

NOTICE OF DOCUMENT QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**THE QUALITY OF THE FOLLOWING ORIGINAL PAPER
DOCUMENT(S) WAS SUCH THAT ALL OR PORTIONS OF THE
SCANNED IMAGE
MAY BE DIFFICULT TO READ OR ILLEGIBLE.**

Some reasons for poor quality:

There are multiple densities per page, different types of ink, faded document, and some documents are different colors. Many of the photographs, charts, graphs, maps are of poor quality.

PS T2/ID17824/S/20160106/FI L SUMMARY REPORT
City of El Paso Environmental Services Department
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Good Time Stores, Inc.
Customer Number: CN600494199

Regulated Entity Name: GOOD TIME STORE 61

Regulated Entity Number: RN101695427

Investigation # 1301679

Investigator: MARTHA JUAREZ

Incident Numbers

Site Classification UNDERGROUND STORAGE
TANK - REGISTRATION
UNDERGROUND STORAGE
TANK - PST STAGE II

Conducted: 01/06/2016 -- 01/06/2016

No Industry Code Assigned

Program(s): PETROLEUM STORAGE TANK REGISTRATION
PETROLEUM STORAGE TANK STAGE II

Investigation Type: Compliance Investigation

Location:

Additional ID(s): 17824

Address: 214 VAL VERDE ST,
EL PASO, TX , 79905

Local Unit: CITY OF EL PASO LOCAL PROGRAM

Activity Type(s): STIICEIRR - Review of records
submitted to the agency related to a
Stage II CEI

Principal(s):

Role	Name
RESPONDENT	GOOD TIME STORES INC

Contact(s):

Role	Title	Name	Phone
REGULATED ENTITY CONTACT	STORE MANAGER	MR JUAN LOZANO	Work (915) 779-6105
REGULATED ENTITY MAIL CONTACT	CHAIRMAN	MR BRUCE NELSON	Work (915) 779-6105
PARTICIPATED IN	FACILITIES MANAGER	MR JOHN COONS	Work (915) 778-7198

Other Staff Member(s):

Role	Name
Investigator	WILLIAM PALMER
QA Reviewer	AL MELERO
Supervisor	AL MELERO

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FEB 10 2016
TCEQ
CENTRAL FILE ROOM

Associated Check List

Checklist Name

PST GENERIC OTHER VIOLATIONS

Unit Name

17824

Investigation Comments:

INTRODUCTION

On January 6, 2016, Martha Juarez, Investigator, with the City of El Paso, Environmental Services, Air Quality Program, conducted an Air On Site Follow Up Investigation(AIR FIIH) for Good Time #61, located at 214 Val Verde, El Paso, Texas.

The purpose of this investigation was to evaluate compliance with applicable Texas Commission on Environmental Quality (TCEQ) requirements for petroleum storage tanks and control of vehicle refueling emissions (Stage II Vapor Recovery systems) at motor vehicle fuel dispensing facilities. Good Time Stores Inc. owns and manages the property and underground storage tanks.

Daily Narrative

Investigation

On January 6, 2016, the Investigator reviewed the required documentation to abate the Notice of Violation for Violation Tracking # 570734 and 570735. As a result of this investigation a final letter will be sent to the respondent.

GENERAL FACILITY AND PROCESS INFORMATION

Process Description

The facility operates as a convenience store with retail sales of fuel. The facility has a Balance (G-70-191-AA) Vapor Recovery Stage II System.

BACKGROUND

Compliance history for this facility is listed in Central Registry as satisfactory.

Current Enforcement Actions

The Regulated Entity is currently pending Litigation with TCEQ for violation of 30 TAC 115.242(2). Case Docket No. 2014-0750-PST-E #48744

Complaints

None

Prior Enforcement Issues

None

ADDITIONAL INFORMATION

Conclusions and Recommendations

Based on the action taken by Good Time Store 61 the violations noted are now resolved. No outstanding violations exist as of the date of this report. A final letter will be sent to the respondent.

List of Attachments

1. Copy of Vapor Recovery Test Results

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track Number: 570734

Resolution Status Date: 1/6/2016

Violation Start Date: 4/22/2015

Violation End Date: 1/6/2016

30 TAC Chapter 334.50(b)(1)(B)(i)

Alleged Violation:

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the annual Tank Tightness Test as required by 30 TAC 334.50 (b)(1)(i). Record review indicated that the last test was performed on February 2013 and therefore the tests should have been conducted no later than February 2014.

Investigation: 1301679

Comment Date: 01/06/2016

Recommended Corrective Action: The Facility must respond within 30 days of the date of the Notice of violation to notify the Air Quality Program when the Tank Tightness Test will be conducted.

Resolution: On January 6, 2016 the file review revealed that the facility has submitted the required test results to abate this violation.

Track Number: 570735

Resolution Status Date: 1/6/2016

Violation Start Date: 4/22/2015

Violation End Date: 1/6/2016

30 TAC Chapter 334.50(b)(2)(A)(ii)

Alleged Violation:

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the Pipe Tightness Test as required by 30 TAC 334.50 (b)(2)(A)(ii). Record review indicates that the last tightness test was conducted on February 2013, therefore the test should have been conducted no later than February 2014.

Investigation: 1301679

Comment Date: 01/06/2016

Recommended Corrective Action: Within 30 days of the receipt of the Notice of Violation the facility must notify the Air Quality Program with the exact date the test will be performed.

Resolution: On January 6, 2016, the file review revealed that the facility has submitted the required test results to abate this violation.

Signed

Martha Suarez
Environmental Investigator

Date

1/6/16

Signed

A. [Signature]
Supervisor

Date

1/6/16

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : Final
Letter

___ Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

___ Correspondence from the facility

☒ Other (specify) :

see list of attachments
above



January 8, 2016

Mayor
Oscar Leoser

City Council

District 1
Peter Svarzbein

District 2
Larry Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Claudia Ordaz

District 7
Lily Limón

District 8
Cortney C. Niland

City Manager
Tommy Gonzalez

Mr. John Coons
Good Time Stores Inc.
7108 Airport
El Paso, TX 79906

RE: Notice of Compliance with Notice of Violation for Investigation conducted at:
Good Time Store 61
214 Val Verde
El Paso, Texas 79905
RN101695427

CCEDS Investigation No. 1301679

Dear: Mr. Coons:

This letter is to inform you that the City of El Paso's Environmental Services- Air Quality Program, has received compliance documentation from Texas Commission on Environmental Quality, on January 6, 2016 to resolve the alleged violations documented during the investigation of the above referenced regulated entity conducted on 04/22/2015. Based on the information received no further action is required concerning this investigation.

The City of El Paso appreciates your assistance in this matter and your compliance efforts to ensure protection of the City's environment. If you or members of your staff have any questions regarding this matter, please feel free to contact Martha Juarez at (915) 212-6035 or me at (915) 212-6038.

Sincerely

Al Melero
Code Compliance Supervisor
City of El Paso Environmental Services, Air Quality Program

Ellen A. Smyth – Director

7968 San Paulo Dr. | El Paso, Texas 79907 | (915) 212-6000
www.elpasotexas.gov

"Delivering Outstanding Services"

Investigation Quality Assurance Appendix

Investigation Number: 13016 Regulated Entity Number: RN105427 County: EL PASO

Regulated Entity Name: GOOD TIME STORE 61

Physical Address: No Physical Address Associated to RN in CR

Conducted: 01/06/2016 00:00 To 01/06/2016 00:00

Notification Date:

No Associated Incidents

Staff Tasks

LEAD INVESTIGATOR	MARTHA JUAREZ	Tasks:	.5 hrs. INVEST .5 hrs. POSTINVEST .5 hrs. PREINVEST .5 hrs. TRAVEL
INVESTIGATOR	WILLIAM PALMER	Tasks:	1 hrs. TRAINING
QA REVIEWER	AL MELERO	Tasks:	1 hrs. QA
SUPERVISOR	AL MELERO	Tasks:	5 hrs. POSTINVEST

Documents Received

<u>Submitted By</u>	<u>Document Type</u>	<u>Received Dt</u>	<u>Activity Dt</u>	<u>Document Dt</u>
Good Time Stores, Inc.	OTHER	01/06/2016	Activity date is 07/17/2015	Document date is 01/06/2016

Communication History

FINALLETTE 01/08/2016

<u>Fiscal Year</u>	<u>WP Local Unit</u>	<u>Activity Type</u>	<u>Event Quantity</u>
2016	CITY OF EL PASO LOCAL F	STIICEIRR - Review of records submitted to the agency related to a Stage II CEI	1

ASSOCIATED TO A NOTICE OF VIOLATION

Checklist: NO ASSOCIATED CHECKLIST

Checklist Item:

Allegation: Failure to conduct the annual Tank Tightness Test as required by 30 TAC 334.50 (b)(1)(i). Record review indicated that the last test was performed on February 2013 and therefore the test should have been conducted no later than February 2014.

Violation Comment:

Citations: 30 TAC Chapter 334.50(b)(1)(B)(i)

Principal: GOOD TIME STORES INC

Program: PETROLEUM STORAGE TANK REGISTRATION

Track Number: 570734

Classification: MODERATE

Self Reported: NO

Status Code & Date: RESOLVED,01/06/2016

Immunity Granted: NO

Compliance Plan Requested: NO

Repeat Violation: NO

Category and Sub Category Code: B,

EPA Class: N/A

Violation Start Date: 04/22/2015

Refer to Investigation: YES

Violation End Date: 01/06/2016

Compliance Due Date: Not Entered

Violation Comment:

Citations: 30 TAC Chapter 334.50(b)(2)(A)(ii)

Principal: GOOD TIME STORES INC

Program: PETROLEUM STORAGE TANK STAGE II

Track Number: 570735

Classification: MODERATE

Self Reported: NO

Status Code & Date: RESOLVED,01/06/2016

Immunity Granted: NO

Compliance Plan Requested: NO

Repeat Violation: NO

Category and Sub Category Code: B,

EPA Class: N/A

Violation Start Date: 04/22/2015

Refer to Investigation: YES

Violation End Date: 01/06/2016

Compliance Due Date: Not Entered

City of El Paso, Environmental Services Department

Air Quality Program

Regulated Entity No. 101695427

Site Name: Good Time Store 61

Address: 214 Val Verde

CCEDS Investigation No. 1301679

Date of Review: January 6, 2016

List of Attachments

Vapor Recovery Test Results

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Vapor Recovery Test Result Cover Sheet

(Notice: Submit Test Results to the appropriate TCEQ regional office, and local program with jurisdiction, within 10 working days of test completion.
See reverse side for addresses.)

Tests of the Vapor Recovery System were conducted at the following location:

Facility Name: Good Time Store #61 RJ101695427 Facility ID Number: 17824
Facility Address: 214 Val Verde Street
Facility City: El Paso State: TX Zip: 79905
Facility Phone: 915-778-7198
Owner Name: Good Time Stores, Inc. Phone Number: 915-779-6105

Vapor Recovery System installed:

System	UST or AST	Type of System ¹	Executive Order or Certification Number	Test Purpose ²
Stage I	UST	Two Point	N/A	Decommission
Stage II	UST	N/A	N/A	N/A

¹ Coaxial or Two-Point for Stage I, Balance or Assist for Stage II.

² Test purposes are: CI=Initial Compliance, CA= Annual Compliance, CM= After Major Modification, or 3Y = Three Year.

The Following Tests were Conducted at this Facility:

Test Procedure Name Number	Date Tested	Name of Person(s) Conducting Test	Pass or Fail
TXP-101 Vapor Space Manifold	----		----
TXP-102 Pressure Decay	7/17/15 <i>AD</i>	John Vout/JR Williams	PASS
TXP-103 Dynamic Backpressure	7/17/15 <i>AD</i>	John Vout/JR Williams	PASS
TXP-104 Flow Rate Determination	----		----
TXP-105 Liquid Removal Device	----		----
TXP-106 V/L Ratio	----		----
TP-201.5 CARB A/L Ratio	----		----
TXP-106-2 A/L Using Hasstech Equipment	----		----
TXP-107 Healy Booted Nozzle	----		----
Other:			

The tester arrived on-site at 8:30 ☒ AM ☐ PM and departed at 12:30 ☒ PM ☐ PM

There are a total of 2 pages containing test results attached to this cover sheet.

I certify that the above tests, the results of which are attached to this cover sheet, were conducted in accordance with the test procedures as outlined in the Vapor Recovery Test Procedures Handbook, and that the results submitted here are true and correct to the best of my knowledge.

Signature of Test Contractor Responsible Party: *[Signature]* Date: 7/20/15

Test Company Name: Kachina Petroleum Phone Number: (915)-599-1717

**Form 102-1:
Pressure Decay Test Data**

Test Date: 7/17/15

Page 1 of 2

Facility Name: Good Time Store #61

Facility ID Number: 17824

Test Company Name: Kachina Petroleum Equipment Company

Type of Stage II System Installed: Vapor Assist

Exec. Order: N/A

Describe Manifolding of system (if any): At Vents Underground

Date and Time of Last Bulk Delivery / Removal: 7/15/15 @ 8:30A.M.:

Time of Last Vehicle Refueling Prior to Test: 8:30A.M. Time Test Begun: 10:00A.M.

	Parameter (Indicate Manifolding by Circling Tank Numbers) →	Tank Number				Total
		1	2	3	4	
1	Product Grade	Unleaded	Premium			---
2	Type of Storage Tank (AST or UST)	UST	UST			---
3	Actual Tank Capacity (gallons)	9684	9684			19368
4	Gasoline Volume (gallons)	8025	855			8880
5	Ullage (gallons) (item 3-item 4)	1659	8829			10488
6	Number of Nozzles w/Vapor Return to Tank					9
7	P/V Manufacturers Rated Cracking Pressure	2.5-6"W/C	2.5-6"W/C			
8	P/V Pressure When Cracking Began	3.45	3.12			
9	Time Required to Pressurize System (seconds)					63
10	Nitrogen Flowrate Circle <u>SCFM</u> or SCFH	Flowrate:				5
11	Initial Pressure (Inches WC)					2.00
12	Pressure after 1 minute (Inches WC)					2.00
13	Pressure after 2 minutes (Inches WC)					2.01
14	Pressure after 3 minutes (Inches WC)					2.02
15	Pressure after 4 minutes (Inches WC)					2.02
16	Pressure after 5 minutes (Inches WC)					2.03
17	Allowable Final Pressure (from table or equation)*					1.90
18	Healy Nozzle to Multi / Mini-Jet: Pass or Fail	ΔV=	Piping Length = ____ ft.	AΔV=		
19	Test Result: Pass or Fail					PASS

Comments (Include any equipment replaced and/or repairs made prior to or during the test):

Decommission of Stage II Vapor Recovery

* Final regulatory compliance must be determined by using the appropriate equation in Section 9.2.

TCEQ STAGE II DECOMMISSIONING CHECKLIST & SUBMITTAL FORM

FACILITY INFORMATION

RP101695427

Facility Name	Good Time Store #61	TCEQ Facility ID	17824
Facility Address	214 Val Verde Street	Facility City	El Paso

PST OWNER INFORMATION

Owner Name	Good Time Stores, Inc.	Owner Phone	915-779-6105
Representative	John Coons	Representative Phone	915-637-7012

PST OPERATOR INFORMATION

Operator Name	Good Time Stores, Inc.	Operator Phone	915-779-6105
Representative	John Coons	Representative Phone	915-637-7012

CONTRACTOR INFORMATION

Company Name	Kachina Petroleum Equipment Company	Company Phone	915-599-1717
Company Address	3700 Buckner	Company City	El Paso
Technician Name	Mark Garcia	Technician Phone	915-599-1717
UST License (CRP / ILP):	001045/US0000086	STII Tester ID:	

SYSTEM INFORMATION

UST or AST	UST	CARB Executive Order	G-70-191-AA
No. of hanging hardware present	9	No. of hanging hardware replaced	9

DECOMMISSIONING CHECKLIST

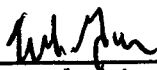
PEI Recommended Practices of Installation and Testing Vapor-Recovery Systems RP-300

Item No.	Decommissioning Activity	RP300 Reference	Completed Yes/ No
1	Were safety procedures initiated?	14.6.1	YES
2	Were all P/V vent valves removed to relieve pressure in tanks?	14.6.2	YES
3	Were all liquid-collection points drained?	14.6.3	YES
4	Were all dispensers reprogrammed to show Stage II is no longer active?	14.6.4	YES
5	Were all electrical components of the Stage II system disconnected?	14.6.4	YES
6	Were all vapor pumping and processing units drained and disconnected? <i>Includes all dispenser vacuum motors and central vacuum units.</i>	14.6.4	YES
7	If OPW Vapor Savor or Arid Permeator is present, has it been properly disconnected? (or NA)	14.6.4	N/A
8	If the Stage II system has a central vacuum motor, was it properly removed by a TCEQ UST Licensed Contractor?	14.6.5	N/A

9	If a central vacuum motor was removed, was a product line tightness test conducted and passed before placing system back into operation? Submit test results to TCEQ Regional Office and local government with jurisdiction.	30 TAC 334.52(c)(3)	N/A
10	Was the lower end of the vapor piping securely sealed within all dispenser cabinets? <i>Only threaded plugs, threaded caps, or glued fittings allowed. No rubber caps with hose rings.</i>	14.6.8	YES
11	Was all below-grade dispenser vapor piping securely sealed off below the base of the dispensers? <i>Only threaded plugs, threaded caps, or glued fittings allowed. No rubber caps with hose rings.</i>	14.6.6	YES
12	Was all Stage II hanging hardware replaced with conventional hanging hardware?	14.6.9	YES
13	Were all Stage II instructions removed from the outside of the dispenser cabinets?	14.6.11	YES
14	If the tank top vapor piping is accessible without excavation, was all tank top vapor piping properly disconnected and securely. (NA for ASTs) <i>Only threaded plugs, threaded caps, or glued fittings allowed. No rubber caps with hose rings.</i>	14.6.7	NO
15	Were the P/V Valves re-installed prior to Pressure Decay Testing?	14.6.10	YES
16	Was a Pressure Decay (TX-102) test conducted and passed prior to restoring the facility to operating status? Use TXP-102 form and submit to TCEQ Regional Office and local government with jurisdiction.	14.6.12	YES
17	Was a Dynamic Back-Pressure (TX-103) test conducted and passed on the vent lines prior to restoring the facility to operating status? Use TXP-103 form and submit to TCEQ Regional Office and local government with jurisdiction.	14.6.12	YES
18	Were the visible components of the storage system are left in a condition that will reliably prevent the release of any vapors or liquids from any components of the storage system?	14.6.13	YES
19	Was a site map with the tanks, dispensers and vapor piping (with disconnected and capped locations clearly marked) submitted with this checklist?	30 TAC 334.46(i)(B) (iii)	YES

This form must be submitted to the TCEQ and local government with jurisdiction with a copy of **all** required test results and site map within **10 working days** [30 TAC 115.246(5)]. A copy must be kept on-site for five years after the decommissioning activity in accordance with [30 TAC 115.246(6)]

Mark Garcia
Technician Name Print


Technician Signature

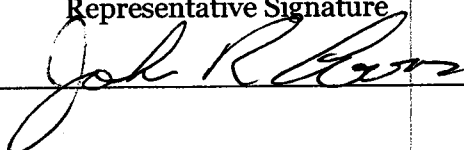
7/17/15
Date

Owner/Operator/
Representative Name Print

Owner/Operator/
Representative Signature

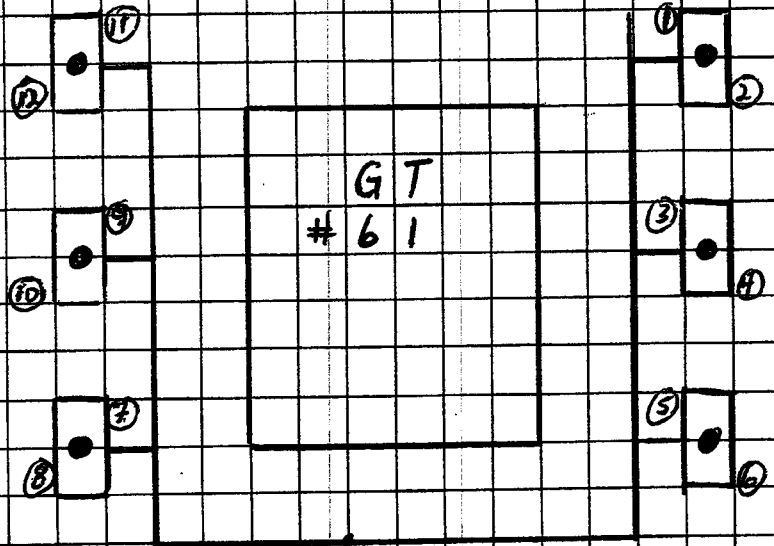
Date

John Coons



7/17/15

PAISANO



VAPOR PIPING

CLOSED

PREMIUM

CLOSED

Unattended

0000 Vent
Elec.
Room

VAL VERDE ST.

● - Capped - Dispensers

Melero, Albert

From: Jon Williams <jon.williams@tceq.texas.gov>
Sent: Monday, October 26, 2015 8:08 AM
To: Melero, Albert
Subject: Violations under 30 days

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Al,

I noticed this morning that two violations for Good Time Store 61(RN101695427) were under 30 days without an open investigation.

Have a good one!

Jon Williams
Work Leader
El Paso Region Office
Border & Permian Basin Area
Office of Compliance & Enforcement
Texas Commission on Environmental Quality
401 E. Franklin Ave. Suite 560
El Paso, TX 79901
Direct: 915-834-4968
Office: 915-834-4949
Fax: 915-834-4940

1248358 → open
active violations

Do need to
resolve

Resolve based test results

in ANTHA

Violation #s

570734

570735

48/53

See note: Who Fills out the EAR? u

Enforcement Action Referral Rev. 3/18/2002	Inv. #	1248358	Initiated by: Region, LP, Central:	Local Program
	Enf Case		Name of Initiating Office:	REGION 06 LOCAL PROGRAM
	Media Code:	PST		

Section 1: Respondent

ID	CN600494199		Role	RESP PARTY
Name	GOOD TIME STORES INC		TCEQ - Region 6 El Paso, Texas RECEIVED	
Mailing Address	Street/PO Box	214 VAL VERDE ST	MAY 27 2015	
	City/State/Zip	EL PASO, TX 79905		
	Phone	(915) 779-6105	Fax	

Primary Contact (NOE Contact)			
Name	JOHN COONS	Organization	GOOD TIMES STORE INC
Title	Facilities Manager	Phone	(915) 778-7198
		Fax	

Section 2: Respondent's Facility/Operation (F/O)

F/O ID	RN101695427		
F/O Name	GOOD TIME STORE 61		
F/O Physical Address	214 VAL VERDE ST		
Location City	EL PASO	Location Zip	79905
Location County	EL PASO	Operational Status	Active
Primary Business Activity	Gasoline Dispensing site	Type of Small Entity	Small Business
SNC or HPV?	N/A	SIC Code	
Potentially Affected Area	City of El Paso	Complaints Closed	0
List any NOV's? Orders for same or similar violations at this F/O in the past 5 years.	This violation is a repeat and is currently in Litigation. Case No. 48744		
Additional IDs	17824		

Section 3: Summary of Violations

See note: Inclusion of Resolved or Verbal Violations u

Viol Num	Requirements Cited Violation Description	Violation Dates Start End	Investigation/ File Review	Date of... NOV NOE	CAT
570733	30 TAC Chapter 115.245(2)	04/22/2015 Unknown	04/22/2015	05/22/2015 05/20/2015	A
Failure to comply with 30 TAC 115.245(2) for not conducting the annual Stage II Vapor Recovery Tests which include: Pressure Decay, Flow Rate, and the V/L Ratio.					

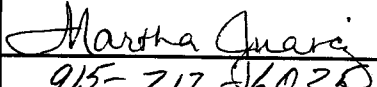
Section 4: Additional Discussion

This violation is a repeat violation and is currently in Litigation. Case Number 48744

Section 5: Additional Issues

N/A

Section 6: Information About Initiating Office

	Name	Martha Juarez	Date	5/18/2015
	Signature		E-Mail	Juarezmx@elpasotexas.gov
	Phone	915-212-6035		5/22/2015
	Name	Al Melero	Date	
	Signature		E-Mail	albert.melero@elpasotexas.gov
	Phone	915-599-6231		

STG II/PSTEACT/ID17824/20140416/FINAL SUMMARY
City of El Paso Environmental Services Department
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Good Time Stores, Inc.
Customer Number: CN600494199

Regulated Entity Name: GOOD TIME STORE 61

Regulated Entity Number: RN101695427

Investigation # 1248358

Incident Numbers

Investigator: MARTHA JUAREZ

Site Classification UNDERGROUND STORAGE
TANK - REGISTRATION
UNDERGROUND STORAGE
TANK - PST STAGE II

Conducted: 04/22/2015 -- 04/22/2015

No Industry Code Assigned

Program(s): PETROLEUM STORAGE TANK REGISTRATION
PETROLEUM STORAGE TANK STAGE II

Investigation Type: Compliance Investigation

Location:

Additional ID(s): 17824

Address: 214 VAL VERDE ST,
EL PASO, TX , 79905

Local Unit: CITY OF EL PASO LOCAL PROGRAM

Activity Type(s): STIIEACT - On-site Stage II
Compliance Evaluation Investigation
(CEI) with EACT Investigation

Principal(s):

Role	Name
RESPONDENT	GOOD TIME STORES INC

Contact(s):

Role	Title	Name	Phone
Regulated Entity Contact	STORE MANAGER	MR JUAN LOZANO	Work (915) 779-6105
Regulated Entity Mail Contact	CHAIRMAN	MR BRUCE NELSON	Work (915) 779-6105
Participated in Investigation	FACILITIES MANAGER	MR JOHN COONS	Work (915) 778-7198

Other Staff Member(s):

Role	Name
QA Reviewer	AL MELERO
Supervisor	AL MELERO

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PST GENERIC OTHER VIOLATIONS	17824
PST EPA SOC	17824
STAGE II/PST ENERGY ACT FOCUSED INVESTIGATION	17824

Investigation Comments:

INTRODUCTION

On April 22, 2015, Martha Juarez, Investigator, with the City of El Paso, Environmental Services, Air Quality Program, conducted a Stage II / Petroleum Storage Tank Energy Act Focused investigation at Good Time #61, located at 214 Val Verde, El Paso, Texas.

The purpose of this investigation was to evaluate compliance with applicable Texas Commission on Environmental Quality (TCEQ) requirements for petroleum storage tanks and control of vehicle refueling emissions (Stage II Vapor Recovery systems) at motor vehicle fuel dispensing facilities. Good Time Stores Inc. owns and manages the property and underground storage tanks.

Daily Narrative

Pre-Investigation

On April 6, 2015, John Coons, Facility Manager, of Good Times Store Inc., was notified by the Air Quality Program of the pending investigation. In addition, the Air Quality PST coordinator requested that Mr. Coons, provide the following records: Delivery Certificate, Financial insurance, Corrosion Protection, Release Detection (Tanks and Piping) Spill Containment and Overfill Prevention. All records were provided through e-mail.

Investigation

On April 22, 2015, the Investigator arrived at Good Time Stores #61 about 9:30 a.m., and met with John Coons, Facility Manager; the investigator explained the purpose and scope of the investigation to Mr. Coons and requested permission to access the facility.

The investigation began with a record review of the following documents to demonstrate compliance with Stage II/PST Energy Act as required under 30 TAC Chapter 334, Underground Storage Tanks. The investigation included compliance with the following rules:

The investigator reviewed the required Stage II records, which indicated that the daily inspections and all other required record keeping were being maintained.

SELF CERTIFICATION: Rule 334.8(c) (5) (A) (i)

In compliance, the TCEQ Delivery Certificate is displayed in a conspicuous location. It has an expiration date of January 31, 2016.

FINANCIAL ASSURANCE: Rule 37.815(a) & 37.815(b)

In compliance with TCEQ regulations, the Financial Assurance is maintained through an insurance policy provided by Mid Continent Casualty Company expires on 03/01/2016.

CORROSION PROTECTION: Rule 334.49 (a) (1)

In compliance with TCEQ regulations, the regulated entity is currently registered with TCEQ as having 1 double wall, single compartment, and fiberglass-reinforced plastic (FRP) non-corrodible underground storage tank with a 10,000 gallon capacity.

The UST underground piping is currently registered as pressurized, FRP, non-corrodible flexible piping.

TANK RELEASE DETECTION: Rule 334.50(b) (1)(A)

In compliance with TCEQ regulations, the Tank Release Detection used is a Veeder Root monitor, with automatic tank gauging in conjunction with monthly inventory control. The interface was observed to be on and in normal operating status.

PIPING RELEASE DETECTION: Rule 334.50(b)(2)

Compliant with TCEQ regulations, the UST piping system is monitored for release detection through mechanical line leak detectors.

SPILL CONTAINMENT & OVERFILL PREVENTION: Rule 334.51(b) (2)

Compliant with TCEQ regulations, the investigator inspected each of the facility's 3 spill buckets and documented no visible signs of liquid or debris that would prevent the spill buckets from being liquid tight.

RELEASE REPORTING: Rule 334.74

A review of the inventory records indicated no discrepancies in the past three months.

OPERATOR TRAINING: Rule 30 TAC 334.603

Operator training certificates for Class A, B, and C UST Facility Operators were maintained, documenting at least one individual certified for each class, as follows:

John Coons Class A/B

Juan Lozano, Class A/B

3 more employees, Class C

RECORDS: Rule 334.10 (b) (1)(B)

The facility failed to maintain on site the annual tightness testing results for the tanks and piping. The investigator was not able to review the records to perform regulatory oversight and/or determine compliance status. This will be documented as a violation.

Inspection of the Stage II equipment (hoses, nozzles and breakaways) found all these items to be in good condition.

Exit Interview

At the exit interview, Mr. Coons was informed that the missing test results would be documented as violations. He was informed he would receive a Notice of Violation. He was also informed of the corrective action the Regulated Entity needed to take to resolve the violation for the Stage II Vapor Recovery PSTEACT investigation.

GENERAL FACILITY AND PROCESS INFORMATION

Process Description

The facility operates as a convenience store with retail sales of fuel. The facility has a Balance (G-70-191-AA) Vapor Recovery Stage II System.

BACKGROUND

Compliance history for this facility is listed in Central Registry as satisfactory.

Current Enforcement Actions

The Regulated Entity is currently pending Litigation with TCEQ for violation of 30 TAC 115.242(2). Case Docket No. 2014-0750-PST-E #48744

Complaints

None

Prior Enforcement Issues

None

ADDITIONAL INFORMATION

Conclusions and Recommendations

During the record review it was determined that Good Time Stores 61 is currently with the Litigation Division of the TCEQ for a previous Violation. A description of the sequence of events is as follows:

1) Investigation #1156609 was conducted on 03/13/2014 and Good Time Stores 61. was issued a Notice of Violation (Track No.530236) for not conducting the required annual Stage II Vapor Recovery System Test. The Test was due on February 2014.

2) A follow up investigation (# 1166934) was conducted on 05/15/14 and Good Time still had not conducted the required annual Stage II Vapor Recovery System Test. The assigned Investigator referred the case to the Enforcement Division for litigation.

3) On April 22, 2015 Air Quality conducted a scheduled Investigation (#1248358) and found that Good Times Store 61 has not conducted the required annual Stage II Vapor Recovery System test. This is a repeat violation (tracking No. 570733) of 30 TAC 115.245(2) of the annual test that was due on February 2015.

4) A Notice of Enforcement will be issued to the Regulated Entity for a repeat violation.

5) The Air Quality Program is requesting that the repeat violation 30 TAC 115.245(2) be added to the current pending Litigation case Docket No. 2014-0750-PST-E #48744).

In addition, Good Time Store 61 will be issued a Notice of Violation for failure to conduct the annual Tank Tightness 30 TAC 334.50(b)(1)(B)(i) (Tracking No. 570734) and the annual Pipe Tightness tests as required under and 30 TAC 30 TAC Chapter 334.50(b)(2)(A)(ii) (Tracking No.570735). Record Review revealed that the tests were performed on February 2013. The tests should have been performed no later than February 2014.

Mr. John Coons was informed that Good Time Stores Inc. needed to take immediate corrective action to resolve the pending violations. Good Time Stores Inc. must notify the Air Quality Program the date of the testing no later than 30 days after the receipt of the Notice of Violation.

List of Attachments

1. Copy of Exit Interview Form
2. TCEQ Stage II / PST checklist field notes
3. Emails from TCEQ
4. Central Registry

NOE Date: 5/20/2015

**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT**

Track Number: 570733

Compliance Due Date: To Be Determined

Violation Start Date: 4/22/2015

30 TAC Chapter 115.245(2)

Alleged Violation:

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the annual tests as required for Stage II Vapor Recovery Systems. The Facility failed to conduct Pressure Decay, the Flow Rate, and the V/L Ratio.

Recommended Corrective Action: The Facility must conduct the Pressure Decay, the Flow Rate, and the V/L Ratio.

Track Number: 570734

Compliance Due Date: To Be Determined

Violation Start Date: 4/22/2015

30 TAC Chapter 334.50(b)(1)(B)(i)

Alleged Violation:

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the annual Tank Tightness Test as required by 30 TAC 334.50 (b)(1)(i). Record review indicated that the last test was performed on February 2013 and therefore the tests should have been conducted no later than February 2014.

Recommended Corrective Action: The Facility must respond within 30 days of the date of the Notice of violation to notify the Air Quality Program when the Tank Tightness Test will be conducted.

Track Number: 570735

Compliance Due Date: To Be Determined

Violation Start Date: 4/22/2015

30 TAC Chapter 334.50(b)(2)(A)(ii)

Alleged Violation:

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the Pipe Tightness Test as required by 30 TAC 334.50 (b)(2)(A)(ii). Record review indicates that the last tightness test was conducted on February 2013, therefore the test should have been conducted no later than February 2014.

Recommended Corrective Action: Within 30 days of the receipt of the Notice of Violation the facility must notify the Air Quality Program with the exact date the test will be performed.

Signed

Maria Suarez
Environmental Investigator

Date 5/18/15

Signed

[Signature]
Supervisor

Date 5/21/15

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Maps, Plans, Sketches

___ Letter to Facility (specify type) : _____

___ Photographs

Investigation Report

___ Correspondence from the facility

___ Sample Analysis Results

☒ Other (specify) :

___ Manifests

see list of attachments
above

___ Notice of Registration

**City of El Paso Environmental Services Department
Summary of Investigation Findings**

GOOD TIME STORE 61

Investigation # 1248358

214 VAL VERDE ST
EL PASO, EL PASO COUNTY, TX 79905

Investigation Date: 05/19/2015

Additional ID(s): 17824

OUTSTANDING ALLEGED VIOLATION(S)

Track No: 570734 **Compliance Due Date:** To Be Determined
30 TAC Chapter 334.50(b)(1)(B)(i)**Alleged Violation:**

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the annual Tank Tightness Test as required by 30 TAC 334.50 (b)(1)(i). Record review indicated that the last test was performed on February 2013 and therefore the tests should have been conducted no later than February 2014.

Recommended Corrective Action: The Facility must respond within 30 days of the date of the Notice of violation to notify the Air Quality Program when the Tank Tightness Test will be conducted.

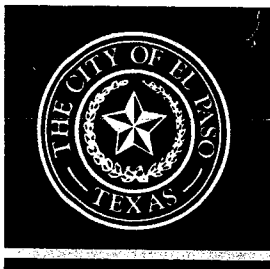
Track No: 570735 **Compliance Due Date:** To Be Determined
30 TAC Chapter 334.50(b)(2)(A)(ii)**Alleged Violation:**

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the Pipe Tightness Test as required by 30 TAC 334.50 (b)(2)(A)(ii). Record review indicates that the last tightness test was conducted on February 2013, therefore the test should have been conducted no later than February 2014.

Recommended Corrective Action: Within 30 days of the receipt of the Notice of Violation the facility must notify the Air Quality Program with the exact date the test will be performed.



NOTICE OF ENFORCEMENT

Mayor

Oscar Leeser

May 22, 2015

CERTIFIED MAIL: 91 7108 2133 3932 6910 0608
RETURN RECEIPT REQUESTED

City Council

District 1

Ann Morgan Lilly

Mr. John Coons
Good Time Stores Inc.
7108 Airport Drive
El Paso, TX 79906

District 2

Larry Romero

District 3

Emma Acosta

RE: Notice of Enforcement for Stage II/PST Energy Act Focused Investigation at:
Good Time Store 61
214 Val Verde
El Paso, Texas
RN 101695427

District 4

Carl L. Robinson

CEDS Inv. No. 1248358

District 5

Dr. Michiel R. Noe

Dear Mr. Coons:

District 6

Claudia Ordaz

On April 23, 2015, Martha Juarez with the City of El Paso, Environmental Services, Air Quality Program, conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for underground petroleum storage tanks at motor vehicle fuel facilities. During the investigation, **Three** outstanding alleged violations were documented. Enclosed is a summary which lists the investigation findings.

District 7

Lily Limón

In the listing of alleged violations, the applicable requirements have been cited, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "*Obtaining TCEQ Rules.*"

District 8

Cortney C. Niland

Please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations. **In responding with prompt corrective action, the administrative penalty to be assessed may be limited.**

City Manager

Tommy Gonzalez

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Environmental Services – Air Quality Program
7968 San Paulo Dr. | El Paso, Texas 79907 | (915) 212-6032

www.elpasotexas.gov

Dedicated to Outstanding Customer Service for a Better Community



Environmental Services – Air Program

Good Times Stores Inc.
Page 2
May 20, 2015

Also, if you believe the violations documented in this notice have been cited in error, **and** you have additional information that we are unaware of, you may request an enforcement review meeting (ERM). However, in order to qualify for an ERM, you must have new information that was not evaluated by the referring investigator. To request an ERM, submit a letter with **all** supporting documentation within 14 days from the date of this letter to address below or via fax at (512) 239-0134.

ERM Coordinator
Enforcement Division, MC 219
Re: Enforcement Review Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions regarding matters other than ERM, please feel free to contact me at (915)212-6038. If you have questions about an ERM, please contact the **ERM Coordinator at 512-239-2545**.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Melero", is written over a horizontal line.

Al Melero, Code Compliance Supervisor
City of El Paso, Environmental Services – Air Quality Program

Enclosures: Summary of Investigation Findings
 Obtaining TCEQ Rules

(Rev. 02/23/12)

City of El Paso Environmental Services Department Summary of Investigation Findings

GOOD TIME STORE 61

214 VAL VERDE ST
EL PASO, EL PASO COUNTY, TX 79905

Additional ID(s): 17824

Investigation #

1248358

Investigation Date: 05/19/2015

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 570733

Compliance Due Date: To Be Determined

30 TAC Chapter 115.245(2)

Alleged Violation:

Investigation: 1248358

Comment Date: 05/18/2015

Failure to conduct the annual tests as required for Stage II Vapor Recovery Systems. The Facility failed to conduct Pressure Decay, the Flow Rate, and the V/L Ratio.

Recommended Corrective Action: The Facility must conduct the Pressure Decay, the Flow Rate, and the V/L Ratio.

Investigation Quality Assurance Appendix

Investigation Number: 1248358 Regulated Entity Number: RN101695427 County: EL PASO

Regulated Entity Name: GOOD TIME STORE 61

Physical Address: No Physical Address Associated to RN in CR

Conducted: 04/22/2015 00:00 To 04/22/2015 00:00

Notification Date: 04/06/2015

No Associated Incidents

Staff Tasks

LEAD INVESTIGATOR MARTHA JUAREZ

Tasks: 2 hrs. INVEST
5 hrs. POSTINVEST
1.5 hrs. PREINVEST
.5 hrs. TRAVEL

Documents Received

<u>Submitted By</u>	<u>Document Type</u>	<u>Received Dt</u>	<u>Activity Dt</u>	<u>Document Dt</u>
John Coons	OTHER	04/06/2015		

Communication History

EXITINTFRM 04/23/2015

<u>Fiscal Year</u>	<u>WP Local Unit</u>	<u>Activity Type</u>	<u>Event Quantity</u>
2015	CITY OF EL PASO LOCAL F	STHIEACT - On-site Stage II Compliance Evaluation Investigation (CEI) with EACT Investigation	1

4/22/2015

Page 2 of 3

ASSOCIATED TO A NOTICE OF ENFORCEMENT

Checklist: PST GENERIC OTHER VIOLATIONS - 17824

Checklist Item: 1 Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

Allegation: Failure to conduct the annual Tank Tightness Test as required by 30 TAC 334.50 (b)(1)(i). Record review indicated that the last test was performed on February 2013 and therefore the test should have been conducted no later than February 2014.

Violation Comment:

Citations: 30 TAC Chapter 334.50(b)(1)(B)(i)

Principal: GOOD TIME STORES INC

Program: PETROLEUM STORAGE TANK STAGE II

Track Number: 570734

Classification: MODERATE

Self Reported: NO

Status Code & Date: ACTIVE,05/18/2015

Immunity Granted: NO

Compliance Plan Requested: NO

Repeat Violation: NO

Category and Sub Category Code: B,

EPA Class: N/A

Violation Start Date: 04/22/2015

Refer to Investigation: YES

Violation End Date: End Date Unknown

Compliance Due Date: Not Entered

Checklist Item: 2 Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

Allegation: Failure to conduct the pipe tightness test as required by 30 TAC 334.50 (b)(2)(A)(ii). Record review indicates that the last tightness test was conducted on February 2013, therefore the test should have been conducted no later than February 2014.

Violation Comment:

Citations: 30 TAC Chapter 334.50(b)(2)(A)(ii)

Principal: GOOD TIME STORES INC

Program: PETROLEUM STORAGE TANK REGISTRATION

Track Number: 570735

Classification: MODERATE

Self Reported: NO

Status Code & Date: ACTIVE,05/18/2015

Immunity Granted: NO

Compliance Plan Requested: NO

Repeat Violation: NO

Category and Sub Category Code: B,

EPA Class: N/A

Violation Start Date: 04/22/2015

Refer to Investigation: YES

Violation End Date: End Date Unknown

Compliance Due Date: Not Entered

Checklist: STAGE II/PST ENERGY ACT FOCUSED INVESTIGATION - 17824

Checklist Item: 16 Was annual and/or triennial testing successfully conducted? Use table on page 5.

GOOD TIME STORE 61 - EL PASO

4/22/2015

Page 3 of 3

Allegation: Failure to comply with 30 TAC 115.245(2) for not conducting the annual Stage II Vapor Recovery Tests which include: Pressure Decay, Flow Rate, and the V/L Ratio.

Violation Comment:

Citations: 30 TAC Chapter 115.245(2)

Principal: GOOD TIME STORES INC

Program: PETROLEUM STORAGE TANK STAGE II

Track Number: 570733

Classification: MODERATE

Self Reported: NO

Status Code & Date: ACTIVE,05/18/2015

Immunity Granted: NO

Compliance Plan Requested: NO

Repeat Violation: YES

Category and Sub Category Code: A,

EPA Class: N/A

Violation Start Date: 04/22/2015

Refer to Investigation: YES

Violation End Date: End Date Unknown

Compliance Due Date: Not Entered

City of El Paso, Environmental Services Department

Air Quality Program

Regulated Entity No. 101695427

Site Name: Good Time Store 61

Address: 214 Val Verde

CCEDS Investigation No. 1248358

Date of Investigation: April 16, 2015

List of Attachments

- 1) TCEQ Exit Interview Form
- 2) TCEQ Stage II/PST Checklist Field Notes
- 3) Emails from TCEQ
- 4) Central Registry Compliance History

Melero, Albert

From: Stacey Young <Stacey.Young@tceq.texas.gov>
Sent: Friday, May 15, 2015 2:35 PM
To: Melero, Albert
Subject: RE: Enforcement case for Good Store

I'm referring this over to the Waste Section Work Leader Steve Lopez and his EC John Duncan who developed the case. It looks like this is a PST case and since we all don't necessarily do the same thing in all media they'll need to advise you on how to treat this new violation. The case hasn't settled and is currently in the Legal Division so your violation may just be added to the current case but I don't know for sure.

From: Melero, Albert [<mailto:MeleroAX@elpasotexas.gov>]
Sent: Thursday, May 14, 2015 10:25 AM
To: Stacey Young
Subject: FW: Enforcement case for Good Store

I forgot to give you my phone numbers.

① Docket no. 2014-0750-PST-E.
#40744
STEVEN LOPEZ@tceq.texas.gov
512-239-1896
② JOHN.DUNCAN@tceq.texas.gov
512-1239-2720

Al Melero
Supervisor, Air Quality Program
Environmental Services Dept.



7968 San Paulo
El Paso, TX 79907
W: 915-212-6038
C: 915-274-3293

Health & Safety

MAY 18 8:40 AM

From: Melero, Albert
Sent: Thursday, May 14, 2015 7:36 AM
To: Stacey Young (stacey.young@tceq.texas.gov)
Cc: Abuissa, Waleed A.
Subject: Enforcement case for Good Store

Good Morning Stacy,

Hope you're doing well.

Stacy were trying to issue a Notice of Violation for a Good Time Store (RN101695427) and found out that there is a proposed Order that has not been finalized and therefore those violations are popping out in our current investigation. Can you call us sometime today or next week if possible (we don't on Fridays). I would like to see how we can proceed.

Melero, Albert

From: Steven Lopez <steven.lopez@tceq.texas.gov>
Sent: Monday, May 18, 2015 10:40 AM
To: Melero, Albert
Cc: John Duncan; Amber Ahmed; Sushil Modak
Subject: RE: Enforcement case for Good Store

Al, Case 48744 is currently with the Litigation Division (LD). Does your current investigation have the same violation(s) as the current case in LD? If so normally in situations like this the Region creates an EAR and we assign the EAR to the EC, in this case John Duncan, who adds the EAR to the current case. A new case is not created. Then the EC forwards the investigation and EAR to the LD attorney to consider as additional information. Hope this helps.

Number	48744			
Resolution				
Respondent	GOOD TIME STORES INC			
Regulated Entity	GOOD TIME STORE 61			
TCEQ Docket No	2014-0750-PST-E	District Court Docket Number		
Type	ADMINISTRATIVE ORDER	Status	PROPOSED	
Order Type	1660	Order Method	AGREED ORDER WITH DENIAL	Findir
Assigned Staff Members				
Role	Lead	Date Assigned	First Name	
LEAD ATTORNEY	YES	09/12/2014	AMBER	
ATTORNEY		10/17/2014	ECKO	
LEAD ENFORCEMENT COORDINATOR		05/28/2014	JOHN	

Steven Lopez, Work Leader
Enforcement Division
Waste Section, Team 7
512-239-1896

From: Melero, Albert [<mailto:MeleroAX@elpasotexas.gov>]
Sent: Monday, May 18, 2015 11:23 AM
To: Steven Lopez; John Duncan
Cc: Abuissa, Waleed A.; Juarez, Martha; Stacey Young
Subject: FW: Enforcement case for Good Store

Good Morning Steven and John,

We are from the Local Program, City of El Paso and we are trying to issue a Notice of Violation for a Good Time Store (RN101695427) for a PST investigation that was conducted on April 16, 2015 (Investigation No. 1248358). However, we

Regulated Entity Detail					
Regulated Entity Name:	GOOD TIME STORE 61			RN:	RN101695427
Status:	Active	Status Comment:		Stand Alone:	N
Physical Address:	214 VAL VERDE ST EL PASO, TX 79905-3917			County:	EL PASO
Physical Location:					
Nearest City:	EL PASO	State:	TX	Zip Code:	79905
Latitude:		Longitude:			

1-2 of 2 Records

Affiliated Customers					List All
CN Number	Customer ▲	Role	Begin Date	End Date	RE Comp Hist
CN600126544	CHEVRON PRODUCTS COMPANY	OWNER	09/1/1988	12/31/3000	SATISFACTORY
CN600494199	GOOD TIME STORES INC	OWNER OPERATOR	07/1/2006	12/31/3000	SATISFACTORY

1-10 of 10 Records

Program Interests								
Program	RE Type	ID Type	Addn ID	Addn ID Status	Alt RE Name	Role	Customer Name (CN)	Begin Date - End Date
AIR NEW SOURCE PERMITS	SITE	ACCOUNT NUMBER	EE0914K	ACTIVE				
LEAKING PETROLEUM STORAGE TANKS REMEDIATION	SITE	ID NUMBER	93779	INACTIVE	CHEVRON 60070881	OWNER	CHEVRON PRODUCTS COMPANY (CN600126544)	09/01/1988 - 12/31/3000
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER	CHEVRON PRODUCTS COMPANY (CN600126544)	09/01/1988 - 03/23/1999
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER	CHEVRON USA INC (CN600132484)	08/30/1990 - 08/31/1990
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER OPERATOR	GOOD TIME STORES INC (CN600494199)	03/24/1999 - 01/11/2006
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER OPERATOR	GOOD TIME ENTERPRISE LLC (CN603046889)	01/12/2006 - 06/29/2006
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER OPERATOR	GOOD TIME ENTERPRISE LLC (CN603046889)	06/30/2006 - 12/27/2006
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER OPERATOR	GOOD TIME STORES INC (CN600494199)	07/01/2006 - 12/27/2006
PETROLEUM STORAGE TANK REGISTRATION	FACILITY	REGISTRATION	17824	ACTIVE	GOOD TIME STORE 61	OWNER OPERATOR	GOOD TIME STORES INC (CN600494199)	12/28/2006 - 12/31/3000
PETROLEUM STORAGE TANK STAGE II	FACILITY							

#1248358

9:00
John Coons

Texas Commission on Environmental Quality

Checklist Worksheet

Juan Lozano Store
MgrStage II/PST Energy Act Focused Investigation

Investigation Date: 4/22/15 Start Time _____ End Time _____ Monthly Throughput _____ gal
 Facility ID: 17824 Facility RN Name: Good Time Store 61 RN# 101695427
 Facility Address: 214 Val Verde City: El Paso County: _____ Phone# _____

#	Checklist Items	Rule	Investigators Notes	Compliant?
1	Did the facility install an approved Stage II system?	115.242(d)		✓
2	Did the facility install an approved Stage I system?	115.221	Stg I Vapor line connecting component good condition	✓
3	Did the facility maintain records on-site and immediately available for review?	115.246(b)(2)		✓
4	Did the unmanned facility submit records within 48 hours?	115.246(b)(3)		N/A
5	Did the facility conduct daily inspections?	115.244(1)		✓
6	Did the facility record daily inspections?	115.246(a)(6)		✓
7	Did the facility conduct monthly inspections?	115.244(3)		✓
8	Does the facility have a Facility Representative and/or employees trained?	115.248		ok
9	Did the facility representative receive training within 3 months of departure of last representative?	115.248(2)		N/A
10	Did the facility maintain documentation for Facility representative and employee training?	115.246(a)(4)	Juan Lozano 3 employees	✓
11	Did the facility maintain a record of maintenance?	115.246(a)(3)		✓
12	Did the facility maintain a copy of the correct CARB Order for the Stage II system?	115.246(a)(1)	670-191-AA	✓

Texas Commission on Environmental Quality

Checklist Worksheet

Stage II/PST Energy Act Focused Investigation

13	Was the system monitor operating properly and have paper?	115.242(d)(3)(K)	System indicated low fuel in tanks	✓
14	Was the vapor processing unit operating properly?	115.242(d)(3)(H)		✓
15	Was the initial test successfully conducted?	115.245(1)		✓
16	Was an annual and/or triennial test successfully conducted? Use table on page 5.	115.245(2)	full system test 3/26/2013 by D & H passed	✓
17	Were copies of test results on-site indefinitely?	115.246(a)(5)		✓
18	Was a pretest notification submitted 10 working days in advance of the test?	115.245(3)		✓
19	Was TCEQ or LAP given 24-hour notice of test cancellation?	115.245(3)		✓
20	Were test results submitted to TCEQ or LAP within 10 working days?	115.245(6)		✓
21	Did the facility have a non-Coaxial Stage I connection?	115.222(10)		NA
22	Did the facility have a submerged drop tube as defined in 30 Tex. Admin. Code 101.1(97)?	115.222(1)		✓
23	Were the P/V Relief valves, check valves, Stage I Drybreaks working?	115.242(d)(3)(I)		✓
24	Did the facility allow tampering with a approved system?	115.242(d)(8)	no visible tampering	OK
25	Did the facility install an ORVR compatible system?	115.242(d)(1)(C)		OK

Texas Commission on Environmental Quality

Checklist Worksheet

Stage II/PST Energy Act Focused Investigation

26	Were operating instructions posted on each dispenser?	115.242(d)(9)		ok
27	Vapor hoses were not crimped or flattened?	115.242(d)(3)(B)		ok
28	Were the appropriate hoses, nozzles, breakaways installed?	115.242(d)(3)(L)		ok
29	Was the Stage II system operated in accordance with CARB Order (catch-all)?	115.242(d)(3)(G)		ok
30	Were any required components disconnected or absent?	115.242(d)(3)(A)		ok
31	Gasoline leaks are not detected by sight, sound, or smell in dispensing or vapor balance system?	115.222(3) 115.242(d)(4)	no leaks observed	ok
32	Were flex cones in good condition (ie. VEG, ECD, vapor guard)?	115.242(d)(3)(E)	good condition	ok
33	Were shut-off valves functioning?	115.242(d)(3)(F)	yes	ok
34	Was the vacuum unit operative and functioning properly?	115.242(d)(3)(I)	according to test	ok
35	Were the boots in good condition?	115.242(d)(3)(C)(i)(ii)(iii)	good condition	ok
36	Were the faceplates in good condition?	115.242(d)(3)(D)	good condition	ok
37	SELF CERTIFICATION: Does the owner/operator have a current delivery certificate?	334.8(c)(5)(A)	exp 1/31/2016	✓

Tanks double wall interstitial FRP
piping FRP

Texas Commission on Environmental Quality

Checklist Worksheet

Stage II/PST Energy Act Focused Investigation

38	FINANCIAL ASSURANCE: Can the facility demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases?	37.815(a) 37.815(b)	? Mid Continent Casualty Company expires 3-1-16	✓
39	CORROSION PROTECTION: Is the System equipped with a corrosion protection system and complying with the requirements to ensure that releases due to corrosion are prevented?	334.49(a)(1)	ATG Veeder Root operational	✓
40	RELEASE DETECTION: Are the tanks monitored in a manner that will detect release at least monthly?	334.50(b)(1)(A)		ok
41	RELEASE DETECTION: Is the piping monitored in a manner to detect a release from any portion of the piping system?	334.50(b)(2)		ok
42	SPILL CONTAINMENT & OVERFILL PREVENTION: Was the UST system equipped with spill and overfill prevention equipment that is functional?	334.51(b)(2)	Inspection Log (60 day) bumps and spill buckets	ok ✓
43	RELEASE REPORTING: If there was any suspected release, was it reported and investigated?	334.74	no suspected releases	✓
44	RECORDS: Is the facility maintaining records to allow the investigator to perform regulatory oversight and/or determine compliance status?	334.10(b)(1)(B)	tank and pipe tightness tests not available	no
45	COMMON CARRIER: Did a Common Carrier make a fuel delivery to a UST system after April 19, 2012 without a valid and current TCEQ Delivery Certificate?	334.8(c)(5)(A)(i)	No	no ✓

Texas Commission on Environmental Quality

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46	OPERATOR TRAINING: Is the facility maintaining the required training certification documentation as described in 30 TAC 334.603(b), and is the documentation maintained as described in 30 TAC 334.606?	334.602(a) 334.603(b) 334.606	A/B John Coons exp 8-7-15	✓

1A

2A

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	Good Time Store 61			TCEQ Add. ID No. RN No. (optional)	RN 101695 427
Investigation Type	STAGE II/PTACT	Contact Made In-House (Y/N)	Y	Purpose of Investigation	Compliance
Regulated Entity Contact	John Coons			Telephone No.	(915) 778-7198
Title	Facility Mgr.			Fax No.	
				Date Contacted	4/22/15
				Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request: identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type ¹	Rule Citation (if known)	Description of Issue
1	AV	30 TAC 115.245 (2)	Failure to conduct the annual tests as required for Stage II Vapor Recovery Systems. The facility failed to conduct Pressure Decay, the flow rate, and the V/L Ratio.
2	AV		Failure to conduct the annual Tank Tightness Test as required by 30 TAC 334.50 (b) (1) (i)
3	AV		Failure to conduct the Pipe Tightness Test as required by 30 TAC 334.50 (b) (2) (A) (ii)

¹Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	☐ Yes	☐ No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	☐ Yes	☐ No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Martha Juarez Martha Juarez	4/22/15	John R Coons	4/22/15
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)	Date

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

Compliance History					
RE Name:	GOOD TIME STORE 61			RN:	RN101695427
Classification:	SATISFACTORY	Rating:	1.22	Publication Date:	Nov 15, 2014
Customer Name	GOOD TIME STORES INC			CN:	CN600494199
Classification:	SATISFACTORY	Rating:	0.62	Publication Date:	Nov 15, 2014
Repeat Violator Ind:	NO				

Compliance History Start: 08/31/2014

End: 09/01/2009

Submit

1-0 of 0 Enforcement Action Records

Enforcement Actions				
Type	Effective Date	Citation/Requirement Provision	Abb. Description	Violation Classification (Trk No)

0 convictions returned

Criminal Convictions					
Conviction Date	Number of		Violations		
	Felonies	Misdemeanors	Citation/Requirement Provision	Abb. Description	Classification (Trk No)

0 events returned

Chronic Excessive Emissions Events			
Start Date	Status Code	Status Date	Track Number

1-14 of 14 Investigation Records

Investigations		
Investigation Start Date	Type	Investigation Status Date
Jul 27, 2009	Compliance Investigation	Sep 2, 2009
Jul 23, 2010	Compliance Investigation	Aug 5, 2010
Jul 27, 2010	Compliance Investigation	Aug 18, 2010
Nov 8, 2010	Compliance Investigation	Jan 11, 2011
Nov 2, 2010	Compliance Investigation	Jan 20, 2011
Jan 19, 2011	Compliance Invest File Review	Jan 25, 2011
Jun 20, 2011	Compliance Investigation	Jun 27, 2011
Dec 1, 2011	Compliance Investigation	Dec 19, 2011
Jul 19, 2012	Compliance Investigation	Sep 4, 2012
Feb 11, 2013	Compliance Investigation	Feb 27, 2013
Nov 10, 2012	Compliance Investigation	Feb 28, 2013
Oct 15, 2013	Compliance Investigation	Oct 25, 2013
Mar 6, 2014	Compliance Investigation	Apr 1, 2014
May 15, 2014	Compliance Invest File Review	May 20, 2014

1-3 of 3 Notice of Violation Records

Notice of Violations					
NOV Date	Status Code	Citation	Allegation	Classification (Trk No)	Self-Report
Aug 20, 2010	RESOLVED	30 TAC Chapter 334, SubChapter A 334.7(d) (3) Not applicable to CH	Failure to update the facility's PST Registration to reflect correct release detection methods for all tanks and piping for the UST system. Specifically, under the tank release detection information and pipe release detection information, the facility failed to remove groundwater monitoring as a method for tank release detection and triennial tightness testing, annual product line testing and interstitial monitoring as a method of pipe release detection.	MODERATE (410098)	NO
Apr 2, 2014	ACTIVE	30 TAC Chapter 115, SubChapter C 115.245 (2); 5C THSC Chapter 382 382.085(b) Not applicable to CH	Failure to verify proper operation of the Stage II equipment at least once every twelve months.	MAJOR (530236)	NO
Apr 2, 2014	RESOLVED	30 TAC Chapter 115, SubChapter C 115.246 (5) Not applicable to CH	Failure to maintain records of results of the testing conducted at the motor vehicle fuel dispensing facility.	MINOR (530240)	NO

1-0 of 0 Environmental Audit Records

Environmental Audits				
Notice of Audit Date	Disclosure Of Violation			
	DOV Date	Violations		
		Classification	Citation/Requirement Provision	Abb. Description

0 systems returned