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# Storage Tank Contractor Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Searcy Company Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and Terry Price, DBA TLP Enterprises ("TLP") entered into a January 19th Consent Administrative Order ("CAO") addressing alleged violations of the Underground Storage Tank ("UST") contractor licensing rules.. See LIS No. 23-007.

The CAO describes Terry Price as both a Contractor and a Tester pursuant to Arkansas Pollution Control & Ecology Commission ("APC&EC") Rule No. 12.

The referenced licensing rules authorize the performance or repairs, installations, maintenance, and testing on UST systems in the State of Arkansas.

The CAO provides that TLP failed to do the following:

- Notify the owner or DEQ of a suspected release (at a Vilonia, Arkansas, facility)
- Perform spill bucket testing (at a Conway County, Arkansas, facility)
- Provide the seven-day notice for installation or replacement (at a White County, Arkansas, facility)

The CAO requires TLP:

- Perform all installations, repairs, upgrades, closures, and testing in accordance with 40 CFR § 280, APC&EC Rule No. 12 and all other applicable state and federal rules and regulations
- Submit all records and notices to DEQ in a timely manner, maintain complete and accurate records as required by rule or statute, include dates on all such records, and where appropriate or required, include signatures on records.
- Employ appropriate testing materials and methods and perform all testing and sampling in accordance with APC&EC Rule 12 and all other applicable state and federal rules and regulations

Upon execution of the CAO by DEQ Chief Administrator and TLP, certain referenced licenses are deemed renewed and effective contingent upon TLP's continuing compliance with all its terms.

For a period of 24 months after the effective date of the CAO, TLP is stated to be on a probationary basis in reference to certain licenses and which provides measures that will be implemented upon failure to abide by the CAO terms.

A civil penalty of \$2,400 is assessed.

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