Storage Tank Enforcement: U.S. Environmental Protection Agency and Federal Reserve Bank of New York Enter into Expedited Settlement Agreement



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The United States Environmental Protection Agency ("EPA") and The Federal Reserve Bank of New York ("Federal Reserve") entered into a September 22nd Expedited Settlement Agreement ("ESA") addressing alleged violations of the federal Underground Storage Tank ("UST") regulations. See Docket No. RCRA-02-2025-7701.

The ESA provides that the Federal Reserve owns and operates USTs in East Rutherford, New Jersey.

The Federal Reserve is stated to have failed to comply with the following requirements of Subtitle I of the Resource Conservation and Recovery Act ("RCRA") and its implementing regulations at 40 C.F.R. Part 280:

- Records provided by the Federal Reserve either at the time of the inspection or soon after did not meet the minimum requirements of the regulation. They are stated to have not covered all the minimum checks required under 40 CFR 280.36(a) and certain records provided for December 2023 through March 2024 consisted only of inspection logs and lacked minimum information on what was checked and what a "passing" grade meant.
- Failure to provide interstitial release detection records for their three tanks and associated piping for 3 months of the 12-month period.
- Failure to provide records of the annual testing of the electronic and mechanical components of the release detection method for its USTs for 2 the years 2022 and 2023.

A civil penalty of $4,784.00 is assessed.

A copy of the ESA can be downloaded here.