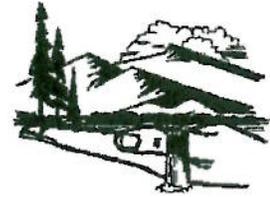




# Department of Environmental Quality

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



Matthew H. Mead, Governor

Todd Parfitt, Director

October 21, 2013

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, 2013 – September 30, 2013)

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 Country" 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) that meet the definition of an UST found in the federal Underground Storage Tank Regulations. STP-regulated aboveground storage tanks (ASTs) are defined as ASTs used by a fuel dealer to dispense gasoline or diesel to the public. This report contains information for STP-regulated USTs only.

TABLE 1 – UST OVERVIEW

	3/31/2013	9/30/2013
Number of UST <i>Facilities</i> not Permanently Out-of-Use (POU) (Active and Temporarily Out-of-Use [TOU])	699	690
Number of Petroleum UST <i>Systems</i>	10,071	10,071
Number of UST <i>Systems</i> Temporarily Out of Use (TOU)	156	138
Number of Active Petroleum UST <i>Systems</i> (Not POU)	1,839	1,814
Number of Hazardous Substance UST <i>Systems</i>	29	29
Number of Active Hazardous Substance UST <i>Systems</i> (Not POU)	6	6

Herschler Building · 122 West 25th Street · Cheyenne, WY 82002 · <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
--	---	---	---	--	--	---



## **SECTION 1 – SUMMARY OF ACTIVITIES**

**A. LUST Prevention:** The STP compliance section continued to perform routine and follow up inspections; installation inspections; tank removal inspections; Operator Annual Inspection Report 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 section continued remediation efforts at contaminated sites in on-going and new 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 616 USTs in Wyoming that are protected against corrosion using sacrificial anodes. This number includes both active and TOU tanks. As of September 30, 2013, only 14 of these tanks had not been tested within the last 3 years. These tanks are located at 7 facilities. This is a 97.7% compliance rate. There are 398 tanks in Wyoming that are protected against corrosion by impressed current systems. Only 15 tanks at 5 locations have not been tested within the last 3 years. This is a 96.62 compliance rate.

**Inspections:** There are no 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. From October 1, 2012, through September 30, 2013, the STP conducted 511 on-site compliance inspections outside of “Indian Country.” The STP conducted 511 on-site compliance inspections during the current federal fiscal year.

**Significant Operational Compliance (SOC) Measures:** The STP conducted 511 compliance inspections outside “Indian Country” during the past 12 months. SOC compliance rates are:

SOC-1: 98.0%  
SOC-2: 97.9%  
SOC-3: 96.1%

**Operator’s Annual Inspection (OAI) Reports:** 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, 2012, and September 30, 2013, operators conducted, documented, and reported 658 inspections. All OAI Reports submitted have been reviewed by the STP.

Enforcement: Since the beginning of the current federal fiscal year, the STP issued 11 Notices of Violation. These were issued to: Collins Car Wash (Casper), Shell C Store #91000 (Rawlins), Ghost Town Truck Stop (Casper), Zip Trip #67 (Casper), Kum and Go #961 (Gillette), Gunsight Pass Ranch (Jackson), Maverick Country Store #187 (Thermopolis), Big Horn Travel Plaza (Buffalo), Kum and Go #955 (Cheyenne), McIntosh Oil (Meeteetse), and Kum and Go #963 (Kemmerer).

Twenty Notices of Violations were resolved during the current federal fiscal year: Kum and Go #955 (Cheyenne), Alcova Lakeside Marina (Alcova), G.A. Enterprises (Worland), Tie Siding General Store (Tie Siding), Nield Oil Company (Afton), Trail Ways (Deaver), Maverick Country Store #187 (Thermopolis), Kum & Go #961 (Gillette), Trailside General Store (Lusk), Hiland Bright Spot (Hiland), Glen Properties (Moorcroft), Collins Car Wash (Casper), Speed Bump Convenience Store (Evanston), Flying J Travel Plaza (Cheyenne), Flying J Travel Plaza (Rock Springs), Zip Trip #67 (Casper), Ghost Town Truck Stop (Casper), South Main Sinclair (Buffalo), and Gunsight Pass Ranch (Jackson), and Split Rock Café (Jeffrey City).

During the current federal fiscal year, the STP issued two delivery prohibitions (red tags) at Collins Car Wash in Casper and Big Horn Travel Plaza in Buffalo. Red tags were lifted at Trail Ways (Deaver), Collins Car Wash (Casper), and Glen Properties (Moorcroft).

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:* This has been completed.
- *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. The Office of Underground Storage Tanks (OUST) had determined that our rule was less stringent than the federal guidance on this matter. The rules were revised in response to OUST's concerns. The revised operator training rules were signed by the Governor on December 14, 2012, and filed with the Secretary of State's Office on December 17, 2012.

Problems: None.

**B. LUST Trust Fund Cleanup:** As of September 30, 2013, there were 2,744 confirmed releases. We have initiated cleanup at 2,314 releases using state funds and 64 releases using LUST Trust Funds. A total of 1,695 releases have been cleaned up using state funds and 14 (including 2 releases using ARRA funds) releases using LUST Trust Funds. During the current federal fiscal year, 82 releases were resolved and cleanup was initiated at 147 releases.

During the reporting period, we entered into engineering contracts for subsurface investigation and design for 4 projects (Fort Bridger, Greybull/Basin 2, W. Park County, and Rock Springs 4) comprising a total of 29 sites. During the reporting period, we implemented corrective action for four projects: Rock Springs 2, Rock Springs 3, Green River 2, and Jeffrey City/Bairoil.

During the next reporting period, we anticipate entering into engineering contracts for the Albany County 2, South Casper, and Dubois projects. These three project comprise 38 sites. Cleanup will be initiated (Corrective Action Plan implemented) for the following projects: Lincoln/Sublette County/Pinedale 2, North Big Horn Basin, Pilot Butte, and Worland 2.

Problems: None. The program continues to start projects as funds are available.

### **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 more 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. Based on current projections, the last known contaminated site will be investigated during state fiscal year 2019 (calendar year 2018), and remediated in state fiscal year 2027 (calendar year 2026).

### **SECTION 4 – FUNDS**

**A. LUST Prevention:** Wyoming received a federal fiscal year 2013 LUST Prevention grant in the amount of \$333,822. The state match was \$130,274, for a total of \$464,096. The total federal fiscal year 2013 LUST Prevention Grant (federal plus state match) used between October 1, 2012, and September 30, 2013, was \$440,537 (subject to reconciliation of final costs on Federal Financial Report). These funds were used to complete LUST prevention activities authorized in the work plan.

**B. LUST Trust Fund Cleanup:** Wyoming received a federal fiscal year 2013 LUST Trust Fund Cleanup grant in the amount of \$474,000. The state match was \$52,667, for a total of \$526,667. The total federal fiscal year 2013 LUST Trust Fund Cleanup Grant (federal plus state match) used between October 1, 2012, and September 30, 2013, was \$956,269 (subject to reconciliation of final costs on Federal Financial Report). Typically sites are not remediated using the LUST Trust Fund Cleanup Grant,

Ms. Francisca Chambus  
October 21, 2013  
Page 5

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**

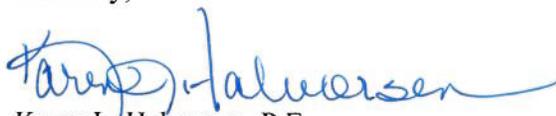
**A. LUST Prevention:** Wyoming has applied for a federal fiscal year 2014 LUST Prevention grant in the amount of \$200,000. The state match is \$66,667. These funds will be used during the next year to complete LUST prevention activities authorized in the work plan.

**B. LUST Trust Fund Cleanup:** Wyoming has applied for a federal fiscal year 2014 LUST Prevention grant in the amount of \$638,207, with a state match of \$70,912. These funds will be used during the next year for salaries and fringe benefits of STP project managers administering state-funded remediation contracts.

**SUMMARY:** At this time, the Wyoming STP has an excellent compliance rate (96.1% SOC-3 for the federal fiscal year). 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 September 30, 2013. As previously noted, this report contains both “non-Indian Country” sites and “Indian Country” sites. “Indian Country” sites are those sites identified by EPA as in “Indian Country.” While the STP reports the “Indian Country” 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: Alan Edwards, Acting SHWD Administrator  
Steve Toalson, WDEQ Administration