicated that the tank was not adequately full of "regulated substance." Moreover, the electronic tank monitor was not defective. It is known in the industry that USTs low on fuel can mislead detection methods such

as an electronic tank monitor. In response to the monitor's misleading reading, the Respondent filled the tank as soon as it was possible to do so in order to get a proper reading.¹ Thereafter, the electronic tank monitor showed no signs of leakage, and any indication of a "fail" was abated. Months later, the K & S Mini Mart was closed as explained above.

The Respondent admits in part and denies in part the allegations of paragraph 32: it is admitted that UST systems must be monitored at least every 30 days for releases using one of the methods listed in 40 C.F.R. § 280.43(d)-(h) pursuant to 40 C.F.R. § 280.41(a), but it is denied that the exceptions are not relevant.

D. Abstentions

The Respondent can neither confirm nor deny allegations contained in paragraphs 13, 14, 15, 24, and 25. The Respondent is in the process of verifying said allegations. The Respondent can neither confirm nor deny allegations in paragraphs 33, 34, 37, 38 because the Respondent no longer possesses records from 2008, 2009, and 2010. According to 40 C.F.R. § 280.45, "The results . . . must be maintained for at least 1 year." The Respondent has acted in compliance with 40 C.F.R. § 280.45 and no longer possesses records from the years of the alleged dates.

II. RESPONDENT'S ANSWER TO COMPLIANCE ORDER

The Respondent has complied with the requirements of paragraphs 39, 40, 41, 42, 43, 44. The K & S Mini Mart has been closed since June 30, 2011, and has been in compliance at least since June 28, 2011, according to a letter of Compliance Monitoring Inspection issued by the WVDEP through Ruth M. Porter. According to a similar letter issued to the Handy Place by the

¹ Gas prices in March and April of 2008 soared, and players in the petroleum industry, such as the Respondent, suffered. *Average gas prices—April 14, 2008*, CONSUMERREPORTS.ORG (Apr. 14, 2008, 7:26 PM), <http://news.consumerreports.org/cars/2008/04/average-gas-prices.html> (reporting that "gas prices continue to soar higher). Thus, the Respondent's USTs were not as full as normal, which caused the electronic tank monitor to give an abnormal reading.

WVDEP through Christopher M. Gatens and Ruth M. Porter, the Handy Place has been in compliance on September 23, 2011, and January 30, 2012. The Handy Place records indicate that it continues to comply. The Handy Place has had CSLD chips installed into the tank gauges pursuant to 40 C.F.R. §§ 280.40(a) and 280.43. The installation is evidenced by a WVDEP UST Inspection Checklist signed by Michael W. Young and dated September 13, 2011. It is assumed that the EPA has notice through the WVDEP, who has notice of the facilities' compliance, inferably, from the aforementioned letters of compliance. Therefore, according to the WVDEP, the K & S Mini Mart and the Handy Place are currently in compliance with the regulations presented in the Administrative Complaint.

Insofar as the Respondent is found not to be in compliance with the respective regulations, the Respondent seeks to inquire information on, or advice about, compliance with such statutes and regulations as provided in § 213 of the Small Business Regulatory Enforcement Fairness Act of 1996 ("SBREFA") as the Respondent has been deemed to qualify as a "small business" under the SBREFA. The purpose of the SBREFA is "to make Federal regulators more accountable for their enforcement actions by providing small entities with a meaningful opportunity for redress of excessive enforcement activities." Likewise, the Respondent requests an extension of time to comply with the Order if the Respondent is still found not to be in compliance after the appropriate agencies evaluate this Answer.

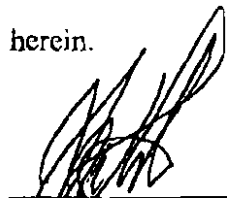
The Respondent has enclosed records indicating compliance pursuant to paragraphs 45, 46, 47, and 48.

III. RESPONDENT'S ANSWER TO NOTICE OF RIGHT TO REQUEST A HEARING

The Respondent requests a hearing to demonstrate compliance with the regulations presented in the Administrative Complaint and to contest any proposed civil penalty.

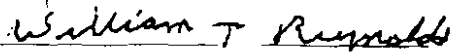
IV. RESPONDENT'S ANSWER TO PROPOSED CIVIL PENALTY

The Respondent's compliance with the regulations contained in the Administrative renders the proposed civil penalty unnecessary. Inasmuch as the Respondent has yet to comply with certain regulations, the Respondent has demonstrated a good faith effort to comply with the applicable requirements. The Respondent has complied with the requirements and has closed the K & S Mini Mart pursuant to regulations. In a letter from Ruth M. Porter sent on June 28, 2011, the WVDEP informed the Respondent that "[n]o deficiencies were noted during the inspection of [K & S Mini Mart]." Furthermore, the letter indicated that the Respondent should be "commended for . . . commitment to proper operation and maintenance." At the Handy Place, the Respondent has upgraded release detection methods pursuant to applicable requirements. Compliance is indicated in a letter sent from Christopher M. Gatens of WVDEP on January 30, 2012. It states, "No deficiencies were noted during the inspection of your facility." Additionally, a letter sent from Ruth M. Porter of WVDEP on September 23, 2011 indicates compliance. It states, "No deficiencies were noted during the inspection of your facility. You and your staff are to be commended for your commitment to proper operation and maintenance of your facility." As the letters indicate, the Respondent is currently in compliance with applicable requirements and should be commended rather than be penalized. The applicable documents are enclosed herein.



J. Steven Hunter
Steve Hunter Associates, l.c.
Counsel for Respondent
209 North Court Street
Lewisburg, WV 24901
(304) 645-4622
West Virginia State Bar No. 1826

Reynolds Oil Company, Inc.
By Counsel:


Respondent William T. Reynolds
President of Reynolds Oil Company, Inc.

COMPLIANCE ORDER CERTIFICATION

I certify that the information contained in or accompanying this Compliance Order Certification is true, accurate, and complete. As to the identified portions of this Compliance Order Certification for which I cannot personally verify their accuracy, I certify under penalty of law that this Compliance Order Certification and all attachment were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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, including the possibility of fines and imprisonment for knowing violations.

William T. Reynolds
William T. Reynolds
President of Reynolds Oil Company, Inc.

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

IN RE:)
)
Reynolds Oil Company, Inc.)
)
Respondent.)

Docket No. RCRA-03-2012-0166

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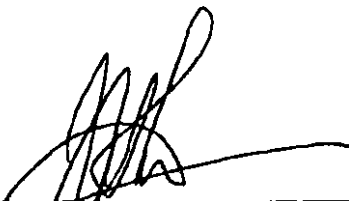
CERTIFICATE OF SERVICE

I, J. Steven Hunter, counsel for Respondent Reynolds Oil Company, Inc., hereby certify that the foregoing RESPONDENT'S ANSWER TO ADMINISTRATIVE COMPLAINT, COMPLIANCE ORDER, NOTICE OF RIGHT TO REQUEST HEARING, AND PROPOSED CIVIL PENALTY has been served upon counsel of record and applicable agencies as indicated below by mailing a true copy thereof in the U.S. Mail, postage prepaid, on this the 12 day of June, 2012.

Louis F. Ramalho
Sr. Assistant Regional Counsel
U.S. EPA – Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Ruth M. Porter
UST Program Manager
WV Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

Clark Conover
RCRA Compliance and Enforcement Branch (3LC70)
U.S. Environmental Protection Agency – Region III
1060 Chapline Street, Suite 303
Wheeling, West Virginia 26003-2995



J. Steven Hunter, WWSB No. 1826
Counsel for Respondent
Steve Hunter Associates, l.c.
209 North Court Street
Lewisburg, WV 24901
(304) 645-4622



west virginia department of environmental protection

Environmental Enforcement
Hazardous Waste/Underground Storage Tanks
601 57th Street SE
Charleston, WV 25304
Telephone: 304-926-0470; Fax: 304-926-0457

Earl Ray Tomblin, Governor
Randy C. Huffinan, Cabinet Secretary
www.dep.wv.gov

September 23, 2011

Reynolds Oil Company
Drawer 1879
Lewisburg, WV 24901

CERTIFIED RETURN RECEIPT REQUESTED

91 7108 2133 3939 1783 6705

Dear Mr. Reynolds :

Enclosed is the report for the Compliance Monitoring Inspection (CMI) conducted at Handy Place (WV ID# 1301216) on 9/19/2011.

No deficiencies were noted during the inspection of your facility. You and your staff are to be commended for your commitment to proper operation and maintenance of your facility.

If you have any questions, please contact the UST Inspector, Michael W. Young , at (304) 926 0499 ext 1318.

Sincerely,

Ruth M. Porter
UST Program Manager

cc: Charleston File
Michael W. Young , UST Inspector (via email)

Promoting a healthy environment



west virginia department of environmental protection

Environmental Enforcement
Hazardous Waste/Underground Storage Tanks
601 57th Street SE
Charleston, WV 25304
Phone: 304-926-0170 Fax: 304-926-0457

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

January 30, 2012

Tom Reynolds, Manager
Handy Place
PO Drawer 1879
Lewisburg, WV 24901-1879

CERTIFIED RETURN RECEIPT REQUESTED

Dear Mr. Reynolds:

Enclosed is the report for the Compliance Schedule Evaluation conducted on January 18, 2012.

No deficiencies were noted during the inspection of your facility. Thank you for your assistance and cooperation during this inspection.

If you have any questions, please contact Environmental Inspector Penny Harris at (304) 465-3016.

Sincerely,

Christopher M. Gatens
Environmental Inspector Supervisor

Enclosure

cc: Joseph M. Sizemore, Assistant Chief Inspector, HW / UST
Penny Harris, Environmental Inspector (via email)

Promoting a healthy environment.

INSPECTION OF VIOLATION

NOV#: 1106-2016

UST Facility ID: 1301216

Approved by RP 9-22-11

Facility Name: Handy Place

WV Department of Environmental Protection
Division of Water and Waste Management
Environmental Enforcement/UST Unit



601 57th Street, SE
Charleston, WV 25304
(304)926-0470

www.dep.wv.gov/WM/Ece/ust

Facility Information	Physical Location	507 Nicholas Street,		City:	Rupert
Owner	Reynolds Oil Company	Phone:	304 675 1920	Operator	Thomas Electrical DBA Handy Place
Address	Drawer 1879, Lewisburg	Zip:	24901	Address	P.O. Box 585, Rupert
E-Mail		Zip:	25984	E-Mail	

To the tank owner and operator:

An inspection has been made of the above facility to determine compliance with the Notice of Violation issued on the _____ and the remedial measure requirements stated therein.

This inspection was made:

- Upon expiration of the time period specified therein
- Upon expiration of the time period as extended by Inspection of Violation dated _____

Upon request of the owner/operator

Upon inspection, it was found that the violation(s) stated therein has been:

- Totally abated
- Partially abated
- Not abated
- Other: _____

↓ Action taken to abate ↓

A CSLD chip has been installed in the tank gauge and it is now conducting monthly monitoring.

Therefore, said Notice of Violation is hereby:

- Terminated
- Referred to Enforcement
- Shall remain in force as issued
- Extended to _____

NOTICE

The issuance of this Notice may result in further enforcement action(s) in accordance with West Virginia Code §22-17.

Service Accepted and Acknowledged:

Inspector's Signature: <u><i>Michael W. G.</i></u>	Date: <u>9/19/2011</u>	Time: _____
Contact Person's Signature: _____	Date: _____	Time: _____

To report a release call:

Emergency Spill Hotline 1-800-642-3074

Office of Environmental Remediation 1-304-921-6211

INSPECTION OF VIOLATION

NOV#: 1106-2017

Approved by RP 9-22-11

WV Department of Environmental Protection
Division of Water and Waste Management
Environmental Enforcement/ UST Unit



www.dep.wv.gov/WWE/ec/ust

UST Facility ID: 1301216

Facility Name: Handy Place

601 57th Street, SE
Charleston, WV 25304
(304)926-0470

Facility Information	Physical Location	<u>507 Nicholas Street,</u>		City	<u>Rupert</u>
Owner	<u>Reynolds Oil Company</u>	Phone	<u>304 675 1920</u>	Operator	<u>Thomas Electrical DBA Handy Place</u> Phone _____
Address	<u>Drawer 1879, Lewisburg</u>	Zip	<u>24901</u>	Address	<u>P.O. Box 585, Rupert</u> Zip <u>25984</u>
E-Mail			E-Mail		

To the tank owner and operator:

An inspection has been made of the above facility to determine compliance with the Notice of Violation issued on the _____ and the remedial measure requirements stated therein.

This inspection was made:

- Upon expiration of the time period specified therein
- Upon expiration of the time period as extended by Inspection of Violation dated _____

Upon request of the owner/operator

Upon inspection, it was found that the violation(s) stated therein has been:

- Totally abated
- Partially abated
- Not abated
- Other: _____

Cathodic test records were submitted indicating the facility is in compliance.

Action taken to abate

Therefore, said Notice of Violation is hereby:

- Terminated
- Referred to Enforcement
- Shall remain in force as issued
- Extended to _____

NOTICE

The issuance of this Notice may result in further enforcement action(s) in accordance with West Virginia Code §22-17.

Service Accepted and Acknowledged:

Inspector's Signature: <u>Michael W. Jones</u>	Date: <u>9/19/2011</u>	Time: _____
Contact Person's Signature: _____	Date: _____	Time: _____

To report a release call:

Emergency Spill Hotline 1-800-642-3074

Office of Environmental Remediation 1-304-924-6211

UST INSPECTION CHECKLIST

NIC 98 NIC
 SIC SIC

UST Facility ID: 1301216
 Facility Name: Handy Place



Approved by RP 9-22-11

WV Department of Environmental Protection
 Division of Water and Waste Management
 Environmental Enforcement/UST Unit

www.dep.wv.gov/WWE/ee/ust

601 57th Street, SE
 Charleston, WV 25304
 (304)926-0470

Facility Information:		Physical Location 507 Nicholas Street,		City Rupert	
Owner	Reynolds Oil Company	Phone	304 675 1920	Operator	Thomas Electrical DBA Handy Place Phone
Address	Drawer 1879, Lewisburg	Zip	24901	Address	P O Box 585, Rupert Zip: 25984
E-Mail(s)			E-Mail(s)		

GPS	37 57 47 S / 80 41 31 W	Trained Operator	<input type="checkbox"/> holds approved training certificate before 8/8/12 or within 30 days of hire	<input type="checkbox"/> onsite after 8/7/12 with certificate
Carrier	Reynolds Oil Company	Class	A:	B:

Registration and Records		Inspection Information	
Financial Responsibility Company	Natilus Insurance	Date	9/13/2011
Policy #	CST 152111500	Time in	10:00
Exp Date	10/1/2011	Time Out	10:30
<input checked="" type="checkbox"/> Declarations page included	<input checked="" type="checkbox"/> Policy coverage appears accurate	Purpose:	Initial Compliance <input type="checkbox"/> Follow-up to CMI of 6/22/2011
<input checked="" type="checkbox"/> Site schedule included		Other	
<input type="checkbox"/> Status has changed	<input type="checkbox"/> Fees Current	Inspector:	michael.w.young@wv.gov, 601 57th Street, Charleston, WV 25304, phone 926-0499 ext 1318, fax 304-926-0457
<input checked="" type="checkbox"/> Registration Information Correct			

Tank/Piping/Dispenser repair date _____ The facility address list above is new

CPS - cathodically protected steel (G-Galvanic/ I-Immersed Current) DW-Double wall INV/TT - inventory control/tightness test
 LLD - Line leak detector (M - mechanical/ E - electronic) PTT - piping tightness test SIR - statistical inventory reconciliation UPS - unprotected steel

ID	Product	Size	Install Date	Status	Construction	Leak Detection	Spill Prevention	Overfill Prevention
1	D-ONRD	8000	10/1986	in use	coated steel	0 auto tank gauge	0 Spill Basin	0 fill shut off
2	Reg UL	6000	12/1990	in use	CPS/G	0 auto tank gauge	0 Spill Basin	0 fill shut off
3	Mid UL	6000	12/1990	in use	CPS/G	0 auto tank gauge	0 Spill Basin	0 fill shut off
4	Prem UL	4000	12/1990	in use	CPS/G	0 auto tank gauge	0 Spill Basin	0 fill shut off

ID	Date	Sump Tightness Test Info	30-day Sump Monitoring	Construction	Pump Type	Leak Detection
1	1986	Not Req. <7/1/08	Not Req.	fiberglass/Booted	0 Pressure	LLD/TT 0
2	1990	Not Req. <7/1/08	Not Req.	flexible/DW	0 Pressure	LLD/TT 0
3	1990	Not Req. <7/1/08	Not Req.	flexible/DW	0 Pressure	LLD/TT 0
4	1990	Not Req. <7/1/08	Not Req.	flexible/DW	0 Pressure	LLD/TT 0

Inspector Comments:
 1) The facility has installed a CSLD chip into their tank gauge. Because this chip allows the tank gauge to test at lower liquid levels the facility is now receiving passing test results on all four tanks at least once every thirty days.
 2) Additional record submission revealed that the cathodic protection system was tested and passed on 12/14/09 after additional anodes were installed on 11/13/09.
 2) Additional record submission revealed that the pressurized pipe lines and line leak detectors were tested and passed on 12/22/10.

Photographs taken	<input type="checkbox"/>	Inspector's Signature	<i>Michael W. Young</i>	Date	13-Sep-11
Site Sketch attached	<input type="checkbox"/>	Contact Person's Signature		Date	
Copy of Regulations left on site	<input type="checkbox"/>	<input checked="" type="checkbox"/> No Further Action at this Time <input type="checkbox"/> Follow-up Required. Corrective actions must be completed by _____			
Suspected Release Issued	<input type="checkbox"/>				
Violations Issued	<input type="checkbox"/>				

To report a release, call:

Emergency Spill Hotline 1-800-612-3074 Office of Environmental Remediation 304-924-6211

UST INSPECTION CHECKLIST

US1 FACILITY ID:

1301216

Mark items that are in compliance in compliance box

Tank Records

Leak Detection: Tanks are empty to 1" or less, monitoring not required OR 12 months 30-day leak detection results via one or more of A-F

A. Interstitial Monitoring (required if installed after 6/30/2008): Sensor Normal printouts & annual function test

B. ATG appears to be functioning properly

C. SIR: Facility measuring to nearest 1/8" & sticking tanks every day of operation;
 Gauge Stick in good repair: button intact, 1/8" increments, not bowed/worn

D. GWM: Site assessment on file, all wells checked, properly marked, secured, and sealed around casing. No slots above seal. Cap in place. Water within 20" of surface

E. VM: Site assessment on file, all wells checked & readings not affected by water, well properly marked & secured; 3rd party approved equipment

F. OTHER: _____

Alarms, Fails, & Inconclusives properly investigated/reported

Corrosion Tank is FRP, COMP, or Jacketed. Testing not required OR

Protection: System is CPS-DW and is properly performing interstitial monitoring OR
 System is CPS and last 2 CP test reports are on record & system protected AND
 Impressed Current systems have 60-day rectifier readings on record

System is TOS or all deliveries <25 gal--- Spill/Overfill prevention not required OR

Spill Prevention: Spill bucket free of cracks/holes, rings/gaskets snug, appears liquid-tight
 Spill bucket sufficient capacity

Overfill Prevention: Delivery method is compatible with overfill protection method

Ball float: Inspected & functioning
 Tank top fittings appear vapor-tight
 Appears to activate at 90% of tank capacity

Fill Shut Off: Appears to be functioning
 Appears to activate at 95% of tank capacity

Alarm: Properly located and labeled
 Appears to alarm at 90% of tank capacity

COMMENTS

Piping Records

Leak Annual line leak detector test AND

Detection: Annual tightness test OR 12 months 30-day test records from A-F below

A. Electronic line leak detector 1 or 2 test records

B. Interstitial Monitoring: Sump Sensor Normal printouts, annual function test

C. SIR: Facility measuring to nearest 1/8" & sticks tanks each day of operation
 Stick in good repair: button intact, 1/8" increments, not bowed/worn

D. GWM: See requirements in tank records section above

E. VM: See requirements in tank records section above

F. OTHER: _____

System is an unsafe suction system with 3yr piping tightness test or monthly method

System is safe suction with one check valve at the dispenser, monitoring not required

Alarms, Fails, & Inconclusives properly investigated/reported

Corrosion Protection: Pipe is FRP, FLEX, or no soil contact-Testing not required OR
 CPS-DW system properly performing interstitial monitoring OR
 System is CPS and last 2 CP test reports are on record AND
 Impressed Current has 60-day rectifier readings on record

If installed after 6/30/2008 (except safe suction):

Sumps tested every 3 years

Sumps free of liquid accumulation

Sumps appear liquid-tight

Sumps monitored every 30 days (sensor normal prints or inspection log)
 Sump sensors, if used, properly positioned and annual function test

COMMENTS

Dispensers

Dispensers free of leaks Total # Dispensers: _____

Dispensers installed after 6/30/2008:

Under Dispenser Containment (UDC) tested every 3 years

UDC free of liquid accumulation

UDC appears liquid-tight

UDC monitored every 30 days (sensor normal prints or inspection log)
 Sump sensors, if used, properly positioned and annual function test

COMMENTS

Additional Comments on Attachment Page

To report a release, call:

Emergency Spill Hotline 1-800 642-3074

Office of Environmental Remediation 301-924-6211

CATHODIC PROTECTION TEST FORM

FACILITY INFORMATION

JOB # CP-1210 DATE OF TEST December 10, 2008 TIME OF TEST: 6:00 PM

NAME RUPERT HANDY PLACE
 ADDRESS 507 MAIN STREET
 CITY: RUPERT PHONE # (304) 645-1920
 STATE W.Va ZIP: 25984 CONTACT Bill Reynolds LAT: _____
 FACILITY ID # _____ LONG: _____

CLIENT INFORMATION

NAME: Reynolds Oil Company
 ADDRESS: P.O. Drawer 1879
 CITY: Lewisburg PHONE # (304) 645-1920
 STATE W.Va ZIP: 24901 CONTACT: Bill Reynolds FAX #: _____

SUMMARY OF TEST

THIS SUMMARY IS NOT COMPLETE WITHOUT THE *SITE SKETCH

RECTIFIER INFO: HR. STI-P3 OUTPUT VOLTAGE STI-P3 OUTPUT AMPS: STI-P3

REFERENCE CELL POTENTIAL @

TANK #	STRUCTURE CONTACT POINT	RECTIFIER ON / or Galvanic (STI-P3)			RECTIFIER OFF			STI-P3 VOLTAGE DECAY	STRUCTURE PASSED OR FAILED TO MEET THE MINIMUM NACE STANDARD OUTLINED IN RP0285-95
		END (R1)*	CENTER (R2)*	END (R3)* Remote	Inst. Off (R1)	Inst. Off (R2)	Inst. Off (R3)		
1	Test Lead Wire	-0.901	-0.884	-0.894	NA	—	—	—	PASSED
2	Test Lead Wire	-0.877	-0.871	-0.888	NA	—	—	—	PASSED
3	Test Lead Wire	-0.984	-0.964	-0.924	NA	—	—	—	PASSED
4	Fiberglass Lined	NA	—	—	—	—	—	—	NA
5									
6									
7									
8									
9									
10									

REFERENCE CELL POTENTIAL @

PIPING #	STRUCTURE CONTACT POINT	RECTIFIER ON / or Galvanic		RECTIFIER OFF			VOLTAGE DECAY	STRUCTURE PASSED OR FAILED TO MEET THE MINIMUM NACE STANDARD OUTLINED IN RP0285-95
		END (R1)*	END (R2)*	Inst. Off (R1)	Inst. Off (R2)	FINAL VOLTAGE		
1	NA (see note)	—	—	—	—	—	—	ENVIRON PIPING
2	NA "	—	—	—	—	—	—	ENVIRON PIPING
3	NA "	—	—	—	—	—	—	ENVIRON PIPING
4	NA "	—	—	—	—	—	—	Fiberglass
5								
6								
7	NOTE: All Piping was EXCEPT FROM Corrosion Protection Regulations.							
8								
9								
10								
11								
12								
13								
14								
15								
16								

TESTER NAME: Rick Traylor
 SOURCE OF CERTIFICATION: Steel Tank Institute
 TYPE OF CERTIFICATION: C.P. Tester
 CERTIFICATION NUMBER: CP 10667

Rick Traylor WV-CE 655
 C.P. 10607
 SIGNATURE OF PERSON CONDUCTING TEST

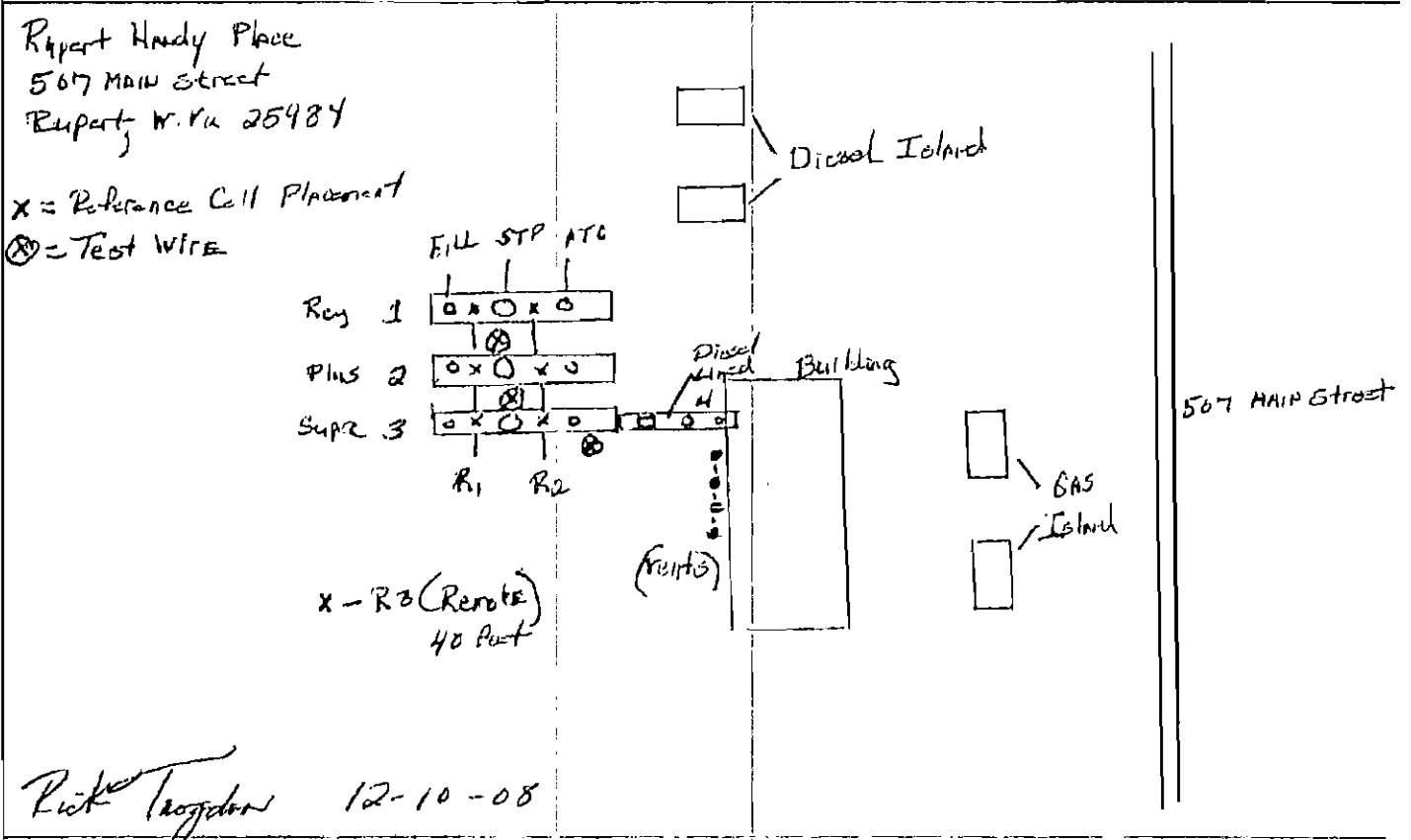
DATE OF TEST 12-10-08
 FACILITY NAME Rupert Handy Place - Rupert, W.Va 25984 FAC ID #:

Corrosion Survey on (3) STI-P3 Tanks.
Tanks were still meeting the -850 criteria.

CONTINUITY TEST ATC							(CONTINUOUS, ISOLATED)
TANK No	FILL RISER	TANK BOTTOM	STP RISER	VENT RISER	FLEX CONNECTOR	PIPING RISER	
1	-506	-294	-484	-368	ND	-480	Isolated (ATG Riser was wrapped)
2	-480	-888	-492	-424	ND	-504	Isolated (ATG Riser was wrapped)
3	-494	-924	-496	404	ND	-472	Isolated (ATG Riser was wrapped)
4	NA	NA	NA	NA	ND	NA	NA
5							
6							
7							
8							
9							
10							

IN THE SPACE BELOW, SKETCH THE IMPORTANT PARTS OF THE FACILITY SUCH AS TANKS, MAN WAYS, VENTS, ANODES, PUMP ISLANDS AND BUILDINGS. INDICATE REFERENCE CELL LOCATIONS USING LOCATION CODE "R" AND SEQUENTIAL NUMBERS (R1, R2, AND R3).

3 GAS Tanks meet the -850 criteria for 3 year survey. Retest CP system in December of 2011.
Rick Taylor CP 10607



CATHODIC PROTECTION SYSTEM DETAIL INSPECTION
GALVANIC ANODE TYPE OF SYSTEM
CORROSION TECHNICAL SERVICES, LLC - WEST CHESTER, OHIO
(513) 504-2428 - corrosiontechnicalservices@gmail.com

FAC. ID: 1301216		LOCATION: Handy Place Exxon							
COUNTY: GREENBRIER		507 Main Street (US 60), Rupert, WV 25984							
DATE: System Repair Date:		Monday, December 14, 2009				Next inspection: December of 2012			
TESTER INITIALS:		SLV							
TYPE OF CP SYSTEM:		Sacrificial Anode Cathodic Protection System - Magnesium Anodes							
TYPE OF TANKS:		Three STiP ₃ Gasoline Tanks and One Fiberglass Diesel Tank							
TYPE OF PIPING:		Fiberglass Pipe							
T/S No.	DESCRIPTION	STRUCTURE-TO-SOIL POTENTIALS - mV				CONTINUITY TEST - mV Point-to-Point			
		-mV On	Status	-mV Remote	Status	Dispensers	Status	Vents	Status
01	Tank - Premium UL - S	1112	Pass			115 (1-2)	Isolated	155 ^L	Isolatec
02	Tank - Premium UL - C	1098	Pass	945	Pass	123 (3-4)		174 ^C	
03	Tank - Premium UL - N	1054	Pass					145 ^R	
04	Tank - Plus UL - S	1067	Pass			125 (1-2)		114 ^L	
05	Tank - Plus UL - C	1045	Pass	939	Pass	118 (3-4)		133 ^C	
06	Tank - Plus UL - N	1089	Pass					105 ^R	
07	Tank - Regular UL - S	1182	Pass			133 (1-2)		107 ^L	
08	Tank - Regular UL - C	1080	Pass	919	Pass	125 (3-4)		125 ^C	
09	Tank - Regular UL - N	1131	Pass					103 ^R	
10									
11	Tank - Diesel (Fiberglass)					NA			
12	All Fiberglass Piping					NA			
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									

Notes: N - North, S - South, C = Center, E = East, W - West

Facility

- Tank - 6K - Regular UL - STiP₃, Installed 1990
- Tank - 6K - Plus UL - STiP₃, Installed 1990
- Tank - 4K - Premium UL - STiP₃, Installed 1990
- Tank - 8K - Diesel - Fiberglass, Installed 1990
- Piping - All Environ (non-metallic)
- NA - Not Applicable
- P2P - Point-to-Point Voltage Reading

Inspected by:

Samuel L. Vessel

Samuel L. Vessel, Corrosion Engineer
NACE Corrosion Specialist-G, No 4097
WV DEP Class D&E Certification #DE524

DETAIL CATHODIC PROTECTION SYSTEM INSPECTION

CORROSION CONTROL MONITORING

CORROSION TECHNICAL SERVICES WEST CHESTER, OHIO

(513) 777-7669

FAC. ID: 1-301216		LOCATION: Handy Place Exxon 507 Main Street (US 60), Rupert, WV 25984							
COUNTY Greenbrier									
DATE OF TEST:		6/21/2008							
TESTER INITIALS:		SLV							
TYPE OF CP SYSTEM:		Sacrificial Anode Cathodic Protection System - Magnesium Anodes							
TYPE OF TANKS:		STiP ₃ Tanks							
TYPE OF PIPING:		Fiberglass Pipe							
TEST STA #	DESCRIPTION	STRUCTURE-TO-SOIL POTENTIALS - mV				CONTINUITY TEST - mV <small>Point-to-Point</small>			
		-mV On	Status	-mV <small>Removal</small>	Status	Dispensers	Status	Vents	Status
01	Tank - Supreme UL - N	891	PASS					123 ^L	
02	Tank - Supreme UL - C	865	PASS	705	Fail	45	Isolated	47 ^C	Isolated
03	Tank - Supreme UL - S	870	PASS				Partial	29 ^R	Partial
04	Tank - Plus UL - N	945	PASS					163 ^L	
05	Tank - Plus UL - C	955	PASS	707	Fail	50	Isolated	40 ^C	Isolated
06	Tank - Plus UL - S	915	PASS				Partial	41 ^R	Partial
07	Tank - Regular UL - N	905	PASS					195 ^L	
08	Tank - Regular UL - C	910	PASS	705	Fail	45	Isolated	26 ^C	Isolated
09	Tank - Regular UL - S	905	PASS				Partial	42 ^R	Partial
10	All Fiberglass Piping								
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

Notes: N = North, S = South, C = Center, E = East, W = West

Facility

6K - Regular UL - STiP3

6K - Plus UL - STiP3

4K - Supreme UL - STiP3

8K - Diesel - Fiberglass

Piping - All Fiberglass (FRP non metallic)

P2P - Point-to-Point Voltage Reading.

Survey
Performed
by:

Samuel L. Vessel

Samuel L. Vessel, Corrosion Engineer
NACE Corrosion Specialist-G, No. 4097
WV DEP Class D&E Certification #D3524

DETAIL CATHODIC PROTECTION SYSTEM INSPECTION

CORROSION CONTROL MONITORING

CORROSION TECHNICAL SERVICES - WEST CHESTER, OHIO

(513) 777-7669

TAC. ID: I-301216		LOCATION: Handy Place Exxon							
COUNTY: Greenbrier		507 Main Street (US 60), Rupert, WV 25984							
DATE OF TEST:		6/24/2005							
TESTER INITIALS:		SLV							
TYPE OF CP SYSTEM:		Sacrificial Anode Cathodic Protection System - Magnesium Anodes							
TYPE OF TANKS:		STIP ₃ Tanks							
TYPE OF PIPING:		Fiberglass Pipe							
TEST STA. #	DESCRIPTION	STRUCTURE-TO-SOIL POTENTIALS - mV				CONTINUITY TEST - mV Point-to-Point			
		-mV On	Status	-mV Return	Status	Dispensers	Status	Vents	Status
01	Tank - Supreme UL - N	890	PASS					123 ^L	
02	Tank - Supreme UL - C	864	PASS	703	Fail	40	Isolated	47 ^C	Isolated
03	Tank - Supreme UL - S	868	PASS				Partial	29 ^N	Partial
04	Tank - Plus UL - N	949	PASS					163 ^L	
05	Tank - Plus UL - C	954	PASS	703	Fail	49	Isolated	40 ^C	Isolated
06	Tank - Plus UL - S	912	PASS				Partial	41 ^N	Partial
07	Tank - Regular UL - N	903	PASS					195 ^L	
08	Tank - Regular UL - C	907	PASS	703	Fail	45	Isolated	26 ^C	Isolated
09	Tank - Regular UL - S	904	PASS				Partial	42 ^N	Partial
10	All Fiberglass Piping								
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

Notes: N = North, S = South, C = Center, E = East, W = West

Facility

6K - Regular UL - STIP₃

6K - Plus UL - STIP₃

4K - Supreme UL - STIP₃

8K - Diesel - Fiberglass

Piping - All Fiberglass (FRP non-metallic)

P2P - Point to Point Voltage Reading

Survey
Performed
by:

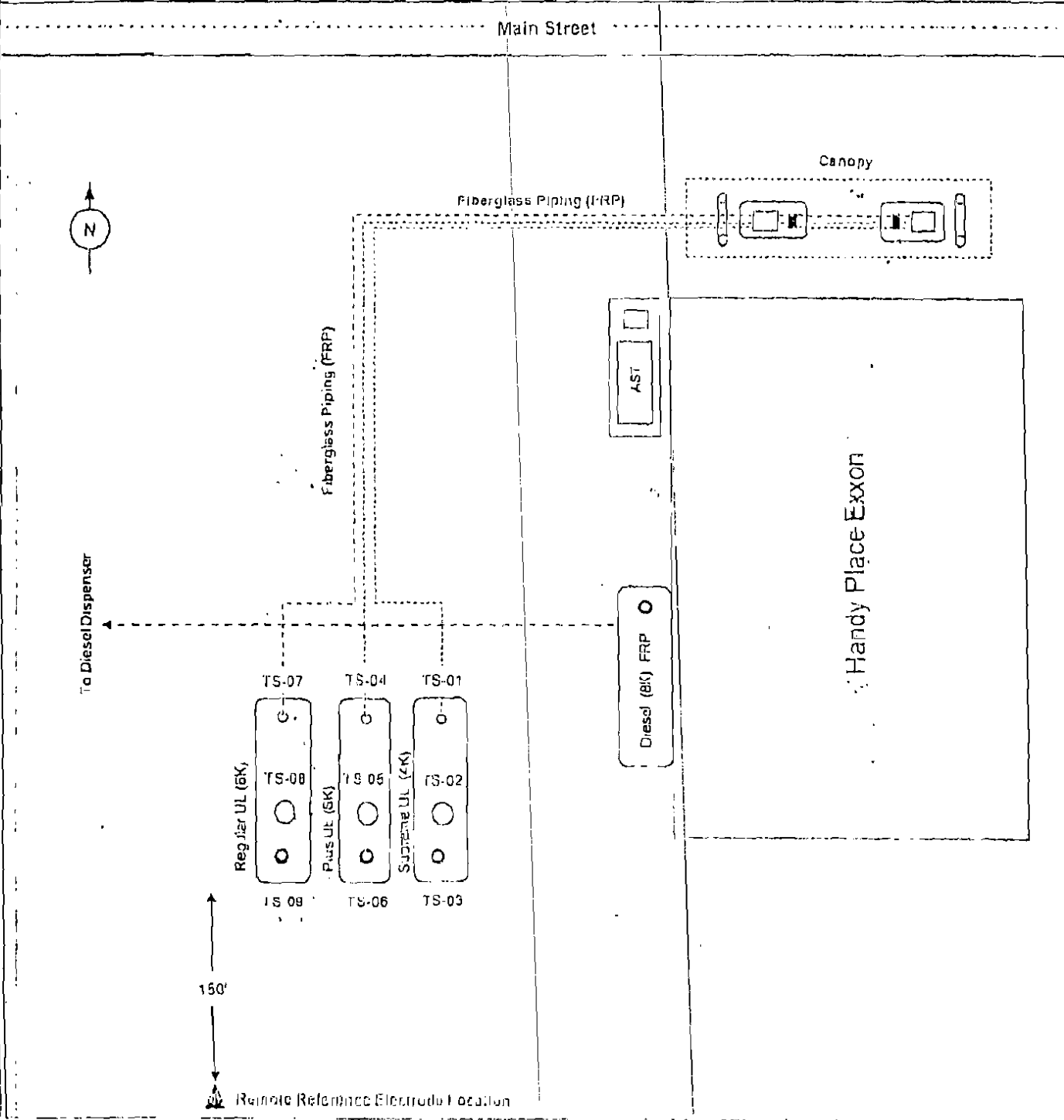
Samuel L. Vessel

Samuel L. Vessel, Corrosion Engineer
NACE Corrosion Specialist - G, No. 4097
WV DEP Class D&E Certification #DE524

DETAIL CATHODIC PROTECTION SYSTEM EVALUATION
CORROSION CONTROL MONITORING
 CORROSION TECHNICAL SERVICES - WEST CHESTER, OHIO
 (513) 777-7669

FAC ID: 1-301216	LOCATION: Handy Place Exxon
COUNTY: Greenbrier	507 Main Street (US 60), Rupert, WV 25984
DATE OF TEST:	6/24/2005

SITE LAYOUT - NTS - INSPECTION DRAWING



The location at 908 Main Street, Rainelle WV 25962 closed on 11/24/2008. It was re-opened on 1/19/2009 and closed on 6/30/2010. It has been closed since.



west virginia department of environmental protection

Environmental Enforcement
Hazardous Waste/Underground Storage Tanks
601 57th Street SE
Charleston, WV 25304
Telephone: 304-926-0470; Fax: 304-926-0457

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

June 28, 2011

Mr. Tom Reynolds
Reynolds Oil Company
Drawer 1879
Lewisburg, WV 24901

CERTIFIED RETURN RECEIPT REQUESTED

Dear Mr. Reynolds :

91 7108 2133 3939 1784 1044

Enclosed is the report for the Compliance Monitoring Inspection (CMI) conducted at Rainelle J & J (WV ID#) 1301264 on June 22, 2011.

No deficiencies were noted during the inspection of your facility. You and your staff are to be commended for your commitment to proper operation and maintenance of your facility.

If you have any questions, please contact the UST Inspector, Michael W. Young , at (304) 926-0499 ext 1318.

Sincerely,

Ruth M. Porter
UST Program Manager

cc: Charleston File
Michael W. Young , UST Inspector (via email)

Promoting a healthy environment.

CATHODIC PROTECTION SYSTEM COMMISSIONING REPORT
CORROSION CONTROL MONITORING
CORROSION TECHNICAL SERVICES - WEST CHESTER, OHIO
(513) 504-2428

FACILITY ID: 1-301264		Location: Rainelle Food Mart - Exxon Station		
COUNTY: GREENBRIER		908 Main Street, Rainelle, WV 25962		
DATE OF TEST:	04/17/09	4/17/2009		GROUND BED COMPUTATION
TESTER INITIALS:	SLV	SLV		OVERALL AVERAGE
RECTIFIER TAP SETTINGS:	NA	C-1 F-2		(X) E: 8.31 Volts
RECTIFIER OUTPUT:	Volts	8.37 Volts	Volts	Σ I: 4.32 Amps
22.10	Shunt: 50 mV = 0.10 Amps	Amps	4.42 Amps	Ω R: 1.92 Resistance

T/S No.	STRUCTURE DESCRIPTION	VOLTAGE POTENTIALS (-V)					GROUND BED PERFORMANCE			
		mV _{-Native}	mV _{-On}	mV _{-Off}	P _{olarized}	Status	No.	Volts	Amps	Shunt
01	Tank - Plus UL - N	627	1965	823	196	PASS	1	8.31	0.50	5.00
02	Tank - Plus UL - C	635	944	749	114	PASS	2	8.30	0.84	8.40
03	Tank - Plus UL - S	691	1,972	890	199	PASS	3	8.30	0.85	8.50
04	Tank - Regular UL - W	628	1,015	751	123	PASS	4	8.31	0.71	7.10
05	Tank - Regular UL - C	597	1,365	721	124	PASS	5	8.31	0.83	8.30
06	Tank - Regular UL - E	621	1,295	759	138	PASS	6	8.31	0.59	5.90
07	Tank - Supreme UL - E	642	1,324	831	189	PASS	7			
08	Tank - Supreme UL - C	601	910	719	118	PASS				
09	Tank - Supreme UL - W	618	935	801	183	PASS				
10	Piping - Vents (3)	651	2,146	1020	369	PASS				
11	Rectifier - Test Station	673	2,389	955	282	PASS				
12										
13										
14										
15										
16										
17										
18										
19										
20										

Average Volts: 8.31

Total Amps: 4.32

RECTIFIER DATA

Manufacturer: Universal
 Model No.: USAI 75-6
 DC Rating: 75 V - 06 A
 AC Rating: 115 V - 5.6 A
 Serial No.: 980219

CONTINUITY TEST DATA						
No.	STRUCTURE DESCRIPTION	Remote Reading (mV)			Point-to-Point	
		On	Off	Status	p ² p	Status
01	Tank - Plus UL - 8K	2353	946	PASS	0.000	PASS
02	Tank - Regular UL - 8K	2353	946	PASS	0.000	PASS
03	Tank - Supreme UL - 3K	2353	946	PASS	0.000	PASS
04	Piping - Vents (3)	2353	946	PASS	0.000	PASS
05						

Commissioned and Tested by:

Samuel L. Vessel

Samuel L. Vessel, Engineer
 NACE Corrosion Specialist-G, #4097
 WV DCP Certification D&E #DE524

NOTE: Installed six (6) new anodes as shown on drawings and commissioned CP System.

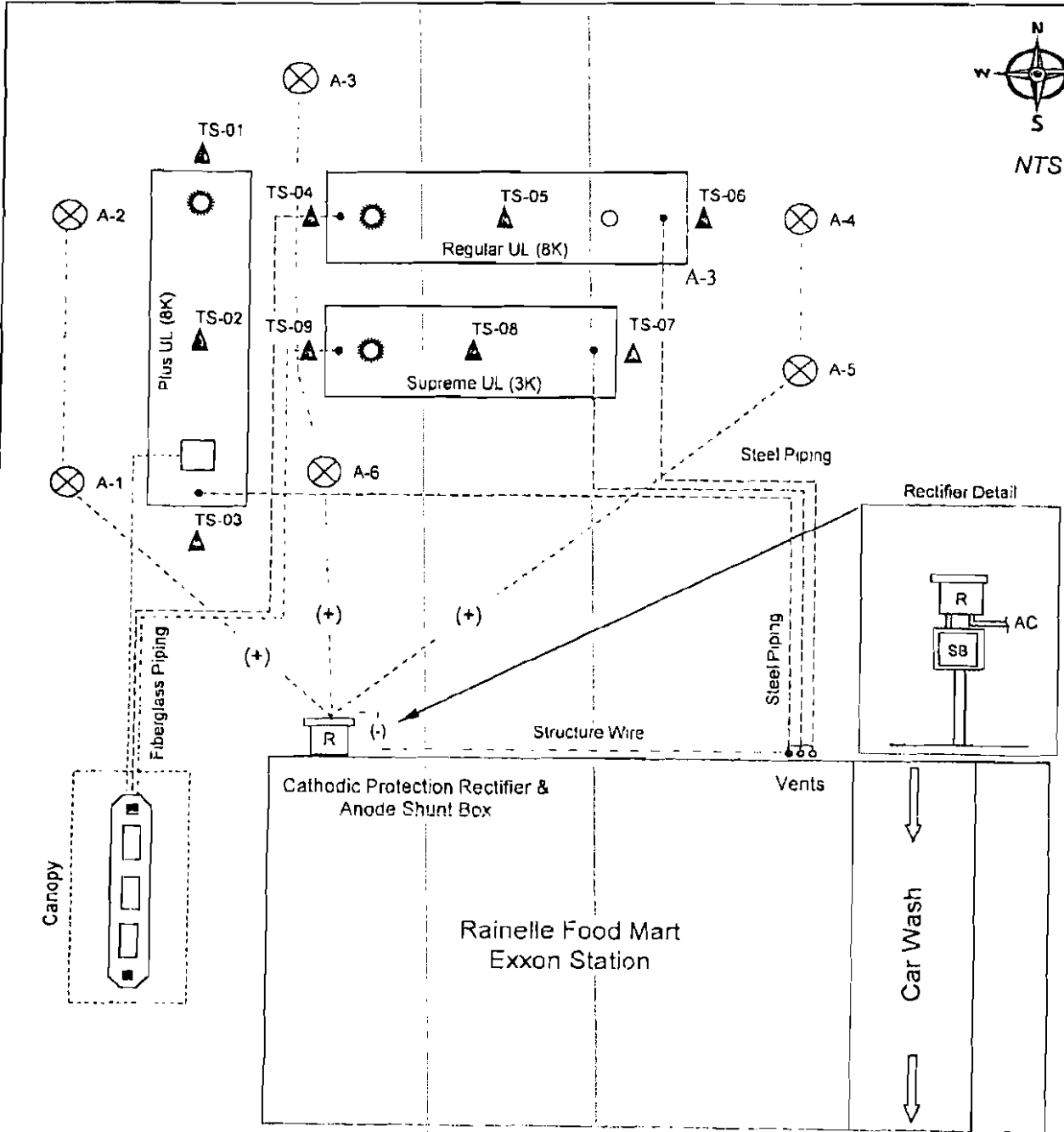
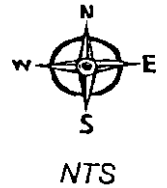
CATHODIC PROTECTION SYSTEM COMMISSIONING REPORT
CORROSION CONTROL MONITORING
CORROSION TECHNICAL SERVICES - WEST CHESTER, OHIO
(513) 504-2428

FACILITY ID: 1-301264

Location: Rainelle Food Mart - Exxon Station
 908 Main Street, Rainelle, WV 25962

COUNTY: GREENBRIER

10th Street



Structure Wire = (-)
 Anode Wire = (+)

Designed by *Samuel L. Vessel*
 WV DEP D&E #DL524
 NACE Corrosion Specialist

CATHODIC PROTECTION SYSTEM COMMISSIONING REPORT
CORROSION CONTROL MONITORING
CORROSION TECHNICAL SERVICES - WEST CHESTER, OHIO
(513) 504-2428

FACILITY ID: 1-301264		Location: Rainelle Food Mart - Exxon Station								
COUNTY: GREENBRIER		908 Main Street, Rainelle, WV 25962								
DATE OF TEST:		04/17/09	4/17/2009		GROUND BED COMPUTATION					
TESTER INITIALS:		SI V	SLV		OVERALL AVERAGE					
RECTIFIER TAP SETTINGS:		NA	C-1 F-2		(\bar{X}) E: 8.31 Volts					
RECTIFIER OUTPUT:		Volts	8.37 Volts	Volts	Σ I: 4.32 Amps					
22.10	Shunt 50 mV = 0.10 Amps	Amps	4.42 Amps	Amps	Ω R: 1.92 Resistance					
T/S No.	STRUCTURE DESCRIPTION	VOLTAGE POTENTIALS (-V)					GROUND BED PERFORMANCE			
		mV _{Native}	mV _{On}	mV _{Off}	Polarized	Status	No.	Volts	Amps	Shunt
01	Tank - Plus UL - N	627	1965	823	196	PASS	1	8.31	0.50	5.00
02	Tank - Plus UL - C	635	944	749	114	PASS	2	8.30	0.84	8.40
03	Tank - Plus UL - S	691	1,972	890	199	PASS	3	8.30	0.85	8.50
04	Tank - Regular UL - W	628	1,015	751	123	PASS	4	8.31	0.71	7.10
05	Tank - Regular UL - C	597	1,365	721	124	PASS	5	8.31	0.83	8.30
06	Tank - Regular UL - E	621	1,295	759	138	PASS	6	8.31	0.59	5.90
07	Tank - Supreme UL - E	642	1,324	831	189	PASS	7			
08	Tank - Supreme UL - C	601	910	719	118	PASS				
09	Tank - Supreme UL - W	618	935	801	183	PASS				
10	Piping - Vents (3)	651	2,146	1020	369	PASS				
11	Rectifier - Test Station	673	2,389	955	282	PASS				
12										
13										
14										
15										
16										
17										
18										
19										
20										
CONTINUITY TEST DATA							RECTIFIER DATA			
No.	STRUCTURE DESCRIPTION	Remote Reading (mV)			Point-to-Point		Manufacturer: Universal			
		On	Off	Status	p ² p	Status	Model No.: USAI 75-6			
01	Tank - Plus UL - 8K	2353	946	PASS	0.000	PASS	DC Rating: 75 V - 06 A			
02	Tank - Regular UL - 8K	2353	946	PASS	0.000	PASS	AC Rating: 115 V - 5.6 A			
03	Tank - Supreme UL - 3K	2353	946	PASS	0.000	PASS	Serial No.: 980216			
04	Piping - Vents (3)	2353	946	PASS	0.000	PASS	<i>Tested by</i> <i>Samuel L. Vessel</i> Samuel L. Vessel, Engineer NACE Corrosion Specialist-G, #4097 WV DEP Certification D&E #DI 524			
05										
NOTE: Installed six (6) new anodes as shown on drawings and commissioned CP System										

CLIENT:	REYNOLDS OIL CO.
LOCATION:	R A INELHC

Date	TAP SETTING	VOLTS AMPS		HOW	
		VOLTS	AMPS	TEST TAP	N.E.R. TEST
7-5-11	C-1	7.1	3.6		
9-31-11	C-1	7.3	3.6	TK	OK
10-29-11	C-1	7	3.8	TK	OK
12-27-12	C-1	7.1	3.5	TK	OK
2-24-12	C-1	7	3.1	TK	OK
4-27-12	C-1	7	3	TK	OK



CLIENT:	REYNOLDS OIL CO.
LOCATION:	RAINELLE

Date	TAP SETTING	VOLTS	AMPS	TESTER	HOUR MEASUR
4-17-09	C1-F2	8.37	4.42	S.V	NR
6-15-09	C1	8.2	4.3	S.V	NR
8-11-09	C1	7.4	4.1	TY	NR
10-5-09	C1	7.1	5.2	TY	NR
12-3-09	C1	6.9	5.3	TY	NR
2-20-10	C1	6.4	5.1	TY	NR
3-29-10	C1	7.8	4.8	TK	NR
5-24-10	C-1	8.1	4.6	TY	NR
7-23-10	C-1	8	4.5	TY	NR
9-19-10	C-1	8.6	3.9	TY	NR
11-16-10	C-1	7.7	4.6	TY	NR
1-13-11	C-1	8.1	4.4	TY	NR
3-10-11	C-1	7.8	4.6	TY	NR
5-7-11	C-1	7.4	4.3	TY	NR