Storage Tank Enforcement: U.S. Environmental Protection Agency and Emporia, Kansas Convenience Store Enter into Consent Agreement



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The United States Environmental Protection Agency ("EPA") and Fast N' Friendly, LLC ("FNF") entered into an October 9th Consent Agreement and Final Order ("CAFO") addressing alleged violations of the federal Underground Storage Tank ("UST") regulations.

FNF owns and operates a convenience store and gas station in Emporia, Kansas.

The facility is stated to have four petroleum USTs.

EPA personnel are stated to have conducted a Compliance Evaluation Inspections of the facility on June 9, 2021 and December 20, 2022. Further, EPA is stated to have sent an information request to FNF on April 19, 2024. FNF provided a response to the information request on May 21, 2024.

The following violations of the federal UST regulations were alleged to have been identified:

- Failure to Meet General Operating Requirements for a UST Operator.
- Failure to prevent spilling or overfilling of regulated product.
- Failure to operate and maintain its corrosion protection systems to continuously provide corrosion protection to the metal components of its UST systems.
- Failure to provide certain requested repair records.
- Failure to Meet Release Detection Requirements for a UST Operator.
- Failure to provide a method or combination of methods for release detection that could detect a release from any portion of its tanks and the connected underground piping that routinely contained product.
- Failure to monitor tanks within its petroleum UST systems for releases.
- Failure to conduct product inventory control or another test of equivalent performance on a monthly basis.
- Failure to meet the annual test of the operation of the leak detector.
- Failure to maintain the results of all sampling, testing, and monitoring.

FNF neither admits nor denies the specific factual allegations.

A civil penalty of $57,365.00 is assessed.

A copy of the CAFO can be downloaded here.