



U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION 1 – NEW ENGLAND

5 POST OFFICE SQUARE, SUITE 100

BOSTON, MASSACHUSETTS 02109-3912

CAA 112 (r), Risk Management Plan (RMP), CAA § 112(r)(1) General Duty Clause (GDC), CERCLA § 103, and EPCRA §§ 302-312 Compliance Evaluation Inspection of:

Bemer Petroleum Corporation

**210 Commerce Street
184 Commerce Street
95 Oakwood Drive**

Glastonbury, CT 06033

3/18/2024

Date of Inspection

Leonard Wallace

Waste and Chemical Compliance Section

4/26/2024

Date Inspection Report Approved

Mary Jane O'Donnell, Manager

Waste and Chemical Compliance Section

4/26/2024

Date Inspection Report Finalized

4/26/2024

Date Inspection Report Transmitted to Facility

Disclaimer: Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.



REGION 1

BOSTON, MA 02109

Date: April 26, 2024

From: Leonard Wallace IV, Andrew Meyer, and Aaron Gilbert, U.S. EPA Enforcement Officers

Through: Mary Jane O'Donnell, Manager
Waste and Chemical Compliance Section

To: File

Subject: Chemical Accident Investigation and Inspection, Clean Air Act (CAA) Risk Management Plan (RMP) Section 112(r) and General Duty Clause (GDC) Section 112(r)(1) and Emergency Planning and Community Right-To-Know Act (EPCRA) Sections 302-312, and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 103 of Bemer Petroleum Corporation in Glastonbury, Connecticut.

I. GENERAL INFORMATION

Facility Name: Bemer Petroleum Corporation
Dun and Bradstreet Number: 174337659
RMP Number: Undetermined

Address(es): 210 Commerce Street, Glastonbury, CT 06033
184 Commerce Street, Glastonbury, CT 06033
95 Oakwood Drive, Glastonbury, CT 06033

Inspector Names: Leonard B. Wallace, IV, U.S. Environmental Protection Agency (U.S. EPA) Region 1
Andrew Meyer, U.S. EPA Region 1
Aaron Gilbert, U.S. EPA Region 1
Karissa Oakes, U.S. EPA Region 1
Wing Chau, U.S. EPA Region 1
Liam Prendergast, Eastern Research Group, Inc. (ERG)
John Burton, Weston Solutions
Daniel DiReinzo, CTDOT District 1
Amy Mettica, CTDOT District 1
Kevin Martin, CTDOT District 1
Dave Keating, CT DEEP
Suzanne Simone, Town of Glastonbury
Michael Makuch, Town of Glastonbury Fire Marshall

Inspection Date: March 18, 2024

Type of Inspection: CAA § 112(r) Risk Management Program (RMP) and General Duty Clause (GDC), CERCLA § 103, and EPCRA §§ 302-312 Compliance Evaluation Inspection

Purpose of Inspection: This inspection was conducted as a routine EPA CAA § 112(r) RMP/ GDC/EPCRA compliance evaluation inspection. The Bemer Petroleum Corporation Facility in Glastonbury, Connecticut (CT) was selected for inspection due to a referral from the Occupational Safety and Health Administration (OSHA) and Connecticut Department of Energy and Environmental Protection (DEEP).

Current Owner: Bruce Bemer (President, Bemer Petroleum)

Current Operator: Bemer Petroleum Corporation

Primary NAICS codes: 457210 - Fuel Dealers

Number of full-time employees (FTEs): Roughly 20 personnel on staff at the time of the inspection including full-time and part-time employees

Estimated Annual Sales: 9 to 11 million gallons annually of propane (roughly 25 to 30 thousand gallons daily)

Relationship to other firms, parent corporation, subsidiaries, and location of off-site facilities: Bemer Aviation Incorporated

Parent Corporation: Bemer Petroleum Corporation

II. GENERAL FACILITY DESCRIPTION

The Bemer Petroleum Corporation Facility in Glastonbury, CT (Bemer, or the Facility) is a year-round propane distributor. The 210 Commerce Street property includes an onsite office building, mechanics' garage, and three product loading/filling stations: one for large tank trucks, a second for RV and food trucks, and one for small 20–100-pound consumer propane tanks. The 184 Commerce Street and 95 Oakwood Drive properties are used as chemical storage areas, and each property has interior warehouse space that was not inspected during the onsite inspection.

Bemer originally opened in the 1950s as a residential, commercial, and industrial distributor of propane. The Facility has remained in operation since the 1950s and has grown in capacity, adding two large propane storage tanks, totaling 90,000-gallons of storage between the two tanks: one in the 1980s and a second in the 1990s. Additionally, Bemer distributes many other gasses such as medical-grade Nitrous Oxide gas. Facility personnel indicated during the onsite inspection that a second building at the 210 Commerce Street property was used as a filling station for residential sized 20-pound propane tanks and includes a pull-through filling station for Recreational Vehicles (RVs) and Food Trucks. Facility personnel reported that they employ approximately 20 full-time employees that support day-to-day site operations and logistics. At the time of the inspection, the 210 Commerce Street property was actively distributing propane.

The 184 Commerce Street and 95 Oakwood Drive properties are used for overflow storage of chemical storage containers, drums, other vehicles, and truck trailers.

The facility is in a primarily industrial area in Glastonbury, CT. Other industrial facilities are located approximately 0.25-miles to the northwest and east of the three locations. Connecticut Highway-2 borders the 210 Commerce Street and 184 Commerce Street properties on the southwestern side. Attachment 1 includes a GoogleEarth® aerial photograph of the properties owned/operated by Bemer located in Glastonbury, CT.

III. IN-BRIEF/OPENING CONFERENCE

The U.S. EPA inspection team including Leonard Wallace, IV, Andrew Meyer, Aaron Gilbert, Liam Prendergast, Eastern Research Group Inc. (ERG) U.S. EPA contractor inspector, and John Burton, Weston U.S. EPA contractor, entered the Facility at approximately 9:02 AM EST. The U.S. EPA inspection team was supported by the individuals listed in **Table 1** from other branches of U.S. EPA – Region 1, Town of Glastonbury Fire Marshall, Town of Glastonbury Representatives, Connecticut Department of Transportation (CTDOT), and Connecticut Department of Energy & Environmental Protection (CT DEEP):

Table 1. Inspection Participants, Government Agencies:

Name	Title/Company	Phone Number	E-mail
Karissa Oakes	USEPA – Region 1	(617) 918-1060	Oakes.Karissa@epa.gov
Wing Chau	USEPA – Region 1	(617) 918-1254	Chau.Wing@epa.gov
Michael Makuch	Town of Glastonbury Fire Marshall	(860) 576-1293	Michael.Makuch@glastonburyct.gov
Suzanne Simone	Town of Glastonbury Wetlands Official	(860) 659-7514	Suzanne.Simone@glastonburyct.gov
Daniel DiReinzo	CTDOT (District 1)	(860) 258-4502	Daniel.Dereinzo@ct.gov
Amy Mettica	CTDOT (District 1)	(860) 258-4506	Amy.Mettica@ct.gov
Kevin Martin	CTDOT (District 1)	(860) 258-4521	Kevin.Martin@ct.gov
Dave Keating	CT DEEP	(860) 729-4945	David.Keating@ct.gov

The U.S. EPA inspection team presented identification to Mr. Dan Greene, Operations Manager present at the time of entry. Inspector Wallace subsequently conducted the In-Brief/Opening Conference, explaining the reason and scope of the inspection. Inspector Wallace presented the EPCRA Notice of Inspection form to Mr. Greene, who signed as the Recipient of the Notice. Mr. Greene did not attempt to deny entry to the Facility to the U.S. EPA inspection team and did not invoke any claims of Confidential Business Information (CBI) for the purposes of the inspection. Mr. Greene did not participate in the onsite inspection but asked Mr. Chris Simone, listed in **Table 2** along with Mr. Greene, to participate in the onsite inspection portion of the inspection:

Table 2. Facility Representatives:

Name	Title/Company	Phone Number	E-mail
Dan Greene	Operations Manager Bemer Petroleum	(860) 659-3535 Extension 119	DGreene@bemers.com
Chris Simone	Mechanic Bemer Petroleum	(860) 268-9716	CSimone123321@gmail.com

Inspector Wallace shared the following guidance documents with Facility representatives during the In-Brief/Opening Conference:

1. Guide to the Emergency Planning and Community Right-to-Know Act (Fall 2020)
2. EPCRA Quick Reference Fact Sheet (Fall 2020)
3. Small Business Resource Information Sheet (February 2020, EPA-300-F-20-002)
4. National Response Center Oil and Chemical Spill Reporting Flyer

Inspector Wallace stated that after the opening meeting, the inspectors would do a walk-through inspection of all areas of the Facility where propane and other chemicals were currently present. Inspector Wallace stated the inspection team would be taking photographs of items and areas of interest and a copy of all photographs taken would be made available to the Facility representatives after the inspection.

IV. PHYSICAL INSPECTION

The U.S. EPA inspection team conducted a walk-through of the following areas at the Facility:

1. Exterior of the office building
2. Interior of the mechanic's garage and associated storage room
3. Basement storage area beneath office building
4. Storage area behind the office and Filling building
5. Large propane tank filling station and associated propane tanks
6. Exterior and interior of the Filling building
7. Driveway to the Western side of the 210 Commerce Street property
8. All exterior storage areas at the 184 Commerce Street property
9. Fenceline of the 184 and 210 Commerce Street property adjacent to CTDOT Highway property
10. All exterior storage areas at the 95 Oakwood Drive property

Inspector Wallace took a total of 279 digital photographs during the inspection to provide reference documentation of conditions observed. The photographs are referenced throughout the document.

The following include areas of concern identified in each of the areas during the physical inspection.

Exterior of the Main Office Building

The U.S. EPA inspection team approached the main office building and mechanics garage from the northern side of the building, beginning in the parking lot. EPA inspectors began by observing the exterior of the mechanics garage and wetlands on the Eastern side of the property.

EPA inspectors identified the following areas of concern based on a tour of the exterior main office building.

- No Windssocks observed during the inspection (Photographs P1140581, P1140637, P1140638, P1140690, P1140770).
- The chain link fencing located along the facility fence line contained no personal paths of egress equipped with panic hardware along any length of the property line (Photographs P1140581, P1140588, and P1140765).
- Inspectors observed numerous vehicles (i.e., trucks and heavy machinery) parked on the edge of the main paved areas and against the surrounding wetlands without any parking chocks placed beneath the wheels (Photographs P1140584, P1140613, and P1140756).
- General housekeeping issues were observed throughout the Facility such that there was a consistent difficulty to identify a clear path of exit from chemical storage areas in case of an emergency (Photographs P1140621, P1140672, P1140685, P1140716, P1140719, and P1140720).
- It was unknown if the storm drains observed during the inspection were equipped with oil water separators and ran directly into the wetlands (Photographs P1140579, P1140624, and P1140725).
- Inspectors observed unused personal vehicles, chemical storage tanks with unknown contents, and miscellaneous debris stored in the wetlands surrounding the property and/or buried in soil throughout the property (Photographs P1140610, P1140666, P1140677, P1140682, and P1140745).
- Combustible vegetation was observed to be growing near, on, and/or between chemical tanks with unknown contents (Photographs P1140636, P1140676, P1140681, P1140748, P1140751, and P1140753).

- Multiple bulk flammables storage vessels were not adequately affixed with National Fire Protection Association (NFPA) diamonds to indicate the presence of potential chemical hazards (Photographs P1140620, P1140635, P1140640, P1140646, P1140686, and P1140700).
- Entry/egress doors to the main office building were not affixed with NFPA diamonds to indicate the presence of potential chemical hazards (Photographs P1140582, P1140586, and P1140609).
- Vegetation was growing on the propane inlet piping to the office building (Photographs P1140617 and P1140618).
- Inspectors observed multiple vehicles filled with flammable product, used as stationary bulk chemical storage tanks on the Eastern and Southern sides of the office building without valid registrations allowing them to be transported (Photographs P1140626, P1140627, P1140725, and P1140752).
- Propane piping outside the office building was not affixed with appropriate labeling (i.e., contents, direction of flow, phase) (Photographs P1140617 and P1140618).
- The electrical panel marked “Panel P” located near the property access gate was housed in a wooden enclosure (Photograph P1140762).
- The electrical panel that operates the western property access gate was surrounded by combustible vegetation that is growing beneath, around, and above the wooden panel housing and associated conduit (Photograph P1140762).
- Inspectors observed that the control box cover lacked any signage indicating a manual override for the mechanized gate used for personal egress in the case of an emergency during a power failure at the western access gate to the property (Photographs P1140763, P1140764, and P1140765).

Mechanics’ Garage and Other Interior Chemical Storage

The U.S. EPA inspection team entered the mechanics garage through the primary entry/egress door located on the east side of the structure to observe chemical storage within the mechanics’ garage and associated chemical storage areas.

EPA inspectors identified the following areas of concern based on a tour of the interior of the mechanics’ garage and interior chemical storage areas.

- Several oil drums and other chemical containers were stored without appropriate secondary containment throughout the main work area of the mechanics’ garage and the storage room at the back of the garage (Photographs P1140593 and P1140594).
- Liquids materials and other storage containers are within the 36-inch exclusion zone around the electrical panels (Photograph P1140592).
- Several Nitrous Oxide gas cylinders did not have proper restraint system to keep them from falling over (Photograph P1140604).
- Nitrous Oxide was not stored within a cabinet for flammables in the storage area to the back of the mechanics’ garage. The flammables cabinet was not large enough to contain all inventory of the chemical tanks present, which is why several tanks were stored adjacent to but outside of the designated flammables cabinet (Photograph P1140604).
- Inspectors observed that the flammables chemical storage cabinet and adjacent Nitrous Oxide tanks were not separated from combustible materials as there were boxes and other materials stored against and on top of the flammables chemical storage cabinet and adjacent chemical tanks. Although Nitrous Oxide is not inherently flammable, it is classified as an oxidizer, and therefore can accelerate the combustion rate of a flame (Photographs P1140604 and P1140605).
- The flammables chemical storage cabinet within the back storage room was observed to be unlocked at the time of the inspection with no evidence of the ability to lock the cabinet at any given time. Additionally, the flammables chemical storage cabinet was not grounded (Photograph P1140604).
- The flammables chemical storage cabinet within the back storage room did not have NFPA diamonds posted to denote potential hazards of substances contained within the cabinet (Photograph P1140604).
- One drum appeared damaged and the inspectors could not be identify to what was in this drum (Photographs P1140607 and P1140608).

- There were other drums and containers of materials with no secondary containment (Photographs P1140604 and P1140608).
- Door opened the wrong way and had no NFPA diamonds posted to denote potential hazards inside building (Photograph P114060).

Basement Storage Area Below Office Building

The U.S. EPA inspection team accessed the basement storage area using the door in the back of the mechanics' garage with stairs leading to the lower level.

EPA inspectors identified the following areas of concern based on a tour of the basement level of the main office building.

- Various chemical containers not stored properly and some having no secondary containment (Photograph P1140595).
- Drums observed with black colored liquid on the top (Photograph P1140603).
- The sump pump located in the basement of the office building was observed to be open and contained a hose running directly into the wastewater line for the building through a removed cap (Photographs P1140600, P1140601, and P1140602).

Storage Area on the South Side of the Office Building and Filling Building

The U.S. EPA inspection team observed the surrounding storage areas, including the wetlands surrounding the property, starting at the southeastern corner of the office building after exiting from the storage room located to the south of the mechanics' garage. Inspectors traveled west from the office building and then south past chemical storage areas on the paved area of the property to the largest stretch of bordering wetlands.

EPA inspectors identified the following areas of concern based on a tour of the exterior storage behind the office and filling building.

- Inspectors observed numerous vehicles (i.e., trucks and heavy machinery) parked on the edge of the main paved areas and against the surrounding wetlands without any parking chocks placed beneath the wheels (Photographs P1140584, P1140613, and P1140756).
- General housekeeping issues were observed throughout the Facility such that there was a consistent difficulty to identify a clear path of exit from chemical storage areas in case of an emergency (Photographs P1140621, P1140672, P1140685, P1140716, P1140719, and P1140720).
- Inspectors observed unused personal vehicles, chemical storage tanks with unknown contents, and miscellaneous debris stored in the wetlands surrounding the property and/or buried in soil throughout the property (Photographs P1140610, P1140666, P1140677, P1140682, and P1140745).
- Combustible vegetation was observed to be growing near, on, and/or between chemical tanks with unknown contents (Photographs P1140636, P1140676, P1140681, P1140748, P1140751, and P1140753).
- Inspectors observed a propane inlet access port that was uncovered and open to weathering in the bank leading down to the wetlands area on the eastern side of the property (Photographs P1140615 and P1140616).
- Bulk flammable storage vessels and other chemical tanks were stored with inadequate spacing between them, preventing inspectors from being able to conduct a visual inspection of tank conditions (Photographs P1140620, P1140635, P1140672, P1140703, P1140716, P1140719, and P1140720).
- Hoses used for chemical transfer throughout the Facility were not consistently affixed with unique, individual identifiers to provide evidence of a hose program at the facility (Photographs P1140621, P1140643, and P1140653).
- Inspectors observed multiple vehicles filled with flammable product, used as stationary bulk chemical storage tanks throughout the Southern storage area behind the office and filling buildings without

valid registrations allowing them to be transported (Photographs P1140626, P1140627, P1140725, and P1140752).

- A previously filled propane truck had evidence of a fire originating from the engine compartment. Inspectors were informed by the town Fire Marshal that there had been a fire, where the local Fire Department responded. Fire Marshal representatives indicated that the filled propane trucks located next to the source of the fire were in the same position on the day of the inspection as they had been when the Fire Department responded (Photograph P1140822).
- Inspectors were informed by the town Fire Marshal that the propane truck with evidence of a previous fire was no longer filled due to a gradual leak that had allowed an unknown amount of the propane, originally stored in the truck, to be released into the atmosphere (Photograph P1140822).
- The facility had two trucks identified by facility personnel as containing diesel fuel to fill the company's trucks (Photographs P1140814 (Red and White colored truck), P1140818, and P1140821).
- One diesel fuel truck was identified by facility personnel to be used to get new diesel fuel to fill the other two trucks and to do home oil fuel deliveries (Photographs P1140814 and P1140815).
- Some parts of the property at 210 and 184 Commerce Street were more than 300-feet from a fire hydrant with gas cylinders, tanks, and trucks.

Two Large Propane Tank Filling Station and Associated Propane Tanks

The U.S. EPA inspection team approached the filling station for the two large propane tanks, heading northwest from the wetlands on the southern edge of the property.

EPA inspectors identified the following areas of concern based on observations from the filling station for the two large propane tanks and surrounding area.

- The heat detection system for the two large propane tanks was located above the filling station and none above the associated piping and pumps for the tanks, which would be another location of a leak and/or source of ignition (Photographs P1140640 and P1140661).
- Fire suppression on the roof of the office building adjacent to the two large propane tanks may not have the ability and positioning to properly cool both propane tanks from multiple angles to prevent a Boiling Liquid Expanding Vapor Explosion (BLEVE) in case of a fire within or near the propane tanks (Photograph P1140638).
- No leak fire or detection camera system was observed surrounding the two large propane tanks.
- The heat detection station at the rear of the 30,000-gallon propane tank was identified as not working (Photographs P1140661), P1140662, and P1140671).
- No LEL (Lower Explosive Limit) gas detectors system was observed surrounding the two large propane tanks.
- No Gas & Flame Detection system was observed surrounding the two large propane tanks.
- No containment or capture system was in place surrounding the two large propane tanks to capture water that would be used to control a BLEVE at the facility.
- Protective barriers were not in the correct location or secured to the ground to provide adequate guarding and protection from vehicle impact to chemical piping located in front of the filling station (Photographs P1140639 and P1140642).
- The propane filling station associated with the two large propane tanks was not grounded or bonded to allow for the equalization of static charge between the tanks and/or container(s) being filled (Photograph P1140640).
- There was no quick disconnect at the propane filling station associated with the two large propane tanks to prevent a release in the case of a truck moving away while still connected to the charging station (Photograph P1140640).
- Inspectors observed a methanol drum in front of the filling station for the two large propane tanks, used to prevent the separation of water within the propane tanks. The methanol drum was not grounded or located in adequate secondary containment (Photographs 646 and P1140647).

- The manual Emergency Stop activation switch was not clearly labeled for the two large propane tanks (Photograph P1140648).
- There were not any signs observed near the two large propane tanks stating PROPANE FLAMMABLE NO SMOKING (Photograph P1140639).
- Tanker trucks filled with an unknown amount of propane were parked between and next to the two large propane tanks (Photographs P1140639, P1140650, P1140659, and P1140671).
- Various vehicles were parked within 10-feet of the large propane tanks (Photographs P1140639 and P1140650).
- Inspectors observed that the foundation beneath the 60,000-gallon propane tank may not be built wide enough to support the full weight of the tank (Photograph P1140651).
- The two large propane tanks did not have means of being secured to their respective foundations. The 60,000-gallon tank was not bolted to its foundation and the 30,000-gallon tank did not have a harness securing the tank to the saddle (Photographs P1140651, P1140654, P1140655, and P1140660).
- Inspectors observed corrosion on the 30,000-gallon propane tank at the contact point between the tank and the saddle foundation and on associated propane piping (Photographs P1140655, P1140656, P1140657, and P1140658).
- Inadequate piping supports were observed on propane piping associated with the two large propane tanks (Photograph P1140665).
- On the westernmost side of the 30,000-gallon tank, inspectors observed a large crack in the concrete saddle, spanning through roughly $\frac{3}{4}$ of the supporting structure and crack in the concrete start on the other side of the saddle (Photographs P1140676, P1140678, and P1140660).
- The two large propane tanks had associated Pressure Relief Valves (PRVs) that appeared rusty. The facility representative stated that he did not know when they were last replaced (Photographs P1140639 and P1140640).
- The two large propane tanks had no NFPA diamonds posted and were not marked with the word Propane (Photographs P1140639 and P1140650).
- The two chemical fill ports, one painted red and one painted yellow, were not marked in any way regarding what chemicals could be filled into the two large propane tanks that they service (Photograph P1140648).
- There was dry vegetation, plastic containers, metal drums, small propane tanks and other debris located under the two large propane tanks (Photographs P1140642, P1140645, P1140650, P1140655, P1140659, and P1140663).
- At the time of the inspection, Inspectors were unable to assess the existence and/or condition of Cathodic protection (CP) for the underground propane pipes running from the two large stationary propane tanks the two propane filling areas.

Exterior and Interior of the Filling Building

The U.S. EPA inspection team approached the Filling building after leaving the area designated for the two large propane tanks and filling station.

EPA inspectors identified the following areas of concern based on a tour of the interior and exterior of the Filling building.

- Thirteen drums of Methanol were observed outside in the elements, with no secondary containment. Other drums and cylinders were also stored in the area. (Photographs P1140691, P1140692, P1140693, P1140694, P1140659, and P1140695).
- Facility representatives identified a small propane filling station where the public could come and have propane tanks, or vehicle propane tanks filled. In this area, the inspection team observed the following: (Photographs P1140697, P1140710, and P1140711)
 - The filling station was located right next to egress stairs;
 - The filling station did not have Static Ground Verification and Overfill Prevention inter-lock system;

- The filling station was not equipped with breakaway filling hoses;
- Debris was scattered around the filling station area impeding movement in the area;
- The filling station was not equipped with an emergency stop (“E-Stop”); and
- There were no signs in the area marked PROPANE FLAMMABLE NO SMOKING.
- Inside the building where the propane cylinders are filled, the inspection team observed the following: (Photographs P1140706, P1140707, P1140709, and P1140715).
 - The area was not equipped with emergency stop switches (“E-Stops”) or emergency shutdown capabilities;
 - The area was not equipped with any gas leak detection system;
 - The area was not equipped with any air ventilation systems; and
 - The area was not equipped with any emergency fire suppression systems.
 - The filling stations did not have a Static Ground Verification and Overfill Prevention inter-lock system.
- Propane pipe inside of the filling building was not affixed with appropriate labeling (i.e., contents, direction of flow, phase) (Photographs P1140708 and P1140709).
- The Propane pipes from the two large outside propane tanks came out of the ground on the outside of the building and entered through the wall. The propane pipes were covered with gray colored metal with no bump protection (Photograph P1140723).
- Chemical storage cylinders were inadequately secured to prevent cylinders from tipping over. Inspectors specifically observed this condition in the back storage room of the office building present on the 210 Commerce Street property (Photographs P1140696 and P1140703).
- An Oxygen cylinder was marked “Leak When On” and “Tank Full” which was on red colored tape. The Oxygen cylinder was mixed in with other gas cylinders such as propane and not secured from falling over (Photographs P1140711, P1140713, and P1140714).
- Different size cylinders were not properly secured (Photographs P1140700, P1140701, P1140702, P1140703, P1140716, and P1140717).
- Different types of potentially incompatible gas cylinders were observed in storage without chemical segregation, including the following gasses: (Photographs P1140700, P1140703, P1140714, P1140716, and P1140717).
 - Propylene
 - Hydrogen
 - Methane
 - Oxygen
 - Acetylene
 - Helium
 - Propane
 - Nitrogen

Driveway to the Western side of the 210 Commerce Street Property

The U.S. EPA inspection team entered the driveway wrapping around the Western side of the 210 Commerce Street property from the drive entrance off from the northwestern corner of the Filling building.

EPA inspectors identified the following areas of concern based on a tour of the Western drive on the 210 Commerce Street property.

- Inspectors observed multiple instances of chemical storage drums and some marked Methanol under duress and/or that had been structurally compromised, particularly in the area leading toward the southwestern corner of the 210 Commerce Street property. Please note Methanol has a Resource Conservation and Recovery Act (RCRA) Code U154 (Photographs P1140728, P1140729, P1140730, P1140736, P1140739, and P1140740).

- While traveling down the drive leading to the southwestern corner of the property, lead acid batteries were observed to be stored on the ground and open to weathering near the surrounding wetlands (Photographs P1140734, P1140736, P1140737, P1140738, and P1140742).
- The Inspection team observed an abandoned vehicle being stored in the wetlands abutting the property (Photographs P1140743 and P1140745).
- One Propane tank truck which was being used for storage was filled to about 93 percent, which is above the amount allowed by Department of Transportation (DOT) or stationary tank requirements (Photographs P1140725 and P1140733).
- There was truck in the brush with rusted Acetylene cylinders on it (Photograph P1140725).
- Some cylinders that were stacked were tipping over toward the wetlands (Photograph P1140735).
- Many different types of cylinders and tanks were not protected for being struck and proper restraint system to keep them from falling over (Photographs P1140735, P1140741, and P1140744).
- There was a broken wood fence holding back some cylinders from falling down the embankment and other parts of the wooden fence had fallen down and allowed cylinders down the embankment (Photographs P1140754 and P1140792).
- Inspectors observed a storm drain that led directly to the wetlands (Photographs P1140723 and P1140760).

All Exterior Storage Areas at the 184 Commerce Street Property

The U.S. EPA inspection team observed all exterior storage areas, including the parked trailers and trucks containing various chemical storage tanks on the 184 Commerce Street property. Inspectors entered from the road on the northern side of the property through an open gate and traveled to the back of the property on the southeastern side of the locked warehouse that had vehicles stored in it on the property.

EPA inspectors identified the following areas of concern based on a tour of the exterior storage behind and around the 184 Commerce Street property.

- The warehouse had a sign on it that read “Glastonbury Gage, A product of” “A division of A.Q.H.I.” (Photographs P1140802)
- Inspectors observed four (4) trailers filled with chemical tanks located in the area separating the 210 Commerce Street and 184 Commerce Street properties. Chemical transport trailers were not affixed with NFPA diamonds or any other type of chemical hazard labeling to identify hazards of contents. Inspectors observed several more trailers with similar contents and issues regarding a lack of appropriate labeling throughout the 184 Commerce Street property (Photographs P1140773, P1140774, and P1140775).
- Throughout the facility, inspectors observed widespread issues with general housekeeping such that combustible materials were being actively stored near flammable chemical storage containers (Photographs P1140780, P1140782, P1140794, and P1140798).
- There were cylinders and tanks that were not protected for being struck and did not have a proper restraint system to keep them from falling over (Photographs P1140780, P1140794, and P1140795).
- Inspectors observed evidence of prior spray painting of residential sized propane tanks behind multiple trailers on the property, which had left rings on the pavement from where the tanks had been placed during painting such that proper fume containment and/or mitigation efforts to prevent paint from entering the nearby water source was not present when painting activities were conducted (Photographs P1140778, P1140780, and P1140781).
- Inspectors observed multiple chemical storage tanks lacking proper labeling including NFPA diamonds and chemical hazard signage (Photographs P1140781, P1140782, and P1140795).
- Inspectors observed that multiple trailer trucks did not have valid registration allowing them to be transported off the property (Photographs P1140783, P1140784, and P1140785).
- Trailers that contained an unknown number of chemical storage tanks were actively parked on the property line at the edge of the pavement located above the surrounding wetlands which did not have chocks placed beneath the wheels (Photographs P1140787 and P1140793).

- Eighteen (18) chemical drums were observed at the southeastern corner of the warehouse at the 184 Commerce Street property that had been breached. The chemical drums had holes through the sides or tops, were severely corroded, and were surrounded by various sources of combustible debris. Several chemical storage drums had vegetation growing from within them. These chemical drums were located roughly 50-feet from the surrounding wetlands (Photographs P1140796 and P1140797).
- Inspectors observed vegetation growing on the propane inlet piping to the warehouse (Photographs P1140800 and P1140801).
- Propane pipe outside the warehouse was observed to be missing appropriate labeling (i.e., contents, direction of flow, phase) (Photographs P1140800 and P1140801).
- Two propane tanks were linked in series on the western side of the warehouse that were providing propane through an underground pipe to the warehouse. The two tanks were connected via a rubber hose that was inadequately supported and partially resting on the ground in between the two tanks (Photographs P1140798, P1140804, and P1140805).
- The two propane tanks connected in series which were providing propane to the warehouse were observed to have vegetative growth around and over the tanks (Photographs P1140798, and P1140799).
- Corrosion was observed on the surface of the two connected propane tanks. (Photographs P1140805 and P1140806).
- The inspection team was unable to assess the Cathodic protection (CP) for the underground propane pipe running from the two stationary propane tanks to the building.
- The propane tanks had no NFPA diamonds on them and no signage with the words for Propane on them (Photographs P1140798 and P1140805).
- The propane tanks were not secured to the cement base they were sitting on (Photographs P1140798 and P1140806).
- An electrical transformer was present on the western side of the building that was not affixed with proper labeling stating whether the transformer oils contained polychlorinated biphenyls (PCBs) (Photographs P1140808 and P1140809).
- The facility appeared to have a ground water well monitoring system on site and on the adjacent property (Photographs P1140789, P1140790, P1140791, and P1140812).

Fenceline of the 184 and 210 Commerce Street property Adjacent to CTDOT Highway Property

The U.S. EPA inspection team observed the property border on the southern side of both the 184 and 210 Commerce Street properties. The inspection team traveled to the property lines using the driveway located on the western portion of the 210 Commerce Street property and traversing the chemical storage areas present on the 184 Commerce Street property.

EPA inspectors identified the following areas of concern based on a tour of the property lines on the west of the 184 and 210 Commerce Street properties.

- Inspectors observed encroachment of surveyed Connecticut Highway property by the contents of the Bemer Petroleum Corporation's property on the southwestern corner of the property boundary. The failing wooden fence at this point of the property allowed multiple chemical tanks to fall off the property which are now resting on the chain link fence installed by CTDOT. Part of the wooden fence built by Bemer Petroleum was also observed to have been built across the CTDOT/Bemer Petroleum property line (Photograph P1140754).
- The adjacent Connecticut Highway property was actively being encroached by the materials and chemical storage containers from the Bemer Petroleum Corporation property. The wooden fence built by Bemer Petroleum had several sections that had fallen and were resting on the chain link fence put up by CTDOT and had a large residential propane tank stored in the wetlands next to the chain link fence. Several trucks filled with propane were backed up and parked over the property line between the 184 Commerce Street property and CTDOT property (Photographs P1140786, P1140787, and P1140792).

- The two propane tanks supplying propane to the building at 184 Commerce Street were on the CTDOT property (Photographs P1140798, P1140799, and P1140811).

All Exterior Storage Areas at the 95 Oakwood Drive Property

The U.S. EPA inspection team observed all exterior storage areas, including the parked trailers and trucks containing various chemical storage tanks. Inspectors entered from the parking lot on the northern side of the property through a gate and traveled to the back of the property on the western side of the two warehouses present on the property.

EPA inspectors identified the following areas of concern based on a tour of the exterior storage behind the 95 Oakwood Drive property.

- The chain link fencing located along the property fence line contained no personal paths of egress equipped with panic hardware along any length of the property line (Photograph P1140823).
- Throughout the 95 Oakwood Drive property, inspectors observed widespread issues with general housekeeping that creating hazards due to combustible materials being present near flammable chemical storage containers (Photographs P1140834, P1140836, P1140838, and P1140843).
- Behind the warehouses present on the 95 Oakwood Drive property, inspectors observed fourteen (14) trailers and a flatbed truck filled with chemical tanks of unknown contents. Trailers and chemical storage containers were not affixed with NFPA diamonds to identify hazards of contents or any type of chemical hazard labeling (Photographs P1140828 and P1140829).
- Multiple chemical storage tanks were inadequately secured in the back of the trailers present on the property (Photographs P1140827, P1140838, P1140840, P1140843, and P1140853).
- Multiple propane and other individual chemical storage tanks throughout the property were not affixed with NFPA diamonds to indicate the presence of chemical hazards (Photographs P1140827, P1140836, P1140840, P1140843, and P1140853).
- Chemical tanks and drums were stored adjacent to vegetation and other combustible debris, specifically behind the flatbed trailers and along the southeastern portion of the fence line (Photographs P1140836, P1140843, and P1140853).
- Inspectors observed remnants of a vehicle partially buried underneath a pile of soil on the western side of the property. (Photograph P1140831).
- The trailers filled with various chemical tanks and other miscellaneous vehicles present on the 95 Oakwood Drive property did not have valid registration or license plates (Photographs P1140835, P1140838, and P1140841).

V. OUT-BRIEF/CLOSING CONFERENCE

An in-person out-brief/closing conference was not conducted at the conclusion of the onsite inspection. Inspector Wallace emailed a copy of the EPA inspection teams' preliminary areas of concern identified during the inspection to Bruce Bemer, President of Bemer Petroleum Corporation on March 18, 2024. The inspection team did not meet virtually with representatives from Bemer Petroleum, instead EPA sent a Notice of Potential Violation to Bemer Petroleum on April 16th, 2024 to review the preliminary observations, discuss additional document requests, and to explain the next steps in the enforcement process.

VI. FACILITY COMPLIANCE STATUS AND ELEMENTS OF PROOF - EPCRA

EPCRA Section 302

(1) Does Facility have onsite, at any one time, extremely hazardous substances (EHS) at or above the TPQ? At the time of the inspection, Lead Acid Batteries containing Sulfuric Acid was present along with various other chemical cylinders in unknown total quantities.

(2) List or obtain documentation: None obtain during the inspection.

(3) How was maximum quantity onsite determined or calculated? Inspection observed Lead Acid Batteries, but inventory was calculated at the time of the inspection.

EPCRA Section 303

(1) Facility Coordinator identified per Sec. 303 and date LEPC was notified? No.

EPCRA Section 311

(1) Is Facility required to maintain SDSs (MSDS) under the OSHA Hazard Communication Standard 29 CFR 1910.1200 (no specific chemical list)? Yes.

(2) Has the Facility conducted a comprehensive audit to identify MSDS chemicals onsite and to determine if 500 lb./10,000 lb./TPQ thresholds were exceeded? Unknown.

(3) List of OSHA chemicals manufactured, processed, used/stored, and obtained?
At the time of the inspection observed a 60,000 gallon and 30,000-gallon propane tank along with various other chemical cylinders in unknown total quantities.

(4) How were the maximum amounts determined? Unknown.

(5) Section 311 info supplied to the:

SERC (Y/N):	<u>No. Notification had not been made as of the date of inspection.</u>
LEPC (Y/N):	<u>No. Notification had not been made as of the date of inspection.</u>
Local Fire Department(Y/N):	<u>No. Notification had not been made as of the date of inspection.</u>
Date	<u>No. Notification had not been made as of the date of inspection.</u>
Chemical List	<u>Unknown.</u>
SDSs	<u>No Notification had not been made as of the date of inspection.</u>

(6) Have any new hazardous chemicals, mixtures, or substances been introduced into the Facility in the last 5 years? Unknown.

(7) If yes, has the Facility submitted updated lists or SDSs (MSDSs)? Unknown.

EPCRA Section 312 (due March 1 of year following reporting calendar year)

(1) Was Tier II form submitted for all required chemicals? At the time of the inspection no Tier 2 was filed.

(2) What procedures are used to update Section 312 information for annual submittal and to ensure additional or new chemical data is submitted within 90 days? Unknown.

(3) Was Facility aware of annual reporting requirements under Section 312? Unknown.

(4) Had the Facility completed and signed a list of all reportable chemicals on site on date of the inspection?
No, chemical inventory data was requested to review post-inspection.

(5) Table of EPCRA 312 Reportable Substances:

CAS #	Chemical	Approx. Max. Wt. on Site (Lbs.)	TPQ (Lbs.)	Approx. Ratio (Actual/TPQ)
74-98-6	Propane	381,600	10,000	38.16

Source: Inspectors' observations; One-60,000-gallon propane tank and One-30,000-gallon tank. One gallon of liquid propane weighs 4.24 pounds.

VII. ENFORCEMENT HISTORY

Data available via ECHO indicates that the Facility does not have a history of environmental enforcement in relation to the metrics summarized via U.S. EPA's database.

VIII. ENVIRONMENTAL JUSTICE

The ECHO and EJSCREEN data indicate that the Facility is not in an area of Environmental Justice (EJ) interest based on the levels shown for relevant EJ indices.

Attachment 1

Google Earth Image of the
Bemer Petroleum Corporation Facility in Glastonbury, CT

