

Storage Tank Enforcement: U.S. Environmental Protection Agency and Middleton, Delaware, Operator Enter into Expedited Settlement Agreement



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The United States Environmental Protection Agency (“EPA”) and SNEH Enterprises LLC and VIRU Enterprises LLC (collectively “Enterprises”) entered into a January 4th Expedited Settlement Agreement (“ESA”) addressing alleged violations of the federal underground storage tank (“UST”) regulations. See Docket No.: RCRA-03-2022-0030.

The ESA provides that Enterprises is the operator and/or owner of USTs located in Middleton, Delaware.

EPA is stated to have sent an Information Request Letter to Enterprises on February 2, 2021. The Information Request Letter is stated to have been sent in lieu of an onsite Compliance Evaluation Inspection in an effort to maintain social distancing during the COVID-19 pandemic.

The ESA provides that based on the information provided to EPA, the following USTs were located at the facility:

- A 15,000-gallon tank that was installed in or about August 2001
- An 8,000-gallon tank that was installed in or about August 2001
- A 7000-gallon tank that was installed in or about August 2001

EPA is stated to have identified the following violations:

1. From at least 4/15/20 until 5/18/20 and from at least 8/14/20 until 3/30/21, Respondent failed to properly conduct tank release detection on UST No. 1, in violation of DRGUST Part B 1.07 and 2.05 and 40 C.F.R. § 280.4(a);
2. From at least 4/15/20 until 5/18/20 and from at least 8/14/20 until 3/30/21, Respondent failed to properly conduct tank release detection on UST No. 1, in violation of DRGUST Part B 1.07 and 2.05 and 40 C.F.R. § 280.4(a);
3. From at least 4/15/20 until 5/18/20 and from at least 8/14/20 until 3/30/21, Respondent failed to properly conduct tank release detection on UST No. 1, in violation of DRGUST Part B 1.07 and 2.05 and 40 C.F.R. § 280.4(a)

A civil penalty of \$2,820 is assessed.

A copy of the ESA can be downloaded [here](#).

