Petroleum Storage Tank

Committee Meeting

June 12, 2013

NEW MEXICO
ENVIRONMENT DEPARTMENT

Petroleum Storage Tank Bureau

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

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RYAN FLYNN
Cabinet Secretary-Designate

BUTCH TONGATE
Deputy Secretary

THOMAS SKIBITSKI
Acting Division Director

AGENDA
STORAGE TANK COMMITTEE MEETING
Wednesday, June 12, 2013
10:00 AM – 12:00 PM
Toney Anaya Building
Rio Grande Room
2600 Cerrillos Road
Santa Fe, NM 87505

<u>The following items are for discussion and possible action:</u>

Item # 1 Roll Call

Item # 2 Approval of the Agenda

Item # 3 Approval of the Minutes

Item # 4 Update on Remedial Action Sites: Lorena Goerger– 15 minutes

Item # 5 Update of Corrective Action Fund: Dana Bahar/Delia Flores – 15 minutes

Item # 6 Update on Prevention and Inspection Program: Kal Martin – 15 minutes

Item # 7 Update on Tank Fee and Certification Program: Dana Bahar – 15 minutes

Item # 8 Other Business

Item # 9 Next Meeting – TBA

Item # 10 Adjournment

March 2013 RP WORKPLANS								
Facility Name	**Location**	**Phase**	**Facility #**	**SID #**	**WPID #**	**Approved Amount**	**Date**	**PM**
Hooter Brown's Country Store	Springer	Ph 2	1413	4165	16684	$ 544,734.54	03/01/13	SvG
Cerrillos Self Serve 3	Santa Fe	MSA	1030	4673	16692	$ 13,360.00	03/01/13	SvG
Lil's Food & Fuel	Tatum	Ph 1	6775	4092	16695	$ 28,769.14	03/01/13	DRR
NMDOT Capitan Patrol Yard	Capitan	Ph 5	29643	2143	16694	$ 33,943.39	03/01/13	LG
NMDOT Tucumcari Patrol Yard	Tucumcari	Ph 1	31249	738	16691	$ 10,710.66	03/01/13	LG
Bell Gas Texaco # 1172	Roswell	Ph 1	1867	918	16687	$ 6,504.00	03/01/13	DRR
Firestone Service Center	Roswell	Ph 1	28048	177	16690	$ 4,757.00	03/01/13	LG
Allsups # 1152	Santa Rosa	Ph 1	875	3508	16689	$ 4,868.50	03/01/13	LG
NICO/Graves Oil & Butane # 3	Farmington	Ph 1	28385	2290	16693	$ 12,091.63	03/01/13	ML
Furrs Supermarket # 908	Roswell	Ph 1	32018	3562	16686	$ 6,504.00	03/01/13	DRR
Union Plaza Conoco	Roswell	Ph 1	31282	2657	16688	$ 5,992.00	03/01/13	DRR
Holloman Fina	Alamogordo	Ph 2	28583	3588	16685	$ 2,782.13	03/01/13	CH
Anthem Oil # 105	Albuquerque	Ph 1	29845	4548	16699	$ 10,455.08	03/06/13	BF
Roger Oil Company	Gallup	Ph 1	52269	4047	16487	$ 4,659.96	03/05/13	SR
North El Cerro Loop	Los Lunas	Ph 5	29693	57	16697	$ 8,403.75	03/05/13	BF
Giant # 295/ Old Atex # 53	Milan	Ph 1	31825	117	16696	$ 12,385.06	03/05/13	SR
Holiday Shell	Grants	Ph 5	28575	4070	16700	$ 9,480.20	03/06/13	BF
Former Fox LP/Bell Gas #1187	Belen	Ph 5	28156	4618	16698	$ 20,468.60	03/05/13	SR
BJ Services Company	Farmington	Ph 1	31562	2342	16702	$ 11,271.32	03/06/13	DB
Fairview Station	Espanola	MSA	28779	4657	16701	$ 1,498.00	03/06/13	SvG
Picacho Shell	Las Cruces	Ph 1	1651	2669	16713	$ 4,772.20	03/25/13	CH
United Fuel & Energy Corp	Hobbs	MSA	52851	4625	16707	$ 25,059.54	03/20/13	CN
United Fuel & Energy Corp	Hobbs	MSA	51708	4635	16706	$ 25,059.54	03/20/13	CN
Greggs Food Mart Baties # 947	Artesia	MSA	947	4562	16715	$ 18,259.20	03/25/13	CN
Canoncito Grocery	Canoncito	Ph 5	1018	2284	16710	$ 28,083.09	03/20/13	SR
R.C. Sanders Trucking	Las Cruces	Ph 5	30116	2782	16704	$ 35,767.41	03/20/13	DU
A's 7-11 Mini Mart	Fairview	Ph 2	26333	4043	16708	$ 24,147.76	03/20/13	GB
Roy Honstein Oil Co	Espanola	MSA	48400	4666	16703	$ 26,755.00	03/20/13	SvG
Bar F #1	Aztec	Ph 5	26845	384	16705	$ 10,983.92	03/20/13	BF
Dulce Independent Schools	Dulce	MSA	51000	4511	16711	$ 20,121.62	03/25/13	JK
T & C # 171	Roswell	Ph 1	1941	2482	16716	$ 6,526.00	03/25/13	CN
U-Haul Rentals	Grants	Ph 1	30497	2504	16717	$ 3,606.13	03/25/13	SR
Grants West Campground	Prewitt	Ph 1	28382	3627	16714	$ 6,522.84	3/25/2013	SR
Shamrock# 63	Santa Fe	Ph 1	29206	4509	16718	$ 7,257.30	3/26/2013	SvG
Giant Stop N Go # 58	Espanola	Ph 5	28328	4379	16709	$ 6,868.05	3/20/2013	SvG
Westside Texaco	Lordsburg	Ph 1	28307	937	16712	$ 9,259.73	3/25/2013	DU
Allsup's # 161	Milan	Ph 1	26499	2041	16619	$ 8,876.46	3/20/2013	ML
S & J Service Station	Los Lunas	Ph 1	31730	1883	16719	$ 12,728.54	3/27/2013	DB
COUNT:	38				**Subtotal**	$ 1,034,293.29		

March 2013 RP ADDENDUMS								
Facility Name		**Phase**	**Facility #**	**SID #**	**WPID #**	**Approved Amount**	**Date**	**PM**
COUNT	0				**Subtotal**	$ -		
				GRAND TOTAL		**$ 1,034,293.29**		

March 2013 SL WORKPLANS

Facility Name	Location	Phase	Facility #	SID #	WPID #	Approved Amount	Date	PM
City Market	San Miguel	Ph 5	27395	339	3672	$ 14,816.83	03/01/13	CH
Bell Gas T or C	T or C	Ph 5	1830	367	3673	$ 8,877.80	03/01/13	CH
Bass Site	Albuquerque	Ph 1	26861	79	3677	$ 7,329.50	03/05/13	SR
McClellan Oil Site	Roswell	Ph 1	29315	292	3676	$ 5,356.16	03/05/13	LG
Atex 213	Albuquerque	Ph 1	31815	28	3675	$ 13,642.50	03/05/13	SR
Lovington Highway GW	Hobbs	MSA	53751	4464	3674	$ 7,928.49	3/5/2013	CH
Archie's Auto	Cuba	Ph 1	28325	2285	3679	$ 9,545.63	3/6/2013	BF
Leonard's Conoco	Santa Rosa	Ph 1	29084	755	3678	$ 11,338.08	3/6/2013	LG
Circle K 716 & Former Exxon El Centro	Espanola	Ph 5	28112	447	3680	$ 7,194.52	3/6/2013	GB
Upholstery by Tony	Raton	Ph 1	54570	2615	3681	$ 5,469.84	3/27/2013	SvG
COUNT:	10							
					Subtotal	$ 91,499.35		

March 2013 SL ADDENDUMS

Facility Name			Facility #	SID #	WPID #	Approved Amount	Date	PM
COUNT:	0							
					Subtotal	$ -		
			GRAND TOTAL			**$ 91,499.35**		

April 2013 RP WORKPLANS

Facility Name	Location	Phase	Facility #	SID #	WPID #	Approved Amount	Date	PM
Former Cardlock # 2 Site	Farmington	Ph 1	29220	2319	16721	$ 25,300.43	04/02/13	DB
Midway Grocery Site	Jarales	Ph 4	53478	4098	16720	$ 632,012.90	04/02/13	DB
Hooter Brown's Country Store	Springer	Ph 2	1413	4165	16684	$ 30,227.50	04/02/13	SvG
Tommy's 66	Grants	Ph 1	1925	2317	16723	$ 8,436.42	04/04/13	BF
Former Chevron 75734 Station	Santa Fe	Ph 1	27324	2448	16724	$ 5,799.98	04/04/13	GB
Chevron/ UnoCal Station	Gallup	Ph 5	28246	303	16722	$ 6,787.31	04/04/13	SR
Chevron # 75865	Socorro	Ph 5	27329	454	16731	$ 10,504.62	04/11/13	SR
Gonzales Self Serve	Deming	Ph 1	31494	2014	16730	$ 7,138.77	04/11/13	JK
Midtown Chevron	Las Cruces	Ph 5	28069	3515	16735	$ 7,960.18	04/11/13	JK
Kolb Oil Co.	Raton	MSA	28980	4387	16729	$ 5,391.20	04/11/13	SvG
Giant Station # 7256	Zuni	Ph 1	31102	4049	16728	$ 14,298.06	04/11/13	JK
Circle K # 290	Socorro	Ph 5	1081	891	16726	$ 12,312.18	04/09/13	SR
Circle K # 561	Cuba	Ph 1	1143	2318	16725	$ 12,157.97	04/09/13	SR
Stough Lowell/ Jennings Site	Alamogordo	Ph 5	1841	1918	16230	$ 5,000.00	04/11/13	JK
Mustang # 7278	Estancia	Ph 2	31840	3318	16734	$ 24,625.53	04/11/13	BF
Liberty Oil	Gallup	Ph 1	29096	1912	16733	$ 23,223.47	04/11/13	BF
Former Sundial # 5	Chama	Ph 1	30821	2971	16727	$ 8,385.30	04/11/13	JK
Socorro General Hospital	Socorro	MSA	32016	4667	16732	$ 29,919.63	04/11/13	BF
Former Highway 70 Truckstop	Portales	Ph 2	28532	2023	16736	$ 360,290.87	04/16/13	DRR
Fina 1 A	Hobbs	Ph 5	1240	3308	16284	$ 1,277.87	04/11/13	CN
COUNT:	20				Subtotal	$ 1,231,050.19		

April 2013 RP ADDENDUMS

Facility Name		Phase	Facility #	SID #	WPID #	Approved Amount	Date	PM
COUNT	0				Subtotal	$ -		
				GRAND TOTAL		$ 1,231,050.19		

April 2013 SL WORKPLANS

Facility Name	Location	Phase	Facility #	SID #	WPID #	Approved Amount	Date	PM
Indian Hills/Canyon Auto	Zuzax	Ph 5	28654	611	3682	$ 25,958.80	04/02/13	BF
El Malpais	Grants	Ph 1	53740	2501	3683	$ 11,656.27	04/09/13	BF
Big Rock Shopping Center	Espanola	Ph 5	26929	393	3684	$ 4,599.93	04/11/13	GB
COUNT:	3							
					Subtotal	$ 42,215.00		

April 2013 SL ADDENDUMS

Facility Name			Facility #	SID #	WPID #	Approved Amount	Date	PM
COUNT:	0							
					Subtotal	$ -		
			GRAND TOTAL			**$ 42,215.00**		

Corrective Action Fund Update
March 2013

	Beginning Cash	Additions to Cash		Deductions to Cash		Ending Cash
February Ending Cash	$13,624,562	PPL Fee^	$1,613,559	Payments	$ (1,665,175)	
		Cancelled Warrant	$ 12,185	WC/ Reissue	$ (12,185)	
Cash		Salvage Dep		Operating Transfers*		
TOTALS	$13,624,562		$1,625,744		$ (1,677,360)	**$13,572,946**

$1,000,000 (Reserve)
$10,288,458 (Workplan Liabilities)
$2,284,488 (Unobligated)

^7-13A-3(C)(4) NMSA 1978 or $150/load
^^Reserve in 20 NMAC 5.15.1505
^^^as described in Section 7-13A-3(E) NMSA 1978

*Funds from CAF to cover CAF Admin. (salaries & assoc. costs) and HB19 transferred monthly based on 1/12 of approved budget
** Operating Transfer was not taken out this month

FY13 Workplan Approval
FY13 Workplan Approval

Month	# of	State Lead	# of	Resp. Party	SLAddenda	RPAddenda
July-12	0	$0	7	$1,135,096	$0	$0
August-12	9	$383,184	34	$493,783	$0	$0
September-12	3	$63,471	41	$1,994,169	$0	$0
October-12	6	$308,959	31	$1,315,082	$0	$0
November-12	1	$5,773	20	$395,407	$0	$0
December-12	3	$57,417	32	$2,031,767	$0	$0
January-13	7	$908,803	17	$723,200	$0	$0
February-13	7	$36,013	36	$806,163	$0	$0
March-13	10	$91,499	38	$1,034,293	$0	$0
April-13					$0	$0
May-13					$0	$0
June-13					$0	$0
Y-T-D Total	**46**	**$1,855,119**	**256**	**$9,928,959**	**$0**	**$0**

	Payments
SL	$532,065
RP	$1,133,110

Yearly Activity Comparison

		Y-T-D FY13	Y-T-D
		Workplan Approvals	
	SL	$1,855,119	
	RP	$9,928,959	$11,784,078
		This Mo. Y-T-D FY12	
		Workplan Approvals	
	SL	$1,953,129	
	RP	$6,054,046	$8,007,175
		This Mo. Y-T-D FY11	
		Workplan Approvals	
	SL	$2,118,491	
	RP	$6,809,098	$8,927,589

Y-T-D 13	This Mo. Y-T-D 12	This Mo. Y-T-D 11
Payments	Payments	Payments
$2,198,577	$2,473,109	$2,893,299
$6,804,743	$3,373,474	$3,421,221
$9,003,320	$5,846,584	$6,314,520

Corrective Action Fund Update
March 2013

Fiscal Year 13 Monthly Trends

	July-12	August-12	September-12	October-12	November-12	December-12	January-13	February-13	March-13	April-13	May-13	June-13	TOTAL
PPL Applicable Fees	$1,395,050	$2,169,055	$1,647,050	$1,560,518	$1,615,548	$1,480,242	$1,489,061	$1,613,559	$1,374,078				$14,344,161
PPL Posted Fees	$1,549,732	$1,395,050	$2,169,055	$1,647,050	$1,560,518	$1,615,548	$1,480,242	$1,489,061	$1,613,559				$14,519,815
Operating Transfers*	$695,575	$695,575	$695,575	$695,575	$1,391,150		$695,575	$1,391,150					$6,260,175
Other Deposits	$2,203.80		$809.40	$1,505.45									$4,519

FY11 CAF revenue collections used for 30% budget available calculation, pursuant to Section 74-6B-7 NMSA 1978, is $18,898,967.

*$695,575 is the 1/12th budget transfer from the CAF to the Department's Operating Fund for FY13 to match departmental federal grants pursuant to Section 74-6 and to cover CAF administrative expenses and department water needs.

Other Deposits in the amount of $2,203.80, $809.40 and $1,505.45 are Salvage Deposits.

Corrective Action Fund Update
April 2013

	Beginning Cash	Additions to Cash		Deductions to Cash		Ending Cash
March Ending Cash	$13,572,946	PPL Fee^	1,374,078	Payments	$ (2,223,951)	
				Utilities	$ (266)	
Cash		Salvage Dep				
				Operating Transfers*	$ (688,317)	
TOTALS	$13,572,946		$1,374,078		$ (2,912,267)	**$12,034,757**

$1,000,000 (Reserve)
$9,138,199 (Workplan Liabilities)
$1,896,558 (Unobligated)

^7-13A-3(C)(4) NMSA 1978 or $150/load
^^Reserve in 20 NMAC 5.15.1505
^^^as described in Section 7-13A-3(E) NMSA 1978

*Funds from CAF to cover CAF Admin. (salaries & assoc. costs) and HB19 transferred monthly based on 1/12 of approved budget
** Operating Transfer was not taken out this month

FY13 Workplan Approval

Month	# of	State Lead	# of	Resp. Party	SLAddenda	RPAddenda
			FY13 Workplan Approval			
July-12	0	$0	7	$1,135,096	$0	$0
August-12	9	$383,184	34	$493,783	$0	$0
September-12	3	$63,471	41	$1,994,169	$0	$0
October-12	6	$308,959	31	$1,315,082	$0	$0
November-12	1	$5,773	20	$395,407	$0	$0
December-12	3	$57,417	32	$2,031,767	$0	$0
January-13	7	$908,803	17	$723,200	$0	$0
February-13	7	$36,013	36	$806,163	$0	$0
March-13	10	$91,449	38	$1,034,293	$0	$0
April-13	3	$42,215	20	$1,231,050	$0	$0
May-13					$0	$0
June-13					$0	$0
Y-T-D Total	**49**	**$1,897,284**	**276**	**$11,160,009**	**$0**	**$0**

	Payments
SL	$494,575
RP	$1,729,376

Yearly Activity Comparison

	Y-T-D FY13	Y-T-D
	Workplan Approvals	
SL	$1,897,284	
RP	$11,160,009	$13,057,293
	This Mo. Y-T-D FY12	
	Workplan Approvals	
SL	$2,346,783	
RP	$7,980,444	$10,327,227
	This Mo. Y-T-D FY11	
	Workplan Approvals	
SL	$2,126,159	
RP	$7,708,564	$9,834,723

Y-T-D 13	This Mo. Y-T-D 12	This Mo. Y-T-D 11
Payments	Payments	Payments
$2,693,151	$2,786,226	$3,178,567
$8,534,119	$4,160,941	$4,825,253
$11,227,270	$6,947,168	$8,003,820

Corrective Action Fund Update
April 2013

Fiscal Year 13 Monthly Trends

	July-12	August-12	September-12	October-12	November-12	December-12	January-13	February-13	March-13	April-13	May-13	June-13	TOTAL
PPL Applicable Fees	$1,395,050	$2,169,055	$1,647,050	$1,560,518	$1,615,548	$1,480,242	$1,489,061	$1,613,559	$1,374,078	$1,532,732			$15,876,894
PPL Posted Fees	$1,549,732	$1,395,050	$2,169,055	$1,647,050	$1,560,518	$1,615,548	$1,480,242	$1,489,061	$1,613,559	$1,374,078			$15,893,893
Operating Transfers*	$695,575	$695,575	$695,575	$695,575	$1,391,150		$695,575	$1,391,150		$688,317			$6,948,492
Other Deposits	$2,203.80		$809.40	$1,505.45									$4,519

FY11 CAF revenue collections used for 30% budget available calculation, pursuant to Section 74-6B-7 NMSA 1978, is $18,898,967.

*$695,575 is the 1/12th budget transfer from the CAF to the Department's Operating Fund for FY13 to match departmental federal grants pursuant to Section 74-6 and to cover CAF administrative expenses and department water needs.

Other Deposits in the amount of $2,203.80, $809.40 and $1,505.45 are Salvage Deposits.

NEW MEXICO ENVIRONMENT DEPARTMENT

Petroleum Storage Tank Bureau

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

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RYAN FLYNN
Cabinet Secretary-Designate

BUTCH TONGATE
Deputy Secretary

THOMAS SKIBITSKI
Acting Division Director

REMINDER OF UPCOMING AST UPGRADE DEADLINE
July 1, 2013

Deadlines for all upgrade requirements for existing Aboveground Storage Tank ("AST") systems, including secondary containment for tanks and piping, were initially adopted by the Environmental Improvement Board ("EIB") on August 15, 2003 to be complied with by July 1, 2011. In January 2012, the EIB adopted revisions to the Petroleum Storage Tank Regulations that extended the deadline for AST secondary containment requirements to July 1, 2013. Those revisions became effective on March 17, 2012. This notice is a reminder to AST owners and operators of the upcoming July 1, 2013 deadline. Please work with the local tank inspector for your facility to plan, and receive advance approval of, any necessary upgrades, including AST secondary containment (if required for your existing AST system).

If you are unable to comply with the secondary containment requirements in 20.5.4.35 NMAC by the mandated deadline, please notify the Petroleum Storage Tank Bureau in writing as soon as possible. Please include reasons you are unable to meet the deadline and provide documentation of your progress in meeting the regulatory requirements. Examples of such documentation include but are not limited to an enforceable contract with a description of the proposed work to be performed by the selected certified contractor and a receipt of payment for equipment. In addition, provide the Bureau with a proposed schedule, with justification, to meet the secondary containment requirements. Upon receipt of the information described above, the Bureau will work with you to achieve compliance with the secondary containment requirements in order to ensure continued protection of human health and the environment.

Please address your correspondence to Mr. Kalvin Martin, Manager of the Prevention and Inspection Section at the address (*please note new address for the Santa Fe office*) listed below and provide a copy to your Bureau inspector.

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505

Be advised that until upgrade requirements are met, facilities will deemed to be out-of-substantial compliance, and, therefore, not eligible for reimbursement from the Corrective Action Fund for remedial action in accordance with 20.5.17.12 NMAC.

Bureau staff is available to assist you and answer any questions or concerns regarding what mandatory upgrade requirements must be met under the regulations. Please contact your local inspector or Mr. Kalvin Martin at 505-476-4390 if you have any questions.

May 24, 2013