Storage Tank Enforcement: U.S. Environmental Protection Agency Complaint/Compliance Order Addressing Isabel, South Dakota Facility



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The United States Environmental Protection Agency ("EPA") filed a Complaint, Compliance Order, and Notice of Opportunity for Hearing ("Complaint") on June 16th to Jack's Service Center ("JSC") for alleged violations of the Resource Conservation and Recovery Act ("RCRA") Underground Storage Tank ("UST") regulations. See Docket No. RCRA-08-2025-0007.

The Complaint provides that Jack Anderson owns and/or operates one 3,000-gallon UST at a facility located in Isabel, South Dakota.

The facility is stated to be located within the exterior boundaries of the Cheyenne River Reservation.

It is currently not operating and has been closed since approximately late 2022.

An EPA inspector is stated to have conducted a routine facility compliance inspection of the UST on May 15, 2024. The inspection is stated to have identified several violations of the RCRA UST regulations.

An attempt is stated to have been made to contact the owner prior to the inspection but was unable to connect. Upon arrival at the Facility, the door was locked, and no personnel were present.

The inspector is stated to have observed that:

- Tank 1 measured 2.5 inches of petroleum product.
- Tank 2 measured 2.75 inches of petroleum product.
- Tank 3 had 7 inches of petroleum product.

EPA is stated to have attempted to inform the owner of the violations. The EPA mailer is stated to have been returned to sender and reattempt to deliver was similarly unsuccessful.

The Complaint alleges the following violations:

- Failure to comply with the temporary closure requirements.
- Failure to designate a Class A/B operator.

The Complaint requires that the facility comply with the temporary closure requirements and the operator training and designation requirements.

The Complaint provides the opportunity to request a hearing.

A copy of the Complaint can be downloaded here.