

PST_75720_CP_20210601_Investigation
Texas Commission on Environmental Quality
Investigation Report

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Customer: Tristar Convenience Stores, Inc.
Customer Number: CN602533770

Regulated Entity Name: HANDI STOP 91

Regulated Entity Number: RN103118550

Investigation # 1723348

Investigator: JOSHUA RAMIREZ

Incident Numbers

Site Classification UNDERGROUND STORAGE
TANK - REGISTRATION

Conducted: 06/01/2021 -- 06/01/2021

No Industry Code Assigned

Program(s): PETROLEUM STORAGE TANK REGISTRATION

Investigation Type: Compliance Investigation

Location:

Additional ID(s): 75720

Address: 12150 CYPRESS NORTH HOUSTON
RD,
CYPRESS, TX , 77429

Local Unit: REGION 12 - HOUSTON

Activity Type(s): COV - Flag code for activities which
were modified due to restrictions
related to COVID-19. Should only be
used with activities used to meet
federal commitments for CAA, TPDES,
PWS, RCRA, or Energy Act.
PSTEACT - PST Energy Act Focused
Investigation

Principal(s):

Role

Name

RESPONDENT

TRISTAR CONVENIENCE STORES INC

Contact(s):

Role

Title

Name

Phone

PARTICIPATED
IN

ENVIRONMENTAL
PROFESSIONAL

MR RAO KHAN

Work (281) 219-0223

REGULATED
ENTITY MAIL
CONTACT

OWNER

MR DANNY DHANANI

Work (281) 554-2886
Work (281) 568-0192
Work (281) 201-2700
Work (281) 201-2724
Work (713) 776-1515

Other Staff Member(s):

Role

Name

Supervisor

TODD THOMPSON

QA Reviewer

JOCINA CHASE

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PST EPA TECHNICAL COMPLIANCE RATE (TCR)	75720
PST GENERIC OTHER VIOLATIONS	75720
PST ENERGY ACT FOCUSED INVESTIGATION - revised 12/2014	75720

Investigation Comments:

Re: Petroleum Storage Tank Focused Energy Act Compliance Evaluation Investigation for:
Handi Stop 91, 12150 Cypress North Houston Road, Cypress (Harris County), Texas
Facility ID No.: 75720

INTRODUCTION:

On June 1, 2021, Mr. Joshua Ramriez of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for Title 30, Texas Administrative Code (TAC) Chapter 334 Underground and Aboveground Storage Tanks regulations for the Petroleum Storage Tank (PST) Program.

Tristar Convenience Stores, Inc. owns and manages the property and underground storage tanks (USTs). Mr. Danny Dhanani, Owner, is the facility contact.

A notice of scheduled investigation was sent to Mr. Dhanani, on May 21, 2021 via email.

GENERAL FACILITY AND PROCESS INFORMATION:

This site is a convenience store with retail sales of motor fuel with approximately 50,000 gallons per month throughput.

According to the TCEQ PARIS database, the facility has two single-walled composite (steel with fiberglass-reinforced plastic coating) USTs installed at the facility. Tank 1 has a capacity of 20,000 gallons and stores gasoline fuel. Tank 2 has two compartments and has a total capacity of 20,000 gallons. Compartment 2A has a capacity of 12,000 gallons and stores gasoline fuel. Compartment 2B has a capacity of 8,000 gallons and stores diesel fuel.

BACKGROUND:

On May 3, 2018, a Petroleum Storage Tank Focused Energy Act Compliance Evaluation and Stage II Vapor Recovery Decommission Investigation was conducted, CCEDS Investigation 1485225, where the facility was found compliant.

ADDITIONAL INFORMATION:

During the investigation, Mr. Rao Khan, Environmental Professional, assisted by providing the following information.

PST documentation available included a current, valid TCEQ PST delivery certificate with an expiration date of October 31, 2021. Financial assurance is provided by an insurance policy that expires on May 16, 2022. Corrosion protection is provided through composite (steel with fiberglass-reinforced plastic coating). The last cathodic protection test was conducted on May 17, 2018. The facility utilizes Automatic Tank Gauging (ATG) with Inventory Control as its primary Release Detection method. The monthly inventory control and ATG reports were reviewed from May 2020 through April 2021. The leak detection records did not indicate a suspected release. The line and leak detectors were tested on April 6, 2021 by Cactus Environmental Systems. Ball float valves are installed on the tanks and verified by ENCO Services Inc. Review of the 60-day spill bucket inspection logs were found current and the spill buckets free of all liquid and debris. Mr. Imran Awan is the facility's certified Class A and B Operator and the Class C Operator training log was being maintained.

Alleged violation 30 TAC §334. 49(c)(4)(C) failure to have cathodic protection system tested by a qualified corrosion specialist or corrosion technician in accordance within three to six months after installation and at a subsequent frequency of at least once every three years, was noted during the investigation. An exit interview was conducted upon completing the investigation, and a copy of the TCEQ Exit Interview form was provided to Mr. Danny Dhanani via email on June 16, 2021 (Attachment 1).

HANDI STOP 91 - CYPRESS

6/1/2021 Inv. # - 1723348

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On June 21, 2021, the TCEQ regional office received a copy of a Cathodic Protection test performed on June 17, 2021 (Attachment 2).

CONCLUSION:

Alleged violation 30 TAC §334. 49(c)(4)(C) failure to have cathodic protection system tested by a qualified corrosion specialist or corrosion technician in accordance within three to six months after installation and at a subsequent frequency of at least once every three years, was noted and resolved during the investigation.

A General Compliance (GC2) letter has been issued as a result of the investigation.

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track Number: 781679

Resolution Status Date: 6/25/2021

Violation Start Date: 5/17/2021

Violation End Date: 6/17/2021

30 TAC Chapter 334.49(c)(4)(C)

Alleged Violation:

Investigation: 1723348

Comment Date: 06/25/2021

Failure to have cathodic protection system tested by a qualified corrosion specialist or corrosion technician in accordance within three to six months after installation and at a subsequent frequency of at least once every three years.

At the time of the investigation, the three year cathodic protection survey had not been conducted within the three year period.

Recommended Corrective Action: Please provide documentation that the three year cathodic protection survey has been conducted and submit the results to the Houston Region Office.

Resolution: On June 21, 2021, the TCEQ regional office received a copy of a Cathodic Protection test performed on June 17, 2021.

Signed


Environmental Investigator

Date

6-25-21

Signed


Supervisor

Date

6/25/2021

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

1 Letter to Facility (specify type) : GC1

___ Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

2 Correspondence from the facility

___ Other (specify) :

1 TCEQ Exit Interview form

List of Attached files

Attachment 1 TCEQ Exit Interview form.pdf

Attachment 2 HS 91 3 year test report 061721.pdf

Jon Niemann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 1, 2021

Mr. Danny Dhanani, Owner
Tristar Convenience Stores, Inc.
4415 Highway 6
Sugar Land, Texas 77478

Re: Petroleum Storage Tank Focused Energy Act Compliance Evaluation Investigation at:
Handi Stop 91, 12150 Cypress North Houston Road, Cypress (Harris County), Texas
TCEQ Facility ID No.: 75720

Dear Mr. Dhanani:

On June 1, 2021, Mr. Joshua Ramirez of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for petroleum storage tanks (PSTs). During the investigation, an alleged violation was noted which was an apparent instance of non-compliance that has been resolved as an area of concern with subsequent corrective action. Enclosed is a summary which lists the investigation findings. All alleged violations were resolved during or subsequent to the investigation. No further response from you is necessary at this time.

The Texas Commission on Environmental Quality appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the Houston Region Office within 10 days from the date of this letter. At that time, we will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached summary of the investigation findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Joshua Ramirez in the Houston Region Office at (713) 767-3562.

Sincerely,

 for Todd Thompson

Todd A. Thompson, Team Leader Waste Section
Houston Region Office

TT/JR/swf

Enclosure: *Summary of Investigation Finding*

Summary of Investigation Findings

HANDI STOP 91

12150 CYPRESS NORTH HOUSTON RD
CYPRESS, HARRIS COUNTY, TX 77429

Investigation #

1723348
Investigation Date: 06/01/2021

Additional ID(s): 75720

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 781679

30 TAC Chapter 334.49(c)(4)(C)

Alleged Violation:

Investigation: 1723348

Comment Date: 06/25/2021

Failure to have cathodic protection system tested by a qualified corrosion specialist or corrosion technician in accordance within three to six months after installation and at a subsequent frequency of at least once every three years.

At the time of the investigation, the three year cathodic protection survey had not been conducted within the three year period.

Recommended Corrective Action: Please provide documentation that the three year cathodic protection survey has been conducted and submit the results to the Houston Region Office.

Resolution: On June 21, 2021, the TCEQ regional office received a copy of a Cathodic Protection test performed on June 17, 2021.

ATTACHMENT 1

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

Regulated Entity/Site Name	HANDI STOP 91			TCEQ Add. ID No. RN No. (optional)	Facility ID: 75720
Investigation Type	PST EACT	Contact Made In-House (Y/N)	Y	Purpose of Investigation	Compliance Evaluation
Regulated Entity Contact	Mr. Danny Dhanani			Telephone No.	(281)201-2700
Title	Owner			Fax No.	
				Date Contacted	June 1, 2021
				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 §334.49(c)(4)(C)	Failure to have cathodic protection system tested by a qualified corrosion specialist or corrosion technician in accordance within three to six months after installation and at a subsequent frequency of at least once every three years. Please provide documentation that the three-year cathodic protection survey has been conducted and submit the results to the Houston Region Office.

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.

Electronically signed: Joshua Ramirez June 16, 2021	6/16/2021	Emailed on June 16, 2021	
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Optional)	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.

ATTACHMENT 2

Don Love
9286 Oak Bend Ct
Cleveland, TX 77328
713 252-7655 Office
713 252-7655
6-17-2021

Tri Star Convenience Store Inc
Handi Stop 91
12150 Cypress N Houston Rd
Cypress TX 77429

Cathodic Protection Specialist has completed the cathodic protection survey for the (3) three year certification of Handi Stop 91.

Enclosed is the necessary documentation, please retain this information for your files and to maintain regulatory compliance.

In summary, as the cathodic protection data sheet indicates underground steel storage tanks are cathodically protected at this time. Potential measurements are the most commonly used methods to determine the effectiveness of cathodic protection on underground steel piping.

The effectiveness of any cathodic protection system is based entirely on the application and maintenance of a direct current flowing onto the surface on the structures desiring to be protected. The magnitude of the current required is determined by measuring the potential of the structure in reference to an electrode placed in the electrolyte surrounding the structure. The structure- to- soil potential measurements were obtained on each tank as noted on the data sheet.

Should you have any questions concerning this report or the work performed, please call. It is a pleasure to be of assistance to you.

Respectfully,



Don Love

Don Love
9286 Oak Bend Ct
Cleveland, TX 77328
713 252-7655 Office
713 252-7655 Don Love Mobile

CATHODIC PROTECTION

STRUCTURE TO SOIL

POTENTIAL SURVEY DATA

Structure:

2UST's
Surveyed by : Don Love Corrosion Specialist, PE
Soil Conditions Wet

Facility # 75720

<u>Location</u>		<u>On reading</u>	<u>Instant off reading</u>
Tank No 1	Unleaded Reg	1004	
Tank No 2	Diesel Premium	1029	

Non Metallic Dispenser Lines

Comments

All potential measurements are of negative values. The criteria applicable is the structure-to-soil potential more negative than -850 mV with respect to Cu/CuSO₄, reference electrode.

Recommendations All potential readings meet and/or exceed the minimum criterion established for cathodic protection. RESURVEY EVERY 3 YEARS

