New Mexico Environment Department
Petroleum Storage Tank Bureau
2905 Rodeo Park Drive East, Bldg. 1
Santa Fe, NM 87505
(505) 476-4397

List of Compliance Concerns

9348

Date: 06-Oct-14

I. Facility, Ownership, and Operator Information

Facility Name: The Barn	**Facility Number: 50929**	Phone:
Facility Address: 27544 US 64	City: Angel Fire	Zip Code: 87710

Owner Name: Elin Johnson		**Owner Number: 45371**	Phone:
Owner Address: P.O. Box 2	City: Eagle Nest	State: New Mexico	Zip Code: 87710

Operator Name: Same as Owner			Phone:
Operator Address:	City:	State:	Zip Code:

II. Violation(s).

PSTR No.: 3.8	Occurrences: 1	Description: Failure to pay annual fee Level C violation
PSTR No.: 8.10	Occurrences: 3	Description: Failure to meet requirements for permanent closure Level C violations
PSTR No.: 8.8.A	Occurrences: 1	Description: Failure to provide notice 30 days prior to permanent or temporary closure, return-to-service, or change-in-service. Level C violation
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:

I personally observed the violation(s) cited above

Compliance Officer's Signature	+1 (505) 454-2808 Phone Number	10/6/2014 Date
On-site Representative's Signature		Date

Petroleum Storage Tank Bureau
2905 Rodeo Park Drive East, Bldg. 1
Santa Fe, NM 87505
Phone: 505.476.4397
Fax: 505.476.4374
www.nmenv.state.nm.us/ust/ustbtop

Inspection Report

Inspection Type: Compliance	**Case Number: 2576**	Inspection Start Time: 3:00:00 PM	Date: 06-Oct-14

I. Facility Name: The Barn		**Facility ID: 50929**	Phone:
Address: 27544 US 64	City: Angel Fire		Zip Code: 87710
E-mail:	Access to property authorized by:		LUST Site: No

II. Owner Name: Elin Johnson		**Owner ID: 45371**	Phone:
Address:P.O. Box 2	City: Eagle Nest	State: NM	Zip Code: 87718
Contact Name:	E-mail:		

III. Operator Name: Same as Owner			Phone:
Address:	City:	State:	Zip Code:
Contact Name:	E-mail:		

IV. Class A/B Operator Name:	Phone:	E-mail:	
Address:	City:	State:	Zip Code:

V. NMED Compliance Officer's Name: Adrian J Jaramillo	Phone: 505-454-2808	E-mail: adrian.jaramillo@state.nm.us	
Address: 2538 Ridge Runner Rd	City: Las Vegas	State: NM	Zip Code: 87701

VI. Tank Number:	33774	33775	33776				
Tank Type:	AST	AST	AST				
Size:	4000	6000	6000				
Contents:	B02	B03	B84				
Installation Date:	1/1/2000	1/1/2000	1/1/2000				
Tank Construction:	A01	A01	A01				
Tank Secondary Containment:	S15	S15	S15				
Piping Construction:	F01,F03,F90	F01,F03,F90	F01,F03,F90				
Piping Secondary Containment:	S15	S15	S15				
Other Secondary Containment:	S15	S15	S15				
Corrosion / Cathodic Protection:	C18	C18	C18				
Tank Release Detection:	N/A	N/A	N/A				
Piping Release Detection:	N/A	N/A	N/A				
Spill & Overfill:	N/A	N/A	N/A				
Tank Status:	TOS	TOS	TOS				

Facility ID Number: 50929 Case Number: 2576

1. Registration	Yes	No	Unk	N/A	Level
A. Are all applicable tanks registered? (20.5.2.8.A - UST / 2.8.B - AST / 2.8.C - EG Systems)	✓				C
B. Have annual tank fees been paid? (20.5.3.8)		✗			C
C. Current & Valid Registration Certificate on-site? (20.5.2.15)				✓	C
D. Notification of transfer of ownership submitted per (20.5.2.9.A).			✗		C
E. Owner has correct mailing address on file with Department per (20.5.2.16).			✗		C
2. Release Prevention					
A. Spill Prevention Equipment.					
1. Equipment is present? (20.5.4.33 - AST / 20.5.4.33.A(1) - UST)				✓	A
2. Equipment is free of tears, rips, or damage. (20.5.5.14[1] - UST / 20.5.5.14[2]/[18]- AST)				✓	B
3. Equipment has adequate volume to contain spills. (20.5.5.14[7] - UST / 5.14[8] - AST)				✓	B
4. Equipment free of regulated substance, debris, water, or other liquids. (20.5.5.14[5]/5.14[6])				✓	C
5. Equipment free of minor damage. (20.5.5.14[20] - UST/5.14[21] -AST)				✓	C
6. Equipment free of other functional or operational defects. (20.5.5.14[96]-UST/5.14[97]- AST)				✓	C
7. Spill bucket plow ring is operational/functional. (20.5.5.14[9]-UST/5.14[10]- AST)				✓	C
8. AST in secondary containment exempt from spill prevention. (20.5.5.14[17])				✓	B
B. Overfill Prevention Equipment.					
1. Equipment is present? (20.5.4.33.A(1) - UST / 20.5.4.33.A(2) - AST)				✓	A
2. Equipment is operational/functional? (20.5.5.14[3]/[13]/[14]-UST/20.5.5.14[4]/[15]/[19])-AST)				✓	B
3. Alarm for AST system is audible and visible to delivery driver? (20.5.4.33.A.(3)(b))				✓	B
4. Alarm for UST system is audible or visible to delivery driver? (20.5.4.33.A.(2)(b))				✓	B
5. Ball float is present. (20.5.4.33.A(2)) - UST				✓	A
6. Drop tube style equipment installed per installation instructions.(20.5.5.14[11]/20.5.5.14[12])				✓	C
7. Equipment free of other operational or functional defects. (20.5.5.14[98] / 20.5.5.14[99])				✓	C
8. AST in secondary containment exempt from overfill prevention. (20.5.5.14[16])				✓	B
C. Corrosion Protection.					
1. Steel Tank System has cathodic protection. (20.5.4.8 - UST /20.5.4.16.A - AST)				✓	A
2. Steel Piping/ancillary equipment corrosion protection maintained. (20.5.4.20.A[1] / 4.20.A[2])				✓	B
3. Corrosion protection equipment is operational. (20.5.5.15.A[1] - UST / 20.5.5.15.A[2] - AST				✓	B
4. Impressed Current System is inspected every 60 days.(20.5.5.15.C[1] - UST/5.15.C[2] -AST)				✓	B
5. Cathodic Protection System is tested every 3 years.(20.5.5.15.B[1] - UST/5.15.B[2] - AST)				✓	B
a. Most Recent Test Date:					
b. Previous Test Date:					
6. Cathodically protected tank system tested within 6 months of repair. (20.5.5.17.E)				✓	C
7. Internally lined UST is operated and maintained per (20.5.4.13.B(1)).				✓	B
Date of last internal inspection:					
8. Existing UST system meets upgrade requirements. (20.5.4.13)				✓	C
9. Buried metal flex connector is protected from corrosion. (20.5.4.20.A[1]/4.20.A[2])				✓	B
10. Corrosion protection free of minor defects, proper O&M. (20.5.15.A[3] / 5.15.A[4])				✓	C
11. Steel AST secondary containment cathodic protection maintained. (20.5.5.10.H[3])				✓	B
D. Secondary Containment.					
1. Secondary containment for above-ground tank is present? (20.5.4.29[1] - AST)				✓	A
2. Secondary containment for piping is present? (20.5.4.15.A - UST / 20.5.4.24 - AST)				✓	C
3. Secondary containment for underground tank is present? (20.5.4.15.A - UST).				✓	C
4. Secondary containment is functional? (20.5.5.10 - AST/5.11 - UST)				✓	B
5. Vaulted AST inspected, operated, maintained, and repaired as required. (20.5.5.12/5.12.B)				✓	C
6. Interstice of double-walled AST is operated and maintained as required? (20.5.5.10.I - AST)				✓	B
7. Secondary containment is free of fuel, debris, and water? (20.5.5.11.B[2] - UST)				✓	C
8. Secondary containment has adequate volume to contain spills. (20.5.5.11.B - UST)				✓	B
9. Secondary containment is free of minor functional/operational defects. (20.5.5.11[2] - UST)				✓	C
10. Secondary containment is of appropriate volume? (20.5.4.29.A(3)) - AST				✓	C

Facility ID Number: 50929 Case Number: 2576

D. Secondary Containment.	Yes	No	Unk	N/A	Level
11. Under-dispenser containment is present? (20.5.4.15.A(2) - UST / 20.5.4.32 - AST)				✓	C
12. Secondary containment for loading rack(s) present? (20.5.4.34)				✓	C
13. Transition sump is present? (20.5.4.20.D)				✓	C
14. AST secondary containment is free of debris and liquid? (20.5.5.10.C)				✓	C
E. Compatibility					
1. Tank compatible with the regulated substance stored? (20.5.4.8[2] - UST/4.16[2] - AST)				✓	C
2. Piping is compatible with the regulated substance stored? (20.5.4.20.B)				✓	C
3. AST secondary containment compatible with regulated substance in tank? (20.5.4.29.A(2))				✓	C
4. All ancillary equipment that routinely holds product is compatible?(20.5.5.16)				✓	C
3. Release Detection					
A. Tanks					
1. Applicable method of release detection present. (20.5.6.8.A - AST / 20.5.6.9 - UST)				✓	A
2. UST method being operated per (20.5.6.9.A(1)/(2)/(3)/6.12/6.13/6.14/6.15/6.16).				✓	B
3. AST method is being operated per (20.5.6.8(1)/(2)/(3)/6.20/6.21/6.22)				✓	B
4. Release detection records are maintained per (20.5.6.24/6.25).				✓	C
5. UST method upgraded from inventory control after 10 years. (20.5.6.9.C(1))				✓	B
6. Tanks are monitored monthly for releases. (20.5.6.9.C - UST/20.5.6.10.A[1] - AST)				✓	B
7. Equipment is free of minor functional/operational defects. (20.5.6.8 / 20.5.6.9.A[2])				✓	C
8. Tank gauging stick is not broken, damaged, or warped. (20.5.6.13.C[2] - UST)				✓	B
9. Tank(s) checked for water monthly? (20.5.5.8.F - AST/20.5.6.13.G - UST)				✓	C
10. AST tightness test performed within required time frame. (20.5.6.8.D/6.10.B)				✓	C
11. UST systems installed after 4/4/2008 are interstitially monitored. (20.5.6.9.D[2] - UST)				✓	B
12. AST interstice is checked monthly. (20.5.5.10.I(1) / 6.20.A[2])				✓	C
B. Piping					
1. Applicable method of release detection present. (20.5.6.8.A/6.9/6.11.A(1)/6.11.A[3])				✓	A
2. AST underground piping tightness test within time frames per (20.5.6.11.A[4] / 6.11.C)				✓	B
3. UST underground piping tightness test within time frames per (20.5.6.11.A(2) / 6.11.B[2]).				✓	B
4. Dates of previous and current tightness test for underground piping (AST or UST)					
a. Most Recent Test Date:					
b. Previous Test Date:					
5. Line tightness test meets requirements. (20.5.6.23.B[1] - UST/20.5.6.23.B[2] - AST)				✓	B
6. ALLD functionality tested within last 12 months. (20.5.6.23.A[1] / 20.5.6.23.A[2])				✓	B
7. Dates of previous and current functionality tests on ALLD.					
a. Most Recent Test Date:					
b. Previous Test Date:					
8. ALLD capable of detecting leak per 20.5.6.23.A[3] - UST/20.5.6.23.A[4] - AST)				✓	B
9. Interstitial monitoring has automatic shutoff. (20.5.6.23.D.[1] / 20.5.6.23.D[2])				✓	B
10. Equipment is appropriate for type & volume (20.5.6.23[1] / 20.5.6.23[2])				✓	B
11. All surfaces readily visible for AST above-ground piping. (20.5.6.23.E)				✓	B
12. Records/documentation maintained per (20.5.6.24 & 20.5.6.25).				✓	C
13. Release detection operated per regulations. (20.5.6.8.A(1)/(2)/(3) & 6.9.A(1)/(2)/(3))				✓	B
14. Piping is monitored monthly for releases. (20.5.6.11.E[1] - UST / 20.5.6.11.E[2] - AST)				✓	B
C. Interstitial sensors tested annually. (20.5.6.8.A(2)-AST & 6.9.A(2)-UST)				✓	B
1. Most Recent Test Date:					
2. Previous Test Date:					
D. Emergency Generator System(s) exempt from release detection requirements.				✓	
4. Operator Training/Certification					
A. Class A&B Operators trained by deadline. (20.5.18.12.A)				✓	C
B. Date Class A/B passed training:					

Facility ID Number: 50929 Case Number: 2576

4. Operator Training/Certification	Yes	No	Unk	N/A	Level
C. Who trained Class A/B:					
D. Records/logs maintained and provided upon request (20.5.18.12.C/17.C/18.B(5)/18.B(6))				✓	C
E. Class C Operators are trained. (20.5.18.12.E(2))				✓	C
F. Monthly inspections performed by Class A or B Operator. (20.5.18.18.B)				✓	C
G. Certified/Trained Operator is present? (20.5.18.13)				✓	C
H. Unmanned facility meets requirements. (20.5.18.13.B)				✓	C
I. Sign for emergency procedures/response posted as required. (20.5.18.11)				✓	C
J. Class A&B Operators retrained within 5 years of last training. (20.5.18.14).				✓	C
K. Class A&B Operators must retrain within next 60 days. (See Comments) (20.5.18.14.B)				✓	C
L. Class A&B Operators retraining annually (20.5.18.14.B)				✓	C
5. Operations & Maintenance					
A. AST system coating is maintained. (20.5.5.8.B)				✓	C
B. Fill port lids are marked. (20.5.5.8.C)				✓	C
C. Steel piping in a trench maintained. (20.5.5.8.D)				✓	C
D. Containment sumps are maintained. (20.5.5.8.E/[2]/[3]/[4])				✓	C
E. Operations & Maintenance Plan present at the facility.(20.5.5.9)				✓	C
F. Operations & Maintenance Plan is being followed.(20.5.5.9/[2])				✓	C
G. Normal venting is maintained. (20.5.5.13)				✓	C
H. Emergency venting on AST is checked monthly. (20.5.5.13)				✓	C
I. Ancillary equipment is maintained. (20.5.5.8/[2]/[3]/[4])				✓	C
J. Underground piping replaced that shows signs of deterioration/failure. (5.17.A[2])				✓	B
6. Notifications					
A. Anything other than a "pass" for monthly monitoring reported. (20.5.7.9.A)				✓	C
B. Suspected release reported and investigated. (20.5.7.9.B)				✓	B
C. Confirmed release reported per (20.5.7.10).				✓	C
D. Change-in-Service, return-to-service, and temporary closure reported. (20.5.8.8)		X			C
7. Financial Responsibility					
A. Proof of Financial Responsibility provided. (20.5.9.903.A)			X		C
B. Amount and scope of financial responsibility is in accordance with (20.5.9.903).				✓	C
C. Mechanism/Policy Name:					
D. Effective Date:					
8. Above-ground Storage Tanks					
A. Tank manufactured for above-ground use. (20.5.4.16/4.16.B)				✓	C
B. Tank is former underground tank used as an above-ground tank. (20.5.4.17)				✓	C
C. Previously closed tank meets requirements for re-use per (20.5.4.19.C).				✓	C
D. One tank installed per vault in vaulted system. (20.5.4.31.A)				✓	C
E. Anti-siphon valve is present and operational. (20.5.4.25)				✓	C
9. Loading racks' secondary containment meets volume requirements (20.5.4.34)				✓	C
10. Upgrade Requirements					
The tanks at this facility meet the following upgrade requirement:					
A. 1998 (UST - Spill Containment, Overfill Prevention, and Corrosion Protection)				✓	
B. 2004 (AST - Spill Containment, Overfill Prevention, Release Detection)				✓	
C. 2008 (UST - Secondary Containment for New or Replaced Systems)				✓	
D. 2013 (AST - Secondary Containment for Existing Systems)				✓	
11. Evidence of a release or spill.			X		
12. Underground Storage Tank Systems are in Significant Operational Compliance?				✓	
13. Integrity Test performed prior to return-to-service. (20.5.8.9.E)				✓	C
14. All records available upon request by Department. (20.5.5.19)				✓	C

Facility ID Number: 50929 Case Number: 2576

15. Comments:

All tanks have been removed from the site along with all dispensers. The only thing left at the site are the piping runs. No soil sampling has been done to complete permanent closure.

1. The registration fees for FY2010 to FY2015 have not been paid. Invoice #287372 shows a balance of $4222.05. 3.8 Level C violation (1). The owner must pay the entire balance shown above.

2. The tank systems (Tank ID#s 33774, 33775 and 33776) have not been properly permanently closed because the piping runs have not been removed and no soil sampling has been done. 8.10 Level C violations (3). The owner must have all the piping removed and all the required soil sampling taken with the department present or aware of all such actions.

3. No notice has been given to the department of temporary closure or permanent closure. 8.8.A Level C violation (1). The owner must notify the department of the current condition of the tank systems and the intent they have to permanently close all tank systems.

LCC #9348 is issued.

Facility ID Number: 50929

Case Number: 2576

Closing Conference Date: Oct 6, 2014

Closing Conference Time:

Adrian J Jaramillo

Compliance Officer - Print Name

Not Available-----

On-Site Representative - Print Name

Compliance Officer's Signature

10/6/2014

Date

On-site Representative's Signature

Date


10/06/2014 13:34


10/06/2014 13:34


10/06/2014 13:33


10/06/2014 13:33


10/06/2014 13:33


10/06/2014 13:33


SOFT DRINKS
10/06/2014 13:32