Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Matthew H. Mead, Governor

John Corra, Director

October 5, 2011

Ms. Francisca M. Chambus
US Environmental Protection Agency
1595 Wynkoop Street MC: 8P-W-GW
Denver, CO 80202-1129

RE: Wyoming STP LUST Prevention Grant and LUST Trust Fund Cleanup Grant
Semi-Annual Status Report (April 1, 2011 – September 30, 2011)

Dear Ms. Chambus:

This report provides required information for Wyoming's LUST Prevention Grant and LUST Trust Fund Cleanup Grant. The report includes data for "Indian Owned" facilities that are in our program. Financial Status Report requirements listed under 40 CFR 31.41 are completed annually by WDEQ/Administration and submitted to EPA, Region 8, Grants Office, with a copy to EPA, Region 8, UST/LUST Office. That reporting is not duplicated in this report.

BACKGROUND: The Wyoming Storage Tank Program (STP) regulates underground storage tanks (USTs) and aboveground storage tanks (ASTs). The definition of an UST is the same as the federal definition. ASTs are defined as aboveground storage tanks used by a fuel dealer to dispense gasoline or diesel to the public. The following table provides an overview of the STP in Wyoming:

	4/1/2011	10/1/2011
Total STP Facilities – Statewide Regardless of Status	3,840	3,840
Total Number of *Systems* of all types (includes non-federally regulated systems)	10,631	10,635
Total Number of UST *Systems*	10,057	10,059
Total Number of AST *Systems*	574	576
Total Number of UST Facilities not Permanently Out of Use (POU)	727	717
Total Number of UST *Systems* not POU	1,881	1,867
Total Number of UST *Systems* Temporarily Out of Use (TOU)	127	116
Total Number of AST Facilities not POU	84	83
Total Number of AST *Systems* not POU	146	151
Total Number of AST *Systems* TOU	6	3
Total Number of Petroleum UST Systems (only federally regulated systems)*	10,029	10,031
Total Number of Active Petroleum UST *Systems* (Not POU)	1,888	1,867
Total Number of Hazardous Substance UST *Systems*	29	29
Total Number of Active Hazardous Substance UST Systems (Not POU)	6	6

SECTION 1 – SUMMARY OF ACTIVITIES

A. LUST Prevention: The STP compliance program continued to perform routine and follow up inspections; installation inspections; tank removal inspections; Operator Annual Inspection reviews; facility testing result reviews; operator, tester, and installer licensing; and issuing Notices of Violations for facilities out-of-compliance with STP rules and regulations. Owners/operators were contacted, as needed, to notify the facility of upcoming testing deadlines. The STP received and responded to calls from the regulated community and the public.

B. LUST Trust Fund Cleanup: The STP remediation program continued remediation efforts at contaminated sites in on-going projects. This work included subsurface investigation, design, on-going operation and maintenance activities, construction of designed remedial alternatives, and decommissioning.

SECTION 2 – ACCOMPLISHMENTS/PROBLEMS

A. LUST Prevention:

Cathodic Protection Testing: There are 658 USTs in Wyoming that are protected against corrosion using sacrificial anodes. This number includes both currently in use (CIU) and temporarily out-of-use (TOU) tanks. As of September 30, 2011, only 26 of these tanks had not been tested within the last 3 years. These tanks are located at 13 facilities. This is a 96% compliance rate. There are 438 tanks in Wyoming that are protected against corrosion by impressed current systems. Only 57 tanks at 20 locations have not been tested within the last 3 years. This is an 87% compliance rate.

Inspections: There are 94 facilities remaining for state inspection during this calendar year. This includes inspections to meet the 3-year schedule, inspections scheduled at less than the required 3-year interval because of violations found during a previous inspection and any new facilities that have not yet been inspected for the first time. We expect to make all or nearly all of these inspections without a problem. From April 1, 2011, through September 30, 2011, the STP conducted 200 on-site compliance inspections. The STP conducted 366 on-site compliance inspections during the current federal fiscal year.

Significant Operational Compliance (SOC) Measures: The STP conducted 366 compliance inspections during the past 12 months. SOC compliance rates are:

SOC-1: 96.5%
SOC-2: 95.4%
SOC-3: 92.5%

Operator's Annual Inspection (OAI): During an OAI, the operator is required to complete all tasks the STP does during a field inspection and fully document the inspection in a report to the program. Between October 1, 2010, and September 30, 2011, operators conducted, documented, and reported 557 inspections. All OAIs submitted have been reviewed by the STP.

Enforcement: Since the beginning of the current federal fiscal year, the STP has issued 11 Notices of Violation. These were issued to: Choppers (Guernsey), Fresh Start Convenience Store (Sundance), Sunrise Conoco (Casper), Flying J Travel Plaza (Cheyenne and Rock Springs), Trail Side Travel Plaza (Casper), Parkway Plaza Gas Station (Casper), Collins Car Wash (Casper), McClintock, Inc (Thermopolis), Suzy's (Laramie), Arlington Outpost (Arlington), and Coffee Cup Fuel Stop (Moorcroft) .

Thirty-eight violations were resolved including: Collins Car Wash (4 violations) (Casper), Big Horn Travel Plaza (Buffalo), Stubb's Truck Stop (Lander), Feehan Country Store (2 violations) (Lyman), Natrona Moving and Storage (Casper), Grass Creek store (Grass Creek), Big Horn Coop (Powell), Rim Rock Corner (Cody), Sweetwater County (Rock Springs), Wamsutter Conoco (Wamsutter), Wamsutter Sinclair (Wamsutter), Crowheart Store (Crowhear), Tri County Telephone (Basin), Wagner and Wagner Chevron (Kemmerer), South Lincoln Medical Center (Kemmerer), Valley Mart (Farson), Star Valley Quick Stop (Thayne), Flying J Travel Plaza (Evanston), Ridge Equipment (Cheyenne), Snowy Range Petroleum (Laramie), Alpine Airport (Alpine), AJ's Sinclair (Torrington), Bear Mountain Service (Lagrange), Kinnear Store (Kinnear), Rapid Stop Conoco (Sundance), Torrington Travel Terminal (Torrington), The Rock Stop (Sheridan), Fresh Start (Sundance), Deer Haven Lodge (Ten Sleep), Sunrise Conoco (Casper), Mountain View Texaco (Mountain View), The Place (Saratoga), Teton Cables (Jackson), and Coffee Cup Fuel Stop (Moorcroft).

During the current federal fiscal year, the STP issued one red-tag at the Sunrise Conoco (Casper) and lifted one red-tag at Torrington Travel Terminal in Torrington.

Compliance with the Underground Storage Tank Compliance Act of 2005.

- *Inspect every facility not inspected since December 22, 1998:* This has been completed.
- *Inspect every facility on a three (3) year schedule:* We are on track with this work.
- *Write compliance report of government owned tanks:* This was completed on schedule and updated on schedule. This report is available on our website.
- *Require new tanks and lines within 1,000 feet of a community water supply or a potable water supply well to be installed as double wall tanks and lines:* The state statute was amended to require double wall tanks and lines regardless of distance from a water system.
- *Make available a list of all facilities and underground tanks, statewide:* This list is available on our website. The public records information is available on our website and will be updated annually every September 30.
- *All states must have the ability to prohibit deliveries to non-compliant tanks:* This rule was passed into law by the Governor on August 1, 2008.
- *States must require that operators of underground storage tanks be certified:* The STP chose to require operators to pass either the International Code Council (ICC) - Underground Storage Tank Operator's Test (U6) or the International Code Council - Wyoming State Specific Test (W7). The rule was passed into law by the Governor on November 10, 2008.

Problems: None.

B. LUST Trust Fund Cleanup: As of September 30, 2011, there were 2,738 confirmed releases. We have initiated cleanup at 2,065 releases using state funds and 64 releases using LUST Trust Funds. A total of 1,492 releases have been cleaned up using state funds and 12 releases using LUST Trust Funds. During the current federal fiscal year, 102 releases were resolved.

Problems: None. Problems noted last reporting period have been resolved. Revenue was $2 million higher than last fiscal year. Additionally, we expect that State Lands will not receive a large federal grant, which will lower the state match obligation out of the Corrective Action Account. We are either in the process for consultant selection or will be in the process over the next 6 months for the following projects: North Evanston (selection is complete), Lincoln/Sublette Counties, Rock Springs 2, Rock Springs 3, Pilot Butte, North Big Horn Basin, Pinedale 2, Green River 2, East Casper, Rock Springs 4, and Jeffrey City. The total number of sites in these projects is 128. Additionally, Riverton 3, Central Wyoming, and Albany County Projects are all under construction at this time.

SECTION 3 - SCHEDULES

A. LUST Prevention: The STP is on schedule to complete required compliance activities within timelines established in the grant work plan.

B. LUST Trust Fund Cleanup: By statute, the STP must begin corrective action based on a site's placement on the priority list. Lower priority sites in close geographic proximity to a high priority site are placed in projects because it is cost effective to complete corrective action at a group of sites in close proximity rather than one site at a time. Funding for the program is limited to the balance in the Corrective Action Account. When funding becomes available, new projects are started. As noted in the problems section above, we will be starting projects over the next 6 months comprising 128 sites Based on current projections the last known contaminated site will be remediated in the year 2028.

SECTION 4 – FUNDS

A. LUST Prevention: Wyoming received a federal fiscal year 2011 LUST Prevention grant in the amount of $302,000. The state match was $100,666, for a total of $402,666. The total fiscal year 2011 LUST Prevention Grant (federal plus state match) used between April 1, 2011, and September 30, 2011, was $204,595.56. These funds were used to complete LUST prevention activities authorized in the work plan. This expenditure met planned expenditures for the period.

B. LUST Trust Fund Cleanup: Wyoming received a federal fiscal year 2011 LUST Trust Fund Cleanup grant in the amount of $626,000. The state match was $69,555, for a total of $695,555. The total fiscal year 2011 LUST Trust Fund Cleanup Grant (federal plus state match) used between April 1, 2011, and September 30, 2011, was $298,763.70. Remaining American Resource and Recovery Act (ARRA) funds that could not be used for site cleanup have been used for salaries during the reporting period. The portion of the ARRA grant allocated to personnel costs has been exhausted; therefore, the LUST Trust Fund Cleanup grant funds will again be used for salaries. Typically sites are not remediated using the LUST Trust Fund Cleanup Grant, as the majority of facilities in Wyoming are in the state-funded cleanup program. STP project manager salaries and fringe benefits are paid using the federal LUST Trust Fund Cleanup Grant for remediation project contracts administered by the state.

SECTION 5 – ESTIMATES

A. LUST Prevention: The federal fiscal year 2011 LUST Prevention Grant remaining as of the end of the reporting period was $35.09 (includes the state match).

B. LUST Trust Fund Cleanup: The federal fiscal year 2011 LUST Trust Fund Cleanup Grant remaining as of the end of the reporting period was $130,998.27 (includes the state match). The State's Corrective Action Account has been used to continue to complete remediation at eligible sites. Remaining ARRA grant funds not used for ARRA-eligible projects were retained by the state to be used for administration of non-ARRA projects per EPA. Those funds are being used for salary, fringe and indirect costs. Other administrative costs are funded from the non-ARRA LUST Trust Cleanup Grant. The ARRA funds have been exhausted; therefore, the State will resume using the non-ARRA LUST Trust Cleanup Grant to fund all LUST administrative costs. The State intends to seek a 1-year extension to the current grant in order to expend the funds remaining at the end of this reporting period.

SUMMARY: At this time, the Wyoming STP has an excellent compliance rate. Corrective action is proceeding as quickly as possible, given the financial and technical constraints that we work under. The STP has met the requirements of the Underground Storage Tank Compliance Act of 2005.

Numbers presented in this report were obtained from the STP database as of October 1, 2011. As previously noted, this report contains both non-Indian owned sites and Indian owned sites. Indian owned sites are those sites identified by EPA as in "Indian Country." While the STP reports the Indian owned sites separately as requested by EPA, the State of Wyoming does not agree with the Federal definition of Wyoming "Indian Country." Lists generated as a result of the database queries are on file with the STP and are available upon request.

Sincerely,

Karen L. Halvorsen, P.E.
Storage Tank Program Manager
Solid and Hazardous Waste Division

Cc: Steve Toalson, WDEQ Administration