

New York State Department of Environmental Conservation

Division of Environmental Remediation

21 South Putt Corners Rd, New Paltz, New York 12561-1620

P: (845) 256-3121 | F: (845) 255-2987

www.dec.ny.gov

Sent:

EMAIL: mrbig136@aol.com

CERTIFIED MAIL: 7017 2400 0000 1078 8843

RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

10/18/2018

WILLIAM RICHARDS

PO BOX 136
GARDINER, NY 12525

Re: Petroleum Bulk Storage (PBS) Program Site
Inspection - 6 NYCRR Part 613
PBS# 3-601643, Inspection# 70537
GARDINER - WILLIAM RICHARDS
45 SAND HILL ROAD
GARDINER, NY 12525

Dear WILLIAM RICHARDS:

On October 08, 2018, the New York Department of Environmental Conservation (DEC) inspected the GARDINER - WILLIAM RICHARDS facility to determine compliance with New York State's PBS regulations (6 NYCRR Part 613). The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank(s) that is listed. The PBS regulations are available online at:

http://www.dec.ny.gov/docs/remediation_hudson_pdf/part613text.pdf

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frame(s) and submit required documentation.

PBS Registration Certificate - display - [613-1.9(g)]. The registration certificate displayed is not signed. The operator must display a current registration certificate in a conspicuous location at the facility at all times. Within 7 calendar days from the date of this letter, submit a photograph showing the displayed certificate is signed.

PBS Registration Certificate - accuracy of information - [613-1.9(a)]. The registration information is not current and accurate. Enclosed is a PBS application form that you may use to correctly inform the Department about your facility. Within 30 calendar days from the date of this letter, submit the completed form.

SUBPART 4 TANK # 1

Check valve - no valve - [613-4.1(b)(5)(iii); 4.1(c)(3)(iii)]. The piping system associated with this tank(s) is not equipped with a check valve. Every fill pipe leading to a pump-filled AST must be equipped with a properly functioning check valve or equivalent device which provides automatic protection against backflow. A check valve is required only when the piping arrangement of the fill pipe is such that backflow from the receiving tank is possible. Within 30 calendar days from the date of this letter, submit documentation that the check valve has been installed.

SUBPART 4 TANK # 1

Operating valve - no valve - [613-4.1(b)(5)(iv); 4.1(c)(3)(iv)]. This tank(s) is not equipped with an operating valve. Each connection on a gravity-drained AST through which petroleum can normally flow must be equipped with an operating valve to control the flow. A valve which meets the standards set forth in NFPA 30 section 22.13.1 (2012 edition for Category 3 AST systems) or NFPA 30 section 2-2.7.1 (1984 edition for Category 1 or 2 AST systems), satisfies these requirements. Within 30 calendar days from the date of this letter, submit documentation that the operating valve has been installed.

SUBPART 4 TANK # 1

Monthly inspections - not adequately conducted - [613-4.3(b)(1)]. The monthly inspections for this tank(s) have not been performed adequately. The inspection must include the exterior surface of the tank and associated equipment, the monitoring equipment for cathodic protection, leak detection, and any other systems. Within 30 calendar days from the date of this letter, submit the last monthly inspection report.

Corrective Action and Penalties

As a result of these violations, you are subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to \$37,500 per day for each of the above noted violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.

Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements.

Except where a shorter time frame is expressly required, within 30 calendar days from the date of this notice you must submit either documentation that the violations have been corrected or a plan to achieve compliance, as noted above. In accordance with any corrective action plan, you must submit documentation after compliance is achieved.

Sincerely,



MEAGAN LENNA
Environmental Program Specialist Trainee 1
NYSDEC, Region 3

Enclosures:
PBS Application

cc. Daniel Bendell
Joshua Cummins
John Urda

GARDINER - WILLIAM RICHARDS
45 SAND HILL ROAD
GARDINER, NY 12525

Petroleum Bulk Storage Application

Pursuant to the Environmental Conservation Law: Article 17, Title 10; and
Regulations 6 NYCRR Part 613 and 6 NYCRR Subpart 374-7

(Please Type or Print Clearly and Complete All Items for Sections A, B & C.)

PBS Number:
3-601643

Return Completed Form & Fees To:
NYSDEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3166

Section A - Facility/Property Owner/Contact Information

Expiration Date: **02/28/2019**

Transaction Type: <input type="checkbox"/> 1) Initial/New Facility Ownership <input type="checkbox"/> 2) Change of Ownership <input type="checkbox"/> 3) Tank Installation, Closing, or Repair <input type="checkbox"/> 4) Information Correction <input type="checkbox"/> 5) Renewal NOTE: Fill in Owner information here.....>>> Indicate Tank Owner in Section C. Official Use Only Date Received: / / Date Processed: / / Amount Received: \$ Reviewed By: _____ Rev. 8/2/2017	Facility Name: GARDINER - WILLIAM RICHARDS	Tax Map: Borough/Section: Block: Lot:	TYPE OF PETROLEUM FACILITY (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petrol. Distributor <input type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation/Fleet <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline) <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 28=Cemetery/Memorial <input type="checkbox"/> 52=Marina <input type="checkbox"/> 53=Nuclear Power Plant <input checked="" type="checkbox"/> 99=Other (Specify):	Emergency Telephone Number: (914) 548-3028	
	Facility Address (Physical Address, No P.O. Boxes): 45 SAND HILL ROAD	State: NY	ZIP: 12525	Facility Operator: WILLIAM RICHARDS	Name of Property Owner or Authorized Representative: WILLIAM RICHARDS
	Facility Address (cont.):	City: GARDINER	Township or City: Gardiner	Facility Phone Number: (845) 255-1087	Amount Enclosed: \$
	Facility Operator: WILLIAM RICHARDS	County: Ulster	Facility Telephone Number: (834) 255-1987	Title: OWNER	Date:
	Facility (Property) Owner (from Deed): WILLIAM RICHARDS	Facility Owner Address (Street and/or P.O. Boxes): PO BOX 136	City: GARDINER	State: NY	Signature:
Facility Tax ID Number: 0000000000	ZIP Code: 12525	Owner Telephone Number: (834) 255-1987	Type of Owner (check only one): <input type="checkbox"/> 1 Private Resident <input type="checkbox"/> 2 State Government <input checked="" type="checkbox"/> 3 Local Government <input type="checkbox"/> 4 Federal Government <input type="checkbox"/> 5 Corporate/Commercial/Other	Name of Property Owner or Authorized Representative: WILLIAM RICHARDS	
Facility Contact Person Name: WILLIAM RICHARDS	Contact Person Company Name: PO BOX 136	Address: GARDINER, NY 12525	City/State/ZIP Code: GARDINER, NY 12525	eMail Address: MRBIG136@AOL.COM	
Facility Contact Person Name: WILLIAM RICHARDS	Contact Person Company Name: PO BOX 136	Address (cont.):	City/State/ZIP Code: GARDINER, NY 12525	Tel. Number: (845) 255-1087	

I hereby certify, under penalty of law, that all of the information provided on this form is true and correct. False statements made herein may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.

Section B - Tank Information

(Please use the key located on the last page to complete each item/column)

Registration Expiration Date:
2/28/2019

PBS Number:
3-601643

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	
Action	Tank Number	Tank Location	Status	Installation, out-of-service, or Permanent Closure Date (mm/dd/yyyy) Application will be returned if blank	Capacity (Gallons)	Product Stored (If Gasoline w/ethanol or Biodiesel, list % additive)	Tank Type	Tank Internal Protection	Tank External Protection	Tank Secondary Containment	Tank Leak Detection	Tank Overfill Prevention	Tank Spill Prevention	Pumping/Dispensing Method	Piping Location	Piping Type	Piping External Protection	Piping Secondary Containment	Piping Leak Detection	Under Dispenser Containment (UDC) (Check box if present)	
	1	3	1	9/1/2000	9,000	0012	01 01 01	01 01 01	01 01 01	04	00	02 03 01	01 02 01	02 03 01	03 01	01 00	00 00	00 09			

Note: If you need to add tanks to your registration, write them in using blank lines above. Attach additional sheets as needed. Blank Section B is available at http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbsrenewal.pdf

PBS Number:
3-601643

Petroleum Bulk Storage Application

Section C - Tank Ownership Information (for PBS tanks listed in Section B)

Tank Owner Information <input type="checkbox"/> Check box if same as Facility (Property) Owner. If tank owner is different from property owner, fill out information below:		Tank Owner Information <input type="checkbox"/> Check box if same as Facility (Property) Owner. If tank owner is different from property owner, fill out information below:	
Tank Owner Name (Company/Individual):		Tank Owner Name (Company/Individual):	
Contact Person:		Contact Person:	
Tank Owner Address:		Tank Owner Address:	
City:	State:	City:	State:
Contact Person Telephone Number:		Contact Person Telephone Number:	
Contact Person email:		Contact Person email:	
Specific Tanks Owned <input type="checkbox"/> Check box if this owner owns all tanks at this facility. If not, list tanks owned by this owner below:		Specific Tanks Owned <input type="checkbox"/> Check box if this owner owns all tanks at this facility. If not, list tanks owned by this owner below:	
Tank Number:		Tank Number:	
Name of Class B (Daily On-Site) Operator:		Name of Class B (Daily On-Site) Operator:	
Authorization No:		Authorization No:	
Name of Class A (Primary) Operator:		Name of Class A (Primary) Operator:	
Authorization No:		Authorization No:	
Page 1 of 1		Page 1 of 1	
PBS No:3-601643		PBS No:3-601643	
1		1	

PETROLEUM BULK STORAGE APPLICATION - SECTION B - TANK INFORMATION - CODE KEYS

Action (1)

- Initial Listing
- Add Tank
- Close/Remove Tank
- Information Correction
- Repair/Reline Tank

Tank Location (3)

- Aboveground-contact w/soil
- Aboveground-contact w/impervious barrier
- Aboveground on saddles, legs, stils, rack or cradle
- Partially buried tank (tank with 10% or more below ground)
- Underground including vaulted with no access for inspection
- Aboveground in Subterranean Vault w/access for inspections

Status (4)

- In-service
- Out-of-service
- Closed-Removed
- Closed-In Place
- Tank converted to Non-Regulated use

Products Stored (7)

- ### Heating Oils: On-Site Consumption
- #2 Fuel Oil
 - #4 Fuel Oil
 - #5 Fuel Oil
 - #6 Fuel Oil
 - Kerosene
 - Clarified Oil
 - Clarified Oil

Heating Oils: Resale/Redistribution

- #2 Fuel Oil
- #4 Fuel Oil
- #5 Fuel Oil
- #6 Fuel Oil
- Kerosene
- Clarified Oil

Motor Fuels

- Gasoline
- Gasoline/Ethanol

- Concrete
- Urethane Clad Steel
- Other-Please list:*

Internal Protection (9)

- None
- Epoxy Liner
- Rubber Liner
- Fiberglass Liner (FRP)
- Glass Liner
- Other-Please list:*

External Protection (10/18)

- None
- Painted/Asphalt Coating
- Original Sacrificial Anode
- Original Impressed Current
- Fiberglass
- Jacketed
- Wrapped (Piping)
- Retrofitted Sacrificial Anode
- Retrofitted Impressed Current
- Urethane
- Other-Please list:*

Oils Used as Building Materials

- Asphaltic Emulsions
- Form Oil

Petroleum Spirits

- White/Mineral Spirits
- Naphtha

Mineral/Insulating Oils

- Insulating Oil (e.g., Transformer, Cable Oil)
- Mineral Oil

Waste/Used/Other Oils

- Waste/Used Oil
- Other-Please list:*

Crude Oil

- Crude Oil
- Crude Oil Fractions

Tank Type (8)

- Steel/Carbon Steel/Iron
- Galvanized Steel Alloy
- Stainless Steel Alloy
- Fiberglass Coated Steel
- Steel Tank in Concrete (FRP)
- Fiberglass Reinforced Plastic (FRP)
- Plastic
- Equivalent Technology

- Impervious Barrier/Concrete Pad (AST Only)
- Statistical Inventory Reconciliation (SIR)

- Woop holes in vaults with no access for inspection
- Other-Please list:*

Overflow Protection (13)

- None
- Float Vent Valve
- High Level Alarm
- Automatic Shut-Off
- Product Level Gauge (AST Only)
- Vent Whistle
- Other-Please list:*

Spill Prevention (14)

- None
- Catch Basin
- Other-Please list:*

Pumping/Dispensing Method (15)

- None
- Pressurized Dispenser
- Suction Dispenser
- Gravity
- On-Site Heating System (Suction)
- On-Site Heating System (Supply/Return)
- Tank-Mounted Dispenser
- Loading Rack/Transfer Pump

Piping Location (16)

- No Piping
- Aboveground
- Aboveground/On-ground Combination

Piping Type (17)

- None
- Steel/Carbon Steel/Iron
- Galvanized Steel
- Stainless Steel Alloy
- Fiberglass Coated Steel
- Steel Encased in Concrete

- Fiberglass Reinforced Plastic (FRP)
- Plastic
- Equivalent Technology
- Concrete
- Copper
- Flexible Piping
- Other-Please list:*

Piping Secondary Containment (19)

- None
- Diking (Aboveground Only)
- Vault (w/access)
- Double-Walled (Underground Only)
- Remote Impounding Area
- Trench Liner
- Double-Walled (Aboveground Only)
- Other-Please list:*

Pipe Leak Detection (20)

- None
- Interstitial Electronic Monitoring
- Interstitial Manual Monitoring
- Vapor Well
- Groundwater Well
- Pressurized Piping Leak Detector
- Exempt Suction Piping
- Statistical Inventory Reconciliation (SIR)
- Other-Please list:*

Under Dispenser Containment (UDC) (21)

Check Box if Present

* If other, please list on a separate sheet including tank number.

** Each of these codes must be combined with code 01 or 06 to meet compliance requirements.