



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 03 2017

REPLY TO THE ATTENTION OF



CERTIFIED MAIL # 7009 1680 0000 7679 4466
RETURN RECEIPT REQUESTED

Mr. Tom Schoenborn
Roy Lake Store
3395 State Highway 200
Mahnomen, Minnesota 56557

RUST-05-2017-0006

Re: Prohibit Deliveries to Roy Lake Store located at 3395 State Highway 200 in Mahnomen, Minnesota:

Dear Mr. Schoenborn:

On October 19, 2016, the U.S. Environmental Protection Agency issued an *Intent to Prohibit Deliveries* (Number R5-IPD-17-003-MR), to the Roy Lake Store, located in Mahnomen, Minnesota. The lack of resolution of the violations has led the EPA to Prohibit Deliveries to your tank, and the actual affixing of a red tag on the underground storage tank (UST) at the drop tube.

To be eligible to receive deliveries again you must resolve the violations listed below:

- A. 40 CFR § 280.20(c)(1)(ii) – Failing to ensure that the UST was adequately protected from overfilling during the fill operation.
Action Required: Provide EPA with documentation that the overfill device is compatible with your delivery method.
- B. 40 CFR § 280.31(b)(1) – Failing to ensure that the cathodic protection system was inspected for proper operation by a qualified tester.
Action Required: Provide documentation on the construction of the pipe. If it is steel, have its cathodic protection system tested.
- C. 40 CFR § 280.41(a) – Failing to ensure that the UST was being properly monitored for a release at least every thirty (30) days.
Action Required: Provide documentation that the UST is being monitored for a release.
- D. 40 CFR § 280.41(b)(2) – Failing to ensure that the underground piping that conveys regulated substances was being properly monitored for a release.
Action Required: Provide documentation that the piping is being monitored for a release, or that it is not required.

There are three options to come into compliance.

1. Bring all tanks into full compliance as previously described
2. Place the tanks into Temporary Closure (must maintain cathodic protection).
3. Permanently close the tanks.

Please submit your response, invoices or other supporting documentation to:

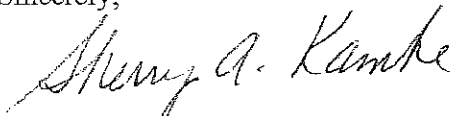
U.S. Environmental Protection Agency
Region 5 – Underground Storage Tanks Section
77 West Jackson Boulevard (LR-17J)
Chicago, Illinois 60604-3590
Attention: Mark Restaino

While the red tag is affixed to the fill pipe caps of the UST system, you shall not fill and shall not allow another to fill the UST system with any petroleum product. The red tag shall only be removed by an EPA representative. If you need to have the red tag removed in order to correct the violations, contact EPA in advance. EPA will send a representative to remove the red tag while the work is being done. They will re-affix the red tag until the EPA receives proof that all of the violations have been corrected.

No person shall remove, deface, alter, or otherwise tamper with a red tag in such a way as to make the information contained on the red tag illegible. The EPA will not remove the red tag until it inspects the UST system and establishes that the violations have been corrected. After making that determination, the EPA will remove the red tag as soon as reasonably possible.

If you have any questions regarding this letter, please call Mark Restaino, of my staff, at (312) 886-0394.

Sincerely,



Sherry A. Kamke, Chief
Underground Storage Tanks Section

Enclosures

cc: Richard Heisler, White Earth Band of Ojibwe

In the matter of: Roy Lake Store
Docket Number: **RUST-05-2017-0006**

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Delivery Prohibition Notice**,
Docket Number **RUST-05-2017-0006**, which was filed on March 15, 2017, in the following
manner to the addressees:

Hand-Delivered
Regional Hearing Clerk:

LaDawn Whitehead
whitehead.ladawn@epa.gov

Dated: _____

3/15/17

Mark Restaino

Mark Restaino
Enforcement Officer
U.S. Environmental Protection Agency, Region 5