



# Notification of Change-in-Ownership Of Petroleum Storage Tank Systems



The purpose of this form is to notify the Petroleum Storage Tank Bureau's staff of the change in ownership of the petroleum storage tank systems listed below. The owner must submit the form within 30 days of transfer of ownership of the petroleum storage tank systems, regardless of whether the systems are underground storage tank systems or above-ground storage tank systems. Once the completed form is submitted to the Bureau, the new owner (transferee) of the petroleum tank system(s) will be responsible for payment of annual tank fees the first July 1 after the transfer and every year thereafter. If there has been a change to the petroleum storage tank system at the facility, such as one of the tank systems has been modified, then you must fill out a Registration Form including all information required in 20.5.102.206 NMAC and submit that form to the Bureau instead of this form. A copy of our Registration Form can be downloaded from [https://www.env.nm.gov/petroleum\\_storage\\_tank](https://www.env.nm.gov/petroleum_storage_tank)

Mail the completed form to:

**New Mexico Environment Department  
Petroleum Storage Tank Bureau  
2905 Rodeo Park Drive East, Bldg. 1  
Santa Fe, NM 87505**

## I. Facility Information

Roy E Pogue Wholesale Inc - No 2 53874  
Facility Name (Enter the previous/old name of the facility) Facility ID Number

PMS Shop  
New Facility Name (Have you changed the name of the facility? Then enter the new name on the line above.)

204 S PMS Lane Clayton  
Street Address City

88415 Union (575) 374-9550  
Zip Code County Telephone Number

## II. Previous Owner of Tank(s)

Roy E Pogue Wholesale Inc 311  
Owner Name Owner ID Number

14 Jenkins Road Clayton  
Street Address City

New Mexico 88415 Union (505) 374-9641  
State Zip Code County Telephone Number

## III. New Owner of Tank(s)

PMS & Havesting NEW  
Owner Name (Corporation, Individual, Public Agency, or Other Entity) Owner ID Number

996 Dorsey Road Clayton  
Street Address City

New Mexico 88415 Union (575) 207-7450  
State Zip Code County Telephone Number

honeyp@plateautel.net

E-mail Address

## Notification of Change-in-Ownership Form

### IV. Operator Information

Facility ID Number: 53876

Will the operator of the facility change with the change in ownership? If your answer is yes, then complete this section to the best of your ability.

☒

Yes

☐

No

PMS & Harvesting

(575) 207-7450

Operator Name

Telephone Number

996 Dorsey Road

Clayton

Mailing Address

City

New Mexico

88415

honeyp@plateautel.net

State

Zip Code

E-mail Address

V. Date tank system(s) transferred: 12/1/2023

VI. Number of Petroleum Storage Tank Systems at this facility: 2

### VII. Ownership of Property (Who owns the land the tanks are located on?)

PMS & Harvesting

(575) 207-7450

Property Owner Name

Telephone Number

996 Dorsey Road

Clayton

Mailing Address

City

New Mexico

88415

honeyp@plateautel.net

State

Zip Code

E-mail Address

### VII. Certification

I certify under penalty of law that I have personally examined and I am familiar with the information submitted in this and all attached documents, and based on my inquiry of those individuals immediately responsible for obtaining the information; I believe the submitted information is true, accurate, and complete.

Honey Poling, Owner Representative

Name and Official Title of Owner or Owner's Authorized Representative

Owner's Signature



Date Signed

3/1/2024



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

Page 1 of 1

## Notice of Violation

### Class B Violations Subject to Delivery Prohibition

22 20240222 0417

Date: March 1, 2024

#### I. Facility, Ownership, and Operator Information

Facility Name: PMS Shop	Facility Number: 53874
Facility Address: 402 S PMS Lane	
Owner Name: PMS & Havesting	Owner Number: 76565
Operator Name: PMS & Havesting	Operator Number: O14351

This facility was cited with Class B violation(s) pursuant to section 20.5.116.1602.B(1) of the Petroleum Storage Tank Regulations, Title 20 Chapter 5 of the New Mexico Administrative Code ("NMAC"). The Class B violation(s) cited below indicate that the PSTB has identified violation(s) at this facility that qualify certain tanks for ineligibility to receive product (fuel). If not corrected within 30 days of the date of this notice, a Notice of Deficiency will be issued pursuant to 20.5.116.1602.B(2) NMAC, and may eventually lead to red tag placement and ineligibility for delivery of the system under violation pursuant to 20.5.116.1602.C NMAC.

If the violation(s) cited are not corrected, the facility may be determined to be out of compliance with the requirements and provisions of the Petroleum Storage Tank Regulations which would mean the facility would not be eligible for reimbursement from the Corrective Action Fund (see 20.5.123.2304 NMAC) if the facility has a release.

#### II. Violation(s) Information.

Tank ID	Penalty Code	Occurrences	Description	+
				-
36528 & 36529	20.5.109.908.C (2) NMAC	1/Tank	Failure to permanently close an existing single walled ASTs that has not been upgraded.	

#### III. Signature.

Compliance Officer Print Name: Chris Hamilton

Compliance Officer's Signature: Chris Hamilton Digitally signed by Chris Hamilton  
Date: 2024.03.01 09:39:59 -07'00'

Date: March 1, 2024



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

Field Compliance Order

22 20240222 0417

Date: February 29, 2024

I. Facility, Ownership, and Operator Information

Facility Name: PMS Shop	Facility Number: 53874
Facility Address: 402 S PMS Lane	
Owner Name: PMS & Havesting	Owner Number: 76565
Operator Name: PMS & Havesting	Operator Number: O14351

This facility has been cited with Class C violation(s) of the Petroleum Storage Tank Regulations, Title 20 Chapter 5 of the New Mexico Administrative Code ("NMAC"). If the violation(s) cited are not corrected, the facility may be determined to be out of compliance with the requirements and provision of the Petroleum Storage Tank Regulations which would mean the facility would not be eligible for reimbursement from the Corrective Action Fund (pursuant to 20.5.123.2304) if your facility has a release.

II. Violation(s) Information.

Tank ID	Penalty Code	Occurrences Per Tank	Description	+
				-
36528 & 36529	20.5.114.1501.E[1] NMAC	1	Failure to permanently close a substandard AST system after 12 months in temporary closure.	

Compliance Officer Print Name: Chris Hamilton

Compliance Officer's Signature: Chris Hamilton

Digitally signed by Chris Hamilton  
Date: 2024.02.29 09:43:16 -07'00'

Date: 2/28/2024



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

## Certification of Compliance

Date: 29-Feb-24

### I. Facility, Ownership, and Operator Information

<b>Facility Name:</b> PMS Shop	<b>Facility Number:</b> 53874	Phone: (575) 374-9550	
Facility Address: 402 S PMS Lane	City: Clayton	Zip Code: 88415	
<b>Owner Name:</b> PMS & Havesting	<b>Owner Number:</b> 76565	Phone: (575) 207-7450	
Owner Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415
<b>Operator Name:</b> PMS & Havesting			Phone: (575) 207-7450
Operator Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415

### II. Listing of Compliance Concerns Number: 7822

### III. Violations Corrected To Date. (If you don't have enough space to list all the violations please use a second copy of this form.)

PSTR No.: 3.8	Occurrences: 2	Description: Failure to pay annual fee.
PSTR No.: 9.903.A	Occurrences: 2	Description: Failure to provide proof of Financial Responsibility.
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:

### IV. For Petroleum Storage Tank Bureau Staff Only.

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	I conducted an inspection at the above-named facility and found the violation(s) specified in Section III have been corrected.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	I have received documentation indicating the owner or his authorized representative have corrected the violation(s) listed in Section III above.

Compliance Officer's Signature:

Chris Hamilton

Digitally signed by Chris Hamilton  
Date: 2024.02.29 09:12:45 -07'00'

Date: 2/28/2024



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

## Certification of Compliance

Date: 29-Feb-24

### I. Facility, Ownership, and Operator Information

<b>Facility Name:</b> PMS Shop	<b>Facility Number:</b> 53874	Phone: (575) 374-9550	
Facility Address: 402 S PMS Lane	City: Clayton	Zip Code: 88415	
<b>Owner Name:</b> PMS & Havesting	<b>Owner Number:</b> 76565	Phone: (575) 207-7450	
Owner Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415
<b>Operator Name:</b> PMS & Havesting			Phone: (575) 207-7450
Operator Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415

### II. Listing of Compliance Concerns Number: 7837

### III. Violations Corrected To Date. (If you don't have enough space to list all the violations please use a second copy of this form.)

PSTR No.: 3.8	Occurrences: 2	Description: Failure to pay annual fee.
PSTR No.: 8.9.C	Occurrences: 2	Description: Failure to permanently close tank system after 12 months in temp closure.
PSTR No.: 9.903.A	Occurrences: 2	Description: Failure to provide proof of Financial Responsibility.
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:

### IV. For Petroleum Storage Tank Bureau Staff Only.

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	I conducted an inspection at the above-named facility and found the violation(s) specified in Section III have been corrected.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	I have received documentation indicating the owner or his authorized representative have corrected the violation(s) listed in Section III above.

Compliance Officer's Signature:

Chris Hamilton

Digitally signed by Chris Hamilton  
Date: 2024.02.29 09:15:08 -07'00'

Date: 2/28/2024





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

## Certification of Compliance

Date: 29-Feb-24

### I. Facility, Ownership, and Operator Information

<b>Facility Name:</b> PMS Shop	<b>Facility Number:</b> 53874	Phone: (575) 374-9550	
Facility Address: 402 S PMS Lane	City: Clayton	Zip Code: 88415	
<b>Owner Name:</b> PMS & Havesting	<b>Owner Number:</b> 76565	Phone: (575) 207-7450	
Owner Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415
<b>Operator Name:</b> PMS & Havesting			Phone: (575) 207-7450
Operator Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415

### II. Listing of Compliance Concerns Number: 7882

### III. Violations Corrected To Date. (If you don't have enough space to list all the violations please use a second copy of this form.)

PSTR No.: 3.8	Occurrences: 2	Description: Failure to pay annual fee.
PSTR No.: 9.903.A	Occurrences: 2	Description: Failure to provide proof of Financial Responsibility.
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:

### IV. For Petroleum Storage Tank Bureau Staff Only.

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	I conducted an inspection at the above-named facility and found the violation(s) specified in Section III have been corrected.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	I have received documentation indicating the owner or his authorized representative have corrected the violation(s) listed in Section III above.

Compliance Officer's Signature:

Chris Hamilton

Digitally signed by Chris Hamilton  
Date: 2024.02.29 09:22:33 -07'00'

Date: 2/28/2024



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

## Certification of Compliance

Date: 29-Feb-24

### I. Facility, Ownership, and Operator Information

<b>Facility Name:</b> PMS Shop	<b>Facility Number:</b> 53874	Phone: (575) 374-9550	
Facility Address: 402 S PMS Lane	City: Clayton	Zip Code: 88415	
<b>Owner Name:</b> PMS & Havesting	<b>Owner Number:</b> 76565	Phone: (575) 207-7450	
Owner Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415
<b>Operator Name:</b> PMS & Havesting			Phone: (575) 207-7450
Operator Address: 996 Dorsey Road	City: Clayton	State: New Mexico	Zip Code: 88415

### II. Listing of Compliance Concerns Number: 10843

### III. Violations Corrected To Date. (If you don't have enough space to list all the violations please use a second copy of this form.)

PSTR No.: 4.25	Occurrences: 2	Description: Failure to install anti-siphon valve on AST system.
PSTR No.: 4.29[1]	Occurrences: 2	Description: Failure to install leak detection equipment for a single-walled AST system: no secondary containment.
PSTR No.: 4.32	Occurrences: 2	Description: Failure to install under-dispenser containment for dispensers in an AST system.
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:
PSTR No.:	Occurrences:	Description:

### IV. For Petroleum Storage Tank Bureau Staff Only.

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	I conducted an inspection at the above-named facility and found the violation(s) specified in Section III have been corrected.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	I have received documentation indicating the owner or his authorized representative have corrected the violation(s) listed in Section III above.

Compliance Officer's Signature:

Chris Hamilton

Digitally signed by Chris Hamilton  
Date: 2024.02.29 09:34:15 -07'00'

Date: 2/28/2024





Petroleum Storage Tank Bureau  
2905 Rodeo Park Drive East, Bldg. 1  
Santa Fe, NM 87505  
Phone: 505.476.4397  
Fax: 505.476.4374

# Aboveground Storage Tank Systems Inspection Report

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<b>Inspection Type: Compliance</b>	<b>Case Number: 22 20240222 0417</b>	Inspection Start Time: 12:00:00 PM	Date: 22-Feb-24
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<b>I. Facility Name: PMS Shop</b>		<b>Facility ID: 53874</b>	Phone: (575) 374-9550
Address: 402 S PMS Lane		City: Clayton	Zip Code: 88415
E-mail: honeyyp@plateautel.net	Access to property authorized by: Honey Poling		LUST Site: No

<b>II. Owner Name: PMS &amp; Havesting</b>		<b>Owner ID: 76565</b>	Phone: (575) 207-7450
Address: 996 Dorsey Road		City: Clayton	State: NM Zip Code: 88415
Contact Name: Honey Poling	E-mail: honeyyp@plateautel.net		

<b>III. Operator Name: PMS &amp; Havesting</b>		<b>Operator ID: 014351</b>	Phone: (575) 207-7450
Address: 996 Dorsey Road		City: Clayton	State: NM Zip Code: 88415
Contact Name: Honey Poling	E-mail: honeyyp@plateautel.net		

<b>IV. Class A/B Operator Name: None Provided</b>		Phone: N/A	E-mail: N/A
Address: N/A		City: N/A	State: N/A Zip Code: N/A
Who trained Class A/B Operator: N/A		Date Trained: N/A	

<b>V. NMED Compliance Officer's Name: Chris Hamilton</b>		Phone: (505) 670-9171	E-mail: chris.hamilton@env.nm.gov
Address: 2905 Rodeo Park Drive East, Building 1		City: Santa Fe	State: NM Zip Code: 87505

VI. Tank Number	36528	36529					
Size/Capacity:	4,000 Gal	4,000 Gal					
Contents:	B12 (Empty)	B12 (Empty)					
Installation Date:	1/1/1997	1/1/1997					
Tank Construction:	A01	A01					
Tank Secondary Containment:	S15	S15					
Piping Construction:	F01	F01					
Piping Secondary Containment:	S15	S15					
Other Secondary Containment / Ancillary:	S15	S15					
Corrosion/Cathodic Protection:	C16/18	C16/18					
Tank Release Detection:	H11	H11					
Piping Release Detection:	G18	G18					
Spill Prevention:	I05	I05					
Overfill Prevention:	I05	I05					
Tank Status & Usage:	U03/TOS	U03/TOS					

**New Mexico Petroleum Storage Tank Bureau**  
**Aboveground Storage Tank Systems Inspection Checklist**

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Facility ID Number: 53874

Case Number: 22 20240222 0417

**1. Registration (20.5.102 NMAC) and Tank Fees (20.5.103 NMAC)**

☐ N/A

A. Are all applicable tanks registered? (20.5.102.200 NMAC)	Yes
B. Current & Valid Registration Certificate on-site? (20.5.102.207 NMAC)	No
C. Owner Mailing address is correct? (20.5.102.208 NMAC)	Yes
D. Owner in compliance with tank fees. (20.5.103.300 NMAC)	No
E. Notification of transfer of ownership submitted per (20.5.102.201 NMAC)	Yes

**2. Operator Training (20.5.104 NMAC)**

☐ N/A

A. Class A&B Operator(s) designated for the storage tank system(s). (20.5.104.400 NMAC)	No
B. Class A&B Operator(s) conducting monthly inspections. (20.5.104.409.B NMAC)	No
C. Class A&B Operator(s) must retrain within the next 60 days due to significant violation(s). (20.5.104.406.B NMAC)	N/A
D. Class A/B Operator retrains:	
E. Class A/B Operator retrained by NMED Inspector following significant violation.	N/A
F. Operator Training requirements have been met for Class A/B and C. (20.5.104 NMAC)	No

**3. Operations and Maintenance Plan (20.5.110.1001 NMAC)**

☐ N/A

A. Operations & Maintenance Plan at the facility?	No
B. Operations & Maintenance Plan updated?	N/A

**4. Financial Responsibility (20.5.117 NMAC)**

☐ N/A

A. Proof of Financial Responsibility provided? (20.5.117.1703.A NMAC)	No
B. Amount and scope meets requirements. (20.5.117.1703 NMAC)	N/A
C. Mechanism(s) meets requirements. (20.5.117.1755 thru 1767 NMAC)	N/A
D. Mechanism/Policy Number: N/A	
E. Effective Date: N/A	

**5. Release Prevention**

☐ Records Review

☐ N/A

<b>A. Spill Prevention Equipment:</b>	None	
		Tank(s) in Violation
1. Equipment is present? (20.5.109.910.A NMAC)	No	36528 & 36529
2. Equipment is free of tears, rips, or damage. (20.5.110.1005.C NMAC)	N/A	
3. Equipment has adequate volume to contain spills. (20.5.110.1005.C NMAC)	N/A	
4. Equipment free of regulated substance, debris, water, or other liquids. (20.5.110.1005.C)	N/A	
5. Equipment free of minor damage or other operational defects. (20.5.110.1005.C NMAC)	N/A	
6. Equipment tested within the last 3 years & report submitted within time frames? (110.1005.C)	N/A	
7. Equipment passed the test? (20.5.110.1005.C(4) NMAC)	N/A	
8. Test conducted per regulations and by tester who meets qualifications. (110.1005.G)	N/A	
9. Integral spill bucket monitored monthly or tested every 3 years. (20.5.110.1005.C(3) NMAC)	N/A	
10. Equipment is listed per national standard or code of practice. (20.5.109.910.F NMAC)	N/A	
11. Drain valve on remote fill box is closed? (20.5.110.1005.C NMAC)	N/A	

**New Mexico Petroleum Storage Tank Bureau**  
**Aboveground Storage Tank Systems Inspection Checklist**

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Facility ID Number: 53874

Case Number: 22 20240222 0417

**B. Overfill Prevention Equipment:** None

**C. Corrosion Protection**

☐ N/A

**1. Tank(s):** None

		Tank(s) in Violation
a. Steel Tank system protected from corrosion. (20.5.109.902.A NMAC)	N/A	
b. Corrosion protection is operational. (20.5.110.1006.A/115.1501.A(1) NMAC)	N/A	
c. Impressed Current System monitored every 60 days. (20.5.110.1006.C/115.1501.A(1) NMAC)	N/A	
d. Cathodic Protection system tested every 3 years/within 6 months of repair. (1006.B/115.1501.A)	N/A	

**2. Piping:** None

		Tank(s) in Violation
a. Steel piping / flex connector(s) protected from corrosion. (20.5.109.913.A NMAC)	N/A	
b. Corrosion protection is operational. (20.5.110.1006.A NMAC)	N/A	
c. Corrosion protection is inspected monthly. (20.5.110.1006.D NMAC)	N/A	
d. Containment sump(s) free of water and soil. (20.5.110.1007.A NMAC)	N/A	

**3. Cathodic Protection Test.**

		Tank(s) in Violation
a. Report contains all required information. (20.5.110.1006.B NMAC)	N/A	
b. Report contains test data for all steel tanks and steel piping at the facility. (20.5.110.1006.A)	N/A	
c. Cathodic protection system passed the last test. (20.5.110.1006.A NMAC)	N/A	
d. Test conducted by tester who meets qualifications. (20.5.105.504 NMAC)	N/A	

**6. Release Detection**

☐ N/A

A. Tank(s): Not Required - Contains less than 1"

B. Piping: Not Required - Temporary Closure

**7. Containment**

☐ Records Review

☒ N/A

**8. Periodic Walk-through Inspections (20.5.110.1008 NMAC)**

☒ N/A

**9. Tank(s)/Piping/Operations & Maintenance**

☐ N/A

		Tank(s) in Violation
A. Ancillary equipment is maintained. (20.5.110.1000 NMAC)	N/A	
B. Fill port lids are marked. (20.5.110.1000(A) NMAC)	No	
C. Normal venting is maintained. (20.5.110.1004 NMAC)	No	
D. Emergency vents are maintained and inspected monthly. (20.5.110.1004 NMAC)	No	
E. Underground piping replaced that shows signs of deterioration/failure. (20.5.110.1010.A)	N/A	
F. Sump liners and penetration boots are maintained as required. (20.5.110.1007 NMAC)	N/A	
G. AST system is documented to be compatible with contents greater than E10 or B20. (1009.B)	N/A	
H. AST is compatible with the regulated substance stored? (20.5.109.1009 NMAC)	N/A	

**10. Notifications and Records**

☐ N/A

**New Mexico Petroleum Storage Tank Bureau**  
**Aboveground Storage Tank Systems Inspection Checklist**

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Facility ID Number: 53874

Case Number: 22 20240222 0417

		Tank(s) in Violation
A. Suspected release reported and investigated. (20.5.118.1801 NMAC)	N/A	
B. Suspected release - anything other than "pass" for monthly monitoring reported.	N/A	
C. Suspected release - unusual operating conditions reported. (20.5.118.1801 NMAC)	N/A	
D. Suspected release - failed periodic test reported within 24 hours.	N/A	
E. Notification provided for modifications and repairs. (20.5.110.1012.B NMAC)	N/A	
F. Change-in-service, return-to-service, temporary closure reported. 20.5.115.1500.A NMAC)	No	36528 & 36529
G. 30-day notification received for change to greater than E10 Gasoline, B20 Diesel. (1009.A)	N/A	
H. Records for periodic testing submitted within 60 days of completion. (110.1016/111.1112)	N/A	
I. Record submitted for failed periodic test within 24 hours of completion. (110.1016/111.1112)	N/A	

**11. Evidence of a release or spill:** Unknown

**12. Attachments**

<input checked="" type="checkbox"/> Pictures	<input type="checkbox"/> Site Sketch	<input type="checkbox"/> Records	<input type="checkbox"/> Re-training module	<input type="checkbox"/> Other	<input type="checkbox"/> Financial Respons.
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**13. Comments.**

Compliance Inspection

A) The existing Aboveground Storage Tanks (ASTs) at the Facility have been moved from their original position, they are now sitting on the southern edge of the property and remain in Temporary Closure.

B) The red tags affixed to the ASTs were found to be missing at the time of this inspection. However, pictures (attached to this report) show that they were intact in 2018 and that one was missing in 2021 while the other was showing serious deterioration from exposure to the elements. The Petroleum Storage Tank Bureau (PSTB) is willing to give the owner the benefit of the doubt and consider it most likely that the other tag deteriorated to the point of destruction in the three years since the last inspection.

C) The ASTs remain in Delivery Prohibition and are classified as Ineligible for Delivery. These tanks need to be properly Permanently closed. 20.5.116 NMAC, the part of the regulations covering closure of storage tanks, can be found here: <https://www.srca.nm.gov/parts/title20/20.005.0115.html>.

D) Class B Violations:

20.5.109.908.C(2) NMAC: Failure to permanently close an existing single walled ASTs that has not been upgraded (Tanks 36528 & 36529) (1 Occurrence/Tank)- The existing ASTs at the Facility were never upgraded as required and have not been properly permanently closed. Please ensure that the tanks are properly permanently closed and a site assessment is conducted as part of the closure process.

E) Class F Violations:

20.5.114.1501.E[1] NMAC: Failure to permanently close a substandard AST system after 12 months in temporary closure (Tanks 36528 & 36529) (1 Occurrence/Tank)- The existing ASTs at the Facility were never upgraded as required and have not been properly permanently closed. Please ensure that the tanks are properly permanently closed and a site assessment is conducted as part of the closure process.

F) Continuing Enforcement:

Inspection # 25 20210331 0057- The violations associated with this inspection remain in effect.

G) Certificates of Compliance:

LCC 7822- The violations associated with this LCC have been reissued under the new violation codes associated with the July 24, 2018 PSTB regulations and are therefore cleared.

**New Mexico Petroleum Storage Tank Bureau**  
**Aboveground Storage Tank Systems Inspection Checklist**

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Facility ID Number: 53874

Case Number: 22 20240222 0417

LCC 7837- The violations associated with this LCC have been reissued under the new violation codes associated with the July 24, 2018 PSTB regulations and are therefore cleared.

LCC 7882- The violations associated with this LCC have been reissued under the new violation codes associated with the July 24, 2018 PSTB regulations and are therefore cleared.

LCC 9343- The ASTs have been disconnected from the piping and dispensers and moved from their original location. The violations associated with this LCC are therefore no longer valid and have been cleared.

LCC 10843- The ASTs have been disconnected from the piping and dispensers and moved from their original location. The violations associated with this LCC are therefore no longer valid and have been cleared.

New Mexico Petroleum Storage Tank Bureau  
Aboveground Storage Tank Systems Inspection Checklist

Facility ID Number: 538 7 4 Case Number: 22 20240222 0417

14. Closing Conference and Signatures.

Closing Conference Date: Mar 1, 2024 Closing Conference Time: 2:05:00 PM

Chris Hamilton	Chris Hamilton	Digitally signed by Chris Hamilton Date: 2024.03.01 14:06:02 -07'00'	3/1/2024
Compliance Officer - Print Name	Compliance Officer's Signature		Date

Honey Poling		2/29/2024
Owner or Representative - Print Name	Owner or Representative's Signature	Date

Owner Representative	honeyp@plateautel.net
Owner or Representative - Print Title	E-mail Address



Facility Name: PMS Shop

Facility Number: 53874



Picture Number: 1

Photographer: Chris Hamilton

Date: Feb 22, 2024 Time: 12:17 PM

Description:

ASTs moved to new location at the Facility



Picture Number: 2

Photographer: Chris Hamilton

Date: Feb 22, 2024 Time: 12:17 PM

Description:

ASTs moved to new location at the Facility



Picture Number: 3

Photographer: Chris Hamilton

Date: Feb 22, 2024 Time: 12:17 PM

Description:

ASTs moved to new location at the Facility



Pictures from the February 25, 2016 Red Tag Re-Inspection





















Facility Name: Roy E Pogue Wholesale Inc - No 2

Facility Number: 53874



Picture Number: 1

Photographer: Stephen Evans

Date: 7/9/2018

Time: 1:27:30 pm

Description:  
Facility 53874



Picture Number: 2

Photographer: Stephen Evans

Date: 7/9/2018

Time: 1:26 PM

Description:  
Tank #36528; crabseal #266677 intact



Picture Number: 3

Photographer: Stephen Evans

Date: 7/9/2018

Time: 1:27 PM

Description:  
Tank #36529; crabseal #266689 intact



Facility Name: Roy Pogue E Wholesale Inc - No2

Facility Number: 53874



Picture Number: 1

Photographer: Nicole Candelaria

Date: Jun 29, 2021 Time: 3:14 PM

Description:

The tanks are not connected to any piping.



Picture Number: 2

Photographer: Nicole Candelaria

Date: Jun 29, 2021 Time: 3:15 PM

Description:

The tank behind the Unleaded dispenser still has a Red Tag attached, but the other tank does not.



# NEW MEXICO ENVIRONMENT DEPARTMENT



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lt. Governor

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Building 1  
Santa Fe, NM, 87505  
Phone (505) 476-4397 Fax (505) 476-4374  
www.env.nm.gov

RYAN FLYNN  
Cabinet Secretary

BUTCH TONGATE  
Deputy Secretary

Facility Name:	Roy E. Pogue Wholesale Inc. No. 2	Date: February 25, 2016
PSTB Inspectors:	Adrian Jaramillo and Dan Lopez	FID# 53874
Facility Representative Present:	None	LCC# 9343

Yes	Verified that facility is not considered rural or remote		
Yes	Facility's Ineligibility posted on website 48 hrs prior	Date: 02.22.16	Time: ~3:00 pm
No	Facility Notified of Inspection 24hrs prior	Date: N/A	Time: N/A
N/A	Permission granted to enter the facility by:	Date: N/A	Time: N/A
Comments: Contact on record has been unresponsive			

No	Identification Presented to Facility Owner, Operator or Representative (if applicable)		
No	Owner, operator or representative notified that inspector is present to re-inspect facility and if violations have not been corrected, place Red Tags and Certificate at facility		
Comments: Contact on record has been unresponsive. No representative present at the time of red tag placement			

Tank ID Number	Location Description	Fuel Level	Seal Number
36528	4,000 gallon AST (empty)		266677
36529	4,000 gallon AST (empty)		266689

No	Has Fuel been recently delivered	Date: N/A	Time: N/A
Yes	Notice of Red Tag Placement provided to Owner	Date: 02.25.16	Time: by mail
Yes	Photograph placement of red tags and Certificate		

Inspector Name:	Adrian Jaramillo (Print)	Signature
		Date: 2/25/2016 Time: 12:05

Inspector Name:	Dan Lopez (Print)	Signature
		Date: 2/25/16 Time: 12:05

On Site Representative Name:	(Print)	Signature
		Date: Time: