

# Compliance Evaluation Inspection Report

## Pass Creek Market June 2024

Submitted to:

U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 8  
1595 Wynkoop St.  
Denver, CO 80202



Submitted by:

Eastern Research Group.  
14555 Avion Parkway, Suite 200  
Chantilly, VA 20151

EPA Contract No. 68HERC21D0007  
Task Order 68HERC23F0460

**COMPLIANCE EVALUATION INSPECTION REPORT**

Date of Report: June 19, 2024

Date and Time of Inspection: May 2, 2024, at 9:30 am MST

Weather: Clear and sunny, 56° Fahrenheit

Facility Contact/Owner: ECHAGA

Owner Address: P.O. Box 1746  
Pine Ridge, SD 57770

Facility Address: 104 East Dance Rd  
Allen, SD 57714

Facility Phone: [REDACTED]

Facility ID Number: 4070071

Reason for Inspection: Compliance Inspection

Inspector(s): [REDACTED], ERG (Lead)  
[REDACTED], ERG  
[REDACTED], ERG  
[REDACTED], Oglala Sioux Tribe UST Coordinator

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### ATTACHMENTS

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| ATTACHMENT A: | EPA REGION 8 UST COMPLIANCE CHECKLIST              |
| ATTACHMENT B: | PHOTOGRAPH LOG                                     |
| ATTACHMENT C: | EPA UST NOTIFICATION                               |
| ATTACHMENT D: | TANK & PIPING LEAK DETECTION RECORDS AND INVENTORY |
| ATTACHMENT E: | EQUIPMENT TESTING RECORDS                          |
| ATTACHMENT F: | OPERATOR TRAINING RECORD                           |
| ATTACHMENT G: | NOTICE OF INSPECTION                               |

## **1. NARRATIVE**

The Region 8 (R8) office of the Environmental Protection Agency (EPA) requested multiple facilities be inspected on tribal lands. Eastern Research Group (ERG) under EPA's Contract No. 68HERC21D0007, Task Order 68HERC23F0460, provided assistance to EPA in preparing for, conducting the inspection, and preparing this inspection report. ERG inspected the Pass Creek Market facility in Allen, South Dakota on May 2, 2024. The facility does not have a previous inspection record.

Mr. [REDACTED], contract inspector, contacted [REDACTED], Director at ECHAGA, on March 29, 2024, via telephone to notify the facility about the inspection. The inspection verified compliance with the federal underground storage tank (UST) requirements of Resource Conservation and Recovery Act (RCRA) Subtitle I under 40 CFR Part 280.

Upon arrival at the facility, Mr. [REDACTED] introduced himself as a contract inspector for EPA, presented his credentials, and provided an in-brief to Mr. [REDACTED] as well as [REDACTED], director of operations, and [REDACTED], co-owner of the facility, to explain the purpose of the inspection. The inspection team [REDACTED] gathered records, interviewed Mr. [REDACTED] and facility representatives, and conducted a walkthrough of the site including access ports and dispensers for the USTs. Mr. [REDACTED] concluded with an exit brief and had Mr. [REDACTED] sign the Notice of Inspection. Mr. [REDACTED] took photographs during the inspection.

### **UST System Description**

The Pass Creek Market facility, located at 104 East Dance Rd in Allen, SD, has one UST with two compartments referred to as Tank 1 and Tank 2, that was installed in June 2021. According to facility personnel and notification records, Tank 1 is an 8,000-gallon tank used for E10 unleaded gasoline (10 percent ethanol), and Tank 2 is a 4,000-gallon tank used for low-sulfur diesel. Both tanks have double-walled fiberglass-reinforced plastic (FRP) construction and double-walled FRP piping. The dispensing system is pressurized piping. Mr. [REDACTED] and Mr. [REDACTED] completed an EPA Region 8 UST Compliance Inspection Checklist for the USTs while on site which is included in Attachment A. Attachment B includes photographs taken during the inspection. Attachment C includes the notification form sent to the EPA regarding the new tanks installed at Pass Creek Market.

### **UST System Records**

The listing of documents reviewed for the Pass Creek Market inspection included the following:

1. EPA UST Notification Form
2. UST Tank and Piping Leak Detection Records and Inventory
3. Tank Gauging, Line Leak Detector, Spill and Overfill Prevention, and Containment Sump Testing Records
4. Operator Training Record

The facility maintains records on site, except for Mr. [REDACTED] operator training record which was sent via email after the inspection on site.

### **Tank Release Detection**

Releases from the tank are detected by a Veeder-Root TLS 4C monitoring system and associated in-tank probes that conduct automatic tank gauging (ATG) of the tanks. Attachment D contains a compilation of the ATG continuous statistical leak detection test results for the months since February 2023. Leak tests had passing records for both tanks at least once per calendar month during the previous 12 months. Mr. [REDACTED] noted that the leak detection records were available during each calendar month, but that the records were sometimes closer to 50 days apart (e.g., passing record on June 5, 2023, and the next passing record not until July 29, 2023, for Tank 1). The tank is equipped with an interstitial sensor, but the interstitial sensor does not appear in the sensor history printouts from the ATG. Photograph #1 in Attachment B shows the monitoring system interface, and Attachment D also includes a current inventory report printed during the inspection to ensure proper monitoring system operation. Mr. [REDACTED] also provided a passing test record for the tank gauging system performed by a contractor in November 2023 (see Attachment E).

### **Piping Release Detection**

All tanks were installed with double-walled FRP piping. The piping is equipped with submersible turbine pump (STP) sumps and line leak detectors (LLDs). CGRS Inc. conducted testing on the LLDs and also performed containment testing in the STP sumps and dispenser sump in November 2023. Attachment E includes the passing test records for the LLDs as well as passing sump containment testing records. The inspection team observed the liquid sump sensors in the STP sumps and dispenser sump during visual inspection. Sump monitoring records showed no leak alarms triggered during the previous 12 months (see Attachment D). Prior to 2023, Pass Creek Market had passing records for line tightness testing for the piping leak detection. Photographs #4 and #6 in Attachment B show the STP sumps for Tank 1 and Tank 2, respectively. The STP sumps appeared in good condition at the time of the inspection.

### **Spill/Overfill Prevention**

The fill pipes for the USTs have spill buckets surrounding the pipes and flapper valves in the drop tubes. Photographs #2 and #3 (Tank 1) and #5 (Tank 2) in Attachment B show the fill ports and spill buckets for the respective USTs. The spill bucket for Tank 1 had approximately half an inch of water present at the time of the inspection, but otherwise both fill ports appeared in good condition. CGRS Inc. conducted testing on the spill buckets and flapper valves as spill and overfill prevention equipment in November 2023. Attachment E includes the passing test records for the spill buckets and flapper valves.

### **Corrosion Protection**

According to facility documentation, both tanks are FRP construction with FRP piping, so they do not require cathodic protection.

### **Operator Training**

Pass Creek Market did not have Class C operators designated or trained. Mr. [REDACTED] and Mr. [REDACTED] both stated that they were Class A operators, and that Mr. [REDACTED] is also a Class B

operator. Mr. [REDACTED] provided a Class A operator training record (see Attachment F). Mr. [REDACTED] and Mr. [REDACTED] stated that there used to be Class C operators that were trained, but they had since left.

### **Walkthrough Inspections**

Pass Creek Market did not have monthly walkthrough inspection records available. Annual inspection of the sumps and ATG probe was conducted during the contractor testing in November 2023.

### **Financial Assurance**

Pass Creek Market did not provide records for a financial assurance mechanism.

### **Physical Inspection**

During the site visit, the inspection team reviewed documents on site and observed the fill ports, STP sumps, one dispenser sump, and the ATG monitoring interface for the USTs on site. Photograph #1 in Attachment B shows the interface for the Veeder-Root TLS 4C ATG system. The inspection team also observed the spill bucket and fill pipe for the two tanks. The spill bucket for Tank 1 contained approximately half an inch of water, but otherwise the spill buckets were in good condition. Flapper valves were present in both of the fill pipes. The inspection team also observed the STP sumps for each of the two tanks. Both of the STP sumps appeared in good condition. The LLDs and liquid sump sensors were also observed in each of the STPs. Access ports for ATG probes were also present for each of the tanks, and no issues were noted for these during the inspection.

There was one double-sided pump dispenser on site, which was opened as part of the inspection. The dispenser had a plastic containment sump and a liquid sump sensor present, and the sump appeared in good condition (see Photograph #7, Attachment B).

No monitoring wells were observed at the tank field during the inspection. Vent lines are located adjacent to the USTs, and no obstructions or concerns were noted for the vent lines at the time of the inspection.

## 2. SUMMARY

The facility has one UST system with two compartments which was installed in June 2021. Tank 1 has an 8,000-gallon capacity, contains E10 unleaded gasoline, and is double-walled FRP construction. Tank 1 has a 4,000-gallon capacity, contains low-sulfur diesel, and is double-walled FRP construction. Passing monthly monitoring leak detection test records were available for each calendar month during the previous 12 months for both tanks. The ATG system was also certified by a contractor in November 2023. There is one double-sided dispenser on site that operates with pressurized FRP piping. STPs for the tanks are equipped with LLDs which had passing test records from November 2023. Pass Creek Market also has records of continuous sump monitoring in the STP sumps and dispenser sump showing no leaks detected during the previous 12 months. The fill port for each tank is equipped with a spill bucket and a flapper valve in the drop tube as the spill and overfill prevention equipment. Passing test records from November 2023 were available for the spill bucket and flapper valve. Cathodic protection is not required for the tanks because they are FRP tanks with FRP piping. Pass Creek Market only had training records for one Class A operator provided via email. There were no trained Class C operators on site. There are no monthly walkthrough inspection records. Annual walkthrough inspections were conducted as part of contractor testing in November 2023. Pass Creek Market did not provide records for financial assurance. Attachment G contains the Notice of Inspection signed by Mr. [REDACTED]. Mr. [REDACTED] provided a copy to Mr. [REDACTED] and left the premises.

**Date:** June 19, 2024