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Underground Storage Tank Enforcement: U.S. Environmental Protection Agency and Lexington, Virginia Travel Plaza Enter into Consent Agreement

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The United States Environmental Protection Agency (“EPA”) and Lee Hi Travel Plaza (“Lee Hi”) entered into a September 6th Consent Agreement (“CA”) addressing alleged violations of the Resource Conservation and Recovery Act Underground Storage Tank (“UST”) regulations. See Docket No.: RCRA-03-2018-0135.

The CA provides that Lee Hi operates a Lexington, Virginia facility (“Facility”) with USTs.

EPA is stated to have conducted a Compliance Evaluation Inspection (“CEI”) on June 14, 2017, at the Facility. The CEI is alleged to have determined that certain violations were identified in regards to four USTs at the Facility, which are described as:

1. A 30,000 gallon fiberglass tank with double-walled fiberglass reinforced plastic piping that was installed in or about May 1995 . . .
2. A 30,000 gallon fiberglass tank with double-walled fiberglass reinforced plastic piping that was installed in or about May 1995 . . .
3. A 10,000 gallon fiberglass tank with double-walled fiberglass reinforced plastic piping that was installed in or about May 1995 . . .
4. A 10,000 gallon fiberglass tank with double-walled fiberglass reinforced plastic piping that was installed in or about May 1995 . . .

The CA alleges certain violations which include:

- Failure to perform tank release detection on USTs as previously referenced as (1) and (2)
- Failure to retain release detection records at the Facility
- Failure to maintain from at least February 3, 2016, until June 22, 2017, records of release detection for USTs numbers 1, 2, 3 and 4 in accordance with certain referenced regulations

Lee Hi is stated to neither admit nor deny the factual and legal allegations.

The CA assesses a civil penalty of \$14,000.

A [copy of the CA](#) can be found here.