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# Storage Tank Enforcement: U.S. Environmental Protection Agency and Fowler, Kansas Underground Storage Tank Operator Enter into Expedited Settlement Agreement to Address Alleged Violations

## Arkansas Environmental, Energy, and Water Law Blog

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The United States Environmental Protection Agency ("EPA") and Quick Pick, INC % Freedom Petroleum ("Quick Pick") entered into an August 29<sup>th</sup> Expedited Settlement Agreement ("ESA") addressing alleged violations of the Resource Conservation Recovery Act ("RCRA") regulations relating to petroleum underground storage tanks ("USTs").

The ESA provides that Quick Pick is the owner or operator of USTs in Fowler, Kansas.

Quick Pick allegedly violated Subtitle I Regulations of RCRA addressing the following requirements:

- Failure to provide spill prevention for an existing tank (the spill bucket in tank #1 had a broken bottom at the time of inspection)
- Failure to provide overfill prevention system for an existing tank (tank #1 had no overfill device installed at the time of inspection)
- Failure to provide overfill prevention system for an existing tank (tank #2 had no overfill device installed at the time of inspection)
- Failure to provide overfill prevention system for an existing tank (tank #3 had no overfill device installed at the time of inspection)
- Failure to monitor tanks for release detection at least once every 30 days (at the time of inspection owner/operator has not been sending inventory control reports for SIR release analysis once every 30 days per requirement on tank #1)
- Failure to monitor tanks for release detection at least once every 30 day (at the time of inspection owner/operator has not been sending inventory control reports for SIR release analysis once every 30 days per requirement on tank #2)
- Failure to monitor tanks for release detection at least once every 30 day (at the time of inspection owner/operator has not been sending inventory control reports for SIR release analysis once every 30 days per requirement on tank #3)

The ESA provides that Quick Pick neither admits nor denies the factual allegations.

The ESA assesses a civil penalty of \$9,300.

[A copy of the ESA can be downloaded here.](#)