Storage Tank Enforcement: U.S. Environmental Protection Agency and Ashland, Virginia Facility Etner into Consent Administrative Order

12/31/2025

The United States Environmental Protection Agency ("EPA") and James River Petroleum, Inc. ("JRP") entered into a September 30th Consent Agreement ("CA") addressing alleged violations of the State of Virginia underground storage tank ("UST") regulations. See Docket No. RCRA-03-2025-0117.

The CA provides that JRP operates three USTs at the Ashland Exxon in Ashland, Virginia.

An EPA inspector is stated to have conducted a compliance evaluation inspection ("CEI") at the facility on August 10, 2022. Further, EPA is stated to have sent JRP an information request letter to request missing documentation on March 9, 2023.

EPA is stated to have sent a Notice of Intent to Prohibit Deliveries on December 5, 2023. In December 2023 and January 2024, JRP is stated to have provided EPA with the requested documentation and the federal agency did not prohibit delivery of regulated substances to the USTs at the facility.

The CA alleges the following violations:

- Failure to inspect impressed current systems every 60 days.
- Failure to use secondary containment on piping in accordance with applicable regulations.
- Failure to properly test or inspect overfill prevention equipment.
- Failure to use a spill prevention system.
- Failure to comply with financial responsibility.
- Failure to ensure that cathodic protection is tested every 3 years.
- Failure to operate and maintain corrosion protection system continuously.

The CA assesses a civil penalty of $106,441.00.

A copy of the CA can be downloaded here.