

## Storage Tank Enforcement: U.S. Environmental Protection Agency and York, Pennsylvania, Operator Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and York Fuel Stop, Inc., (“York”) entered into a February 23rd Consent Agreement (“CA”) addressing violations of the Pennsylvania regulations addressing underground storage tanks (“USTs”). See Docket No. RCRA-03-2022-0044.

The CA provides that York has been the owner and operator of USTs at a facility (“Facility”) in York, Pennsylvania.

The Pennsylvania Department of Environmental Protection (“DEP”) is stated to have conducted an inspection of the Facility on March 28, 2019, pursuant to Section 9005 the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. § 6991(d) and the Commonwealth of Pennsylvania UST program. The Facility is stated to have been utilizing USTs containing regulated substances as that term is defined in Section 9001(7) of RCRA.

Violations allegedly identified during the inspection included:

- Failure to Maintain Financial Responsibility

The CA provides that at the time of the inspection York was not participating in the Pennsylvania Underground Storage Tank Indemnification Fund (“Fund”). This failure to participate is stated to have been due to failure to pay on a timely basis all applicable fees and conforming with all other requirements for participation in the Fund regarding one of the USTs containing diesel fuel.

A civil penalty of \$6,000 is assessed.

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