

U.S. Environmental Protection Agency

Region 7

11201 Renner Blvd., Lenexa, KS 66219

NOTICE OF INSPECTION

Resource Conservation and Recovery Act (RCRA) Public Law 94-580,
as amended.

Subtitle I Underground Storage Tanks

Date: 9-8-22

Inspector: Brian

Facility Name: Fuel Plaza - Blackbird

Login Required:

D'Alfonso

Bend Casino

Agency Facility ID#

EPA-R7-USTFacID-

TRUSTED-2304

Street Address:

17223 W 210 Street

Facility Representative(s): [sign and date]

Brad Appleton

Tim Grant

[Signature] 9/8/22

City:

Onawa

State:

Iowa

Zip Code:

51040

Reason for Inspection: Enforcement Entry by Consent (X) Warrant ()

To determine the extent of compliance with the above referenced law, which may require the collection of samples, documents and/or photographs.

Other (Specify) _____

Does EPA have access to this facility for the inspection? Yes (X) No ()

Name and title of person granting access _____

Compliance Documents Received Log

Document Description, e.g., ATG tapes, CP tests, SIR reports, Line tests, etc.

Facility
Represent-
ative Initials

Photos

[Signature]

The facts established by this inspection will be reviewed by personnel in the EPA Regional Office. A final determination of your facility's compliance with the EPA regulations will be made as a result of this review. The review may reveal additional deficiencies.

Signature of Inspector:

Date:

BRIAN D'ALFONSO

Digitally signed by BRIAN D'ALFONSO
Date: 2022.11.22 11:05:58 -06'00'

ECAD RCRA Section Chief:

Date:

AMBER WHISNANT

Digitally signed by AMBER WHISNANT
Date: 2022.12.13 14:32:09 -06'00'

REPORT OF OPENING AND CLOSING CONFERENCES**Opening Conference**

1. Give time of and list attendees of Opening Conference__Brad Appleton, Tim Grant, Joseph Heafner, Brian D'Alfonso

Circle Yes or No

2. Were UST Inspection Credentials presented? ☒ Yes No
3. Was the statutory and regulatory purpose of the inspection explained? ☒ Yes No
4. Were areas of the facility being inspected noted? ☒ Yes No
5. Was a list of records being reviewed provided? ☒ Yes No
6. Was an opportunity given to claim confidential business information (CBI)? ☒ Yes No
7. Was the approximate duration of the inspection noted? ☒ Yes No
8. Were operators at the facility notified they have the opportunity to fix areas of concern identified during the inspection? ☒ Yes No
9. Was equipment used during the inspection noted? ☒ Yes No

Closing Conference

1. Give time of and list attendees of Closing Conference__Brad Appleton, Tim Grant, Joseph Heafner, Brian D'Alfonso

Circle Yes or No

2. Was the purpose of the inspection restated? ☒ Yes No
3. Was what happens with photos taken during the inspection explained? ☒ Yes No
4. Were areas of concern and inspection observations discussed?
Note: Compliance is the responsibility of the operators and any potential deficiencies or areas of concern are not the final determination of compliance. ☒ Yes No
5. Was EPA's right to bring an enforcement action pending review explained? ☒ Yes No
6. Were any "fixed" deficiencies or areas of concern noted in the report? ☒ Yes No
7. Were photos and copies of documents itemized on the report? ☒ Yes No
8. Was the time frame for receiving the completed report given? ☒ Yes No
9. Was the Small Business Resources Information Sheet provided? ☒ Yes No

Facility Name: Fuel Plaza – Blackbird Bend Casino

1 UST Inspection Checklist

Agency Fac. ID: EPA-R7-TrUSTD-2304

I. Ownership of Tank(s) ☒ Tribal			II. Location of Tank(s) ☒ same as owner location (I.)		
Owner Name: Omaha Tribe of Nebraska			Facility Name or Company Site identifier, as applicable Fuel Plaza – Blackbird Bend Casino		
Street Address P.O. Box 368			Street Address or State Road, as applicable 17223 W 210 Street		
County Thurston			County Monona		
City	State	Zip Code	City (nearest)	State	Zip Code
Macy	Nebraska	68039	Onawa	Iowa	51040
Phone Number 402-837-4235			Contact Person(s) at Facility Phone Number Brad Appleton bappleton@bbbend.com 712-423-9646		
Owner Contact Person Tim Grant			Latitude Longitude 42.05563° -96.20781°		
☒ Do you own UST(s) at other UST Facilities Yes/No			Datum WGS 84		
If Yes, how many facilities <u>3</u>			ICIS/FERS Number: Date entered:		
How many USTs <u>11</u>			110069324662		

III. Notification (280.22)

- ☐ Notification to implementing agency; name _____ EPA Region 7 _____ [280.22(a)]
 Agency Facility ID # **EPA-TrUSTD-2304**; Agency notified? Y ☒ N ☐ Unknown ☐ NA ☐ [280.22(b)]
- ☐ Has ownership changed in previous 30 days? Y ☐ N ☒ Unknown ☐ NA ☐ [280.22(b)]
- ☐ Have substances stored changed in the USTs? Y ☐ N ☒ Unknown ☐ NA ☐ [280.22(b)]
- ☐ Do newly stored substances include blends greater than E10 or B20? Y ☐ N ☐ Unknown ☒ NA ☐ [280.32(b)]

IV. Financial Responsibility (280.93)

- Is documentation of financial responsibility available? Y ☐ N ☒ Unknown ☐ NA ☐
- Does Wording Follows 40 CFR 280 Subpart B Y ☐ N ☐ Unknown ☒ NA ☐
- Does FR mechanism cover cleanup of releases from USTs? Y ☐ N ☐ Unknown ☒ NA ☐
- Does FR mechanism cover damage to property and third party liability caused by releases from USTs? Y ☐ N ☐ Unknown ☒ NA ☐
- Is amount of FR coverage adequate based on number of facilities? Y ☐ N ☐ Unknown ☒ NA ☐
- ☒ \$1,000,000 for less than 200 facilities
- ☐ \$2,000,000 for more than 200 facilities
- Is amount of FR coverage adequate based on monthly throughput? Y ☐ N ☐ Unknown ☒ NA ☐
- ☒ \$1,000,000 if through put greater than 100,000 gallons
- ☐ \$50,000 if throughput less than 100,000 gallons
- Does the FR mechanism list the covered facilities as registered by EPA on the Declaration Page? Y ☐ N ☐ Unknown ☒ NA ☐
- Does the FR mechanism provide first dollar coverage without self-insured retention? Y ☐ N ☐ Unknown ☒ NA ☐
- Specific Financial Mechanism used – check below:**
- ☐ State Fund ☐ Private Insurance: Insurer/Policy # _____
- ☐ Guarantee ☐ Surety Bond ☐ Letter of Credit ☐ Self Insured
- ☐ Local Government ☐ Not Required (Federal & State government, hazardous substance USTs)

V. Operator Training (280.240) [List names, certificate numbers, expiration dates, trainer, and state]A Operator(s): **No trained A operators**B Operators(s): **No trained B operators**C Operators(s): **No trained C operators**

Does the owner have a list of designated operators currently trained at each facility?

Y ☐ N ☒ Unknown ☐ NA ☐

Does the owner have evidence of operator training or retraining?

Y ☐ N ☒ Unknown ☐ NA ☐

Were any of the designated UST Operators on duty during the inspection?

Y ☐ N ☒ Unknown ☐ NA ☐**VI. Proximity of Groundwater Wells and Release History**☒ Drinking water wells within 1,500 feet of the tank basin; is so note how many and list what types:____ **There are seven water wells within 1,500 feet of the tank basin via IGS - GeoSam** ____☐ Evidence of release or spills at facility ☐ Greater than 25 gallons (estimate)☐ Releases reported to implementing agency; if so, date(s) _____ [280.53]☐ Release confirmed; when and how _____☐ Initial abatement measures and site characterization ☐ Free product removal☐ Soil or ground water contamination ☐ Corrective action plan submitted☐ Remediation ongoing ☐ Remediation completed, no further action; date(s) _____☐ Unknown**VII. Tank Information (give numbers)**

	1	2	3	4	5	6
Tank presently in use	No	No	No	No	No	No
If not, date last used (see Section IX.)	6/2009	6/2009	6/2009	6/2009	6/2009	6/2009
If empty, verify 1" or less left (see Section IX.)	>1"	>1"	>1"	Yes	Yes	>1"
Most recent M/Y tank installed/upgraded (mm/dd/yr)	4/4/1997	4/4/1997	4/4/1997	4/4/1997	4/4/1997	4/4/1997
Material of Construction: steel, impressed current, sacrificial anodes, composite, FRP,, internal lining, excavation liner single-walled (SW), double-walled (DW)	DW FRP Steel Jacketed	DW FRP Steel Jacketed	DW FRP Steel Jacketed	DW FRP Steel Jacketed	DW FRP Steel Jacketed	DW FRP Steel Jacketed
Capacity of Tank (gal)	10,000	10,000	10,000	18,000	18,000	10,000
Substance Stored	Gasoline	Gasoline	Gasoline	Diesel	Diesel	Diesel
E-15, E85 labeling correct? Yes No NA UNK	NA	NA	NA	NA	NA	NA
Are Compatibility Records available? Yes No NA UNK [280.34(b)(3)]	NA	NA	NA	NA	NA	NA
Is compatibility demonstrated? Yes No NA UNK [280.32(b)(1) and (2)]	NA	NA	NA	NA	NA	NA
Contained Submersible Turbine Pump (STP) Sumps Yes No NA UNK If yes, give installation date __4/4/1997__	Yes	Yes	Yes	Yes	Yes	Yes
Is STP used for release detection? Yes No NA UNK	No	No	No	No	No	No
Is STP double-walled? Yes No NA UNK If Double-Walled (DW), Date of Last Monthly Integrity Check of Annular Space? [280.35(a)(1)(i)] Note: only applies to interstitial spaces under pressure or vacuum or filled with brine.	No	No	No	No	No	No

VII. Tank Information (give numbers)	1	2	3	4	5	6
Contained Submersible Turbine Pump (STP) Sumps If DW, are the last 12 months of records available? Yes No NA UNK	NA	NA	NA	NA	NA	NA
If non-DW, Date of Last 3-year Containment Integrity Test? [280.35(a)(1)(ii)] Note: Triennial Sump Testing is required if sumps installed on or after April, 11, 2016.	NA	NA	NA	NA	NA	NA
Special Configuration Manifolded/Compartmentalized – Describe using tank numbers Field-Constructed/Airport Hydrant System FC or AHS				East, West STP sumps		

VIII. Piping Information							
Piping type	Pressurized	X	X	X	X	X	X
	Suction						
Piping Material: steel, copper, impressed current, sacrificial anodes, FRP, flexible nonmetallic single-walled (SW), double-walled (DW)	Flexible DW Non-metallic	Flexible DW Non-metallic	Flexible DW Non-metallic	Flexible DW Non-metallic	Flexible DW Non-metallic	Flexible DW Non-metallic	Flexible DW Non-metallic
Under Dispenser Containment (UDC) Yes No NA UNK If yes, give installation date _____	NA	NA	NA	NA	NA	NA	NA
Is UDC used for release detection? Yes No NA UNK	NA	NA	NA	NA	NA	NA	NA
Is UDC double-walled? Yes No NA UNK If DW, Date of Last Monthly Integrity Check of Annular Space? [280.35(a)(1)(i)] Note: only applies to interstitial spaces under pressure or vacuum or filled with brine.	NA	NA	NA	NA	NA	NA	NA
If DW, are the last 12 months of records available? Yes No NA UNK	NA	NA	NA	NA	NA	NA	NA
If non-DW, Date of Last 3-Year Containment Integrity Test? [280.35(a)(1)(ii)] Note: Triennial Sump Testing is required if sumps installed on or after April, 11, 2016.	NA	NA	NA	NA	NA	NA	NA
Tank or piping properly designed and constructed according to a code of practice developed by a nationally recognized association or independent testing laboratory [280.20(a), 280.20(b)] Y ☒ N ☐ Unknown ☐ NA ☐							

IX. Repairs
Repairs are conducted according to a code of practice [280.33(a)] Y ☐ N ☐ Unknown ☐ NA ☐
Metal piping sections/fittings that are damaged and have released product are replaced manufacturer's specifications. Non-corrodible pipes and fittings may be repaired in accordance with the manufacturer's specifications. [280.33(c)] Y ☐ N ☐ Unknown ☐ NA ☐
Repairs to secondary containment areas of tanks, piping, and containment sumps are tightness tested within 30 days of repair completion. All other repairs to tanks and piping are tightness tested within 30 days of repair completion (except when internal inspection conducted or monthly monitoring is conducted) [280.33(d)] Y ☐ N ☐ Unknown ☐ NA ☐
CP systems are tested/inspected within 6 months of repair of any cathodically protected UST system [280.33(e)] Y ☐ N ☐ Unknown ☐ NA ☐
Internal linings repaired following standard code or practice [Citation needed] Y ☐ N ☐ Unknown ☐ NA ☐
Repaired spill or overfill prevention equipment are tested or inspected within 30 days, as appropriate, in accordance with § 280.35 to ensure it is operating properly. [280.33(f)] Y ☐ N ☐ Unknown ☐ NA ☐
Records of repairs are maintained [280.33(g)] Y ☐ N ☐ Unknown ☐ NA ☐

X. Temporary Closure NA ☐CP is continued to be maintained [280.70(a)] Y ☒ N ☐ Unknown ☐ NA ☐Release detection is being performed and UST system contains > 1 inch of product [280.70(a)] Y ☐ N ☒ Unknown ☐ NA ☐Vent lines left open and functioning [280.70(b)] Y ☐ N ☒ Unknown ☐ NA ☐Lines, pumps, manways, and ancillary equipment capped and secured [280.70(b)] Y ☐ N ☒ Unknown ☐ NA ☐**XI. Corrosion Protection (CP)**Tank and piping components are constructed of or jacketed with non-corrodible materials, e.g., FRP, dielectric coatings, plastic, etc. [280.20(a)(1), 280.20(a)(3), 280.20(b)(1)] Circle one or both **Tanks Pipes** Y ☒ N ☐ Unknown ☐ NA ☐Implementing agency has determined that tank and piping construction and corrosion protection are designed to prevent releases in a manner that is no less protective of human health and environment [280.20(a)(5), 280.20(b)(4)] Y ☒ N ☐ Unknown ☐ NA ☐Owners and operators have maintained records by corrosion expert to document that CP is not necessary [280.20(a)(4)(ii), 280.20(b)(3)(ii)] Y ☐ N ☐ Unknown ☐ NA ☐

Steel tank or piping coated with suitable dielectric material and cathodically protected [280.20(a)(2)(i), 280.20(b)(2)(i)]

Y ☐ N ☐ Unknown ☐ NA ☒Field-installed CP system designed by a corrosion expert [280.20(a)(2)(ii), 280.20(b)(2)(ii)] Y ☐ N ☐ Unknown ☐ NA ☒CP system tested and documentation maintained every three years or a time frame established by implementing agency [280.31(b)(1), 280.31(d)(2)] Y ☐ N ☐ Unknown ☐ NA ☒Criteria used to determine that CP is adequate was in accordance with a standard code of practice developed by a nationally recognized association [280.31(b)(2)] Y ☐ N ☐ Unknown ☐ NA ☒

CP system did not meet acceptable criteria at last test and action was taken by owner/operator to correct problem [280.31(b)(2)]

Y ☐ N ☐ Unknown ☐ NA ☒**Metal components in sumps** NA ☐**Tank numbers:****1****2****3****4****5****6**

Are the metal components at the tank and dispenser isolated (e.g. booted), cathodically protected or isolated? [280.20(b)(4)] Yes No NA UNK

Yes

Yes

Yes

Yes

Yes

Yes

Notes:

Tanks 1-6 have contained STP sumps, no dispensers on site. Metal components inside sumps appear heavily corroded due to the recurrent accumulation of water inside sumps

- 280.70(a) – The facility is not performing any type of release detection
- 280.70(b) – No vent lines present for all tanks
- 280.70(b) – Fill caps for tanks 1, 2, 3, 5 and 6 were not locked/secured. Fill cap for tank 4 was missing.

XI. Corrosion Protection (CP) Tank numbers:	1	2	3	4	5	6
Lining: [280.21(b)(1)] NA ☒						
Periodic lining inspection requirements for tank met [280.21(b)(1)(ii)] Yes No NA UNK						
[10 years after installation, every five years thereafter]						
Documentation that lining was installed [280.21 (b) (1) (i)] Yes No NA UNK						
Shell integrity tested and passed? Yes No NA UNK						
Internal inspection test result – Pass or Fail						
If Fail, is tank still in service? [280.21(b)(1)(ii)] Yes No NA UNK						
Sacrificial Anode: NA ☒						
CP system operated and maintained continuously. [280.31(a)] Yes No NA UNK						
Last 3 yr test results show a voltage of at least -850mV? [280.31(b)(2)] Yes No						
Dates of last two 3 yr test results available? [280.31(d)(2)] Yes No						
List Dates:						
Impressed Current: NA ☒						
Is the Rectifier on a dedicated power circuit? Yes No NA UNK						
CP system operated and maintained continuously. [280.31(a)] Yes No NA UNK						
Last 3 yr test results show a voltage of at least -850mV or 100 mv shift [280.31(b)(2)] Yes No NA UNK						
CP inspected and rectifier log maintained every 60 days to ensure equipment is running properly. Last three test results available? [280.31(d)(1)] Yes No NA UNK						
Dates of last two 3 yr test results available? [280.31(d)(2)] Yes No						
List Dates:						

XII. Spill and Overfill Protection [280.21(d)] Indicate any USTs filled by transfers < 25 gallons☒ For transfers greater than 25 gallons

Spill Prevention	Tank numbers:	1	2	3	4	5	6
Device is present and functional? [280.20(c)(1)(i)] Yes No NA UNK		Yes	Yes	Yes	No	Yes	Yes
Spill bucket free of water, debris, etc. Yes No NA UNK		Yes	Yes	Yes	Yes	Yes	Yes
Double walled? Yes No NA UNK Note: only applies to interstitial spaces under pressure or vacuum or filled with brine.		No	No	No	No	No	No
If Yes, Last Monthly Check? [280.35(a)(1)(i)] List date:		NA	NA	NA	NA	NA	NA
If No, Date of Last Triennial Containment Integrity Test [280.35(a)(1)(ii)] List date:		No	No	No	No	No	No
Overfill Prevention							
Device is present and operational? [280.20(c)(1)(ii)] Yes No NA UNK		Yes	Yes	Yes	Yes	Yes	Yes
Date of Last Triennial Inspection? [280.35(a)(2)]		No	No	No	No	No	No
Ball float valve riser present: [280.20(c)(1)(ii)(B)] Yes No NA UNK Ball float valves are not suitable on suction systems, with coaxial drop tubes, or pressurized deliveries.		Yes	Yes	Yes	Yes	Yes	Yes
Ball float valve installed or replaced after October 13, 2015? [280.20(c)(3)] Yes No NA UNK		NA	NA	NA	NA	NA	NA
Flapper valve Operational: [280.20(c)(1)(ii)(B)] Yes No NA UNK		NA	NA	NA	NA	NA	NA
Automatic shutoff: Operational: [280.20(c)(1)(ii)(A)] Yes No NA UNK		NA	NA	NA	NA	NA	NA
Automatic shutoff: Operational: [280.20(c)(1)(ii)(A)] Yes No NA UNK		NA	NA	NA	NA	NA	NA
Alarms Operational: [280.20(c)(1)(ii)(B)] Yes No NA UNK		NA	NA	NA	NA	NA	NA
Visible and/or audible to jobber/driver? Yes No NA UNK		NA	NA	NA	NA	NA	NA

Location(s) of overfill alarm(s):

Failure to take necessary precautions to prevent a spill or overfill during product delivery [280.30(a)] Y ☐ N ☐ Unknown ☐ NA ☒**XIII. Tank and Pipe Release Detection**

Release detection present [280.40(a)] Y ☐ N ☒ Unknown ☐ NA ☐ Note: Emergency Generator Tanks installed on or before 10/13/2015 must have release detection by 10/13/2018. Emergency Generator Tanks installed after 10/13/2015 but before 4/11/2016 must have release detection installed during installation. Emergency Generator Tanks installed after 4/11/2016 must have secondary containment and use interstitial monitoring.

Release detection system operating properly (i.e., system must be able to detect a release from any portion of the tank and piping that routinely contains product) [(280.40(a)(1))] Y ☐ N ☐ Unknown ☐ NA ☒

Release detection system meets the performance requirements at 280.43 or 280.44 [(280.40(a)(3))] Y ☐ N ☐ Unknown ☐ NA ☒

Implementing agency has been notified of a suspected release as required, or when a release detection method or device alarms or fails a test [(280.40(b))] Y ☐ N ☐ Unknown ☐ NA ☒

Tanks and piping are monitored monthly for releases and records available (must have records for the two most recent consecutive months and for 10 months of the last 12 months). [280.41(a), and 280.45(b)] Y ☐ N ☒ Unknown ☐ NA ☐

Meets performance requirements for tank and line tightness test and maintains records.[280.43(c), 280.44(b), and 280.45(b)]

Y ☐ N ☐ Unknown ☐ NA ☒

XIII. Tank and Pipe Release DetectionHazardous Substance UST Systems: NA ☒

Release detection requirements are complied with for UST systems containing product. [(280.42)(b)]

Y ☐ N ☐ Unknown ☐ NA ☐

Tanks and all piping systems equipped with secondary containment

Y ☐ N ☐ Unknown ☐ NA ☐

Pressurized piping w/ ALLD

Monitored for a release every 30 days

Y ☐ N ☐ Unknown ☐ NA ☐**Pressurized Piping**

TWO METHODS MUST BE SELECTED; ONE FROM EACH SET.

Set 1**Tank numbers:****1****2****3****4****5****6**Automatic Line Leak Detector (ALLD) installed
(give date last tested/checked) Yes No NA UNKAnnual function test of the operation of the leak detector
within last 12 months [280.44(a)] Yes No NA UNK
* In accordance with the manufacturer's requirementsDoes the owner/operator have ALLD function tests available
for the last 3 years? Yes No NA UNKOperating so as to alert the operator to the presence of a leak
(see 280.44(a) for description of ALLD) [280.44(a)]
Yes No NA UNKIs the ALLD appropriate for the fuel stored in the UST?
Yes No NA UNKAutomatic Shut-off Device
(Electronic line leak detector (ELLD)) NA ☐Continuous Alarm System (sump sensor/double-walled
piping) Must meet leak threshold for large and small releases.
NA ☒**Set 2****Tank numbers:**

Annual Line Tightness Testing -- give date

Is the last Line Tightness Test within the last 12 months?
Yes No NA UNKDoes the owner/operator have line tightness test reports
available for the last 3 years? Yes No NA UNKSecondary Containment with Interstitial Monitoring
Yes No NA UNKOther (SIR, etc.)
Yes No NA UNK ALM:IM**Suction Piping**Line Tightness Testing (required every 3 yr)
Yes No NA UNK

Indicate date of most recent test

Secondary Containment with Interstitial Monitoring
Yes No NA UNKOther (SIR, etc.)
Yes No NA UNK**No Leak Detection Required (must answer yes to all of the following questions):**Operates at less than atmospheric pressure
Yes No NA UNKHas only one check valve which is located directly under pump
(dispenser) Yes No NA UNKSlope of piping allows product to drain back into tank when
suction released Yes No NA UNK

XIII. Tank and Pipe							
Release Detection	Tank Numbers:						
Under Dispenser Containment (UDC)							
List dates installed							
Note: Triennial Sump Testing required if sump installed on or after April 11, 2016.							
Are UDC Monitored?							
Yes No NA UNK							
How are UDC Monitored?							
Visual or Electronic							
Are records of inspections available?							
Yes No NA UNK							
UDC Monitoring Notes: (Records of release: State the past 12 months monitoring records)							
Tank Release Detection Summary (refer to appropriate detailed RD form) Pages 13-18							
Mark Tank numbers with an "X"							
Automatic Tank Gauging (ATG)							
Automatic Line Monitoring (ALM)							
Interstitial Monitoring (IM)							
Statistical Inventory Reconciliation (SIR)							
Manual Tank Gauging (MTG)							
XIV. Walkthrough Inspections [§ 280.36 – Subpart C]							
Owner and operators must conduct walkthrough inspections of the following:							
<u>Must</u> have records for inspections performed every 30 days				Y ☐ N ☒ Unknown ☐ NA ☐			
Date of last 30-day Walkthrough Inspection <u>Not conducting inspections</u>							
Spill Prevention Equipment – must be checked for damage, remove liquid or debris, and check fill cap. [If deliveries occur at intervals greater than every 30 days, spill prevention equipment can be checked at the time of delivery]				Y ☐ N ☐ Unknown ☐ NA ☒			
DW spill prevention equipment with interstitial monitoring – must check for leak in interstitial area. [Only applies to DW spill prevention equipment with vacuum, pressurized or brine-filled interstitial spaces]				Y ☐ N ☐ Unknown ☐ NA ☒			
Release detection equipment – must check to ensure operating with no alarms and review records of release detection testing.				Y ☐ N ☐ Unknown ☐ NA ☒			
Do the 30-day walkthrough inspections follow a nationally recognized standard code or practice?				Y ☐ N ☐ Unknown ☐ NA ☒			
Are records of 30-day walkthrough inspections available for the two most recent consecutive months and for 10 of the last 12 months?				Y ☐ N ☐ Unknown ☐ NA ☒			
<u>Must</u> have records for inspections performed each year				Y ☐ N ☒ Unknown ☐ NA ☐			
Date of last Annual Walkthrough Inspection <u>Not conducting inspections</u>							
Containment sumps – must check for damage, leaks, remove liquid or debris.				Y ☐ N ☐ Unknown ☐ NA ☒			
DW sumps with interstitial monitoring – must be checked for leak in interstitial area.				Y ☐ N ☐ Unknown ☐ NA ☒			
Hand-held release detection equipment – must check tank gauge sticks or groundwater bailer.				Y ☐ N ☐ Unknown ☐ NA ☒			
Does the annual walkthrough inspection follow a nationally recognizes standard code or practice?				Y ☐ N ☐ Unknown ☐ NA ☒			

SITE DRAWING

DATE: 9-8-22 TIME ON SITE: 11:40 TIME OFF SITE: 14:00

WEATHER: Clear, Sunny

ENVIRONMENTALLY SENSITIVE AREA : Y N
If "Yes", please describe:

Fuel Plaza (Omaha Tribe), 17223 W 210 St.
Onawa, IA 51040
EPA-R7-USTFacID-753



Legend

- STP Submersible Turbine Pump
- SB Spill Bucket
- ATG ATG Probe
- IM Interstitial Monitor
- BFV Ball Float Valve

- (1) Tank 1 — Gas (10K gallons)
- (2) Tank 2 — Gas (10K gallons)
- (3) Tank 3 — Gas (10K gallons)
- (4) Tank 4 — Diesel (18K gallons)
- (5) Tank 5 — Diesel (18K gallons)
- (6) Tank 6 — Diesel (18K gallons)



Pictures

Map Work —Google Maps

NOTES:

- Tank #4 spill bucket was damaged and missing the lid. All other spill buckets were dry and free of debris.
- Riser caps for ATG probes were tight for all six tanks.
- STP sumps for tanks #2 and #4 had liquid in the bottom.

Liquid measurements for all tanks

Tank Number	Product Stored	Water, in inches	Total height, in inches	Product, in inches
1	Gasoline	33	41	8
2	Gasoline	16.5	9	7.5
3	Gasoline	34	37	3
4	Diesel	94	125	31
5	Diesel	125.5	125.5	0
6	Diesel	123.5	123.5	0

Comparison of Product Levels in 2016, 2019 and 2022

Tank Number	Product Stored	2016 product levels, in inches	2019 product levels, in inches	2022 product levels, in inches
1	Gasoline	5 7/8	3 3/4	8
2	Gasoline	9 5/8	8 1/4	7.5
3	Gasoline	3 1/8	6 1/2	3
4	Diesel	1/2	7	31
5	Diesel	1 3/8	3/4	0
6	Diesel	0	3/4	0

Automatic Tank Gauging (ATG) NA ☒

Manufacturer, name and model number of system:							
Third-party evaluators:							☐ Unknown
NOTE: Most ATGs are not certified for use with used/waste oil tanks							
ATG checking portion of tank that routinely contains product [280.40(a)(1)]							Yes No
Device documentation is available at site (e.g., manufacturer's brochures, owners' manual, third-party certification)							Yes No
Checked for presence of monitoring box and evidence that device is working.							Yes No
Checked documentation that system installed, calibrated, & maintained according to manufacturer's instructions [280.40(a)(2)] ATG must be set for 0.2 gal/hr minimum							Yes No
Monitoring (includes inventory) and testing records are available for the past 12 months							Yes No
Year	Month	Tank #1	Tank #2	Tank #3	Tank #4	Tank #5	Tank #6
	January						
	February						
	March						
	April						
	May						
	June						
	July						
	August						
	September						
	October						
	November						
	December						
Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)]							☐ NA Yes No
Annual Release Detection Operability				Test Date: _____			
1. Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup.				Y ☐ N ☐ Unknown ☐ NA ☐			
2. Probes and sensors: inspect for residual buildup; ensure floats move freely; ensure shaft is not damaged; ensure accessible cables are free of kinks and breaks; test alarm operability and communication with controller.				Y ☐ N ☐ Unknown ☐ NA ☐			
3. Does the owner/operator have operability test records for the last three years?				Y ☐ N ☐ Unknown ☐ NA ☐			
•							

Automatic Line Monitoring (ALM) NA ☒

Manufacturer, name and model number of system:							
Third-party evaluators:							☐ Unknown
ALM checking portion of piping that routinely contains product [280.40(a)(1)]							Yes No
Device documentation is available at site (e.g., manufacturer's brochures, owners' manual, third-party certification)							Yes No
Checked for presence of monitoring box and evidence that device is working.							Yes No
Checked documentation that system installed, calibrated, & maintained according to manufacturer's instructions [280.40(a)(2)] ALM must be set for 0.2 gal/hr minimum							Yes No
Monitoring (includes inventory) and testing records are available for the past 12 months							Yes No
Year	Month	Tank #2					
	January						
	February						
	March						
	April						
	May						
	June						
	July						
	August						
	September						
	October						
	November						
	December						
Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)] ☐ NA							Yes No
Annual Function Test				Test Date: <u>MM/DD/YYYY</u>			
1. Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup.				Y ☐ N ☐ Unknown ☐ NA ☐			
2. ALM units: ensure accessible cables are free of kinks and breaks; test alarm operability and communication with controller.				Y ☐ N ☐ Unknown ☐ NA ☐			
3. Does the owner/operator have function test records for the last three years?				Y ☐ N ☐ Unknown ☐ NA ☐			

Facility Name: Fuel Plaza – Blackbird Bend Casino

Agency Fac. ID: EPA-R7-TrUSTD-2304

Interstitial Monitoring for: Piping / Tank(s) NA ☒

Manufacturer and name of system:													
Date system installed:													
Materials used for secondary containment:													
Materials used for internal lining:													
Interstitial space is monitored (Circle one): automatically, continuously, or on a monthly basis.													
If tank is of double-walled construction, what is material of construction? FRP													
If piping is of double-walled construction, what is material of construction? FRP													
Documentation of monthly readings is available for last 12 months.											Yes	No	NA
Year	Month	Tank #1	Pipe #1										
	January												
	February												
	March												
	April												
	May												
	June												
	July												
	August												
	September												
	October												
	November												
	December												
Monitoring method is documented as capable of detecting a leak as small as .1 gal/hr with at least a 95% probability of detection and a probability of false alarm of no more than 5%.											Yes	No	NA
System is designed to detect release from any portion of UST system that routinely contains product.											Yes	No	NA
Secondary containment tight as to direct a release to the monitoring point and permit its detection [280.43(g)(2)]											Yes	No	NA
Sensor is positioned correctly and operating in accordance with manufacturer's instructions [280.40(a)(2)]											Yes	No	NA
Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)]											Yes	No	NA
Annual Release Detection Operability Test Date: _____													
1. Vacuum pumps and pressure gauges to ensure proper communication with sensors and controller. Y ☐ N ☐ Unknown ☐ NA ☐													
2. Sensors: ensure floats move freely; ensure accessible cables are free of kinks and breaks; test alarm operability and communication with controller. Y ☐ N ☐ Unknown ☐ NA ☐													
3. Does the owner/operator have operability test records for the last three years? Y ☐ N ☐ Unknown ☐ NA ☐													

Inventory Control [for Compliance Assistance Purposes only] NA ☒

Inventory Control data input: ATG ☐ Manual tank gauging (stick) ☐								
Leak Check Calculation is performed each month to detect a release of 1.0 percent of flow-through plus 130 gallons. [280.43(a)]							Yes	No
Inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded each operating day. [280.43(a)(1)]							Yes	No
The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch. [280.43(a)(2)]							Yes	No
The regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery. [280.43(a)(3)]							Yes	No
Deliveries are made through a drop tube that extends to within one foot of the tank bottom. [280.43(a)(4)]							Yes	No
Product dispensing is metered and recorded within the local standards for meter calibration or an accuracy of 6 cubic inches for every 5 gallons of product withdrawn. [280.43(a)(5)]							Yes	No
The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month. [280.43(a)(6)]							Yes	No
Inventory Control Records are available for the past 12 months							Yes	No
Operator or owner has access to correct tank charts to convert inches to gallons.							Yes	No
Leak Check Calculation Results: P = PASS F = FAIL N=None								
Year	Month	Tank #1	Tank #2	Tank #3	Tank #4	Tank #5	Tank #6	
	January							
	February							
	March							
	April							
	May							
	June							
	July							
	August							
	September							
	October							
	November							
	December							
Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)] ☐ NA							Yes	No
Notes:								

Statistical Inventory Reconciliation (SIR) NA ☒

Designer/Manufacturer and name of program:								
SIR Service Provider:								
Third-party evaluators:								
SIR data input: ATG ☐ * Manual tank gauging (stick) ☐ (Must follow the requirements for inventory control)								
* Monthly water level readings recorded, drop tubes present, meters calibrated, and the dipstick is marked legibly and product levels can be measured to the nearest 1/8 inch							Yes	No
SIR documentation is available at site (e.g., designer's brochures, owners' manual)							Yes	No
Owner/Operator has documentation on file verifying method meets minimum performance standards of 0.20 gph with Pd 95% and Pfa of 5% for statistical inventory reconciliation (e.g., results sheets under EPA's "Standard Test Procedures for Evaluating Leak Detection Methods").							Yes	No
SIR results are available for the past 12 months							Yes	No
SIR Test Results: P = PASS F = FAIL INC = Inconclusive N=None								
Year	Month	Tank #1	Tank #2	Tank #3	Tank #4	Tank #5	Tank #6	
	January							
	February							
	March							
	April							
	May							
	June							
	July							
	August							
	September							
	October							
	November							
	December							
Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)] ☐ NA							Yes	No
Receiving results within a time frame established by implementing agency [280.41(a) & 280.43(h)]							Yes	No
Annual Release Detection Operability Test Date: _____ 1. If ATG used for data input, refer to page 12 for annual testing requirements. 2. If tank measuring stick used for data input: Hand-held sampling equipment (gauging Y ☐ N ☐ Unknown ☐ NA ☐ sticks, etc.) to ensure proper operation. 3. Does the owner/operator have operability test records for the last three years? Y ☐ N ☐ Unknown ☐ NA ☐								

Manual Tank Gauging (MTG) NA ☒

Manual tank gauging may be used as the sole method of leak detection only for tanks of 1,000 gal or less, or in combination with tank tightness testing for tanks 2,000 gal. or less. * Manual tank gauging must be used in combination with tank tightness testing for tanks over 1,000 gal.															
Records show liquid level measurements are taken at beginning and ending of period of at least 36 hours during which no liquid is added to or removed from the tank. [280.43(b)(1)]														Yes	No
Level measurements based on aver. of two consecutive stick readings at both beginning and end of period.														Yes	No
Monthly average of variation between beginning and end measurements is less than standard shown below for corresponding size and dimensions of tank and waiting time.														Yes	No
Gauge stick is long enough to reach bottom of the tank. Ends of gauge stick are flat and not worn down. [280.43(b)(3)]														Yes	No
Gauge stick is marked legibly and product level can be determined to the nearest 1/8 inch [280.43(b)(3)]														Yes	No
MTG is used as sole method of leak detection for tank.														Yes	No
MTG is used in conjunction with tank tightness testing.														Yes	No
Are all tanks for which MTG is used 2,000 gal or less in capacity? [280.43(b)(5)]														Yes	No
Operator or owner has access to correct tank charts to convert inches to gallons.														Yes	No
Check One:		Nominal Tank Capacity (gal)			Tank Dimensions			Monthly Standard (gal)			Minimum Test Duration				
()		550			NA			5			36 hr				
()		551 - 1,000			NA			7			36 hr				
()		1,000			64" diam. X 73" length			4			44 hr				
()		1,000			48" diam. X 128" length			6			58 hr				
()		1,001 - 2,000*			NA			13							
Year	Month	Tank #1	Tank #2	Tank #3	Tank #4	Tank #5	Tank #6	Year	Month	Tank #1	Tank #2	Tank #3	Tank #4	Tank #5	Tank #6
	JAN								JUL						
	FEB								AUG						
	MAR								SEP						
	APR								OCT						
	MAY								NOV						
	JUN								DEC						
Are monitoring records available for the last 12 month period?														Yes	No
Performing proper recording and reconciliation activities [280.43(b)(4)]														Yes	No
Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)] ☐ NA														Yes	No
Annual Release Detection Operability										Date: _____					
1. Hand-held sampling equipment (gauging sticks, etc.) to ensure proper operation.										Y ☐ N ☐ Unknown ☐ NA ☐					
2. Does the owner/operator have operability test records for the last three years?										Y ☐ N ☐ Unknown ☐ NA ☐					

2 Underground Storage Tank (UST) Inspector's Observation Report



THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 7
Tanks, Toxics, and Pesticides Branch
LCRD/TTPB 11201 Renner BLVD
Lenexa, Kansas 66219
913-551-7216

TRUSTed - 2304

Facility Name: Fuel Plaza - Blackbird Casino Agency Fac. ID EPA-R7-USTFacID-

☐ No areas of concern or deficiencies were observed at the conclusion of this inspection.	
☒ The above named facility was inspected by a duly authorized representative of EPA Region 7, and the following are the inspector's observations and/or recommended corrective action(s):	
Deficiencies or Areas of Concern Identified:	
Regulatory Citation	Description
§ 280.93	No Financial responsibility information available
§ 280.70(a)	Tanks 1, 2, 3, 4 have product levels ranging from 3-30"*
§ 280.70(b)	No vents, Fill caps all unlocked, No fill cap present on Tank 4
§ 280.70(c)(1)(a)	Spill bucket for Tank 4 is damaged
§	
§	
§	
§	

Actions Taken: ☐ Field Citation; # ___ ☐ Additional information required ☐ Inspection Deficiency Summary/Due date _ Notes: •	
Name of Owner/Operator Representative: <u>Brian Daltonso</u> (Please print) <u>Brian Daltonso</u> (Signature) Other Participants: _____ _____ _____ _____	Name of EPA Representative: <u>Brian Daltonso</u> (Please print) <u>Brian Daltonso</u> (Signature) _____ (Credential Number) <u>Biologist</u> (Title) Date of Inspection <u>9-8-22</u> Time <u>1:30</u> AM/PM <u>PM</u>

Deficiencies determined after the inspection:

- **280.240; Failure to have properly trained operators**
- **280.36; Failure to conduct monthly and annual walkthrough inspections**
- **280.40(a) & 280.70(a); Failure to provide a method of release detection**
- **280.35(a)(1)(ii); Failure to conduct triennial testing on spill protection (spill buckets)**
- **280.35(a)(2); Failure to conduct triennial testing on overfill protection equipment (ball float)**

3 Underground Storage Tank (UST) Compliance Inspection Deficiency Summary

On September 8, 2022 the United States Environmental Protection Agency conducted an underground storage tank (UST) inspection of your facility to determine compliance with the Federal Underground Storage Tank regulations, 40 C.F.R. Part 280. During the inspection, potential record-keeping deficiencies were identified. You may resolve the below-cited deficiencies by providing documentation indicating that the facility had no areas of concern at the time of the inspection with the items listed below. Please return the documentation within **5** business days. **Failure to provide the requested documentation within the specified timeframe may result in the issuance of a formal information request pursuant to Section 9005 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6991d.**

Notification

- ☐ Document the notification to the state of a previously unregistered existing underground storage tank.
- ☐ Provide documentation of the notification and investigation of a suspected release to the state implementing agency per the requirements defined in 40 C.F.R. § 280.50.

Cathodic Protection

- ☐ Document the installation or repair and testing of a cathodic protection system for unprotected piping, flex connectors, buried metallic components, etc.
- ☐ Document the installation or repair and testing of a cathodic protection system for an unprotected steel or composite UST.
- ☐ Document an internal tank lining integrity test.
- ☐ Document a field test of the cathodic protection (CP) system by a qualified protection tester to determine that the CP system adequately provides the required corrosion protection for all components as required by 40 C.F.R. § 280.31(b). (Required every 3 years following the initial testing after the CP system's installation)
- ☐ Provide documentation demonstrating that the impressed current cathodic protection system has been inspected at least every 60 days. Such documentation may be in the form of a system rectifier inspection log or other such record demonstrating compliance with 40 C.F.R. § 280.31(c). Provide the records for the months of _____.

Release Detection

- ☐ Document product line tightness testing using an approved method for annual line leak detection.
- ☐ Document an operational integrity test (annual) on line leak detector (LLD) in accordance with the manufacturer's requirements.
- ☐ Document a tank tightness test using an approved method.
- ☐ Document an approved form of monthly release detection monitoring, e.g., statistical inventory reconciliation (SIR), automatic tank gauging (ATG), etc
- ☐ Provide the following documentation that the leak detection method has been implemented:
 - ☐ Automatic tank gauge data (e.g. CSLD, SCALD, "Leak Check").
 - ☐ Inventory Control, ☐ SIR, ☐ Document monthly interstitial sensor/probe status data
- ☐ Document the performance of a release detection operability test.

Spill and Overfill Protections

- ☐ Document the installation or repair of an approved overfill prevention device(s), e.g., outside overfill alarm, automatic shutoff device (flapper valve), etc.
- ☒ Document the installation or repair of an approved spill prevention device(s), e.g., spill bucket, catchment basin, etc.
- ☐ Document the performance of one or both of the following
- ☐ Triennial Spill Bucket Test
 - ☐ Triennial Overfill Equipment Test

Temporary/Permanent Closure

- ☒ Document placement the UST(s) in temporary out-of-service status, including documentation of the removal of all product to below one-inch, in accordance with 40 C.F.R. § 280.70.
- ☐ Document the proper permanent closure of the UST(s) in accordance with 40 C.F.R. §280.71, and any applicable state regulations.

Financial Responsibility

- ☒ Provide documentation of financial responsibility for underground storage tank system in accordance with 40 C.F.R. 280, Subpart H.

Other

- ☐ Under Dispenser Containment (Visual inspection or electronic monitoring)
- ☐ Documentation of Compatibility for UST Systems
- ☐ Documentation of Periodic Walk-through Inspection
- ☐ Walkthrough Inspection Records – Monthly and Annually
- ☐ Documentation of Containment Sump Testing
- ☐ _____
- _____

Submit all documentation to:

Brian DAlfonso 913-551-5095
dalfonso.brian@epa.gov

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 7
Tanks, Toxics, and Pesticides Branch
LCRD/TTPB, 11201 Renner BLVD
Lenexa, Kansas 66219

Date and time will be imprinted on photo. Lat/Long retained in photo properties if GPS Camera used.

Photos Downloaded to _____

Date: _____ Time: _____ Initials: _____