AGENDA ITEM: 16-09

REQUEST FOR REMISSION OF CIVIL PENALTY ASSESSMENT

DWM/UST Case Number: UST# 14-005P Region: N/A County: Duplin

Assessed Entity: Mohammed Said Amra (hereafter "Mr. Amra")

CASE BACKGROUND AND ASSESSMENT

- 8/29/13 — DWM/UST conducted a compliance inspection at Amra Quick Trip. This inspection revealed that an 8,000 gallon premium UST failed a tank tightness test and was not repaired or permanently closed, no valid method of leak detection was provided for two USTs, no records demonstrating compliance with leak detection requirements were being maintained, a suspected release related to the failing 8,000 gallon premium tank was not investigated, secondary containment leak detection monitoring was not provided for tank top and dispenser containment sumps associated with three UST systems, and that a primary operator must be retrained if a facility is found to be non-compliant at an inspection.
- 9/30/13 — DWM/UST issued a Notice of Violation (NOV).
- 10/30/13 — Green card indicated delivery of the NOV.
- 12/6/13 — DWM/UST issued a Notice of Recommendation for Enforcement Action (NORE).
- 12/7/13 — USPS Tracking indicated delivery of the NORE.
- 12/11/13 — DWM/UST acknowledged receipt of Mr. Amra's response to the NORE. The response, as submitted did not resolve the violations.
- 9/9/14 — DWM/UST issued Mr. Amra a warning letter via certified mail stating that the operating permit for the facility would not be renewed.
- 9/12/14 — Green card indicated delivery of the warning letter.
- 4/15/15 — DWM/UST issued Mr. Amra a Notice of Non-Issuance of Annual Operating Permit via certified mail.
- 4/17/15 — Green card indicated delivery of the Notice of Non-Issuance of Annual Operating Permit.
- 4/22/15 — Mr. Amra was assessed a civil penalty of $11,061.27 ($10,500.00 civil penalty and $561.27 investigative costs) as follows:
  - $1,700.00 for violation of 15A NCAC 2N .0404 by failing to repair or permanently close one UST system that failed or is damaged;
  - $2,500.00 for violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for two USTs;
  - $1,500.00 for violation of 15A NCAC 2N .0603 by failing to investigate a suspected release after a UST failed a tank tightness test;
  - $2,500.00 for violation of 15A NCAC 2N .0901 by failing to comply with secondary containment leak detection monitoring requirements for tank top and dispenser containment sumps associated with three UST systems; and

- $2,300.00 for violation of NC Session Law 2010-154 by failing to comply with retraining requirements for a primary operator.

- 4/25/15 Green card indicated delivery of the civil penalty assessment.

REMISSION REQUEST

- 5/22/15 Mr. Amra requested remission of the civil penalty assessment.
- 6/1/15 DWM/UST received the request for remission from Mr. Amra. The request included a "Waiver of Right to an Administrative Hearing and Stipulation of Facts" and a "Justification for Remission Request".
- 1/11/16 The Director of DWM/UST considered the information contained in the remission request and found no grounds to modify the civil penalty assessment because the violations for which the penalty was assessed had not been resolved.
- 1/14/16 Green card indicated delivery of the remission decision.
- 2/9/16 Mr. Amra contacted DWM/UST regarding the remission decision, stating that the operator, Fayez Mohammed, is responsible for compliance at this facility per a lease agreement which Mr. Amra submitted.

REQUEST FOR ORAL PRESENTATION

- Mr. Amra did not request an oral presentation before the Environmental Management Commission's Committee on Civil Penalty Remissions.
- Mr. Amra has not been assessed a civil penalty for previous violations.

MEMO TO FILE:

SPOKE TO:	Said Amra	**DATE:**	2/9/16
		PHONE:	910-284-5875
SUBJECT:	UST# 14-005P	**PHONE:**	

SUMMARY OF CONVERSATION:

Mr. Amra called last week regarding Ruth's remission decision not to reduce the penalty assessment. He told me that the operator is responsible for compliance under a lease agreement. I asked him to email me a copy of the lease, which he did. To date, none of the violations for which the penalty was assessed have been resolved. Therefore, Ruth returned the file to me to send to the EMC for a final decision.

Jan Hardy

To- Jan Hardy
File NO 45TH 14-005P

NORTH CAROLINA

DUPLIN COUNTY

THIS LEASE AGREEMENT, made and entered into this the 24 day of February, 2015, by and between **MOHAMMED SAID AMRA** of Warsaw, North Carolina, hereinafter referred to as "Lessor", to **FAYEZ MOHAMMED ALKANSHALY** of Benson, North Carolina, hereinafter referred to as "Lessee".

WITNESSETH, THAT WHEREAS, the said Lessor is the owner of a certain parcel of land located in the town of Warsaw, Duplin County, North Carolina, together with certain improvements located thereon consisting of a service station and gas pumps known as **"M&A Quick Trip"** as owned by Lessor for lands identified under Parcel No. 01-2637, evidenced by Deed dated April 25, 2007, from Said Amra to Mohammed Said Amra, and recorded in Book 1587, page 348, of the Duplin County Registry, which said Deed is subject to that certain Deed of Trust dated March 15, 2006, from Said Amra to Miles B. Fowler, Trustee for A.J. Bass Jr. as recorded in Book 1544, Page 853, of the Duplin County Registry;

WHEREAS, the said Lessee have contacted the Lessor and indicated the desire to lease the aforesaid building and premises for term as hereinafter provided and that the said Lessor has consented to and so agreed.

NOW, THEREFORE, Lessor for and in the consideration of the rents hereinafter agreed to be paid and in consideration of the mutual convents hereinafter cited, does hereby lease to Lessee and Lessee do hereby take as tenant from Lessor that parcel and land together with the improvements situated thereon as located in Town of Warsaw, Warsaw Township, Duplin County, and being more particular described as follow:

One service station and gas pumps known as **"M&A Quick Trip"**, as situated on the premises hereinabove identified in Deed Book 1587, Page 348, of the Duplin County Registry.

The term and conditions of this lease shall be as follows:

1. **TERM OF LEASE:** This Lease shall begin as of dated hereof and, unless sooner terminated as hereinafter provided, shall exist for a fixed period of four (4) years extending from January 1st, 2015 and expiring on December 31, 2018, with an option of renewal.

2. **RENT:** As rental for the premises as the aforesaid, Lessee shall pay to Lessor by mail or at the place of business of Lessor, and without notice and demand thereof, the monthly rental installments during the term of this Lease to be paid on or before the first (1st) day of each calendar month during the existence of this lease.

   RENTAL ADJUSTMENTS: It being understood, stipulated and agreed that during the existence of this Lease shall pay Lease payments as follows:

   (a) For two years, for the time period from January 1st, 2015 until December 31, 2016, the sum of $2,300.00 per month.

   (b) For two years, for the time period from January 1st, 2017 until December 31, 2018 the sum of 2,500.00 per month. With an option to renewal for two more years.

3. **LATE PAYMENT:** It being understood, stipulated and agreed that in the event that Lessee shall fail to make each monthly payment when due

and payable as hereinabove set forth that there shall be a penalty of ten percent (10%) of that monthly installment for any funds so due Lessor if not received within ten (10) day after its due date.

4. **CANCELATION OR TRANSFER OF THE LEASE:** If the Lessee transfer or cancel the Lease Agreement prior to expiration date, the Lessee is subject to a ten percent (10%) penalty on the amount remaining on the Lease Agreement, from the day the Lease Agreement is transfer or cancel till the day of expiration.

5. **TAXES:** During the term of this Lease, Lessor shall pay all the taxes and assessments imposed upon the demised by any lawful authority as it relates to the land, building structure and facility. Lessee shall be responsible for all taxes associated with any and all personal property and business as owned by the Lessee upon demised premises during the term of this Lease.

6. **UTILITIES:** During the term of this Lease, Lessee shall provide and pay for all electricity, heat, water, or sewer charge and garbage disposal costs reasonably incurred for the proper use and enjoyment of said premises.

7. **INSURANCE:** It being understood, stipulated and agreed that the insurance requirements pertaining to the parties under this Lease, shall be as follows:

(a) LESSOR'S REQUIREMENTS: Lessor shall maintain upon the premises fire and extended coverage during the entire term hereof insuring damage caused to the building facility.

(b) **LEESEE' REQUIREMENS:** Lessee shall maintain upon the premises commercial general liability and property insurance during the entire term hereof covering both Lessor and Lessee, as insured, with terms and with companies satisfactory to the parties with limits of not less than $250,000.00 for personal injury per occurrence, and $250,000.00 combined single limit for bodily injury and property damage.

Lessee shall maintain upon the premises insurance against fire, vandalism, and extended coverage perils for the full insurable value of all of Lessee property of every kind and character as may be located upon and within the leased premised. In being understood and agreed that Lessor shall not be responsible for the loss of, damage to, or destruction of Lessee' property under any circumstances whatsoever in that Lessee shall be fully responsible for providing adequate insurance to cover any and all such loss, damage or destruction.

8. **INDEMNITY:** Lessee shall protect, indemnify, defend and save harmless the Lessor from and against any all claims, demands and causes of actions of any nature whatsoever, for injury to or death of persons, or loss of or damage to property, occurring on the premises, or in any manner growing out of or connected with Lessee use and occupancy of said premises except as may be caused by Lessor's negligence. Lessor shall not be liable for any damage, injury or loss to the person, property or effects of Lessee, or any other person or persons suffered in, on or upon

the leased premised or as a result of the use of such premises by Lessee, and Lessee agree to indemnify and protect and save harmless the Lessor against any and all damages or claims therefore except as may be caused by Lessor negligence.

9. **DAMAGE:** In the event that Lessees' agent, servants and employees shall cause physical property damage to the interior or exterior of Lessor's building, then in that event, Lessee shall duly notify Lessor when such damage is discovered, and Lessor shall obtain two (2) estimates for such damage and upon presentation to Lessee, the two estimates shall be added together and divided by two for an average damage cost and shall be paid by the Lessee to the Lessor within within ten (10) working days thereafter.

10. **DEFAULT:** It is expressly agreed that if Lessee shall neglect to make any payments of rent when due, or neglect to do and perform any matter or thing herein agreed to be done and performance by it, and shall remain in default thereof for a period of thirty (30) days after written notice from Lessor calling attention to such default, Lessor may declare this Lease terminated and canceled and take possession of said premises without prejudice to any other legal remedy it may have on account of such default. All notices relating to this release shall be forwarded by registered mail addressed to the party identified in Item14 hereof.

11. **REPAIRS:** Lessee agrees, at their cost and expenses, to keep in good order and conditions such necessary and responsible repairs relating to all

heating, ventilating, electrical, plumbing, lighting, drainage, kitchen equipment, the exterior of the premises to include the roof, and masonry, gas pumps and mechanical systems serving the building and gas pumps, premises to include parking area. Lessee shall, at his own expenses, replace all glass, windows panes or other portions, fixtures or appurtenances which shall be broken or damage during the term of this Lease, except for normal wear and tear. Any and all structural improvements made by Lessee to Lessor's property shall remain and be deemed the property of Lessor upon the vacating of the premises by the Lessee. Nothing in this paragraph shall prevent, however, the Lessee from removing Lessee' movable personal property from the premises. If during the term of this Lease, the building on the demised promises is damaged by fire or other casualty in a minor degree, but not to such extent that it becomes necessary for Lessee to abandon the use of said premises, Lessor shall repair such damage as quickly as is reasonable possible. But if said building be damaged to such an extent that it is necessary for Lessee to abandon the use thereof, thence and in that event this Lease shall terminate as of the date of such damage.

12. **ASSIGNMENT AND SUBLETTING:** Lessee shall not assign, pledge or hypothecate this Lease or sublet the promises or any part thereof without the prior written consent of Lessor.

13. There will absolutely be no use or dealing in any way with illegal substance or activities of any kind.

14. **ATTORNEY FEES AND ACCELERATION:** It being understood, stipulated and agreed that in the event that Lessor requires an attorney to enforce the provisions of this Lease, Lessor shall be entitle to recover all expenses and costs incurred including reasonable attorney fees as may be associated therewith.

15. **PAYMENT:** All payment shall be made payable to **"MOHAMMED SAID AMRA"** and forwarded by first class mail to the following address:

Mohammen Said Amra
PO Box 388
Rose Hill, NC 28458

16. **NOTICES:** All notices to the parties relating to this Lease shall be forwarded by first class mailto the following address:

Mohammed Said Amra
PO Box 388
Rose Hill, NC 28458

Fayez Mohammed Alkanshaly
77 N Barham Ln
Henderson, NC 27537

IN WITNESS WHEREOF, Lessor and Lessee have set their hands and seal the day and first above written.

Mohammed Said AMRA

Mohammed Said Amra

Fayez Mohammed Alkanshaly

NORTH CAROLINA

DUPLIN COUNTY

I, Diana Z Arteaga, a Notary Public of Duplin County, North Carolina, do hereby certify that **MOHAMMED SAID AMRA** personal appeared before me this day and acknowledge the due execution of the foregoing **LEASE AGREEMENT** for the purposes therein expressed. Witness my hand and notarial seal this 24 day of February 2015

My commission expires March 12, 2016

DIANA Z ARTEAGA NOTARY PUBLIC DUPLIN COUNTY, NC SEAL

Diana Z Arteaga

NORTH CAROLINA

DUPLIN COUNTY

I, Diana Z Arteaga a Notary Public of Duplin County, North Carolina, do hereby certify that **FAYEZ MOHAMMED ALKANSHALY,** personal appeared before me this day and acknowledge the due execution of the foregoing **LEASE AGREEMENT** for the purposes therein expressed. Witness my hand and notarial seal this 24 day of February 2015

NC DL 28194908

My commission expires March 12, 2016

DIANA Z ARTEAGA NOTARY PUBLIC DUPLIN COUNTY, NC SEAL

Diana Z Arteaga

February 24, 2015

This a reciep for a deposit on a lease signed on February 24, 2015. Check number 1003 for the amount of 2500-00.

Said Amba 2-24-2015

Sign and Date

Sign and Date

Waste Management
ENVIRONMENTAL QUALITY

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

LINDA CULPEPPER
Director

January 11, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7012 1640 0000 9858 8797

Mohammed Said Amra
108 S. Pine St.
Warsaw, NC 28398

Re: Request for Remission of Civil Penalty Pursuant to 15A NCAC 2J .0106 - .0108
Amra Quick Trip / Facility ID # 0-0-28095 / Duplin County
Enforcement File: UST# 14-005P

Dear Mr. Amra:

This letter transmits notice that the Director of the Division of Waste Management has considered the information submitted in support of your request for remission in accordance with North Carolina General Statutes (NCGS) § 143-215.6A(f) and has found no grounds to modify the civil penalty assessment in the amount of $11,061.27. The violations for which you were assessed a penalty have not been resolved.

If you choose to pay the penalty, send payment to me at the letterhead address within thirty (30) days of receipt of this letter. Please make your check payable to the Department of Environmental Quality (DEQ). If you wish to set up a payment plan, please contact Ms. Hardy at (919) 707-8266.

If payment is not received within thirty (30) days of receipt of this letter, in accordance with NCGS § 143-215.6A(f), your request for remission of the civil penalty with supporting documents will be forwarded to the North Carolina Environmental Management Commission's (EMC) Civil Penalty Remission Committee (Committee) for final agency decision. If you desire to make an oral presentation to the Committee on why your request for remission meets one or more of the five statutory factors you were asked to address, you must complete and return the enclosed "*Request for Oral Presentation*" form within thirty (30) days of receipt of this letter and mail it to the following address:

Chairman Gerard P. Carroll
c/o Jan Hardy, Enforcement Coordinator
DENR/DWM/UST Section
1646 Mail Service Center
Raleigh, NC 27699-1646

Your request for an oral presentation and the documents in this matter will be reviewed by the EMC Chairman and, if it is determined that there is a compelling reason to require an oral presentation from you, you will be notified by certified mail of the date, time, and place that your oral presentation can be made. Otherwise, the final decision on your request for remission will be made by the Committee based on the written record.

Thank you for your cooperation in this matter. If you have any questions about this letter, please contact me at (919) 707-8299.

Sincerely,

Ruth A. Strauss

Ruth A. Strauss, UST Permits and Inspection Branch Head
Division of Waste Management, NC DEQ

Enclosure

cc: Gina Williams
Enforcement File

STATE OF NORTH CAROLINA

COUNTY OF DUPLIN

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
FILE NO. UST # 14-005P

IN THE MATTER OF ASSESSMENT OF CIVIL PENALTY AGAINST:

MOHAMMED SAID AMRA

REQUEST FOR ORAL PRESENTATION

I hereby request to make an oral presentation before the Environmental Management Commission's Committee On Civil Penalty Remissions in the matter of the case noted above. In making this request, I assert that I understand all of the following statements:

- This request will be reviewed by the Chairman of the Environmental Management Commission and may be either granted or denied.
- Making a presentation will require the presence of myself and/or my representative during a Committee meeting held in Raleigh, North Carolina.
- My presentation will be limited to discussion of issues and information submitted in my original remission request, and because no factual issues are in dispute, my presentation will be limited to five (5) minutes in length.

The North Carolina State Bar's Authorized Practice of Law Committee has ruled that the appearance in a representative capacity at quasi-judicial hearings or proceedings is limited to lawyers who are active members of the bar. Proceedings before the Committee on Remissions are quasi-judicial. You should consider how you intend to present your case to the Committee in light of the State Bar's opinion and whether anyone will be speaking in a representative capacity for you or a business or governmental entity. If you or your representative would like to speak before the Committee, you must complete and return this form within thirty (30) days of receipt of this letter.

Depending on your status as an individual, corporation, partnership or municipality, the State Bar's Opinion affects how you may proceed with your oral presentation. See www.ncbar.com/ethics, Authorized Practice Advisory Opinion 2006-1 and 2007 Formal Ethics Opinion 3.

- If you are an individual or business owner and are granted an opportunity to make an oral presentation before the Committee, then you do not need legal representation before the Committee; however, if you intend on having another individual speak on your behalf regarding the factual situations, such as an expert, engineer or consultant, then you must also be present at the meeting in order to avoid violating the State Bar's Opinion on the unauthorized practice of law.
- If you are a corporation, partnership or municipality and are granted an opportunity to make an oral presentation before the Committee, then your representative must consider the recent State Bar's Opinion and could be considered practicing law without a license if he or she is not a licensed attorney. Presentation of facts by non-lawyers is permissible.

If you choose to request an oral presentation, please make sure that signatures on the previously submitted Remission Request form and this Oral Presentation Request form are: 1) for individuals and business owners, your own signature and 2) for corporations, partnerships and municipalities, signed by individuals who would not violate the State Bar's Opinion on the unauthorized practice of law.

ALSO, BE ADVISED THAT THE COMMITTEE ON CIVIL PENALTY REMISSIONS MAY CHOOSE NOT TO PROCEED WITH HEARING YOUR CASE IF THE COMMITTEE IS INFORMED THAT A VIOLATION OF THE STATE BAR OCCURS.

This the _____ day of _____, 20____.

_____
SIGNATURE

_____
TITLE (President, Owner, etc.)

_____
ADDRESS

_____

_____

TELEPHONE (_____) _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mohammed Said Amra
108 S. Pine St.
Warsaw, NC 28398

14-005P (remit)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Mohammed Said Amra ☐ Agent ☒ Address

B. Received by (Printed Name) C. Date of Delive 11/14/16

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

125 W. College ST
WARSAW NC 28398

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandi
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7012 1640 0000 9858 8797

PS Form 3811, July 2013 Domestic Return Receipt

STATE OF NORTH CAROLINA

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
FILE NO. UST# 14-005P

COUNTY OF DUPLIN

IN THE MATTER OF ASSESSMENT OF CIVIL PENALTY AGAINST:

MOHAMMED SAID AMRA

REQUEST FOR REMISSION OF CIVIL PENALTY, WAIVER OF RIGHT TO AN ADMINISTRATIVE HEARING, AND STIPULATION OF FACTS

Having been assessed a civil penalty totaling $11,061.27 for violation(s) of 15A NCAC 2N .0404, .0502, .0506, .0603, .0901, and NCSL 2010-154 as set forth in the assessment document of the Director of the Division of Waste Management dated 4/22/15, the undersigned, desiring to seek remission of the civil penalty, does hereby waive the right to an administrative hearing in the above-stated matter and does stipulate and agree that the facts are as alleged in the assessment document. The undersigned further understands that all evidence presented in support of remission of this civil penalty must be submitted to the Director within thirty (30) days of receipt of the notice of assessment. No new evidence in support of a remission request will be allowed after thirty (30) days from the receipt of the notice of assessment.

This the 22 day of May, 2015.

Mohammed Amra
SIGNATURE

Mohammed Amra
PRINT NAME

TITLE (President, Owner, etc.)

108 S Pine St
ADDRESS
Warsaw, NC 28398

252-373-8450
TELEPHONE

STATE OF NORTH CAROLINA

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
FILE NO. UST# 14-005P

COUNTY OF DUPLIN

IN THE MATTER OF ASSESSMENT OF CIVIL PENALTY AGAINST:

MOHAMMED SAID AMRA

JUSTIFICATION FOR REMISSION REQUEST

Please use this form when requesting remission of this civil penalty. You must also complete the *"Request For Remission, Waiver of Right to an Administrative Hearing, and Stipulation of Facts"* form to request remission of this civil penalty. You should attach any documents that you believe support your request and are necessary for the Director to consider in determining your request for remission. Please be aware that a request for remission is limited to consideration of the five factors listed below as they may relate to the reasonableness of the amount of the civil penalty assessed. Requesting remission is not the proper procedure for contesting whether the violation(s) occurred or the accuracy of any of the factual statements contained in the civil penalty assessment document. Pursuant to NCGS § 143B-282.1(c), remission of a civil penalty may be granted only when one or more of the following five factors applies. Please check each factor that you believe applies to your case and provide a detailed explanation, including copies of supporting documents, as to why the factor applies (attach additional pages as needed).

___ (a) one or more of the civil penalty assessment factors in NCGS § 143B-282.1(b) were wrongfully applied to the detriment of the petitioner (the assessment factors are included in the attached penalty matrix);

✓ (b) the violator promptly abated continuing environmental damage resulting from the violation (i.e., explain the steps that you took to correct the violation and prevent future occurrences);

___ (c) the violation was inadvertent or a result of an accident (i.e., explain why the violation was unavoidable or something you could not prevent or prepare for);

✓ (d) the violator has not been assessed civil penalties for any previous violations;

___ (e) payment of the civil penalty will prevent payment for the remaining necessary remedial actions (i.e., explain how payment of the civil penalty will prevent you from performing the activities necessary to achieve compliance).

EXPLANATION (attach additional pages as necessary):

RECEIVED/DENR
DWM/UST SECTION
2015 JUN -1 PM 12:23

Alley, Register & McEachern
Attorneys at Law

Grieg R. Alley
Anthony L. Register
E. Caroline McEachern

401 Chestnut Street, Suite I
Wilmington, North Carolina 28401
Telephone (910) 251-0103
Facsimile (910) 251-0209

May 22, 2015

Jan Hardy, Enforcement Coordinator
NCDENR / DWM / UST Section
1637 Mail Service Center
Raleigh, NC 27699-1637

Re: Assessment of Cicvil Penalty
Enforcement File: UST# 14-005P

Dear Ms. Hardy:

I am writing in regards to NCDENR's letter of April 23, 2015 on behalf of my client, Mohammed Said Amra. He is requesting a remission of the fine due to the fact that all the necessary repairs have been made. I have enclosed copies of the evidence of the repairs.

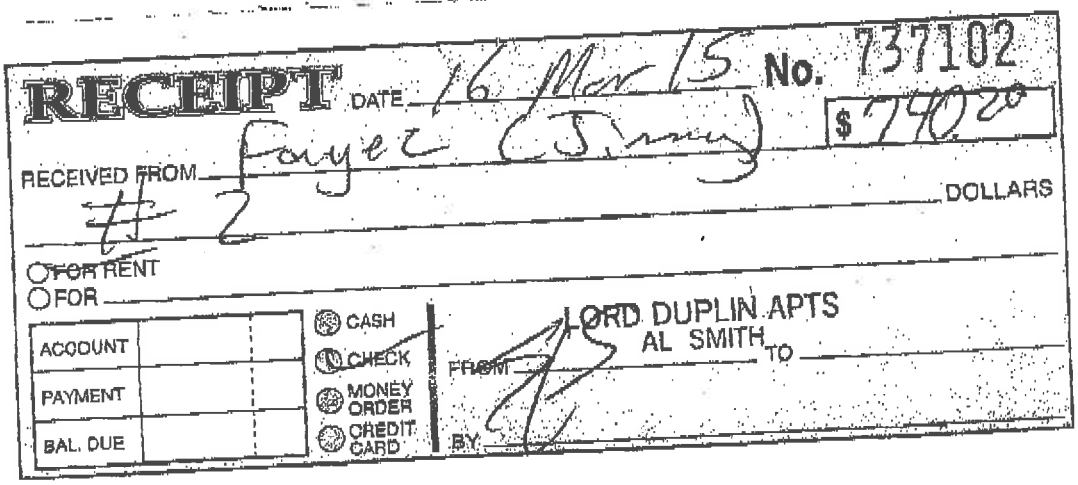
If you have any questions, please do not hesitate to contact me.

Regards,

ALLEY, REGISTER & McEACHERN

Grieg R. Alley

Enc.



RECEIPT DATE 16 Mar 15 No. 737102

RECEIVED FROM Fayez (Jimmy) $ 740.00

2 DOLLARS

~~FOR RENT~~

FOR

ACCOUNT	
PAYMENT	
BAL. DUE	

(X) CASH
(X) CHECK
( ) MONEY ORDER
( ) CREDIT CARD

FROM LORD DUPLIN APTS AL SMITH TO

BY

KLIK Concrete 319833

910 330-9901

CUSTOMER'S ORDER NO.	DEPARTMENT	DATE 4-22-15
NAME Quick Tripp		
ADDRESS		
CITY, STATE, ZIP		

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT

	QUANTITY	DESCRIPTION	PRICE	AMOUNT
1				
2		Cut out + dig out		
3		fuel Tank		350.00
4				
5				
6				
7				
8		Paid		
9				
10				
11		Ck # 1016		
12				
13				
14				
15				
16				
17				
18				

RECEIVED BY

A-5805
T-46320/46330

KEEP THIS SLIP FOR REFERENCE

01-11

UST-6F/23B Triennial UST Containment Sump / UDC Integrity Testing (for components installed on or after 11/1/2007)

NCDENR

- A separate form should be used for each facility. If there are more than six (6) UDC / containment sumps at this facility, make additional copies of this page.
- The last periodic tightness test record must be maintained at the UST site or the tank owner or operators place of business and must be readily available for inspection.
- If any periodic test fails, a suspected release report must be submitted on a UST-17A form, *UST Suspected Release 24 Hour Notice*. The suspected release must be investigated, in accordance with 15A NCAC 2N .0603, and any defective equipment repaired in accordance with 15A NCAC 2N .0404/.0900. Results of the investigation must be submitted on a UST-17B form, *UST Suspected Release 7 Day Notice*.

UST FACILITY

Owner / Operator Name	Facility Name	Facility ID#
QUICK TRIP	QUICK TRIP	00-0-0000028095
Facility Street Address	**Facility City**	**County**
100 COLLEGE STREET	WARSAW	DUPLIN

TESTING CONTRACTOR INFORMATION

Company Name	Phone	E-mail Address		
PRECISION TANK SERVICE, INC.	704-892-8600	randyp@precisiontankservice.com		
Mailing Address	**City**	**State**	**Zip**	
20468-M CHARTWELL CENTER DRIVE	CORNELIUS	NC	28031	

I certify, under penalty of law, that the testing data provided on this form documents the UST system equipment was tested in accordance with the manufacturer's guidelines and the applicable national industry standards listed in 15A NCAC 2N .0900.

Print Name of person conducting test	Signature of person conducting test	
RANDY J. POWELL		

UNDER DISPENSER CONTAINMENT (UDC) / CONTAINMENT SUMP TESTING

- Containment sumps that are not monitored continuously for releases using vacuum, pressure, or hydrostatic interstitial monitoring methods shall be tightness tested at installation and every three (3) years following installation in accordance with the manufacturer's written guidelines and PEI/RP100, "Recommended Practice for Installation of Underground Liquid Storage Systems."
- If the containment sump or UDC test results are not within the manufacturer's written guidelines or the manufacturer does not have written test evaluation guidelines then any change in level for a hydrostatic test within 4 hours or change in vacuum within 1 hour for a vacuum test must be considered a failing integrity test. For hydrostatic tests, please indicate the measured depths of water in the sump as the Begin | End Levels.
- If a UDC / containment sump fails a periodic tightness test, the sump must be replaced or repaired by the manufacturer, or the manufacturer's authorized representative in accordance with the manufacturer's specifications.
- Following replacement or repair, the UDC / containment sump must be re-tested for tightness.

Test Method Used: ☑ Hydrostatic ☐ Vacuum ☐ Other (Specify) — **Test Equipment Used (If applicable):**

Identify UDC/sump (By Dispenser No. or Tank Number, Tank Size, Stored Product; e.g. #1 10k Regular STP, Disp 1/2, etc.)	☑ Dispenser # ☐ Tank # 7/8	☐ Dispenser # ☐ Tank #	☐ Dispenser # ☐ Tank #	☐ Dispenser # ☐ Tank #	☐ Dispenser # ☐ Tank #	☐ Dispenser # ☐ Tank #
Transition sumps should be listed above as "TS-XX" (with XX= sump ID#)						
Sump Manufacturer	APT					
Sump Material	☐ FRP ☑ Plastic	☐ FRP ☐ Plastic	☐ FRP ☐ Plastic	☐ FRP ☐ Plastic	☐ FRP ☐ Plastic	☐ FRP ☐ Plastic
Sump Type	☑ Single Wall ☐ Double Wall	☐ Single Wall ☐ Double Wall	☐ Single Wall ☐ Double Wall	☐ Single Wall ☐ Double Wall	☐ Single Wall ☐ Double Wall	☐ Single Wall ☐ Double Wall
Indicate units for all measurements						
Sump Depth	23"					
Height from sump bottom to top of highest penetration or sump sidewall seam	16"					
Wait time between applying vacuum/water and start of test	2 min.					
Test Date	3-9-2015					
Begin | End Test Time	10:50 | 11:50	|	|	|	|	|
Begin | End Level	20" | 20"	|	|	|	|	|
Test Result	☑ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail

Comments — *(include information on repairs made prior to testing, and recommended follow-up for failed tests)*

* SEE SHEET # 3 FOR COMMENTS.

Date next Containment Sump/UDC integrity test are due (required every 3 years) 3-9-2018

QUICK TRIP 1150309A-03

* Highest entry point on all dispenser sumps is a wire entry on side of sump. THERE ARE NO boots for these wires!

** Dispensers 1/2 & 3/4 fail due to loss of water at wire entry point on side wall of sump. THIS issue shown to Jimmy on site, who stated he would have repairs made!

*** All 3 STP SUMP LIDS HAVE A SENSOR WIRE entry point on top of lid.

**** Metal sump toppers are not attached to plastic sump under dispensers.

***** - Customer paid on site with a check for $400.00
Check #: 091

of the next Tank School courses. Failure to complete operator re-training is an enforceable offense.

If you disagree with this decision by the Division to deny issuance of an UST operating permit, you have the right to request an administrative hearing **upon written request within 60 days following receipt of the notice**. This written request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes. You must file the original and one copy of its petition request with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714.

A copy of the petition must also be served on the Department as follows: Mr. Sam M. Hayes, Registered Agent, Dept. of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, NC 27699-1601. If you have any questions about filing a petition, please contact the Office of Administrative Hearings at (919) 431-3000.

If you have any questions about this notice of agency decision, please contact me at (919) 707-8299.

Sincerely,

Ruth A. Strauss

Ruth A. Strauss, Permits and Inspection Branch Head
Division of Waste Management, NCDENR

cc: Gina Williams (electronic)
Davy Conners

The Palmetto Company
Phone 843-560-9897/ fax 704-973-0865
Email: susan@palmettosir.com

FAX----------

To: Amra Quick Trip
From: Susan Marlowe

Please complete the section on the first page with the * "Ownership of UST". There is nothing for you to do with the second page. Please complete the bottom of the last page*. The same person can sign on both lines as the owner and the operator so please sign both sections.

Thank you,
Susan

UST-8 NOTIFICATION FOR ACTIVITIES INVOLVING UNDERGROUND STORAGE TANK SYSTEMS (USTs)

NCDENR

RETURN COMPLETED FORM TO:

NC DENR / DWM / UST SECTION
1637 MAIL SERVICE CENTER
RALEIGH, NC 27699-1637
ATTN: REGISTRATION & PERMITTING
PHONE (919) 707-8171 FAX (919) 715-1117
http://portal.ncdenr.org/web/wm/

Fax signed copy

STATE USE ONLY
I.D. #
County

Underground Storage Tank (UST) system owners and operators are required by federal and state law to provide notification for all UST systems that were in the ground on or after May 8, 1986, unless taken out of operation on or before January 1, 1974. In addition, registration of commercial USTs in use on or after January 1, 1989 is necessary to comply with state law (N.C.G.S. 143-215.94C).

A UST system **owner** is: (a) in the case of a UST system in use on November 8, 1984, or brought into use after that date, any person who owns a UST system used for storage, use, or dispensing of regulated substances; and (b) in the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use.

A UST system **operator** is any person in control of, or having responsibility for, the daily operation of a UST system.

The primary purpose of this notification form is to obtain and update information on UST system locations, ownership, construction, product stored, leak detection and corrosion protection methods, etc. and to facilitate permitting and the payment of annual operating fees. It is expected that the information provided will be based on reasonably available records; or, in the absence of such records, personal knowledge, belief, or recollection.

Which USTs are included?
Regulated and/or commercial USTs, including the following:

- USTs used to store or resell petroleum product (e.g., motor fuels, jet fuels, waste oil, kerosene, varsol, transmission fluid, mineral spirits, gasohol, etc.)
- Heating oil USTs > 1,100 gallons (gals)
- Farm or residential USTs > 1,100 gals
- Emergency generator USTs
- Hydraulic lift USTs
- Oil-water separator USTs (containing petroleum in amounts > 1% of tank capacity)
- Hazardous substance USTs > 110 gals (e.g., alcohols, naphthalene, dry cleaning fluids, antifreeze, formaldehyde, hexane, etc.)

Which USTs are excluded?
Certain tanks are not included in these notification requirements. These tanks include the following: small home heating oil and farm tanks (≤ 1,100 gals); large heating oil tanks (>1,100 gals) if used to heat four or fewer households and located on premises where used; septic tanks, storm water or waste water collection systems, flow-through process tanks, and tanks situated in an underground area (such as a basement, cellar, mine, shaft, vault or tunnel) if the tank is situated upon or above the surface of the floor.

INSTRUCTIONS

Please type or print all items except signature. This form must be completed by an owner or operator for each facility containing UST systems. If more than four (4) UST systems are owned at a facility, photocopy the necessary additional sheets and staple to this form.

Complete sections I through VI.A. and IX completely. Then only complete the applicable sections of VI.B. through VIII.

I. OWNERSHIP OF UST SYSTEM

Owner Name (Corporation, Individual, Public Agency, or Other Entity)

Contact Name (if not named above)

Street Address

City | State | Zip Code
 | NC | 28328

County: Duplin

Phone Number: 252-204-0886 | Fax Number: 910-293-9316

☐ Check here if "Real" Property Owner of Site

Type of UST owner (check all that apply):

☐ State Gov't ☐ Local Gov't ☒ Private/Corporate

☐ Federal Gov't GSA Facility ID

II. OPERATOR OF UST SYSTEM ☐ Check if same as owner

Operator Name (Corporation, Individual, Public Agency, or Other Entity): Amro Quick Trip

Contact Name (if not named above)

Street Address: 100 W. College Street

City: Warsaw | State: NC | Zip Code: 28328

County: Duplin

Phone Number: 910-604-0146 | Fax Number: 910-293-9316

☒ Check here if "Real" Property Owner of Site

0-028095

III. TYPE OF NOTIFICATION (check all that apply)

☒ Amendment of a previous registration form. (Complete **only** the items in the sections that follow that have changed from a previous UST-6B or UST-8 submittal)

☐ Temporary closure (Complete section VII)

☐ Existing Facility with UST system not previously registered (see fee payment instructions at the bottom of Page 6).

☐ Change of Ownership
A "Change of Ownership" form, UST-15 along with copies of the legal documents showing the transfer of tank ownership (e.g., bill of sale, property deed, etc.) **must** accompany this form.

Failure to complete a UST-15 will result in no effective change of ownership status

F. Flexible connectors, Submersible pumps, and Riser pipes

	Tank No.		Tank No.		Tank No.		Tank No.	
	Tank	Dispenser	Tank	Dispenser	Tank	Dispenser	Tank	Dispenser
Flex connector is present[1]								
Flex connector is isolated from the ground[1]								
If "No", cathodic protection method[2]								
Submersible pump (STP) is isolated from ground[1] (pressurized piping only)								
If "No", cathodic protection method[2]								
Riser pipes and/or other metal fittings are isolated from ground[1]								
If "No", cathodic protection method[2]								

[1] Enter one of the following choices: Yes, No

[2] Enter one of the following choices: IC (Impressed Current), SA (Sacrificial Anode), N (None)

G. Spill/Overfill Protection

	Tank No.	Tank No.	Tank No.	Tank No.
Spill Prevention Equipment Type (Enter Catchment Basin, None, or Not Required [1])				
Spill Prevention Equipment Manufacturer				
Spill Prevention Equipment Model				
If double-walled, method of monitoring interstice [2]				
Date spill prevention listed above installed				
Overfill Prevention Equipment Type (Enter Automatic shutoff, Alarm at tank, Ball float [3], None, or Not Required [1])				
Overfill Prevention Equipment Manufacturer				
Overfill Prevention Equipment Model				
Date overfill prevention listed above installed				

[1] Not Required is only valid for USTs that are always filled by transfers that are 25 gallons or less.

[2] Enter one of the following choices: Float sensor, Vacuum, Pressure, Hydrostatic, or None

[3] Ball Floats can not be used with coaxial vapor recovery or suction piping systems.

H. Stage I Vapor Recovery (For Gasoline USTs only):

	Tank No.	Tank No.	Tank No.	Tank No.
Combined annual throughput (gallons)				
Coaxial system	☐	☐	☐	☐
Dual point system	☐	☐	☐	☐
Vapor recovery is not required for this UST*	☐	☐	☐	☐
Date installed				

* Stage I vapor recovery equipment must be installed for all applicable gasoline USTs. [Note: the following gasoline USTs are not required to have Stage I vapor recovery: a) tanks that are 550 gallons in capacity or less, b) tanks that are 2,000 gallons in capacity or less and that were installed before July 1, 1979, and c) tanks at facilities that have a combined annual throughput of less than 50,000 gallons per year].

VII. OUT OF OPERATION UST SYSTEMS

4 - Tank 4 - Kerosene already in here

	Tank No. 2-Plus	Tank No. 3-Prem	Tank No.	Tank No.
Date permanently closed (removed or fill with solid, inert material)				
Date temporary closure began	2-4-2015	2-4-2015		
Date temporary closure ended				

UST-8 NOTIFICATION FOR ACTIVITIES INVOLVING UNDERGROUND STORAGE TANK SYSTEMS (USTs)

VIII. FINANCIAL RESPONSIBILITY (for Regulated Petroleum USTs ONLY)

The financial responsibility regulations (15A NCAC 2O) require that owners and operators of regulated petroleum USTs assure the availability of funds to pay for assessment and cleanup costs in the event of a leaking tank*. The payment of annual tank operating fees into the State Trust Funds fulfills a major portion of the financial responsibility requirements. However, to completely fulfill the requirements, additional funds must be assured by one or more of the mechanisms listed below. The amount of additional financial responsibility required (at a minimum) is the sum of the "3rd Party ($100,000.00)" and "Cleanup ($20,000.00)" State Trust Fund deductibles plus $600/tank (scaling factor). The State Trust Funds may not be used to cover the amount of the deductibles. Federal and state governments owning regulated petroleum UST systems are exempt.

☐ Tank Owner is providing Financial Responsibility

☐ Tank Operator is providing Financial Responsibility

(Check all financial responsibility mechanisms that apply):

☐ Self-insurance
☐ Corporate guarantee
☐ Insurance and risk retention group coverage
Policy # _____
Insurer _____
☐ Surety bond
☐ Letter of Credit
☐ Insurance pools
☐ Escrow account
☐ Local government bond rating test
☐ Local government financial test
☐ Local government guarantee
☐ Local government dedicated fund
☐ None
☐ Other

Period of Coverage: _____ to _____

☐ I am attaching proof of financial responsibility and a Certification of Financial Responsibility form.

☐ I have previously submitted proof of financial responsibility and a Certification of Financial Responsibility form to DWM and there have been NO changes made since that submittal.

IX. CERTIFICATION AND ACKNOWLEDGEMENT (Read and Sign After Completing Sections I - VII)

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in this and all attached documents; and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete. In addition, I certify that all applicable State and Federal UST requirements have been complied with.

If signing as an officer of a corporation, representative of a public agency, administrator of an estate, or as having power of attorney, you must provide a copy of the legal document that proves you can legally sign in such capacity.

The owner must certify if providing financial responsibility.

Print Name of Owner or Authorized Representative _____ Print Title of Owner or Authorized Representative _____

Signature _____ Date Signed _____

The operator must certify if providing financial responsibility.

Print Name of Operator or Authorized Representative _____ Print Title of Operator or Authorized Representative _____

Signature _____ Date Signed _____

Penalties: Pursuant to N.C.G.S.143-215.94W any UST system owner or operator who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed $10,000 per day, per violation.

PAYMENT OF ANNUAL UST OPERATING FEES

If this form is being used to notify DWM of USTs which have not been previously registered, annual operating fees may be due.
Contact us at (919) 707-8171 to determine the amount of fees that are due.
A check (made payable to DENR-UST) for the annual operating fees must be submitted with this form.

* complete

The Palmetto Company

1572 Bay Tree Lane Myrtle Beach, SC 29575
843-560-9897

EZY CHEK SYSTEMS
LEAK DETECTOR TESTER
DATA SHEET

TEST DATE	1-12-2015

Test Location Information

Facility ID	0-028095
Name	QUICK TRIP
Address	100 WEST COLLEGE STREET
City	WARSAW, N.C. 28398
Phone	910-296-3980
Contact	DAISY

Testing Company Information

Name	The Palmetto Company
Address	1572 Bay Tree Lane
City	Myrtle Beach, SC 29575
Phone	843-560-9897

Technician Information

Name	Kenneth Hadnott
Cert #	66-3321 Exp. Date 5/12/2015

TYPE OF LEAK DETECTOR

PUMP #	MAKE	MODEL	SERIAL #
1	VEEDER ROOT	EXIV	9418
2	RU	LD 2200	1110307I
3	RED JACKET	XL	N/A
4			
5			
6			
7			
8			

PUMP #	Product Type	Metering Pressure	Functional Element Holding PSI	Resiliency	Test Leak Rate ML/MIN	Opening Time	Pass/Fail
1	REGULAR	26 PSI	17 PSI	46 ML	189 ML	5 SEC.	PASS
2	PLUS	26 PSI	19 PSI	40 ML	189 ML	5 SEC.	PASS
3	SUPER	25 PSI	18 PSI	35 ML	189 ML	5 SEC.	PASS
4							
5							
6							
7							

The Palmetto Company
1572 Bay Tree Lane Myrtle Beach, SC 29575
843-560-9897

PRODUCT LINE TESTER

EZY CHEK SYSTEMS **DATA SHEET**

TEST DATE	1-12-2015

Testing Company Information

Name	The Palmetto Company
Address	1572 Bay Tree Lane
City	Myrtle Beach, SC 29575
Phone	843-560-9897

Test Location Information

Name	QUICK TRIP
Address	100 WEST COLLEGE STREET
City	WARSAW, NC. 28398
Phone	910-316-3990
Contact	DAISY
Facility #	0-028095

Technician Information

Name	Kenneth Hadnott
Cert #	66-3321 Exp. Date 5/12/2015

Applied Pressure 50 PSI

#1 Product Type REGULAR

Time	Data	-/+	GPL	RES	GPH
2:30	69	0	.0037	0	0
2:45	68	-1	.0037	.0037	.0148
3:00	67	-1	.0037	.0037	.0148
3:15	67	0	.0037	.0037	X

FINAL RESULT: PASS

#2 Product Type PLUS

Time	Data	-/+	GPL	RES	GPH
2:30	67	0	.0037	0	0
2:45	66	-1	.0037	.0037	.0148
3:00	65	-1	.0037	.0037	.0148
3:15	65	0	.0037	.0037	X

FINAL RESULT: PASS

#3 Product Type SUPER

Time	Data	-/+	GPL	RES	GPH
2:30	71	0	.0037	0	0
2:45	70	-1	.0037	.0037	.0148
3:00	69	-1	.0037	.0037	.0148
3:15	69	0	.0037	.0037	X

FINAL RESULT: PASS

#4 Product Type

Time	Data	-/+	GPL	RES	GPH

FINAL RESULT:

#5 Product Type

Time	Data	-/+	GPL	RES	GPH

FINAL RESULT:

#6 Product Type

Time	Data	-/+	GPL	RES	GPH

FINAL RESULT:

The Palmetto Company
1572 Bay Tree Lane Myrtle Beach, SC 29575
843-560-9897

PRODUCT LINE TESTER
EZY CHEK SYSTEMS **FINAL REPORT**

TEST DATE	1-12-2015

Testing Company Information

Name	The Palmetto Company
Address	1572 Bay Tree Lane
City	Myrtle Beach, SC 29575
Phone	843-560-9897

Test Location Information

Facility ID	0-028095
Name	QUICK TRIP
Address	100 WEST COLLEGE STREET
City	WARSAW, N.C. 28398
Phone	910-316-3980
Contact	DAISY

Technician Information

Name	Kenneth Hadnott
Cert #	66-3321 Exp. Date 5/12/2015
Applied Pressure	50 PSI

PRODUCT LINE TEST FINAL REPORT

Product Type	Line Number, If Applicable	Result (Pass/Fail)
REGULAR		PASS
PLUS		PASS
SUPER		PASS

Comments/Recommendations:

Technician Signature & Date: [signature] 1-12-2015

Caina Williams Quick trip.

April 23, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7014 0510 0000 4167 6763

Mohammed Said Amra
108 S. Pine St.
Warsaw, NC 28398

Re: Assessment of Civil Penalty for Violation(s) of:
15A NCAC 2N .0404, .0502, .0506, .0603, .0901, and NCSL 2010-154
Amra Quick Trip / Facility ID# 00-0-0000028095 / Duplin County
Enforcement File: UST# 14-005P

Dear Mohammed Said Amra:

This letter transmits notice of civil penalty assessed against Mohammed Said Amra in the amount of $10,500.00 and $561.27 investigative costs, for a total of $11,061.27.

Attached is a copy of the assessment document explaining this penalty. This action was taken under the authority vested in me by delegation pursuant to North Carolina General Statutes (NCGS) § 143B-10, §143-215.6A and § 143-215.94W. Any continuing violation(s) may be the subject of a new enforcement action, including an additional penalty.

You must take one of the three actions outlined below within thirty (30) days from the date of receipt of this letter. Please be advised that if you fail to exercise one of the following options within thirty (30) days, you will lose your right to appeal or contest this case and your case will be forwarded to the Attorney General's Office for collection.

1. Submit payment of the penalty:

Payment should be made directly to the order of the Department of Environment and Natural Resources (NCDENR). Payment of the penalty will not foreclose further enforcement action for any continuing or new violation(s). Please submit payment to the attention of:

Jan Hardy, Enforcement Coordinator
NCDENR / DWM / UST Section
1637 Mail Service Center
Raleigh, NC 27699-1637

OR

2. Submit a written request for remission including a detailed justification for such request:

Please be aware that a request for remission is limited to consideration of the five factors listed below as they may relate to the reasonableness of the amount of the civil penalty assessed. Requesting remission is not the proper procedure for contesting whether the violation(s) occurred or the accuracy of any of the factual statements contained in the civil penalty assessment document. Because a remission request forecloses the option of an administrative hearing, such a request must be accompanied by a waiver of your right to an administrative hearing and a stipulation and agreement that no factual or legal issues are in dispute. Please prepare a detailed statement that establishes why you believe the civil penalty should be remitted, and submit it to the address listed below. In determining whether a remission request will be approved, the following factors shall be considered:

(a) whether one or more of the civil penalty assessment factors in NCGS § 143B-282.1(b) were wrongfully applied to the detriment of the violator;

(b) whether the violator promptly abated continuing environmental damage resulting from the violation;

(c) whether the violation was inadvertent or a result of an accident;

(d) whether the violator has been assessed civil penalties for any previous violations; or

(e) whether payment of the civil penalty will prevent payment for the remaining necessary remedial actions.

Please note that all evidence presented in support of your request for remission must be submitted in writing. The Director will review your evidence and inform you of his/her decision in the matter of your remission request. The response will provide details regarding the case status, directions for payment, and provision for further appeal of the penalty to the Committee. Please be advised that the Committee cannot consider information that was not part of the original remission request considered by the Director. Therefore, it is very important that you prepare a complete and thorough statement in support of your request for remission.

In order to request remission, you must complete and submit the enclosed *"Request for Remission of Civil Penalties, Waiver of Right to an Administrative Hearing, and Stipulation of Facts"* form within thirty (30) days of receipt of this notice. The Director also requests that you complete and submit the enclosed *"Justification for Remission Request"* form. Both forms should be submitted to the following address:

Jan Hardy, Enforcement Coordinator
NCDENR / DWM / UST Section
1637 Mail Service Center
Raleigh, NC 27699-1637

OR

3. File a petition for an administrative hearing with the Office of Administrative Hearings:

If you wish to contest any statement in the attached assessment document you must file a petition for an administrative hearing. You may obtain the petition form from the Office of Administrative Hearings. You must file the petition with the Office of Administrative Hearings within thirty (30) days of receipt of this notice. A petition is considered filed when it is received in the Office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., except for official state holidays. The petition may be filed by facsimile (fax) or electronic mail by an attached file (with restrictions) - provided the signed original, one (1) copy and a filing fee (if a filing fee is required by NCGS §150B-23.2) is received in the Office of Administrative Hearings within seven (7) business days following the faxed or electronic transmission. You should contact the Office of Administrative Hearings with all questions regarding the filing fee and/or the details of the filing process. The mailing address and telephone and fax numbers for the Office of Administrative Hearings are as follows:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Tel: (919) 431-3000
Fax:(919) 431-3100

One (1) copy of the petition must also be served on NC DENR as follows:

Sam M. Hayes, General Counsel
NCDENR
1601 Mail Service Center
Raleigh, NC 27699-1601

Failure to exercise one of the options above within thirty (30) days of receipt of this notice, as evidenced by an internal date/time received stamp (not a postmark), will result in this matter being referred to the Attorney General's Office for collection of the penalty through a civil action.

Please be advised that additional penalties may be assessed if the violations that are the subject of this action have not been corrected. If you have any questions, please contact Jan Hardy at (919) 707-8266.

Sincerely,

Ruth A. Strauss

Ruth A. Strauss, UST Permits and Inspection Branch Head
Division of Waste Management, NC DENR

Enclosures
cc: Enforcement Files
Files

STATE OF NORTH CAROLINA

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
FILE NO.: UST# 14-005P

COUNTY OF DUPLIN

IN THE MATTER OF: MOHAMMED SAID AMRA	)	FINDINGS AND DECISION AND ASSESSMENT OF CIVIL PENALTIES
FOR VIOLATION OF: 15A NCAC 2N .0404, .0502, .0506, .0603, .0901, AND NCSL 2010-154	)	

Acting pursuant to North Carolina General Statutes (NCGS) 143-215.6A and 143-215.94W by authority delegated to me under NCGS 143B-10, I, Ruth A. Strauss, Underground Storage Tank (UST) Permits and Inspection Branch Head, Division of Waste Management (DWM), make the following:

I. FINDINGS OF FACT:

A. Mohammed Said Amra is an individual.

B. Pursuant to 15A North Carolina Administrative Code (NCAC) 2N .0203 of the Environmental Management Commission (EMC), Mohammed Said Amra is the owner and/or operator of four regulated petroleum UST systems located at Amra Quick Trip, 100 W College St, Warsaw, Duplin County, North Carolina 28328 (hereafter "the site").

C. Four UST systems, installed on September 21, 1988, are registered with the State as being owned by Mohammed Said Amra. Pursuant to 15A NCAC 2N .0404, owners and operators must repair or permanently close a UST that has failed or is damaged. Pursuant to 15A NCAC 2N .0502, owners and operators must conduct a valid method of leak detection for a UST. Pursuant to 15A NCAC 2N .0506, owners and operators must maintain records demonstrating compliance with leak detection requirements. Pursuant to 15A NCAC 2N .0603, owners and operators must investigate a suspected release after the applied method of leak detection indicates that a release may have occurred, environmental conditions indicate a suspected release or an unusual operating condition has occurred. Pursuant to 15A NCAC 2N .0901(i), owners and operators must provide secondary containment leak detection monitoring for a UST system or UST system component. Pursuant to NC Session Law (NCSL) 2010-154, a UST system must have a trained primary operator.

D. On August 29, 2013, DWM conducted a compliance inspection at the site. This inspection revealed that an 8,000 gallon premium UST failed a tank tightness test and was not repaired or permanently closed. A valid method of leak detection was not provided for two USTs. Records demonstrating compliance with leak detection requirements were not being maintained. A suspected release related to the failing 8,000 gallon premium tank was not investigated. Secondary containment leak detection monitoring was not provided for tank top and dispenser containment sumps associated with three UST systems. A primary operator must be retrained if a facility is found to be non-compliant at an inspection.

E. On September 30, 2013, DWM sent Mohammed Said Amra a Notice of Violation (NOV) stating that, per 15A NCAC 2N .0502, leak detection must be provided for three USTs; and per NCSL 2010-154, a primary operator must be retrained for four UST systems due to violations found during the inspection . The NOV was sent by certified mail and received on October 30, 2013.

On February 12, 201, DWM sent Mohammed Said Amra an NOV stating that, per 15A NCAC 2N .0404, a UST system that has failed or is damaged must be repaired; per 15A NCAC 2N .0603, a suspected release must be investigated; and, per 15A NCAC 2N .0901, secondary containment leak detection monitoring must be provided for containment sumps associated with three UST systems. The NOV was sent by certified mail and received on February 19, 2015.

F. On December 6, 2013, DWM sent Mohammed Said Amra a Notice of Recommendation for Enforcement Action. This notice was sent by certified mail and received on December 7, 2013.

G. Staff costs and expenses associated with detecting the violations, defining their nature and extent and bringing the enforcement action totaled $561.27.

Based upon the above Findings of Fact, I make the following:

II. CONCLUSIONS OF LAW:

A. Mohammed Said Amra is a 'person' within the meaning of NCGS 143-215.6A and 143-215.94W pursuant to NCGS 143-212(4).

B. UST rules at 15A NCAC 2N have been adopted by the EMC pursuant to NCGS 143-215.3, 143-215.94T, 143-215.94V, 143B-282(a)(2)(h), and 143-214.1.

C. NCGS 143-215.6A and 143-215.94W allow the Secretary of the Department of Environment and Natural Resources to assess a civil penalty of not more than $10,000.00 per day against any person who violates a rule of the Commission implementing, among others, Part 1, Article 21, Chapter 143, of NCGS (including

NCGS 143-214.1 and 143-215.3) or Part 2B, Article 21A, Chapter 143, of NCGS (including NCGS 143-94T and 143-94V).

D. Mohammed Said Amra has been in violation of 15A NCAC 2N .0404 from February 4, 2015 through at least April 21, 2015 by failing to repair or permanently close one UST system that has failed or is damaged, in accordance with the procedures and requirements of the cited rule.

E. Mohammed Said Amra has been in violation of 15A NCAC 2N .0502 and .0506 from August 29, 2013 through at least April 21, 2015 by failing to comply with leak detection requirements for two USTs, in accordance with the procedures and requirements of the cited rule.

F. Mohammed Said Amra has been in violation of 15A NCAC 2N .0603 from February 4, 2015 through at least April 21, 2015 by failing to investigate a suspected release after a UST failed a tank tightness test, in accordance with the procedures and requirements of the cited rule.

G. Mohammed Said Amra has been in violation of 15A NCAC 2N .0901 from August 29, 2013 through at least April 21, 2015 by failing to comply with secondary containment leak detection monitoring requirements for tank top and dispenser containment sumps associated with three UST systems, in accordance with the procedures and requirements of the cited rule.

H. Mohammed Said Amra has been in violation of NCSL 2010-154 from August 29, 2013 through at least April 21, 2015 by failing to comply with retraining requirements for a primary operator, in accordance with the procedures and requirements of the cited session law.

I. NCGS 143.215.3(a)(9) provides that the reasonable costs of any investigation, inspection or monitoring survey may be assessed against a person who violates any regulations adopted by the EMC.

Based upon the above Findings of Fact and Conclusions of Law, I make the following:

III. DECISION

Pursuant to NCGS 143-215.6A and 143-215.94W, in determining the amount of the penalty, I have taken into account the Findings of Fact and Conclusions of Law and have specifically considered each and every factor listed in NCGS 143B-282.1(b), as follows:

a) The degree and extent of harm to the natural resources of the State, to the public health, or to private property resulting from the violation(s);
b) The duration and gravity of the violation;
c) The effect on ground or surface water quantity or quality or on air quality;

d) The cost of rectifying the damage;
e) The amount of money saved by noncompliance;
f) Whether the violation was committed willfully or intentionally;
g) The prior record of the violator in complying or failing to comply with programs over which the Environmental Management Commission has regulatory authority; and
h) The cost to the State of the enforcement procedures.

Accordingly, Mohammed Said Amra shall be, and hereby is, assessed a civil penalty of:

$ 1,700.00	for violation of 15A NCAC 2N .0404 from February 4, 2015 through at least April 21, 2015 by failing to repair or permanently close one UST system that has failed or is damaged, in accordance with the procedures and requirements of the cited rule.
$ 2,500.00	for violation of 15A NCAC 2N .0502 and .0506 from August 29, 2013 through at least April 21, 2015 by failing to comply with leak detection requirements for two USTs, in accordance with the procedures and requirements of the cited rule.
$ 1,500.00	for violation of 15A NCAC 2N .0603 from February 4, 2015 through at least April 21, 2015 by failing to investigate a suspected release after a UST failed a tank tightness test, in accordance with the procedures and requirements of the cited rule.
$ 2,500.00	for violation of 15A NCAC 2N .0901 from August 29, 2013 through at least April 21, 2015 by failing to comply with secondary containment leak detection monitoring requirements for tank top and dispenser containment sumps associated with three UST systems, in accordance with the procedures and requirements of the cited rule.
$ 2,300.00	for violation of NCSL 2010-154 from August 29, 2013 through at least April 21, 2015 by failing to comply with retraining requirements for a primary operator, in accordance with the procedures and requirements of the cited session law.
$ 10,500.00	TOTAL CIVIL PENALTY which is authorized by NCGS 143-215.6A.
$ 561.27	Investigation costs which are authorized by NCGS 143 215.3(a)(9).

$ 11,061.27 TOTAL AMOUNT DUE

IV. NOTICE

I reserve the right to assess civil penalties and investigative costs for any continuing violations occurring after the assessment period indicated above. Each day of a continuing violation may be considered a separate violation subject to a maximum $10,000.00 per day penalty. Civil penalties and investigative costs may be assessed for any other rules and statutes for which penalties have not yet been assessed.

V. TRANSMITTAL

This CIVIL PENALTY ASSESSMENT is directed to be transmitted to Mohammed Said Amra in accordance with NCGS 143-215.6A(d) and 143-215.94W(d).

4/22/2015 Ruth A. Strauss
Date Ruth A. Strauss, UST Permits and Inspection Branch Head
Division of Waste Management

NCDENR- Division of Waste Management
UST Section
Compliance Penalty Matrix

Violator:	Mohammed Said Amra	Assessor:	Ruth A. Strauss
Site/Facility:	Amra Quick Trip / Facility ID # 0-0-28095	Date:	April 22, 2015
Case No.:	UST # 14-005P	Violation(s): (See Below):	

(1) 15A NCAC 2N .0404 - Failing to repair or permanently close one UST that has failed or is damaged (UPG33).

(2) 15A NCAC 2N .0502 and .0506 - Failing to comply with leak detection requirements for two USTs (LD1 and RCD5).

(3) 15A NCAC 2N .0603 - Failing to investigate a suspected release for one UST (RLS3).

ASSESSMENT FACTORS	MINOR	SIGNIFICANT	EXTREMELY SIGNIFICANT	PENALTY 1	PENALTY 2	PENALTY 3
I. Amount Saved by Noncompliance:	☑ <$2500 (P= $100.00- $500.00)	☐ $2,500 - $10,000 (P= $500.01- $1,500.00)	☐ >$10,000 (P= >$1,500.01)	$500.00	$300.00	$300.00
II.A Violator History and Intent: A. Violation was committed willfully or intentionally:	☐ Constructive Knowledge Only (P= $100.00)	☑ Actual Knowledge (P= $500.01- $1,500.00) Received at least two notices.	☐ Previous Civil Penalty Assessment(s) for Identical Violation(s) (P= >$1,500.01)	$1,000.00	$1,000.00	$1,000.00
II.B Violator History and Intent: B. Prior record of failing to comply with UST rules and regulations	☑ N/A	☐ NOV(s) Issued for Unrelated Violation(s) (P= $500.01- $1,500.00)	☐ Previous Civil Penalty Assessment(s) for Unrelated Violation(s) (P= >$1,500.01)	$0.00	$0.00	$0.00
III. Duration and Gravity of the Violation:	☑ 0-6 Months (P= $100.00- $500.00) (Violations 1 and 3) 2 months	☑ 6-24 Months (P= $500.01- $1,500.00) (Violation 2) 20 months	☐ >24 Months (P= >$1,500.01)	$200.00	$1,200.00	$200.00
			Totals	$1,700.00	$2,500.00	$1,500.00
			Total Penalty	$10,500.00		

NCDENR- Division of Waste Management
UST Section
Compliance Penalty Matrix

Violator:	Mohammed Said Amra	Assessor:	Ruth A. Strauss
Site/Facility:	Amra Quick Trip / Facility ID # 0-0-28095	Date:	April 22, 2015
Case No.:	UST # 14-005P	Violation(s): (See Below):	

(4) 15A NCAC 2N .0901 - Failing to comply with secondary containment leak detection monitoring requirements for containment sumps (SECD3).

(5) NCSL 2010-154 - Failing to comply with retraining requirements for a primary operator (OPTR2).

ASSESSMENT FACTORS	MINOR	SIGNIFICANT	EXTREMELY SIGNIFICANT	PENALTY 4	PENALTY 5	
I. Amount Saved by Noncompliance:	☑ <$2500 (P= $100.00- $500.00)	☐ $2,500 - $10,000 (P= $500.01- $1,500.00)	☐ >$10,000 (P= $1,500.01)	$300.00	$100.00	
II.A Violator History and Intent: A. Violation was committed willfully or intentionally:	☐ Constructive Knowledge Only (P= $100.00)	☑ Actual Knowledge (P= $500.01- $1,500.00) Received at least two notices.	☐ Previous Civil Penalty Assessment(s) for Identical Violation(s) (P= >$1,500.01)	$1,000.00	$1,000.00	
II.B Violator History and Intent: B. Prior record of failing to comply with UST rules and regulations	☑ N/A	☐ NOV(s) Issued for Unrelated Violation(s) (P= $500.01- $1,500.00)	☐ Previous Civil Penalty Assessment(s) for Unrelated Violation(s) (P= >$1,500.01)	$0.00	$0.00	
III. Duration and Gravity of the Violation:	☐ 0-6 Months (P= $100.00- $500.00)	☑ 6-24 Months (P= $500.01- $1,500.00) (Violations 4 and 5) 20 months	☐ >24 Months (P= >$1,500.01)	$1,200.00	$1,200.00	
			Totals	$2,500.00	$2,300.00	$0.00
			Total Penalty	$10,500.00		

STATE OF NORTH CAROLINA

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
FILE NO. UST# 14-005P

COUNTY OF DUPLIN

IN THE MATTER OF ASSESSMENT OF CIVIL PENALTY AGAINST:	)	REQUEST FOR REMISSION OF CIVIL PENALTY, WAIVER OF RIGHT TO AN ADMINISTRATIVE HEARING, AND STIPULATION OF FACTS
MOHAMMED SAID AMRA	)	

Having been assessed a civil penalty totaling $11,061.27 for violation(s) of 15A NCAC 2N .0404, .0502, .0506, .0603, .0901, and NCSL 2010-154 as set forth in the assessment document of the Director of the Division of Waste Management dated 4/22/15, the undersigned, desiring to seek remission of the civil penalty, does hereby waive the right to an administrative hearing in the above-stated matter and does stipulate and agree that the facts are as alleged in the assessment document. The undersigned further understands that all evidence presented in support of remission of this civil penalty must be submitted to the Director within thirty (30) days of receipt of the notice of assessment. No new evidence in support of a remission request will be allowed after thirty (30) days from the receipt of the notice of assessment.

This the _____ day of _____, 20___.

_____
SIGNATURE

_____
PRINT NAME

_____
TITLE (President, Owner, etc.)

_____
ADDRESS

_____

_____

_____
TELEPHONE

STATE OF NORTH CAROLINA

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
FILE NO. UST# 14-005P

COUNTY OF DUPLIN

IN THE MATTER OF ASSESSMENT OF CIVIL PENALTY AGAINST:	)	JUSTIFICATION FOR REMISSION REQUEST
MOHAMMED SAID AMRA	)	

Please use this form when requesting remission of this civil penalty. You must also complete the *"Request For Remission, Waiver of Right to an Administrative Hearing, and Stipulation of Facts"* form to request remission of this civil penalty. You should attach any documents that you believe support your request and are necessary for the Director to consider in determining your request for remission. Please be aware that a request for remission is limited to consideration of the five factors listed below as they may relate to the reasonableness of the amount of the civil penalty assessed. Requesting remission is not the proper procedure for contesting whether the violation(s) occurred or the accuracy of any of the factual statements contained in the civil penalty assessment document. Pursuant to NCGS § 143B-282.1(c), remission of a civil penalty may be granted only when one or more of the following five factors applies. Please check each factor that you believe applies to your case and provide a detailed explanation, including copies of supporting documents, as to why the factor applies (attach additional pages as needed).

___ (a) one or more of the civil penalty assessment factors in NCGS § 143B-282.1(b) were wrongfully applied to the detriment of the petitioner (the assessment factors are included in the attached penalty matrix);

___ (b) the violator promptly abated continuing environmental damage resulting from the violation (i.e., explain the steps that you took to correct the violation and prevent future occurrences);

___ (c) the violation was inadvertent or a result of an accident (i.e., explain why the violation was unavoidable or something you could not prevent or prepare for);

___ (d) the violator has not been assessed civil penalties for any previous violations;

___ (e) payment of the civil penalty will prevent payment for the remaining necessary remedial actions (i.e., explain how payment of the civil penalty will prevent you from performing the activities necessary to achieve compliance).

EXPLANATION (attach additional pages as necessary):

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

Mohammed Said Amra
108 S. Pine St.
Warsaw, NC 28398

14-005P (cpa)

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A. Signature
X ☑ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery 4/25/14

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2. Article Number (Transfer from service label) 7014 0510 0000 4167 6763

PS Form 3811, July 2013 Domestic Return Receipt

UST SECTION
April 15, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7012 3050 0002 4426 8150

Mohammed Said Amra
108 S. Pine Street
Warsaw, NC 28398-1925

RE: NOTICE OF AGENCY DECISION NOT TO ISSUE UST PERMIT
Amra Quick Trip
100 W. College Street
Warsaw, Duplin County, North Carolina
Facility ID # 0-0-28095

Dear Mohammed Said Amra:

On December 30, 2014, we received an application from you for an annual underground storage tank (UST) operating permit for UST systems located at the Amra Quick Trip facility. This application seeks an annual UST operating permit for the time period of December 30, 2014 through September 30, 2015. This notice is to inform you that the Division of Waste Management (DWM), UST Section, will not issue you a new UST operating permit for these UST systems. This denial to issue a permit is based upon the authority granted to this Division by Section 143-215.94U of the North Carolina General Statutes.

Based on the Division's review completed prior to the issuance of this notice, the Division has made the following findings:

- Per 15A NCAC 2N .0404, you have failed to repair one UST system that has failed or is damaged.
- Per 15A NCAC 2N .0502 and .0506, you have failed to comply with leak detection requirements for three USTs.
- Per 15A NCAC 2N .0603, you have failed to investigate a suspected release after the applied method of leak detection indicates that a release may have occurred.
- Per 15A NCAC 2N .0901, you have failed to comply with secondary containment leak detection monitoring requirements for three UST systems.

Per NC Session Law 2010-154, a UST facility must have a trained Primary Operator. Due to violations during the August 29, 2013 inspection, the Primary Operator must be re-trained. To do so, go to the following website http://portal.ncdenr.org/web/wm/ust/registration and register for one

of the next Tank School courses. Failure to complete operator re-training is an enforceable offense.

If you disagree with this decision by the Division to deny issuance of an UST operating permit, you have the right to request an administrative hearing **upon written request within 60 days following receipt of the notice**. This written request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes. You must file the original and one copy of its petition request with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714.

A copy of the petition must also be served on the Department as follows: Mr. Sam M. Hayes, Registered Agent, Dept. of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, NC 27699-1601. If you have any questions about filing a petition, please contact the Office of Administrative Hearings at (919) 431-3000.

If you have any questions about this notice of agency decision, please contact me at (919) 707-8299.

Sincerely,

Ruth A. Strauss

Ruth A. Strauss, Permits and Inspection Branch Head
Division of Waste Management, NCDENR

cc: Gina Williams (electronic)
Davy Conners

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Mohammed Said Amra
108 S. Pine Street
Warsaw, NC 28398-1925

0-0-28095

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery
4/17/15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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(Transfer from service label) 7012 3050 0002 4426 8150

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

UST SECTION
September 9, 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7013 1090 0001 0473 2367

Mohammed Said Amra
108 S. Pine Street
Warsaw, NC 28398-1925

RE: NON-ISSUANCE OF ANNUAL OPERATING PERMIT
Amra Quick Trip
100 W. College Street
Warsaw, Duplin County, North Carolina
Facility ID # 0-0-28095

Dear Mohammed Said Amra:

The Permits and Inspection Branch has knowledge that you have not complied with the state's rules for underground storage tank (UST) systems at the above-referenced facility. The specific violations are listed below:

- Per 15A NCAC 2N .0502 and .0506, you have failed to comply with leak detection requirements for three USTs.
- Per 15A NCAC 2N .0603, you have failed to investigate suspected releases at one tank-top containment sump and two under-dispenser containment sumps.
- Per 15A NCAC 2N .0901, you have failed to conduct annual tests of the operability, proper operating conditions, and proper calibration of leak detection monitoring equipment for three UST systems.
- Per NC Session Law 2010-154, a UST facility must have a trained Primary Operator. Our records show that this facility does not have a trained Primary Operator. The Primary Operator designated for this facility must go to the following website http://portal.ncdenr.org/web/wm/ust/registration and register for one of the next Tank School courses. Failure to complete operator training is an enforceable offense.

For further details, please refer to the Notice of Violation issued to you on September 30, 2013. Please be notified that pursuant to N.C.G.S. 143-215.94U, the UST Section will not issue a new annual operating permit to you until all violations of the state's underground storage tank rules and statutes are corrected.

Should you have any questions, please contact Gina Williams at gina.williams@ncdenr.gov or (910) 567-5683, or me at davis.conners@ncdenr.gov or (919) 707-8156.

Sincerely,

Davy M. Conners

Davy M. Conners, Environmental Specialist
Division of Waste Management, NC DENR

cc: Davy Conners
Gina Williams (electronic)

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Mohammed Said Amra
108 S Pine Street
Warsaw NC 28398-1925

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Deysi M.
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery
9/12/14

D. Is delivery address different from item 1? ☐ Yes
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3. Service Type
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4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service l 7013 1090 0001 0473 2367

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

December 11, 2013

CERTIFIED MAIL 7013 0600 0000 0487 0941
RETURN RECEIPT REQUESTED

Mohammed Said Amra
108 S Pine Street
Warsaw, NC 28398-1925

Re: Acknowledgement of Receipt of Recommendation for Enforcement Response
Amra Quick Trip
100 W College St, Warsaw, NC 28328
Duplin County
Facility ID#: 00-0-0000028095

Dear Mohammed Said Amra:

On December 11, 2013, the Underground Storage Tank (UST) Section received your response to a notice of recommendation for enforcement action dated December 6, 2013. This response, as submitted, does not meet the required corrective action(s) specified on the Notice of Violation dated September 30, 2013.

This Notice was issued to you for violation(s) of:
15A NCAC 2N .0502 (LD1) for Failure to provide tank leak detection: Tank tightness test for the regular, premium and kerosene tank passed on November 15, 2013, however the plus tank failed. Also leak detection records have not been submitted for the months following the inspection.
15A NCAC 2N .0603 (RLS5) for Failure to investigate a suspected release at containment sumps: To date a corrective action has not been submitted for this violation.
15A NCAC 2N .0901 (SECD6) for Failure to check LD equipment operability annually: To date a corrective action has not been submitted for this violation.
15A NCAC 2N .0905 (SECD24) for Failure to tightness test sump every 3 years: To date a corrective action has not been submitted for this violation.
15A NCAC 2N .0905 (SECD25) for Failure to visually inspect sump annually: To date a corrective action has not been submitted for this violation.
NCSL 2010-154 (OPTR2) for Failure to complete Primary Operator training: To date a primary operator has nt attended tank school.
NCSL 2010-154 (OPTR3) for Failure to implement Emergency Response operator training at the referenced site: To date a corrective action has not been submitted for this violation.

Your response has been forwarded, along with our recommendation for enforcement, to the Director of the Division of Waste Management. You will be notified by certified mail if and when the Director assesses a civil penalty in this matter.

1637 Mail Service Center, Raleigh, North Carolina 27699-1637
Phone: 919-707-8171 \ Fax: (919) 715-1117 \ Internet: portal.ncdenr.org/web/wm
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One NorthCarolina Naturally

In the meantime, should you have any questions, please do not hesitate to contact me at (910) 567-5683 or gina.williams@ncdenr.gov.

Sincerely,

Gina H. Williams

Gina Williams
Environmental Specialist

cc: Ruth Strauss, Permits and Inspection Branch (electronic)
Files (electronic)

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Total Postage & Fees	$ 6.11

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12-2-2015

Sent To: Mohammed Said Amra
Street, Apt. No.; or PO Box No.: 108 S Pine Street
City, State, ZIP+4: Warsaw NC 28398-1925

PS Form 3800, August 2006 — See Reverse for Instructions

7013 0600 0000 0487 0941

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1. Article Addressed to:

Mohammed Said Amra
108 S Pine Street
Warsaw, NC 28398-1925

12-2-2015

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☑ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery: 12/14/15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7013 0600 0000 0487 0941

PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1540

NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

December 06, 2013

CERTIFIED MAIL 7013 0600 0000 0487 0903
RETURN RECEIPT REQUESTED

Mohammed Said Amra
108 S Pine Street
Warsaw, NC 28398-1925

Re: Recommendation for Enforcement Action
Amra Quick Trip
100 W College St, Warsaw, NC 28328
Duplin County
Facility ID#: 00-0-0000028095

Dear Mohammed Said. Amra:

This letter is to notify you that this office is considering recommending enforcement action to the Director of the Division of Waste Management. The recommendation for enforcement concerns the violations cited in the Notice of Violation (NOV) dated September 30, 2013 which was previously sent to you. Specifically: **15A NCAC 2N .0502 for Failure to provide tank leak detection., 15A NCAC 2N .0502 for Failure to provide LD for pressurized piping., 15A NCAC 2N .0505 for Failure to do annual test of ALLD., 15A NCAC 2N .0603 for Failure to investigate a suspected release at containment sumps., 15A NCAC 2N .0901 for Failure to check LD equipment operability annually, 15A NCAC 2N .0905 for Failure to tightness test sump every 3 years, 15A NCAC 2N .0905 for Failure to visually inspect sump annually.**

If there is an explanation for the violations cited, or if you believe there are other factors which should be considered, please submit your response to me in writing **within 10 days of receipt** of this notice. Your explanation will be reviewed, and if enforcement action is still deemed appropriate, your explanation will be forwarded to the Director with the enforcement package for his consideration. In accordance with NCGS 143-215.94U, continued non-compliance can result in **revocation** of the current operating permit or **non-renewal** of future operating **permits** for this facility.

If you have any questions concerning this matter, please contact me at (910) 567-5683 or gina.williams@ncdenr.gov.

Sincerely,
Gina H. Williams
Gina Williams
Environmental Specialist

cc: Ruth Strauss, Permits and Inspection Branch (electronic)
Files (electronic)

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Product & Tracking Information

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
December 7, 2013 , 9:34 am	Delivered	WARSAW, NC 28398

Your item was delivered at 9:34 am on December 7, 2013 in WARSAW, NC 28398.

December 7, 2013 , 8:25 am	Out for Delivery	WARSAW, NC 28398
December 7, 2013 , 8:15 am	Sorting Complete	WARSAW, NC 28398
December 7, 2013 , 6:39 am	Arrived at Unit	WARSAW, NC 28398
December 6, 2013 , 7:07 pm	Departed USPS Facility	FAYETTEVILLE, NC 28302
December 6, 2013 , 5:32 pm	Arrived at USPS Facility	FAYETTEVILLE, NC 28302

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North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

September 30, 2013

CERTIFIED MAIL 7013 0600 0000 0487 0644
RETURN RECEIPT REQUESTED

Mohammed Said Amra
108 S Pine Street
Warsaw, NC 28398-1925

Re: **NOTICE OF VIOLATION OF NCSL 2010-154(OPTR2, OPTR3), 15A NCAC 2N .0302(UPG9), .0502(LD1, LD12), .0505(LD18), .0603(RLS5), .0901(SECD6), .0905(SECD24, SECD25)**
Amra Quick Trip
100 W College St, Warsaw, NC 28328
Duplin County
Facility ID#: 00-0-0000028095

Dear Mohammed Said. Amra:

On August 29, 2013, I conducted a compliance inspection at the above-referenced facility. I observed that underground storage tanks (USTs) at Amra Quick Trip are not in compliance with North Carolina UST regulations (North Carolina Administrative Code [NCAC] 2N "Criteria and Standards Applicable to Underground Storage Tanks). According to those rules (15A NCAC 2N .0203) you are identified as the owner and/or operator of UST(s) at Amra Quick Trip.

The following violations of the state rules (15A NCAC 2N) were observed on August 29, 2013 at Amra Quick Trip. Following each violation are the actions required to correct the violations:

Violation 1: 15A NCAC 2N .0502 LD1; Failure to provide leak detection for a regulated tank in accordance with federal regulation 40 CFR 280.41 (as incorporated by 15A NCAC 2N .0502, 15A NCAC 2N .0301, 15A NCAC 2N .0302 and/or 15A NCAC 2N .0304).

Inspector's Notes: Tank leak detection was not being conducted for the plus or premium tanks.

Corrective Action(s):
The Division of Waste Management UST Section has determined that leak detection has not been conducted on a regulated tank.

1) Single-wall monitored UST: Please immediately conduct a tank tightness test (note: an Automatic Tank Gauge can not be used to conduct the tank tightness test) on all applicable USTs.

Please submit, within 30 days of receipt of this notice, a copy of the tank tightness test results (and if applicable, interstitial space tightness test results) and submit, within 30 days of receipt of this notice, a copy of your leak detection records (for your chosen leak detection method(s)) for the month following the date of receipt of this notice to the inspector at the address provided.

Violation 2: 15A NCAC 2N .0502 LD12; Failure to provide leak detection for pressurized piping systems associated with regulated tanks in accordance with federal regulation 40 CFR 280.41(b)(1)(ii) (as incorporated by 15A NCAC 2N .0502).

Inspector's Notes: Line tightness testing was not available for review at the time of inspection.

Corrective Action(s):
Leak detection must be provided for pressurized piping systems. Please complete one of the following requirements:

1) Conduct a line tightness test for each piping system associated with the regulated tank(s). Line tightness testing is required annually for pressurized piping systems. OR Conduct a line tightness test and apply an acceptable method of monthly monitoring for each piping system associated with the regulated tank(s). Within 30 days of receipt of this notice, please submit a copy of the line tightness test results to the inspector at the address provided. If you choose to implement monthly monitoring then you must also submit, within 30 days of receipt of this notice, copies of the results of your monthly monitoring for the month following the date of receipt of this notice to the inspector at the address provided.

Violation 3: 15A NCAC 2N .0505 LD18; Failure to conduct an annual test of the operation of an automatic line leak detector (MLLD or ELLD) of a pressurized piping system associated with a regulated tank in accordance with federal regulation 40 CFR 280.44(a) (as incorporated by 15A NCAC 2N .0505).

Inspector's Notes: Line leak detector testing was not available for review at the time of inspection.

Corrective Action(s):

1) Please conduct a test of the operation of the automatic line leak detector and submit a copy of the results within 30 days of receipt of this notice to the inspector at the address provided.

Violation 4: 15A NCAC 2N .0603 RLS5; Failure to investigate a suspected release in accordance with federal regulation 40 CFR 280.52 (as incorporated by 15A NCAC 2N .0603) after an unusual operating condition has been observed. ("Unusual operating conditions" include, but are not limited to, the erratic behavior of dispensing equipment; the unexplained presence of water in the tank; the presence of fuel in containment sumps or interstitial spaces; or the degradation of any equipment or element of an underground storage tank system to the point where that equipment or element can not reasonably be expected to perform its intended function.).

Inspector's Notes: Dispensers 1/2 and 3/4 had evidence of a leak near the filer and associated dispenser piping. Dispensers 5/6 and 7/8 had water in the sumps. The super tank top sump, contained approximately 5 inches of water. The regular, plus and premium STP sump sensors were in alarm at the time of inspection. Water was not standing in the regular and plus sumps, however; the sumps were damp suggesting water had been in the sumps.

Corrective Action(s):
Tank owners or operators must investigate a suspected release as directed below.

1) Conduct a tightness test of the containment sump(s) integrity in accordance with the manufacturer's recommendations* or a code of practice developed by a nationally recognized association. If a testing standard is not available then you must fill the containment sump(s) with clean water above all piping and conduit penetrations; mark the water level; wait a minimum of 3 hours and re-check the level. A containment sump fails the tightness test if there has been any change in level. Submit a copy of the test results to the inspector at the address provided. If any containment sump fails the tightness test, you must complete all of the following tasks: (a) Conduct a site check around the areas listed above in accordance with 40 CFR 280.52(b) (as incorporated by 15A NCAC 2N .0603) using the sampling protocol and methodology of the most recent version of the UST Section Guidelines for Site Checks, Tank Closure, and Initial Response and Abatement and submit , within 30 days of receipt of this notice, a site check report or initial abatement report (whichever is applicable) to the inspector at the address provided; AND (b) Repair or replace the containment sump and test the tightness of the containment sump in accordance with the

manufacturer's recommendations, a code of practice developed by a nationally recognized association, or the alternate instructions listed above if no standard is available. If the containment sump is replaced as part of this repair then the containment sump must meet the secondary containment requirements of 15A NCAC 2N .0900.

Within 30 days of receipt of this notice submit a UST-17B, UST Suspected Release 7 Day Notice, with the results and any supporting information for all equipment repairs, equipment replacements, tightness test(s), and site check as required in the above sections to the inspector at the address provided. * Proper disposal of liquids in accordance with State and Federal requirements is required. See the attached document "Recommended ways to dispose of small quantities of petroleum and petroleum/water mixtures" for some suggested methods.

Violation 5: 15A NCAC 2N .0901 SECD6; Failure to check the operability, proper operating condition, and proper calibration of leak detection monitoring equipment annually in accordance with the manufacturer's written guidelines and as required by 15A NCAC 2N .0901(l).

Inspector's Notes: The last annual operability check available for review was conducted on March 6, 2012. The next operability check should have been conducted by March 6, 2013.

Corrective Action(s):

1) Check the leak detection equipment for operability, proper operating condition, and proper calibration in accordance with the manufacturer's written guidelines.

Within 30 days of receipt of this notice, please submit a copy of the results of the annual check and other supporting documentation (e.g. invoice, repair records) of the completed work on form UST-22B, Annual Interstitial Sensor Operability Check, to the inspector at the address provided.

Violation 6: 15A NCAC 2N .0905 SECD24; Failure to perform a tightness test on a containment sump not monitored continuously by vacuum, pressure, or hydrostatic methods every 3 years as required by 15A NCAC 2N .0905(f).

Inspector's Notes: The most recent triennial sump tightness test was not available for review at the time of inspection.

Corrective Action(s):

1) Conduct a tightness test of the containment sump at the tank(s) and/or dispenser(s) in accordance with the manufacturer's written guidelines and PEI RP 100 "Recommended Practice for Installation of Underground Liquid Storage Systems."

Within 30 days of receipt of this notice, please submit the test results on form UST-6F/23B, Triennial UST Containment Sump / UDC Integrity Testing, to the inspector at the address provided.

Violation 7: 15A NCAC 2N .0905 SECD25; Failure to visually inspect containment sumps annually for the presence of water or a regulated substance as required by 15A NCAC 2N .0905(g).

Inspector's Notes: The most recent annual visual sump inspection was not avalilabe for review.

Corrective Action(s):

1) Inspect the containment sump at the tank(s) and/or dispenser(s) for the presence of water or a regulated substance and document the condition on an annual containment sump inspection log.

Within 7 days of receipt of this notice, please submit a copy of the annual containment sump inspection log form UST-22C, Annual Containment Sump Visual Inspections to the inspector at the address provided.

Violation 8: NCSL 2010-154 OPTR2; Failure to complete Primary Operator training as required by NCSL 2010-

154.

Inspector's Notes: Due to the violations noted during the inspection, the primary operator(s) must attend tank school.

Corrective Action(s):
Please perform the corrective action checked below.

1) The Primary Operator designated for this facility must go to the following website **http://portal.ncdenr.org/web/wm/ust/registration** and register for one of the next Tank School courses being conducted over the next 90 days. Tank School must be completed and a Primary Operator training certificate achieved within 90 days of receipt of this notice.

Violation 9: NCSL 2010-154 OPTR3; Failure to implement or have documentation of the implementation of the Emergency Response operator training program developed by the UST section as required by NCSL 2010-154.

Inspector's Notes: The Emergency responder training log (UST-26 form) was not available for review at the time of inspection.

Corrective Action(s):
Please perform the corrective actions checked below:

1) Within 15 days of receiving Primary Operator training or a maximum of 105 days from receipt of this notice, submit to the inspector at the address provided a copy of the UST-26 form, Emergency Response Operator Training Log, listing all of the Emergency Response Operators that have been trained and will be present at the facility or on-call during all times fuel is being withdrawn or is capable of being withdrawn from USTs.

Corrective actions must be completed and reported to the inspector at the address provided **within 30 days** of receipt of this notice, unless otherwise noted in one of the corrective actions listed above. Assessment of civil penalties may be recommended for violations described in this NOV, as well as, operating permit revocation/denial unless the violations are corrected. If you believe that the inspection findings are in error, or if you have any questions pertaining to this NOV and/or corrective actions please contact me at (910) 567-5683 or gina.williams@ncdenr.gov.

Sincerely,

Gina H. Williams

Gina Williams
Environmental Specialist

Enclosures: UST Suspected Release 7 Day Notice (UST-17B); Annual Interstitial Sensor Operability Check (UST-22B); Triennial UST Containment Sump/UDC Integrity Testing (UST-6F/23B); Annual Containment Sump Visual Inspections (UST-22C)

cc: Michael Phelps w/out Enclosures (electronic)
Files (electronic)

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0-0-28095

Sent To: Mohammad Said Amra
Street, Apt. No.; or PO Box No.: 108 S Pine Street
City, State, ZIP+4: Warsaw, NC 28398

PS Form 3800, August 2006 — See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mohammed Said Amra
108 S Pine Street
Warsaw, NC 28398-1925

0-0-28095

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Shirley Taylor ☑ Agent ☐ Addressee

B. Received by (Printed Name): Shirley Taylor
C. Date of Delivery: 10/30/13

D. Is delivery address different from item 1? ☐ Yes
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10/30/13

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PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1540

NCDENR

North Carolina Department of Environment and Natural Resources
Underground Storage Tank NC

Printed: 9/12/2013 11:10 AM
Inspection Result: Failed
Partial Inspection: No

Inspection Date: 8/29/2013
Arrive and Depart Times: 1:00 PM-2:25 PM

Facility ID:	0-0-0000028095	**Inspector**	Gina Williams
Facility Name	AMRA QUICK TRIP	**Insp. Type**	Compliance
Facility Address	100 W COLLEGE ST WARSAW, NC 28328 Duplin County	**Reason(s)**	Routine Compliance
		Location	35.1181, -78.1362
		Permit Exp.	9/30/2013

CONTACTS

Contact Type	Contact Information
Owner since 4/25/2007	MOHAMMED SAID AMRA, 108 S PINE STREET WARSAW, NC 28398-1925, Phone: (910) 293-4441
Manager since 7/15/2011	MOHAMMED SAID AMRA, 100 W COLLEGE ST WARSAW, NC 28328, Phone: (910) 990-5087

OWNERSHIP CHANGE

New Owner	Change Date	Basis	Transfer of Ownership Form (UST-15) Submitted

EMERGENCY RESPONSE

Emergency Response Operator at inspection is listed in training log?	No
Emergency Response Operator log (UST-26) onsite and completed with names of trained employees?	No

OTHER PARTICIPANTS

Name	Organization
Pam Harrelson	NC DENR\UST

INSPECTOR COMMENTS

Type	Date	Comment
Overfill/Sumps	8/29/2013	Dispenser 1/2 & 3/4 had evidence of a leak near the filer and associated dispenser piping. 5/6 & 7/8 had water in the sump. Super stp sump contained appxoimately 5 inches of product in the sump. The reg, plus and premium stp sensors were in alarm at the time of inspection. Water was not standing in the regular and plus, however, the sump was damp.

TANKS AND PIPING INFORMATION

Tanks	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
Tank ID	1 Regular	2 Plus	3 Premium	4 Kero
Is tank registered?	Yes	Yes	Yes	Yes
Date tank installed	9/21/1988	9/21/1988	9/21/1988	9/21/1988
Capacity of Tank in Gallons	10000	10000	8000	6000
Tank / Product use	Motor Fuel	Motor Fuel	Motor Fuel	Motor Fuel
Product stored in Tank	Gasoline, Gas Mix	Gasoline, Gas Mix	Gasoline, Gas Mix	Kerosene, Kero Mix
if gasoline, Detail				
If hazardous substance, CAS# or description				
If other, description				
Tank Status	Current	Current	Current	Temporarily Closed
Tank closure report submitted				

Tanks	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
Date tank last operated				4/4/2012
Inches of product in Tank				
Manifolded Tank	No	No	No	No
Manifolded with tanks				
New Tank System installed in accordance with NC or MI				
Tank Construction Material (DW required after 11/1/07)	Single Wall FRP	Single Wall FRP	Single Wall FRP	Single Wall FRP
If other, description				
Tank material verified by				
Was UST Piping Installed on or after 11/1/2007?				
Piping Construction Material (DW required after 11/1/07)	Single Wall FRP	Single Wall FRP	Single Wall FRP	Single Wall FRP
If other, description				
Pipe material verified by				
If E-blend > 10% or Biodiesel Blend > 20%; Was UST-20 completed and approved?	N/A	N/A	N/A	N/A

CORROSION PROTECTION

Tank Corrosion Protection	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
DWM notified of current CP method	Yes	Yes	Yes	Yes
Integrity assessment performed after 3/1/06	No	No	No	No
CP Method 1	FRP	FRP	FRP	FRP
if other, Description				
CP Installation Date	9/21/1988	9/21/1988	9/21/1988	9/21/1988
CP Method 2				
if other, Description				
CP Installation Date				
Flex Connector , Piping Extensions, and/or other metal fittings Present	Other Metal, Flex Connector	Other Metal, Flex Connector	Other Metal, Flex Connector	Other Metal, Flex Connector
Flex connector isolated from ground	Yes	Yes	Yes	Yes
Source of verification of CP for Flex Connectors, piping extensions and/or other metal fittings	Visual	Visual	Visual	Visual
if other, Description				
Submersible pump (STP) is isolated from ground	Yes	Yes	Yes	Yes
Piping extensions and/or other metal	Yes	Yes	Yes	Yes

Tank Corrosion Protection	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
fittings are isolated from ground				
Flex connector, STP and/or other metal fittings protected from corrosion	BLANK	BLANK	BLANK	BLANK
Corrosion protection method	Isolated	Isolated	Isolated	Isolated
Flex connector , Piping extensions, and/or other metal fittings CP Installation Date				
Dielectric Coating Installed (If tank installed after 12/22/88	N/A	N/A	N/A	N/A

Pipe Corrosion Protection	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
DWM notified of current CP method	Yes	Yes	Yes	Yes
CP method	FRP Piping	FRP Piping	FRP Piping	FRP Piping
if other, Description				
CP Installation Date	9/21/1988	9/21/1988	9/21/1988	9/21/1988
Dielectric Coating Installed (If piping installed after 12/22/88	N/A	N/A	N/A	N/A

Dispenser Corrosion Protection	Dispenser #1(1/2)	Dispenser #2(3/4)	Dispenser #3(5/6)	Dispenser #4(7/8)
Flex Connector , Piping Extensions, and/or other metal fittings Present	Other Metal, Flex Connector	Other Metal, Flex Connector	Other Metal, Flex Connector	Other Metal, Flex Connector
Flex connector isolated from ground	Yes	Yes	Yes	Yes
Source of verification of CP for Flex Connectors, piping extensions and/or other metal fittings	Visual	Visual	Visual	Visual
if other, Description				
Piping extensions and/or other metal fittings are isolated from ground	Yes	Yes	Yes	Yes
Flex Connectors, Piping extensions and/or other metal fittings protected from corrosion	BLANK	BLANK	BLANK	BLANK
Corrosion protection method	Isolated	Isolated	Isolated	Isolated
Flex connector, Piping extensions, and/or other metal fittings CP Installation Date				

Dispenser Corrosion Protection	Dispenser #1(1/2)	Dispenser #2(3/4)	Dispenser #3(5/6)	Dispenser #4(7/8)
Source of Information for verification of corrosion protection for Riser pipe and other metal piping	Visual	Visual	Visual	Visual
if other, Description				

SPILL PREVENTION

Has DWM been notified of spill methods?	Yes

Spill/Overfill Details	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
Is a drop tube present?	Yes	Yes	Yes	Yes
Type of Stage I vapor recovery?	Coaxial	Coaxial	Coaxial	Not Required

Local Fill	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
Does Tank have a Remote Fill?	No	No	No	No
Is spill prevention equipment provided and verified?	Yes	Yes	Yes	Yes
Spill bucket is double-walled? (If installed after 11/1/07)	N/A	N/A	N/A	N/A
Spill bucket is isolated or made of non-corroding materials? (If installed after 11/1/07)	N/A	N/A	N/A	N/A
Date spill prevention provided	9/21/1988	9/21/1988	9/21/1988	9/21/1988
Is spill prevention operating properly?	Yes	Yes	Yes	Yes
If No, select all that apply				
If other, describe				

OVERFILL PREVENTION

Has DWM been notified of overfill methods?	Yes

Overfill Control	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
Is overfill prevention equipment provided and verified?	Yes	Yes	Yes	No
Date overfill control provided	9/21/1988	9/21/1988	9/21/1988	9/21/1988
Type of overfill equipment	Auto Shutoff Device	Auto Shutoff Device	Auto Shutoff Device	Auto Shutoff Device
Source of information for overfill control verification	Visual observation	Visual observation	Visual observation	
If other, describe				
Is overfill control operating properly?	Yes	Yes	Yes	
If No, select all that apply				
If other, describe				
Annual overfill check date (If installed after 11/1/07)(UST-22A)				
Annual overfill check				

Overfill Control results(UST-22A)	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)

Dispenser Sumps	Dispenser #1(1/2)	Dispenser #2(3/4)	Dispenser #3(5/6)	Dispenser #4(7/8)
Are containment sumps present?	Yes	Yes	Yes	Yes
Installation Date				
Sump Manufacturer	Franklin Fueling: APT	Franklin Fueling: APT	Franklin Fueling: APT	Franklin Fueling: APT
If Other (Specify)				
Sump Construction Type	Single Walled	Single Walled	Single Walled	Single Walled
Sump Construction Material	Plastic	Plastic	Plastic	Plastic
If Other (Specify)				
Are containment sumps monitored?	No	No	No	No
Is monitoring required?	Yes	Yes	Yes	Yes
Piping components and/or STP were installed/replaced on or after 11/1/07?	Yes	Yes	Yes	Yes
Are spills evident in sumps?	Yes	Yes	Yes	Yes
Are single wall piping components located in containment sump? (If installed after 11/1/107)				

Other Sumps	Sump#1(Regular)	Sump#2(Plus)	Sump#3(Premium)	Sump#4(Diesel)
Are containment sumps present?	Yes	Yes	Yes	Yes
Installation Date				
Sump Manufacturer	Franklin Fueling: APT	Franklin Fueling: APT	Franklin Fueling: APT	Franklin Fueling: APT
If Other (Specify)				
Sump Construction Type	Single Walled	Single Walled	Single Walled	Single Walled
Sump Construction Material	Plastic	Plastic	Plastic	Plastic
If Other (Specify)				
Are containment sumps monitored?	Yes	Yes	Yes	Yes
Is monitoring required?	Yes	Yes	Yes	Yes
Piping components and/or STP were installed/replaced on or after 11/1/07?	Yes	Yes	Yes	Yes
Are spills evident in sumps?	Yes	Yes	Yes	No
Are single wall piping components located in containment sump? (If installed after				

Other Sumps	Sump#1(Regular)	Sump#2(Plus)	Sump#3(Premium)	Sump#4(Diesel)
11/1/107)				

SITING AND SECONDARY CONTAINMENT

Siting And Sec.Containment-General	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
UST system upgraded with corrosion protection, spill and overfill before 1/1/91?	No	No	No	No
UST system and/or piping are located within siting and secondary containment areas?	No	No	No	No

LEAK DETECTION

General	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
DWM notified of leak detection method?	Yes	Yes	Yes	Yes
Piping type	Pressurized System	Pressurized System	Pressurized System	Pressurized System
Type LLD present.				
Tank – Primary leak detection method	Automatic Tank Gauging	Automatic Tank Gauging	Automatic Tank Gauging	Automatic Tank Gauging
Tank - if other, specify				
Tank – Secondary leak detection method				
Tank - if other, specify				
Piping - Primary leak detection method				Not Required
Piping - if other, specify				
Piping - Secondary leak detection method				
Piping - if other, specify				

PIPING LEAK DETECTION

Pressurized Piping	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)
Last MLLD/ELLD Test Date			
MLLD/ELLD Test Result			
Last LTT Test Date			
LTT Test Result			
Does test result indicate suspected release?			
Number of MLLD/ELLD Types	0	0	0

AUTOMATIC TANK GAUGE

ATG Systems	ATG #1
ATG Manufacturer/Model	V-R: TLS-350 (Mag)

ATG Systems	ATG #1
If other, describe	
ATG Third Party Certified?	Yes
Is ATG console operational?	Yes
Tanks	#1(1 Regular), #2(2 Plus), #3(3 Premium)

ATG Monthly LD	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
2013 Aug	Pass	None	None	Temp Closed
2013 Jul	Pass	None	None	Temp Closed
2013 Jun	Pass	None	None	Temp Closed
2013 May	Pass	None	None	Temp Closed
2013 Apr	Pass	None	None	Temp Closed
2013 Mar	Pass	None	None	Temp Closed
2013 Feb	None	None	None	Temp Closed
2013 Jan	Pass	None	None	Temp Closed
2012 Dec	Pass	None	None	Temp Closed
2012 Nov	Pass	None	None	Temp Closed
2012 Oct	Pass	None	None	Temp Closed
2012 Sep	Pass	None	None	Temp Closed

ATG Conclusions	
Leak Detection Requirements Met?	No
Do the results indicate a suspected release?	No
Issues	0.2 Test not conducted for 3 or more months (LD1)

INTERSTITIAL MONITORING AFTER 11/1/07

IM After 11/07-Consoles	IM Console #1
Manufacturer/Model of Interstitial Monitoring Console	V-R: TLS-350
If other, describe	

IM After 11/07-Sumps	Sump #1(Regular)	Sump #2(Plus)	Sump #3(Premium)	Sump #4(Diesel)
Manufacturer/Model of Sensor(UST-6B)	V-R: Pipe Sump Sens 794380-208	V-R: Pipe Sump Sens 794380-208	V-R: Pipe Sump Sens 794380-208	V-R: Pipe Sump Sens 794380-208
If other, describe				
Monitoring Type(UST-6B)	Float Sensor	Float Sensor	Float Sensor	Float Sensor
Sensor third party certified	Yes	Yes	Yes	Yes
Sensor Operability Check Date (annually)(UST-22B)				
Sensor Operability Check Results(UST-22B)				
Sensor < 2" off bottom				
Pipe interstice open to sump (if monitored by sump sensor)				
Sump Visual Inspection Date (annually)(UST-22C)				
Sump Visual Inspection Results(UST-22C)				
3 Year Tightness Test Date(UST-				

IM After 11/07-Sumps	Sump #1(Regular)	Sump #2(Plus)	Sump #3(Premium)	Sump #4(Diesel)
6F/23B)				
3 Year Tightness Test Result(UST-6F/23B)				

IM After 11/07-Dispensers	Dispenser #1(1/2)	Dispenser #2(3/4)	Dispenser #3(5/6)	Dispenser #4(7/8)
Manufacturer/Model of Sensor(UST-6B)	V-R: Pipe Sump Sens 794380-208	V-R: Pipe Sump Sens 794380-208	V-R: Pipe Sump Sens 794380-208	V-R: Pipe Sump Sens 794380-208
If other, describe				
Monitoring Type(UST-6B)	Float Sensor	Float Sensor	Float Sensor	Float Sensor
Sensor third party certified	Yes	Yes	Yes	Yes
Sensor Operability Check Date (annually)(UST-22B)				
Sensor Operability Check Results(UST-22B)				
Sensor < 2" off bottom				
Pipe interstice open to sump (if monitored by sump sensor)				
UDC Visual Inspection Date (annually)(UST-22C)				
UDC Visual Inspection Results(UST-22C)				
3 Year Tightness Test Date(UST-6F/23B)				
3 Year Tightness Test Result(UST-6F/23B)				

IM After 11/07-Dispenser Monthly LD	Dispenser #1(1/2)	Dispenser #2(3/4)	Dispenser #3(5/6)	Dispenser #4(7/8)
2013 Aug	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Jul	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Jun	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 May	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Apr	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Mar	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Feb	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Jan	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Dec	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Nov	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Oct	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Sep	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N

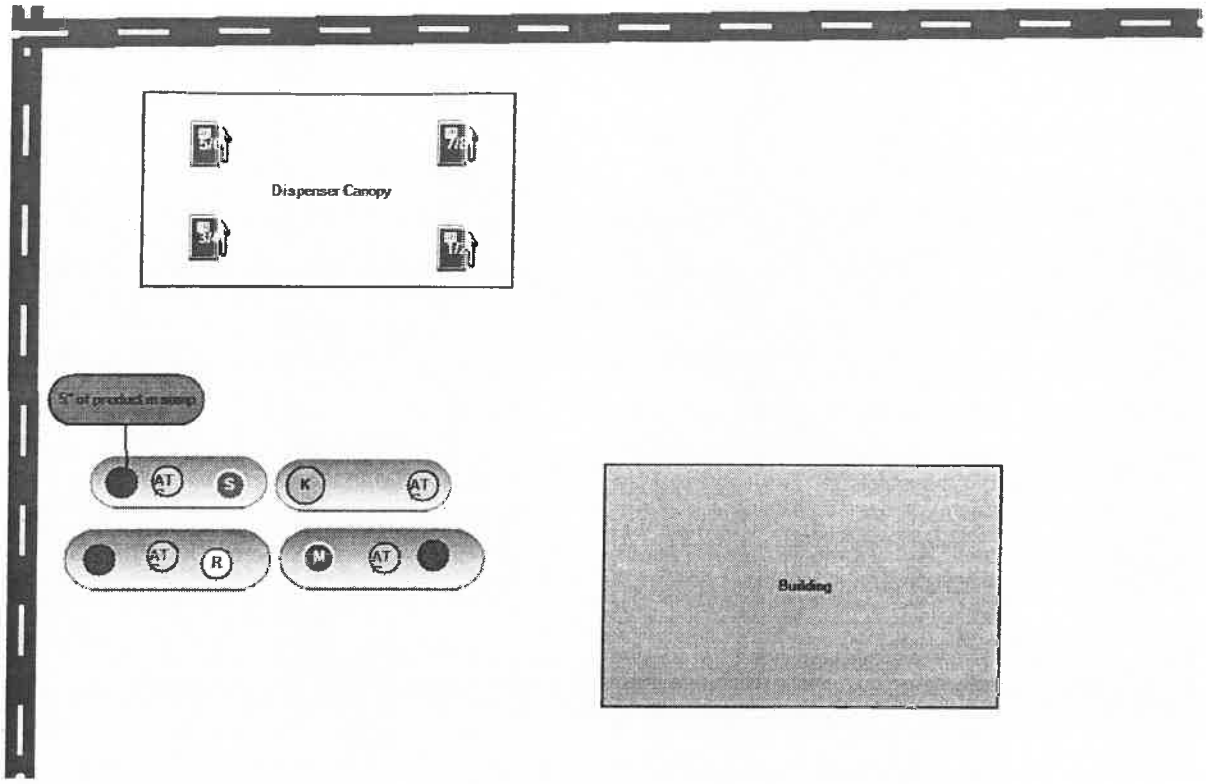
IM After 11/07-Sump Monthly LD	Sump #1(Regular)	Sump #2(Plus)	Sump #3(Premium)	Sump #4(Diesel)
2013 Aug	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Jul	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N

IM After 11/07-Sump Monthly LD	Sump #1(Regular)	Sump #2(Plus)	Sump #3(Premium)	Sump #4(Diesel)
2013 Jun	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 May	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Apr	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Mar	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Feb	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2013 Jan	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Dec	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Nov	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Oct	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N
2012 Sep	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N	Sensor: N Alarm: N

TEMPORARY CLOSURE

TRANSPORTER/FUEL DELIVERY INFORMATION

Delivery Information	Tank #1(1 Regular)	Tank #2(2 Plus)	Tank #3(3 Premium)	Tank #4(4 Kero)
All deliveries made to permitted tanks	Yes	Yes	Yes	Yes

Name	Address	Phone
Atlantic Oil	2482 Mama T Lane, Bethel ,NC	(877) 435-3181

SITE DIAGRAM