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Underground Storage Tank Enforcement: U.S. Environmental Protection Agency and Columbia, Maryland, Petroleum Bulk Plant Operator Enter in Expedited Settlement Agreement

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The United States Environmental Protection Agency (“EPA”) and Bedford Valley Petroleum Corporation (“Bedford”) entered into a March 14th Expedited Settlement Agreement (“ESA”) addressing alleged violations of the federal Resource Conservation and Recovery Act (“RCRA”) Underground Storage Tank (“UST”) regulations. See Docket No. RCRA 03-2019-0060.

The referenced regulations are found in Subtitle I of RCRA 42 U.S.C. §§ 6991 *et seq.*

The ESA provides that Bedford operates the Bedford Valley Petroleum Bulk Plant (“Bulk Plant”) in Cumberland, Maryland. The Bulk Plant is stated to utilize petroleum USTs.

EPA is stated to have undertaken a compliance evaluation inspection (“CEI”) on August 21, 2018, at the Bulk Plant.

The CEI addressed two USTs which are described as compartmentalized into four sections. Each of the UST sections are stated to have routinely contained a lubricating oil that is described as a regulated substance as that term is defined by Section 9001(7) of RCRA.

EPA identified certain alleged violations through the CEI described as follows:

- For the months of July 2017, September 2017, November 2017, December 2017, January 2018, and February 2018, Bedford failed to conduct timely tank release detection for each of its USTs as required by COMAR § 26.10.05.02(B).
- From at least August 21, 2018 until December 10, 2018, Bedford failed to have functioning overfill prevention equipment on UST No. 1 as required by COMAR § 26.10.03.01(D)(1)(b).

The ESA assesses a civil penalty of \$8,460.

Bedford neither admits nor denies the specific allegations and conclusions of law in the ESA.

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