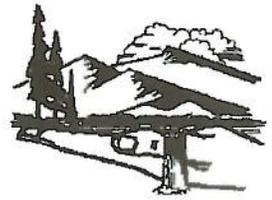




# Department of Environmental Quality

*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 2, 2014

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

RE: Wyoming Storage Tank Program (STP) LUST Prevention Grant and LUST Trust Fund Cleanup Grant Semi-Annual Status Report (April 1, 2014 – September 30, 2014)

Dear Ms. Chambus:

This report provides required information for Wyoming's LUST Prevention Grant and LUST Trust Fund Cleanup Grant. 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 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

	3/31/2014	9/30/2014
Number of UST <i>Facilities</i> not Permanently Out-of-Use (POU) (Active and Temporarily Out-of-Use [TOU])	685	672
Number of Petroleum UST <i>Systems</i>	10,078	10,091
Number of UST <i>Systems</i> Temporarily Out of Use (TOU)	140	127
Number of Active Petroleum UST <i>Systems</i> (Not POU)	1,805	1,778
Number of Hazardous Substance UST <i>Systems</i>	29	29
Number of Active Hazardous Substance UST <i>Systems</i> (Not POU)	6	6



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

**A. LUST Prevention:** The STP compliance section continued to perform routine and follow up inspections, installation inspections, and tank removal inspections; Operator Annual Inspection Report reviews; facility testing result reviews; operator, tester, and installer licensing; and issuing Notices of Violations to facilities out-of-compliance with STP rules and regulations. Operator training was conducted and installer/tester roundtables were held. Owners/operators were contacted, as needed, to notify the facility of upcoming testing deadlines. The compliance section 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, remedial alternative design, on-going operation and maintenance activities, construction of designed remedial alternatives, and decommissioning. The remediation section received and responded to calls from the regulated community and the public and assisted with tank system installation and removal inspections.

## **SECTION 2 – ACCOMPLISHMENTS/PROBLEMS**

### **A. LUST Prevention:**

**Cathodic Protection Testing:** There are 600 USTs in Wyoming that are protected against corrosion using sacrificial anodes. This number includes both active and TOU tanks. As of September 30, 2014, 30 of these tanks had not been tested within the last 3 years. These tanks are located at 11 facilities. This is a 95.0% compliance rate. There are 366 tanks in Wyoming that are protected against corrosion by impressed current systems. Only 11 tanks at 4 locations have not been tested within the last 3 years. This is a 97.0% compliance rate.

**Inspections:** There are no facilities remaining for state inspection during this calendar year to meet the required 3-year inspection cycle. Wyoming is attempting to inspect every facility on a 2-year interval. From October 1, 2013, through September 30, 2014, the STP conducted 374 on-site compliance inspections; 2 of these were in “Indian Country.”

**Significant Operational Compliance (SOC) Measures:** The STP conducted 374 compliance inspections during the past 12 months. SOC compliance rates are:

SOC-1: 97.9% - 8 facilities were out-of-compliance; 1 of these was in “Indian Country”  
SOC-2: 93.1% - 26 facilities were out-of-compliance; 1 of these was in “Indian Country”  
SOC-3: 91.2% - 33 facilities were out-of-compliance; 1 of these was in “Indian Country”

**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, 2013, and September 30, 2014, operators conducted, documented, and reported 597 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: Kum and Go #953 (Buffalo), Wamsutter Phillips 66 (Wamsutter), Bradley #15 (Casper), Buckhorn Grocery and Gas (Ranchester), Good to Go Store #18 (Sheridan), Rock Springs/Sweetwater County Airport (Rock Springs), Rawlins Travel Center (Rawlins), Obo's Market (Pinedale), Wamsutter Conoco (Wamsutter), Hanna Card Lock (Hanna), and Arlington Outpost (McFadden).

Ten Notices of Violations were resolved during the current federal fiscal year: Krafts Service Center (Worland), Arlington Outpost (McFadden), Laura's Place (Cora), Kum and Go #963 (Kemmerer), Meadowlark Lake Lodge (Ten Sleep), Kum and Go #953 (Buffalo), Stage Stop (Cheyenne), Choppers (Guernsey), Wind River High School (Kinnear), and Shell C-Store #91000 (Rawlins).

During the current federal fiscal year, the STP issued two delivery prohibitions (red tags) to Wamsutter Phillips 66 in Wamsutter and Arlington Outpost in McFadden. Red tags were lifted at Krafts Service Center in Worland and Fort Devils Tower in Devils Tower.

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. Wyoming is attempting to inspect every facility on a two (2) year schedule.
- *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 is updated annually on September 30.
- *All states must have the ability to prohibit deliveries to non-compliant tanks:* This rule was promulgated 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 promulgated 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, 2014, there were 2,780 confirmed releases; 112 of these were in "Indian Country." We have initiated cleanup at 2,495 releases using state funds (including

110 releases in “Indian Country”) and 64 releases using LUST Trust Funds. A total of 1,809 releases have been cleaned up using state funds (including 67 releases in “Indian Country”) and 14 releases (including 2 releases using ARRA funds) using LUST Trust Funds. During the current federal fiscal year, cleanup was completed at 114 releases (2 of which were in “Indian Country”) and cleanup was initiated at 181 releases.

During the reporting period, we entered into an engineering contract for subsurface investigation and design for three projects (South Casper, Dubois, and Lander/Hudson) comprising 95 releases. During the reporting period, we initiated corrective action for sites in several projects including East Casper, West Park County, Pilot Butte, and Worland 2. Corrective action was also initiated at several single sites that were added to existing projects. Corrective action was initiated at a total of 84 releases during the reporting period.

During the next reporting period, we anticipate entering into an engineering contract for the Southeast Wyoming project (22 releases). Cleanup will be initiated (Corrective Action Plan implemented) for the Rock Springs 4 project (34 releases).

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 combined into projects because it is more cost effective to complete corrective action at a group of sites in close proximity to one another 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 2017 (calendar year 2016) and remediated in state fiscal year 2026 (calendar year 2025).

### **SECTION 4 – FUNDS**

**A. LUST Prevention:** Wyoming received a federal fiscal year 2014 LUST Prevention grant in the amount of \$200,000. The state match was \$66,667, for a total of \$266,667. The total federal fiscal year 2014 LUST Prevention Grant (federal plus state match) used between October 1, 2013, and September 30, 2014, was \$266,667 (subject to reconciliation of final costs on the Federal Financial Report). An additional \$160,366 of state funds were used to continue LUST prevention work after the federal grant was exhausted. These funds were used to complete LUST prevention activities authorized in the work plan.

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**B. LUST Trust Fund Cleanup:** Wyoming received a federal fiscal year 2014 LUST Trust Fund Cleanup grant in the amount of \$638,207. The state match was \$70,912, for a total of \$709,119. The total federal fiscal year 2014 LUST Trust Fund Cleanup Grant (federal plus state match) used between October 1, 2013, and September 30, 2014, was \$709,119 (subject to reconciliation of final costs on the Federal Financial Report). An additional \$158,689 of state funds were used to continue LUST cleanup work after the federal grant was exhausted. Typically sites are not remediated using the LUST Trust Fund Cleanup Grant because 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:** We expect to use the entire FY2015 grant by the end of the next federal fiscal year. The funds will be used for compliance inspections and other activities approved under the 2015 work plan.

**B. LUST Trust Fund Cleanup:** We expect to use the entire FY2015 grant by the end of next federal fiscal year. Remediation will continue at eligible sites using the state's Corrective Action Account after the grant is exhausted.

**SUMMARY:** At this time, the Wyoming STP has an excellent compliance rate (91.2% SOC-3 for the current reporting period). 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, 2014. This report contains both "non-Indian Country" sites and "Indian Country" sites. "Indian Country" sites are those identified by EPA as in "Indian Country." However, the State of Wyoming does not agree with the federal definition of "Indian Country" in Wyoming. These data are provided as requested by EPA only to reconcile reporting between Wyoming and EPA. Submittal of these data as "Indian Country" does not constitute an agreement by Wyoming of the federal "Indian Country" definition in Wyoming.

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: Luke Esch, SHWD Administrator  
Steve Toalson, WDEQ Administration