



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, FL 32502

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

November 8, 2021

RECEIVED

Certified Mailing No.: 91 7108 2133 3938 6190 8398

DEC 2 2021

Always Stop LLC
c/o Ameer Ali Jivani, Registered Agent
14340 Highway 231
Youngstown, Florida 32466

Northwest Florida DEP

SUBJECT: Department of Environmental Protection v. Always Stop LLC
OGC File No. 21-0345
Always Stop LLC; Facility ID #038500738
14340 Highway 231
Youngstown, Florida 32466

Mr. Jivani:

The State of Florida Department of Environmental Protection ("Department") finds that Always Stop LLC ("Respondent") failed to repair a storage tank system component which has or could cause a release or discharge, in violation of Rule 62-761.700(1)(a)2, Florida Administrative Code (F.A.C.) and section 403.121(3)(g), Florida Statutes (F.S.); failed to conduct monthly visual release detection inspections and to maintain monthly release detection records, in violation of Rule 62-761.600(1)(e), F.A.C., and section 403.121(3)(g), F.S.; failed to conduct annual operability tests of the release detection devices (in-line leak detectors), in violation of Rule 62-761.600(4), F.A.C., and section 403.121(4)(d), F.S.; failed to conduct annual operability testing of the overfill protection devices, in violation of Rule 62-761.500(7)(d), F.A.C., and section 403.121(4)(d), F.S.; failed to meet operator certification requirements, in violation of Rule 62-761.350(7), F.A.C., and section 403.121(4)(f), F.S.; failed to conduct annual operability tests of the release detection devices (Veeder-Root ATG), in violation of Rule 62-761.600(4), F.A.C., and section 403.121(4)(d), F.S.; and failed to conduct required periodic containment and interstitial integrity testing, in violation of Rule 62-761.700(3)(a)1, F.A.C., and section 403.121(4)(d), F.S. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violation(s). These actions have since been completed. However, due to the nature of the violation(s), the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

The Department's Offer

Based on the violations described above, the Department is seeking \$5,600.00 in civil penalties and \$400.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$6,000.00. The civil penalties are apportioned as follows: \$300.00 for violation of Rule 62-761.700(1)(a)2, F.A.C., and section 403.121(3)(g), F.S.; \$1,000.00 for violation of Rule 62-761.600(1)(e), F.A.C., and section 403.121(3)(g), F.S.; \$1,000.00 for violation of Rule 62-761.600(4), F.A.C., and section 403.121(4)(d), F.S.; \$1,000.00 for violation of Rule 62-761.500(7)(d), F.A.C., and section 403.121(4)(d), F.S.; \$300.00 for violation of Rule 62-761.350(7), F.A.C., and section 403.121(4)(f), F.S.; \$1,000.00 for violation of Rule 62-761.600(4), F.A.C., and section 403.121(4)(d), F.S.; and \$1,000.00 for violation of Rule 62-761.700(3)(a)1, F.A.C., and section 403.121(4)(d), F.S.

Respondent's Acceptance

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at the Northwest District office at 160 W. Government Street, Suite 308, Pensacola, Florida 32502 by November 25, 2021. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to section 120.52(7), F.S., and will supersede and replace the enclosed Final Order that became effective on June 16, 2021. This document will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S., and the attached Notice of Rights.

By accepting this offer you, Mr. Jivani:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to section 120.68, F.S.; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

Respondent's Performance

After signing and returning this document to the Department,

- (1) Respondent must pay \$6,000.00 according to the following installment payment schedule:
 - (a) A lump sum payment of \$3,000.00 shall be due within 360 days of the effective date of this Order.
 - (b) The remaining \$3,000.00 shall be made in twelve \$250.00 installments. Each installment shall be due on or before 30 days, 60 days, 90 days, 120 days, 150 days, 180 days, 210 days, 240 days, 270 days, 300 days, 330 days, and 360 days of the effective date of this Order.
 - (c) In the event of any default of any of the payments, the Department may, without notice of remand, declare the entire sum then unpaid immediately due and payable.
- (2) Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

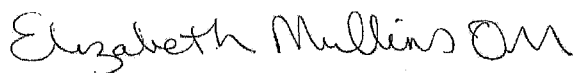
The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Susan Bristol at (850) 595-0570 or at susan.bristol@floridadep.gov.

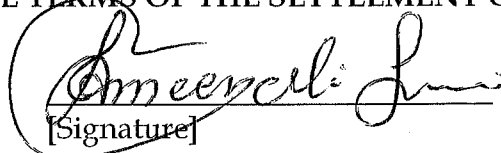
Sincerely,



Elizabeth Mullins Orr
District Director
Northwest District

FOR THE RESPONDENT:

I, AMEER ALI JIVANI [Type or Print Name], HEREBY ACCEPT
THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.

By: 
[Signature]

Date: 12-01-2021

Title: owner/manager
[Type or Print]

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 6th day of December, 2021, in Orange
County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Elizabeth Mullins Orr
District Director
Northwest District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

December 6, 2021

Date

Attachments: Notice of Rights
 June 16, 2021 Final Order

Final clerked copy furnished to:

Lea Crandall, Agency Clerk (lea.crandall@dep.state.fl.us)

NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency_Clerk@floridadep.gov, within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, FL 32502

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Interim Secretary

June 16, 2021

CERTIFIED MAIL: 7017 0660 0000 5366 7224

Always Stop LLC
c/o Ameer Ali Jivani, Registered Agent
14340 Highway 231
Youngstown, Florida 32466

Re: Final Order; DEP vs Always Stop LLC
OGC Case No. 21-0345

Dear Mr. Jivani,

Please find enclosed the Final Order that addresses the resolution of petroleum storage tank violations at 14340 Highway 231 in Youngstown, Bay County, Florida.

Please review the Orders for Corrective Action section of the Final Order and respond accordingly.

Your cooperation in resolving this matter is appreciated. If you have questions, please contact Ms. Sue Bristol at (850) 595-0570 or at Susan.Bristol@FloridaDEP.gov.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Mullins Orr".

Elizabeth Mullins Orr
District Director
Northwest District

EMO/sb

Enclosure: Final Order

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE
NORTHWEST DISTRICT

Petitioner,

vs.

OGC CASE NO. 21-0345
7017 0660 0000 5366 7224

ALWAYS STOP LLC,

Respondent.

FINAL ORDER

BY THE DEPARTMENT:

On April 26, 2021 the Department of Environmental Protection (“Department”) issued a Notice of Violation, Orders for Corrective Action, and Administrative Penalty Assessment (“Notice”) to Respondent, pursuant to the authority of Section 403.121(2), Florida Statutes. A copy of the Notice is attached and incorporated herein as Exhibit A. Respondent received the Notice on May 3, 2021. A copy of the certified return receipt is attached and incorporated herein as Exhibit B.

The Notice informed Respondent that unless a request for hearing was filed with the Department within 20 days of receipt, the Orders for Corrective Action contained therein would become final. No responsive pleading or request for hearing has been made by Respondent. Therefore, pursuant to Section 403.121(2)(c), Florida Statutes, the Findings of Fact and Conclusions of Law contained in the Notice are deemed admitted and have become binding and final. The Orders for Corrective Action have likewise become final and effective, pursuant to Section 403.121(2)(c), Florida Statutes.

Specifically, the Orders for Corrective Action (see Exhibit A) contain the following directions to the Respondent:

58. Commencing immediately and henceforth, Respondent shall comply with all

Department rules regarding underground storage tanks. Respondent shall correct and redress all violations in the time periods required below and shall comply with all applicable rules in Fla. Admin. Code Chapter 62-761.

59. Within 30 days of the effective date of this Order, Respondent shall:

a) begin to perform monthly visual inspections (not to exceed 35 days) of the storage tank system components that can be visually inspected and maintain documentation as to its condition pursuant to Rule 62-761.710, F.A.C.; and shall begin to print and maintain monthly automatic tank gauge print-out liquid status reports.

60. Within 90 days of the effective date of this Order, Respondent shall:

b) have a certified technician inspect the Veeder Root TLS 300 system, identify the problem with the issue of it sometimes not working, and repair as necessary.

c) conduct annual operability testing of the line leak detectors and/or provide line leak detector annual operability test results to the Department.

d) conduct annual operability testing of the primary overfill protection devices and/or provide primary overfill protection device annual operability test results to the Department.

e) conduct annual operability testing of the Veeder Root TLS 300 automatic tank gauge system and/or provide Veeder Root TLS 300 automatic tank gauge system annual operability test results to the Department.

f) conduct containment and interstitial integrity testing of the below-grade piping sumps, dispenser sumps, and spill containment systems, and provide testing results to the Department.

61. Within 120 days of the effective date of this Order, Respondent shall:

g) submit monthly visual release detection inspection reports and monthly automatic tank gauge print-out reports (liquid status) for the previous three months to the Department.

62. Within 30 days of the effective date of this Order, Respondent shall pay \$17,250.00 to the Department for the administrative penalties imposed above. Payment shall be made by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No. 21-0345" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 160 W. Government Street, Suite 308, Pensacola, Florida, 32052. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this Order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

63. In addition to the administrative penalties, within 30 days of the effective date of this Order, Respondent shall pay \$500.00 to the Department for costs and expenses. Payment shall be made by cashier's check or money order. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No. 21-0345" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 160 W. Government Street, Suite 308, Pensacola, Florida, 32052. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this Order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

Having considered the Notice of Violation, Orders for Corrective Action, and Administrative Penalty Assessment and Respondent's failure to timely file a responsive pleading to request a hearing, it is, therefore,

ORDERED by the State of Florida Department of Environmental Protection that

the foregoing Orders for Corrective Action are hereby approved and adopted in toto as the Final Order of the Department in the above-styled matter.

Respondent shall comply with the Orders for Corrective Action within the time frames specified above, all of which commence on the effective date of this Final Order. The effective date of this Final Order is the date on which it is filed with the designated Department clerk (see below).

Any party to this Final Order has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Agency Clerk of the Department, Office of General Counsel, 3900 Commonwealth Blvd., MS-35, Tallahassee, Florida 32399-3000 or via electronic correspondence at Agency_Clerk@floridadep.gov; and by filing a copy of the Notice of Appeal with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days of the effective date of this Final Order.

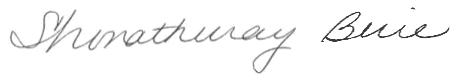
DONE AND ORDERED this 16th day of June, 2021, in Orange Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Elizabeth Mullins Orr
District Director
Northwest District

Filed, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



June 16, 2021

Clerk

Date

*Note: This is the effective date of
the Final Order.*

Copies furnished to:

Lea Crandall, Agency Clerk
Mail Station 35

EXHIBIT A

Notice of Violation, Orders for Corrective Action, and Administrative Penalty
Assessment

EXHIBIT B

Certified Return Receipt

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE
NORTHWEST DISTRICT

Petitioner,

v.

OGC File No. 21-0345

ALWAYS STOP LLC,

Respondent.

_____ /

NOTICE OF VIOLATION,
ORDERS FOR CORRECTIVE ACTION AND
ADMINISTRATIVE PENALTY ASSESSMENT

BY CERTIFIED MAIL # 7017 0660 0000 5366 6814

To: Always Stop LLC
c/o Ameer Ali Jivani, Registered Agent
14340 Highway 231
Youngstown, Florida 32466

Pursuant to the authority of section 403.121(2), Florida Statutes (Fla. Stat.), the State of Florida Department of Environmental Protection (Department) gives notice to Always Stop LLC (Respondent) of the following findings of fact, conclusions of law, assessment of administrative penalties, and corrective actions (Notice) with respect to violations of Chapters 403 and 376, Fla. Stat. and Florida Administrative Code (Fla. Admin. Code) Title 62.

FINDINGS OF FACT
PARAGRAPHS APPLICABLE TO ALL COUNTS

1. The Department is the administrative agency of the state of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce the provisions of Chapters 403 and 376, Fla. Stat., and the rules promulgated thereunder in Fla. Admin.

Code Title 62.

2. Respondent Always Stop LLC is an active Florida Limited Liability Company with its principal place of business located at 14340 Highway 231 in Youngstown, Bay County, Florida, 32466, also identified by the Bay County Property Appraiser as parcel ID 03514-000-000 (Property). On the Property, a petroleum retail facility (Facility) known as Always Stop is operated by Respondent. The Department has assigned facility identification number 03-8500738 to the Facility.

3. The Property contains one 20,000-gallon underground storage tank system (System) installed on February 1, 2004. The System consists of one fiberglass-clad steel 20,000-gallon double-walled compartmented storage tank with a Veeder Root TLS 300 for release detection, fiberglass double-walled piping with mechanical line leak detectors, and associated dispensers. The System is also equipped with flapper valves and a Veeder Root TLS 300 overfill alarm for overfill protection. The System contains regular unleaded gasoline, premium unleaded gasoline, and vehicular diesel fuel.

4. Since on or about May 7, 2015, Respondent has owned the Facility and the System, and has operated the System.

5. During a routine inspection of the System on February 4, 2020, the Escambia County Health Department, a Department contracted inspecting authority, verbally notified Ameer Ali Jivani, registered agent of Respondent, of violations related to the System. The violations were also noted in writing in the Inspection Report. The violations included: failure to repair a storage tank system component which has or could cause a release or discharge; failure to perform monthly visual release detection inspections and to maintain monthly visual release detection records;

failure to meet integral piping release detection requirements; failure to conduct annual operability testing of the overfill protection devices; failure to meet operator certification requirements; failure to perform annual operability tests for release detection devices; and failure to conduct required periodic containment and interstitial integrity testing. (Inspection Report is attached as Exhibit I).

6. On February 17, 2020, the Escambia County Health Department issued and delivered by e-mail a Compliance Assistance Offer Letter to Respondent, via its registered agent Ameer Ali Jivani, as part of an agency investigation preliminary to agency action within the meaning of section 120.57(5), Fla. Stat. The letter documented the violations from the February 4, 2020 inspection, outlined the necessary corrective actions to resolve the violations, and requested a response to the letter within 15 days. The Escambia County Health Department did not receive a response to the Compliance Assistance Offer Letter. On or about May 26, 2020, the Escambia County Health Department referred the unresolved violations to the Department for enforcement. (Compliance Assistance Offer Letter is attached as Exhibit II).

7. On October 22, 2020, the Department issued and delivered by e-mail a Warning Letter to Respondent via its registered agent. The Warning Letter requested a written response within 15 days of the Warning Letter receipt. On November 11, 2020, the Department received documentation from Respondent via e-mail resolving the violation for the failure to meet operator certification requirements. (Warning Letter is attached as Exhibit III; E-mail Correspondence is attached as Exhibit IV).

COUNT I
FAILURE TO REPAIR A STORAGE TANK SYSTEM COMPONENT WHICH HAS OR
COULD CAUSE A RELEASE OR DISCHARGE

8. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

9. Pursuant to Rule 62-761.700(1)(a)2, Fla. Admin. Code, repairs shall be made if any component of a storage tank system has an operational or structural problem that could potentially result in a release or discharge, or lead to the presence of groundwater or surface water in the interstice of a double-walled storage tank or integral piping.

10. Respondent has failed to have a certified technician inspect and repair the Veeder Root TLS 300 system.

COUNT II
FAILURE TO PERFORM MONTHLY VISUAL RELEASE DETECTION INSPECTIONS
AND TO MAINTAIN MONTHLY RELEASE DETECTION RECORDS

11. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

12. Pursuant to Rule 62-761.600(1)(e), Fla. Admin. Code, at least once a month, but not exceeding 35 days, every component of a storage tank system that contains, transfers, or stores, or is designed to contain, transfer or store regulated substances that can be inspected visually shall be visually inspected and documented as to its condition pursuant to Rule 62-761.710, Fla. Admin. Code.

13. Respondent has failed to perform monthly visual release detection inspections (including printing out monthly automatic tank gauge reports) since January 7, 2017 and/or provide monthly visual inspection records and monthly automatic tank gauge print-out reports to the county or the Department.

COUNT III
FAILURE TO CONDUCT ANNUAL OPERABILITY TESTING OF LINE LEAK
DETECTORS

14. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

15. Pursuant to Rule 62-761.600(4), Fla. Admin. Code, all release detection devices

shall be tested annually at intervals not exceeding 12 months to ensure proper operation.

16. Respondent has failed to conduct annual operability testing of the line leak detectors and/or provide line leak detector annual operability test results to the county or the Department.

COUNT IV
FAILURE TO CONDUCT ANNUAL OPERABILITY TESTING OF THE OVERFILL
PROTECTION DEVICES

17. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

18. Pursuant to Rule 62-761.500(7)(d), Fla. Admin. Code, an annual operability test shall be performed on the designated primary overfill protection device used to meet the Department's overfill protection requirement at intervals not exceeding 12 months to ensure proper operation.

19. Respondent has failed to conduct annual operability testing of the primary overfill protection devices and/or provide overfill protection annual operability test results to the county or the Department.

COUNT V
FAILURE TO MEET OPERATOR CERTIFICATION REQUIREMENTS

20. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

21. Pursuant to Rule 62-761.350(7), Fla. Admin. Code, owners and operators of underground storage tank system facilities, except unmanned facilities, must maintain required training certification documentation as described in this rule on-site and must provide it upon request to the county or Department.

22. Upon inspection, Respondent failed to make available required operator training certification documents upon inspector's request.

23. On or about November 11, 2020, the Department received documentation to resolve the violation for the failure to meet operator certification requirements.

COUNT VI
FAILURE TO CONDUCT ANNUAL OPERABILITY TESTING OF THE AUTOMATIC
TANK GAUGE

24. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

25. Pursuant to Rule 62-761.600(4), Fla. Admin. Code, all release detection devices shall be tested annually at intervals not exceeding 12 months to ensure proper operation.

26. Respondent has failed to conduct annual operability testing of the Veeder Root TLS 300 automatic tank gauge system and/or provide annual operability test results to the county or the Department.

COUNT VII
FAILURE TO CONDUCT REQUIRED PERIODIC CONTAINMENT AND INTERSTITIAL
INTEGRITY TESTING

27. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

28. Pursuant to Rule 62-761.700(3)(a)1, Fla. Admin. Code, the integrity of secondary containment systems and interstitial spaces, regardless of the date of installation of the storage tank system or storage tank system component, shall be verified by performing an interstitial or containment integrity test in accordance with manufacturer's specifications.

29. Respondent has failed to conduct required periodic containment and interstitial integrity testing of the below-grade piping sumps, below-grade dispenser sumps, and double-walled spill containment systems and/or provide testing results to the county or the Department.

COUNT VIII
COSTS AND EXPENSES

30. The facts in paragraphs 1 through 7 are realleged and incorporated herein.

31. The Department has incurred expenses to date while investigating this matter in the amount of not less than \$500.00.

CONCLUSIONS OF LAW AND ASSESSMENT OF ADMINISTRATIVE PENALTIES

The Department has evaluated the Findings of Fact with regard to the requirements of Chapters 376 and 403, Fla. Stat., and Fla. Admin. Code Title 62. Based on the foregoing facts the Department has made the following conclusions of law:

32. The Property, Facility, and System are regulated under Chapters 376 and 403, Fla. Stat. and Fla. Admin. Code Chapter 62-761.

33. Respondent is a “person” within the meaning of section 376.301(29), Fla. Stat.

34. Respondent is an “owner” of the Facility located on the Property, as defined in section 376.301(28), Fla. Stat.

35. Respondent is the “operator” of the Facility located on the Property, as defined in section 376.301(27), Fla. Stat.

36. The retail fueling facility and underground storage tank system located on the Property constitute a “facility” within the meaning of section 376.301(18), Fla. Stat.

37. The Facility and System are subject to regulation by the Department pursuant to Chapters 376 and 403, Fla. Stat. and Fla. Admin. Code Chapter 62-761.

38. The underground storage tank containing diesel and unleaded gasoline located on the Property constitute a “Tank” as defined in Rule 62-761.200(60), Fla. Admin. Code.

39. The underground storage tanks along with their components constitute a “storage tank system” as defined in Rule 62-761.200(56), Fla. Admin. Code.

40. Pursuant to section 376.301(33), Fla. Stat., gasoline constitutes a “petroleum product” and is a “regulated substance” as set out in Rule 62-761.200(48), Fla. Admin. Code.

41. Pursuant to section 376.303, Fla. Stat., and Rule 62-761.400, Fla. Admin. Code, all underground storage tank facilities that store hazardous regulated substances and their onsite component systems, shall be registered with the Department.

42. The Department is imposing an administrative penalty of less than or equal to \$50,000 in this Notice of Violation as calculated in accordance with section 403.121, Fla. Stat.

43. The facts in Count I constitute a violation of Fla. Admin. Code Rule 62-761.700(1)(a)2, which requires repairs to be made if any component of a storage tank system has an operational or structural problem that could potentially result in a release or discharge, or lead to the presence of groundwater or surface water in the interstice of a double-walled storage tank or integral piping. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

44. The violation in Count I requires the assessment of an administrative penalty under section 403.121(3)(g), Fla. Stat., totaling \$1,500.00 for the failure to properly operate, maintain, or close a storage tank system.

45. The facts in Count II constitute a violation of Fla. Admin. Code Rule 62-761.600(1)(e), which requires that at least once a month, but not exceeding 35 days, every component of a storage tank system that contains, transfers, or stores, or is designed to contain, transfer or store regulated substances that can be inspected visually shall be visually inspected and

documented as to its condition pursuant to Rule 62-761.710, F.A.C. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

46. The violation in Count II requires the assessment of an administrative penalty under section 403.121(3)(g), Fla. Stat., totaling \$3,000.00 for the failure to conduct or maintain required release detection.

47. The facts in Count III constitute a violation of Fla. Admin. Code Rule 62-761.600(4), which requires all release detection devices to be tested annually at intervals not exceeding 12 months to ensure proper operation. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

48. The violation in Count III requires the assessment of an administrative penalty under section 403.121(4)(d), Fla. Stat., totaling \$3,000.00 for the failure to conduct required monitoring or testing.

49. The facts in Count IV constitute a violation of Fla. Admin. Code Rule 62-761.500(7)(d), which requires that an annual operability test be performed on the designated primary overfill protection device used to meet the Department's overfill protection requirement at intervals not exceeding 12 months to ensure proper operation. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

50. The violation in Count IV requires the assessment of an administrative penalty under section 403.121(4)(d), Fla. Stat., totaling \$3,000.00 for the failure to conduct required monitoring or testing.

51. The facts in Count V constitute a violation of Fla. Admin. Code Rule 62-761.350(7), which requires owners and operators of underground storage tank system facilities, except unmanned facilities, to maintain required training certification documentation as described in this rule on-site and provide it upon request to the county or Department. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

52. The violation in Count V requires the assessment of an administrative penalty under section 403.121(4)(f), Fla. Stat., totaling \$750.00 for the failure to prepare, submit, maintain, or use required documentation.

53. The facts in Count VI constitute a violation of Fla. Admin. Code Rule 62-761.600(4), which requires all release detection devices be tested annually at intervals not exceeding 12 months to ensure proper operation. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

54. The violation in Count VI requires the assessment of an administrative penalty under section 403.121(4)(d), Fla. Stat., totaling \$3,000.00 for the failure to conduct required monitoring or testing.

55. The facts in Count VII constitute a violation of Fla. Admin. Code Rule 62-761.700(3)(a)1, which requires that the integrity of secondary containment systems and interstitial spaces, regardless of the date of installation of the storage tank system or storage tank system component, be verified by performing an interstitial or containment integrity test in accordance with manufacturer's specifications. The facts also constitute a violation of section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

56. The violation in Count VII requires the assessment of an administrative penalty under section 403.121(4)(d), Fla. Stat., totaling \$3,000.00 for the failure to conduct required monitoring or testing.

57. The costs and expenses related to Count VIII are reasonable costs and expenses incurred by the Department while investigating this matter, which are recoverable pursuant to section 403.141(1) Fla. Stat.

ORDERS FOR CORRECTIVE ACTION

The Department has alleged that the activities related in the Findings of Fact constitute violations of Florida law. The Orders for Corrective Action state what you, Respondent, must do in order to correct and redress the violations alleged in this Notice.

The Department will adopt the Orders for Corrective Action as part of its Final Order in this case unless Respondent either files a timely request for a formal hearing or informal proceeding, pursuant to section 403.121(2)(c), Fla. Stat., or files written notice with the Department opting out of this administrative process, pursuant to 403.121(2)(c), Fla. Stat. (See Notice of Rights). If Respondent fails to comply with the corrective actions ordered by the Final Order, the Department is authorized to file suit seeking judicial enforcement of the Department's Order pursuant to sections 120.69, 403.121, and 403.131, Fla. Stat.

Pursuant to the authority of sections 403.061(8) and 403.121, Fla. Stat., the Department proposes to adopt in its Final Order in this case the following specific corrective actions that will redress the alleged violations:

58. Commencing immediately and henceforth, Respondent shall comply with all Department rules regarding underground storage tanks. Respondent shall correct and redress all

violations in the time periods required below and shall comply with all applicable rules in Fla. Admin. Code Chapter 62-761.

59. Within 30 days of the effective date of this Order, Respondent shall:

a) begin to perform monthly visual inspections (not to exceed 35 days) of the storage tank system components that can be visually inspected and maintain documentation as to its condition pursuant to Rule 62-761.710, F.A.C.; and shall begin to print and maintain monthly automatic tank gauge print-out liquid status reports.

60. Within 90 days of the effective date of this Order, Respondent shall:

b) have a certified technician inspect the Veeder Root TLS 300 system, identify the problem with the issue of it sometimes not working, and repair as necessary.

c) conduct annual operability testing of the line leak detectors and/or provide line leak detector annual operability test results to the Department.

d) conduct annual operability testing of the primary overfill protection devices and/or provide primary overfill protection device annual operability test results to the Department.

e) conduct annual operability testing of the Veeder Root TLS 300 automatic tank gauge system and/or provide Veeder Root TLS 300 automatic tank gauge system annual operability test results to the Department.

f) conduct containment and interstitial integrity testing of the below-grade piping sumps, dispenser sumps, and spill containment systems and provide testing results to the Department.

61. Within 120 days of the effective date of this Order, Respondent shall:

g) submit monthly visual release detection inspection reports and monthly automatic tank gauge print-out reports (liquid status) for the previous three months to the Department.

62. Within 30 days of the effective date of this Order, Respondent shall pay \$17,250.00 to the Department for the administrative penalties imposed above. Payment shall be made by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No. 21-0345" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 160 W. Government Street, Suite 308, Pensacola, Florida 32502. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this Order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

63. In addition to the administrative penalties, within 30 days of the effective date of this Order, Respondent shall pay \$500.00 to the Department for costs and expenses. Payment shall be made by cashier's check or money order. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No. 21-0345" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 160 W. Government Street, Suite 308, Pensacola, Florida 32502. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this Order becomes final, effective and filed with the Clerk of the Department before ability

to make online payment is available.

NOTICE OF RIGHTS

Respondent's rights to negotiate, litigate or transfer this action are set forth below.

Right to Negotiate

64. This matter may be resolved if the Department and Respondent enter into a Consent Order, in accordance with section 120.57(4), Fla. Stat., upon such terms and conditions as may be mutually agreeable.

Right to Request a Hearing

65. Respondent has the right to a formal administrative hearing pursuant to sections 120.569, 120.57(1), and 403.121(2), Fla. Stat., if Respondent disputes issues of material fact raised by this Notice. At a formal hearing, Respondent will have the opportunity to be represented by counsel or qualified representative, to present evidence and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence.

66. Respondent has the right to an informal administrative proceeding pursuant to sections 120.569 and 120.57(2), Fla. Stat., if Respondent does not dispute issues of material fact raised by this Notice. If an informal proceeding is held, Respondent will have the opportunity to be represented by counsel or qualified representative, to present to the agency written or oral evidence in opposition to the Department's proposed action, or to present a written statement challenging the grounds upon which the Department is justifying its proposed action.

67. If Respondent desires a formal hearing or an informal proceeding, Respondent must file a written responsive pleading entitled "Request for Administrative Proceeding" within 20 days of receipt of this Notice. The request must be in the form required by Fla. Admin. Code Rule 28-

106.2015 and include the following:

- (a) The name, address, and telephone number, and facsimile number (if any) of each respondent if the respondent is not represented by an attorney or qualified representative;
- (b) The name, address, telephone number, and facsimile number of the attorney or qualified representative of respondent, if any, upon whom service of pleadings and other papers shall be made;
- (c) A statement of when respondent received the Notice;
- (d) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the request for hearing must so indicate; and
- (e) The notation "OGC Case No. 21-0345 shall be included in the request.

A request for hearing is filed when it is received by the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency_Clerk@floridadep.gov.

Right to Mediation

68. If Respondent timely files a request challenging the Notice, Respondent has the right to mediate the issues raised in the Notice. If requested, a mediator will be appointed to assist the Department and Respondent to reach a resolution of some or all of the issues. The mediator is chosen from a list of mediators provided by the FCRC Consensus Center (FCRC). The FCRC will provide up to 8 hours of free mediation services to the Respondent. A mediator cannot require the parties to settle the case. If mediation is unsuccessful, both parties retain their full rights to

litigate the issues before an administrative law judge. The Respondent must select the mediator and notify the FCRC within 15 days of receipt of the list of mediators. The mediation process does not interrupt the time frames of the administrative proceedings and the mediation must be completed at least 15 days before the date of the final hearing.

69. The written request to appoint a mediator must be made within 10 days after receipt of the Initial Order from the administrative law judge appointed to hear the case. The request must be received by the FCRC Consensus Center, Attn. Chris Pedersen, 296 Champions Way, UCC6140, Tallahassee, Florida, 32306-2641, cpedersen@fsu.edu. Once the request is timely received, the FCRC will provide the parties with a list of mediators and the necessary information.

Right to Opt Out of the Administrative Proceeding

70. If Respondent does not wish to contest the issues before an administrative law judge, Respondent may file a notice with the Department opting out of the administrative process. Respondent must file the written opt out notice within 20 days after service of this Notice. The written notice to opt out is filed when it is received by the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency_Clerk@floridadep.gov.

71. Once the Respondent opts out of the administrative process, the Department may sue the Respondent for injunctive relief, damages, costs and expenses and civil penalties. If the Respondent opts out of the administrative process, the Department may ask the judge to assess civil penalties in excess of the amounts in this Notice up to \$15,000.00 per day per violation. The election to opt out of the administrative process is permanent and once the election is made the administrative process cannot be restarted.

Waivers

72. Respondent will waive the right to a formal hearing or an informal proceeding if either:

a. a request for a formal hearing or informal proceeding is not filed with the Department within 20 days of receipt of this Notice, or

b. a notice opting out of the administrative proceeding is not filed with the Department within 20 days of receipt of this Notice.

73. These time limits may be varied only by written consent of the Department.

General Provisions

74. The findings of fact and conclusions of law of this Notice together with the Orders for Corrective Action will be adopted by the Department in a Final Order if Respondent fails to timely file a request for a formal hearing or informal proceeding, pursuant to section 403.121, Fla. Stat. A Final Order will constitute a full and final adjudication of the matters alleged in this Notice.

75. If Respondent fails to comply with the Final Order, the Department is authorized to file suit in circuit court seeking a mandatory injunction to compel compliance with the Order, pursuant to sections 120.69, 403.121, and 403.131, Fla. Stat. The Department may also seek to recover damages, all costs of litigation including reasonable attorney's fees and expert witness fees, and civil penalties of not more than \$15,000.00 per day for each day that Respondent has failed to comply with the Final Order.

76. Copies of Department rules referenced in this Notice may be examined at any Department Office, or are also available electronically at:

<http://www.dep.state.fl.us/legal/Rules/rulelist.htm>.

DATED this 26th day of April, 2021.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Elizabeth Mullins Orr
District Director, Northwest District

Copies furnished to:
Kirk White, OGC Litigation Section
Michelle Snoberger, OGC Litigation Section
Taylor Coram, OGC

EXHIBIT I

INSPECTION REPORT



Florida Department of Environmental Protection
Twin Towers Office Bldg. 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400
Division of Waste Management
Petroleum Storage Systems
Storage Tank Facility Routine Compliance Site Inspection Report

Facility Information:

Facility ID: 8500738	County: BAY	Inspection Date: 02/04/2020
Facility Type: A - Retail Station		
Facility Name: ALWAYS STOP		# of inspected ASTs: 0
14340 HWY 231		USTs: 1
YOUNGSTOWN, FL 32466		Mineral Acid Tanks: 0
Latitude: 30° 24' 23.0909"		
Longitude: 85° 25' 54.9436"		
LL Method: DPHO		

Inspection Result:

Result: Major Out of Compliance

Signatures:

TKESPH - ESCAMBIA COUNTY HEALTH DEPARTMENT (850) 595-6700

Storage Tank Program Office and Phone Number

Muhammad Rafique Khan

Ameer Ali jivani 850 381 1415

Inspector Name**Representative Name**

[Handwritten Signature]
2-4-2020

*Tough Pad went
boggy on in field*

Inspector Signature**Representative Signature**

Principal Inspector

ESCAMBIA COUNTY HEALTH DEPARTMENT

Owners of UST facilities are reminded that the Federal Energy Policy Act of 2005 and 40 CFR 280 Subpart J requires Operator Training at all facilities by October 13, 2018. For further information please visit:
<https://floridadep.gov/waste/permitting-compliance-assistance/content/underground-storage-tank-operator-training>

Financial Responsibility:

Financial Responsibility: INSURANCE

Insurance Carrier: CRUM & FORSTER SPECIALTY INS. CO.

Effective Date: 07/28/2019

Expiration Date: 07/28/2021

Findings:

No Training Certificates are Available.

Violations:

Type:	Violation
Significance:	Minor
Rule:	62-761.700(1), 62-761.700(1)(a), 62-761.700(1)(a)1., 62-761.700(1)(a)2.
Violation Text:	Storage tank system has a not repaired component which has or could cause a release or discharge.
Explanation:	62-761.700(1)(a)2.#4068, During the inspection Automatic Tank gauge Veeder root seems to be not functioning properly, it had probe out message. An operational or structural problem that could potentially result in a release or discharge, or lead to the presence of groundwater or surface water in the interstice of a double-walled storage tank or integral piping.
Corrective Action:	Please let the repair technician diagnose the problem and fix it. when repair is done let our office know job has been completed, you could send a picture or invoice for repair also.

Type:	Violation
Significance:	SNC-B
Rule:	62-761.600(1)(d), 62-761.600(1)(e)
Violation Text:	Release detection, including visual inspections not being conducted monthly (not to exceed 35 days.) For electronically monitored sumps, visual inspections not conducted every 6 months. This violation may lead to Placard Revocation and Delivery Prohibition.
Explanation:	62-761.600(1)(e) 4059.No visual monthly tank system inspection record including Automatic tank gauge print outs was available at the time of inspection. Visual inspections. At least once a month, but not exceeding 35 days, every component of a storage tank system that contains, transfers, or stores, or is designed to contain, transfer, or store regulated substances that can be inspected visually shall be visually inspected and documented as to its condition pursuant to Rule 62-761.710, F.A.C. Any visual inspection of a storage tank system that reveals uncontrolled pitting corrosion, structural damage, leakage, or other similar problems is considered a positive response. The positive response shall be recorded as part of the release detection records. Repairs shall be made in accordance with Rule 62-761.700, F.A.C. The positive response shall be reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C., if it is determined that a release has occurred. A monthly visual inspection is not required for any system component using an electronic release detection method; however, piping and dispenser sumps that use an electronic release detection method must also be visually inspected every six months and records kept of the visual inspection.
Corrective Action:	Please provide your visual monthly tank system inspection record including Automatic tank gauge print outs from 1/7/2017 till present, if record has not been kept , then send your monthly visual inspection log plus ATG Printouts (liquid status) each month for next three months to, MUHAMMAD.KHAN@FLHEALTH.GOV and monica.wilson@flhealth.gov.

Type:	Violation
Significance:	SNC-B
Rule:	62-761.600(3), 62-761.600(3)(a), 62-761.600(3)(b), 62-761.600(3)(b)1., 62-761.600(3)(b)2., 62-761.600(3)(b)3.
Violation Text:	Integral piping release detection requirements not met.
Explanation:	62-761.600(3)(b)1. # 4066 No current Annual operability testing results for your In line leak detectors were available at the time of inspection. Mechanical line leak detectors shall be capable of detecting a discharge of 3.0 gallons per hour (gph) with a probability

of detection of 0.95 and a probability of false alarm of 0.05 at an equivalent line pressure of 10 pounds per square inch (psi) and restrict flow within one hour. Any instance where the mechanical line leak detector is restricting flow is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.

Corrective Action: Please provide current Annual operability testing results for your Inline leak detectors.

Type: Violation
 Significance: Minor
 Rule: 62-761.500(7)(e)
 Violation Text: Overfill protection devices not registered or tested annually.
 Explanation: 62-761.500 # 4057 No current Annual operability testing results for your overfill device was available at the time of inspection.
 Overfill devices shall be registered in accordance with subsection 62-761.850(2), F.A.C., and an operability test shall be performed annually at intervals not exceeding 12 months to ensure proper operation
 Corrective Action: : Please provide current Annual operability testing results for overfill devices

Type: Violation
 Significance: Minor
 Rule: 62-761.350(1), 62-761.350(1)(c), 62-761.350(1)(d), 62-761.350(3)(b)2., 62-761.350(5)(a), 62-761.350(5)(b), 62-761.350(5)(c), 62-761.350(7)
 Violation Text: Operator certification requirements not met.
 Explanation: 62-761.350(7) # 4001 During the inspection AB and C operator training was not available,
 Owners and operators of underground storage tank system facilities, except unmanned facilities, must maintain required training certification documentation as described in this rule on-site and must provide it upon request to the county or Department.
 Documentation may be maintained electronically off-site if that facility has the capability of producing a clear printed copy which can be provided to the Department within 72 hours. Owners and operators of unmanned underground storage tank system facilities must provide documentation as requested by the Department.
 Corrective Action: Please obtain copies of training from provider if you completed the training and records lost, and or you can send evidence of paid training document for required training to our office.

Type: Violation
 Significance: Minor
 Rule: 62-761.600(4)
 Violation Text: Release detection devices not tested annually.
 Explanation: 62-761.600 # 4067 No current Annual operability testing results for Automatic tank gauge were available at the time of inspection.
 Annual operability testing of release detection systems. All release detection devices shall be tested annually at intervals not exceeding 12 months to ensure proper operation. The test must either simulate an actual alarm condition or shall be conducted according to manufacturer's specifications, and shall include, at a minimum, a determination of whether the device operates as designed. Remote testing of the system can be performed by the manufacturer if the remote test is included in the third-party certification by a Nationally Recognized Testing Laboratory.
 Corrective Action: Please provide current Annual operability testing results for Automatic tank gauge. (Veeder Root)

Type: Violation
 Significance: Minor

Rule:	62-761.700(3), 62-761.700(3)(a), 62-761.700(3)(a)1., 62-761.700(3)(a)1.a., 62-761.700(3)(a)1.b., 62-761.700(3)(a)1.c., 62-761.700(3)(a)1.d., 62-761.700(3)(a)1.e., 62-761.700(3)(a)1.f., 62-761.700(3)(a)2.
Violation Text:	Failure to conduct required periodic containment and interstitial integrity testing.
Explanation:	<p>62-761.700(3)(a) .# 4076 .No current integrity tests results for your Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps were available.</p> <p>The integrity of secondary containment systems and interstitial spaces, regardless of the date of installation of the storage tank system or storage tank system component, shall be verified by performing an interstitial or containment integrity test in accordance with manufacturer specifications or PEI/RP1200-12, 2012 Edition, incorporated by reference in subparagraph 62-761.500(1)(b)5., F.A.C. Secondary containment systems that use vacuum, pressure, or liquid level (hydrostatic) monitoring for release detection are exempt from this requirement. The interstitial or containment integrity tests shall be performed in accordance with the following schedule:</p> <p>Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps shall be tested by October 13, 2018, and every three years thereafter;</p>
Corrective Action:	Please provide current integrity tests results for : Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps.

Site Visit Comments

02/04/2020

8500738, ALWAYS STOP Annual Compliance

TCI 2/4/2020

Met on site with Ameer Ali jivani 850 381 1415. owner for 8500738 - ALWAYS STOP

Inspection report was emailed..

Current placard FR are posted.

Inspection Comments

02/04/2020

TANKS: One DW highland green jacketed tank. EQ # 267

PIPING: AMERON DUALAY 3000 LCX EQ=291

STP SUMPS: APT BLUE EQ-423.

DISPENSERS LINERS: TOTAL 5 -apt (4 ARE APT BLUE EQ-423) (5TH diesel) unknown.

SPILL CONTAINMENT: little liquid.

OVERFILL PROTECTION: Flappers

RELEASE DETECTION: ATG-TLS 300 EQ #196 Monthly Visuals of Dispenser Liners, spill buckets. STP's, leak detectors.

NOTE: None of the STPs could open, Ameer showed me pictures from yesterday when he arranged help from somebody to get them open prior to inspection. I took pictures with my camera from his cell phone of all STPs showed being open.

Amir said ATG works sometimes and no other times

There was no visual inspection printouts and system tests available at the time of inspection..

Inspection Photos

Added Date 02/14/2020

2020/2/4 ALWAYS STOP PUMPS



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-TANKS



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER LINER



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER LINER -
CLOSED



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-TANKS



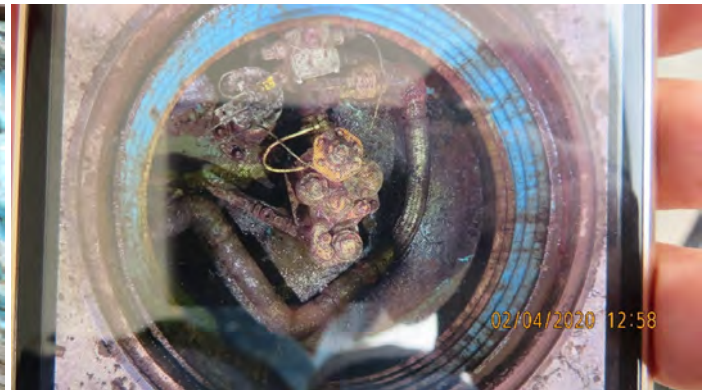
Added Date 02/14/2020

2020/2/4 ALWAYS STOP-premium spill box



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-premium stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-reg stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel pump



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel pump liner



2020/2/4 ALWAYS STOP-atg

2020/2/4 ALWAYS STOP-atg printout

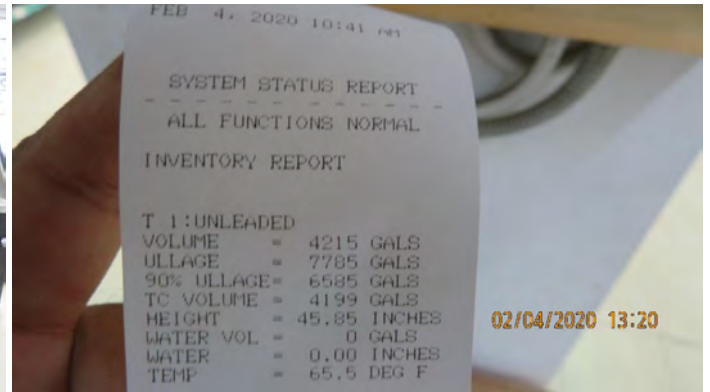


EXHIBIT II

COMPLIANCE ASSISTANCE OFFER LETTER

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the Healthiest State in the Nation

February 17, 2020

Sent via email only to addressee at ajivani1969@yahoo.com

Ameer Jivani
Always Stop
14340 Hwy 231
Youngstown, FL 32466

RE: Compliance Assistance Offer
Always Stop
14340 Hwy 231
Youngstown, FL 32466
DEP Facility # 03/8500738
Bay County – Storage Tanks

Dear Mr. Jivani:

A storage tanks inspection and file review were conducted at the above noted facility on or about February 4, 2020, by the Florida Department of Health in Escambia County - Environmental Health Division, on behalf of the Florida Department of Environmental Protection. During the inspection and file review, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of Chapter 376 and 403, Florida Statutes, and Chapter 62-761, Florida Administrative Code (Fla. Admin. Code) was observed. Please see the attached inspection report for a full account of County observations and recommendations.

We request you review the item(s) of concern and respond in writing within 15 days of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

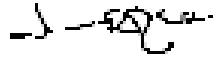
1. Describe what has been done to resolve the non-compliance issue(s) or provide a schedule describing how/when the remaining issues will be addressed.
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid.
3. Or, arrange for the inspector to visit your facility to discuss the item(s) of concern.

It is the Department's desire that you are able to adequately address the aforementioned issues so that this matter can be closed. Your failure to respond promptly may result in the initiation of formal enforcement proceedings.

Ameer Jivani
Page 2
FAC ID # 03/8500738
February 17, 2020

Please address your response and any questions to Rafiq Khan at 850/258-8546 or Muhammad.Khan@FLHealth.gov or by mail at the Florida Department of Health in Escambia County - Environmental Health Division, 1300 West Gregory Street, Pensacola FL 32502-3724.

Sincerely,

A handwritten signature in black ink, appearing to read 'Muhammad R. Khan', with a stylized flourish at the end.

Muhammad R. Khan
Environmental Specialist II

Enclosure: *(Inspection Report)*

EXHIBIT III
WARNING LETTER



FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, FL 32502

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

October 22, 2020

Ameer Jivani
Always Stop
14340 Hwy 231
Youngstown, FL 32466
ajivani1969@yahoo.com

Jivani, Shabana Ameer Ali Etal
Property Owner; Registered Agent
10541 South Fork Loop
Panama City, FL 32404-4884

Re: Warning Letter
Always Stop
Facility ID No. 8500738
Bay County

Dear Mr. Jivani:

On February 4, 2020, the Florida Department of Health in Escambia County - Environmental Health Division, on behalf of the Florida Department of Environmental Protection, inspected the facility referenced above. The inspector noted possible violations of chapters 376 and 403, Florida Statutes, and chapter 62-762, Florida Administrative Code (F.A.C.)

During the inspection the Escambia County personnel noted the following issues:

- Release detection devices not tested annually. No current Annual operability testing results for Automatic tank gauge were available at the time of inspection.
- Operator certification requirements not met. During the inspection, AB and C operator training certificates were not available.
- Storage tank system has a not repaired component which has or could cause a release or discharge. During the inspection Automatic Tank gauge Veeder root seems to be not functioning properly, it had probe out message.
- Release detection, including visual inspections not being conducted monthly (not to exceed 35 days.) For electronically monitored sumps, visual inspections not conducted every 6 months. This violation may lead to Placard Revocation and Delivery Prohibition.
- Integral piping release detection requirements not met. No current Annual operability testing results for In Line Leak Detectors were available at the time of inspection.
- Overfill protection devices not registered or tested annually.
- Failure to conduct required periodic containment and interstitial integrity testing. No current integrity tests results for your Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps were available.

The Escambia County Health Department issued a Compliance Assistance Offer letter to the facility contact on February 17, 2020, which included the inspection report explaining the findings and requesting a written response. A copy of the letter has been enclosed. That office has not received a response.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to sections 403.121(3)(g), Florida Statutes.

Please respond in writing within **15 days** of receipt of this Warning Letter. Please direct your written or emailed response to Ms. Jenna Throckmorton, at (850) 595-0623 or at Jenna.N.Throckmorton@floridadep.gov. Based on our review of the submitted information, a teleconference may be required. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,



Elizabeth Mullins Orr
Interim Director

EMO/jt

Enclosure: Compliance Assistance Offer Letter (Dated February 17, 2020)
Inspection Report (Dated February 4, 2020)

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the Healthiest State in the Nation

February 17, 2020

Sent via email only to addressee at ajivani1969@yahoo.com

Ameer Jivani
Always Stop
14340 Hwy 231
Youngstown, FL 32466

RE: Compliance Assistance Offer
Always Stop
14340 Hwy 231
Youngstown, FL 32466
DEP Facility # 03/8500738
Bay County – Storage Tanks

Dear Mr. Jivani:

A storage tanks inspection and file review were conducted at the above noted facility on or about February 4, 2020, by the Florida Department of Health in Escambia County - Environmental Health Division, on behalf of the Florida Department of Environmental Protection. During the inspection and file review, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of Chapter 376 and 403, Florida Statutes, and Chapter 62-761, Florida Administrative Code (Fla. Admin. Code) was observed. Please see the attached inspection report for a full account of County observations and recommendations.

We request you review the item(s) of concern and respond in writing within 15 days of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

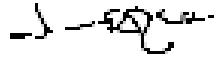
1. Describe what has been done to resolve the non-compliance issue(s) or provide a schedule describing how/when the remaining issues will be addressed.
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid.
3. Or, arrange for the inspector to visit your facility to discuss the item(s) of concern.

It is the Department's desire that you are able to adequately address the aforementioned issues so that this matter can be closed. Your failure to respond promptly may result in the initiation of formal enforcement proceedings.

Ameer Jivani
Page 2
FAC ID # 03/8500738
February 17, 2020

Please address your response and any questions to Rafiq Khan at 850/258-8546 or Muhammad.Khan@FLHealth.gov or by mail at the Florida Department of Health in Escambia County - Environmental Health Division, 1300 West Gregory Street, Pensacola FL 32502-3724.

Sincerely,



Muhammad R. Khan
Environmental Specialist II

Enclosure: *(Inspection Report)*



Florida Department of Environmental Protection
Twin Towers Office Bldg. 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400
Division of Waste Management
Petroleum Storage Systems
Storage Tank Facility Routine Compliance Site Inspection Report

Facility Information:

Facility ID: 8500738 County: BAY Inspection Date: 02/04/2020
Facility Type: A - Retail Station
Facility Name: ALWAYS STOP # of inspected ASTs: 0
14340 HWY 231 USTs: 1
YOUNGSTOWN, FL 32466 Mineral Acid Tanks: 0
Latitude: 30° 24' 23.0909"
Longitude: 85° 25' 54.9436"
LL Method: DPHO

Inspection Result:

Result: Major Out of Compliance

Signatures:

TKESPH - ESCAMBIA COUNTY HEALTH DEPARTMENT (850) 595-6700

Storage Tank Program Office and Phone Number

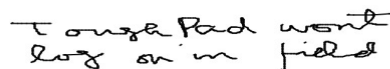
Muhammad Rafique Khan

Ameer Ali jivani 850 381 1415

Inspector Name

Representative Name


2-4-2020


Tough Pad went
lost on in field

Inspector Signature

Representative Signature

Principal Inspector

ESCAMBIA COUNTY HEALTH DEPARTMENT

Owners of UST facilities are reminded that the Federal Energy Policy Act of 2005 and 40 CFR 280 Subpart J requires Operator Training at all facilities by October 13, 2018. For further information please visit:
<https://floridadep.gov/waste/permitting-compliance-assistance/content/underground-storage-tank-operator-training>

Financial Responsibility:

Financial Responsibility: INSURANCE

Insurance Carrier: CRUM & FORSTER SPECIALTY INS. CO.

Effective Date: 07/28/2019

Expiration Date: 07/28/2021

Findings:

No Training Certificates are Available.

Violations:

Type: Violation
 Significance: Minor
 Rule: 62-761.700(1), 62-761.700(1)(a), 62-761.700(1)(a)1., 62-761.700(1)(a)2.
 Violation Text: Storage tank system has a not repaired component which has or could cause a release or discharge.
 Explanation: 62-761.700(1)(a)2.#4068,
 During the inspection Automatic Tank gauge Veeder root seems to be not functioning properly, it had probe out message.
 An operational or structural problem that could potentially result in a release or discharge, or lead to the presence of groundwater or surface water in the interstice of a double-walled storage tank or integral piping.
 Corrective Action: Please let the repair technician diagnose the problem and fix it. when repair is done let our office know job has been completed, you could send a picture or invoice for repair also.

Type: Violation
 Significance: SNC-B
 Rule: 62-761.600(1)(d), 62-761.600(1)(e)
 Violation Text: Release detection, including visual inspections not being conducted monthly (not to exceed 35 days.) For electronically monitored sumps, visual inspections not conducted every 6 months. This violation may lead to Placard Revocation and Delivery Prohibition.
 Explanation: 62-761.600(1)(e) 4059.No visual monthly tank system inspection record including Automatic tank gauge print outs was available at the time of inspection. Visual inspections. At least once a month, but not exceeding 35 days, every component of a storage tank system that contains, transfers, or stores, or is designed to contain, transfer, or store regulated substances that can be inspected visually shall be visually inspected and documented as to its condition pursuant to Rule 62-761.710, F.A.C. Any visual inspection of a storage tank system that reveals uncontrolled pitting corrosion, structural damage, leakage, or other similar problems is considered a positive response. The positive response shall be recorded as part of the release detection records. Repairs shall be made in accordance with Rule 62-761.700, F.A.C. The positive response shall be reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C., if it is determined that a release has occurred. A monthly visual inspection is not required for any system component using an electronic release detection method; however, piping and dispenser sumps that use an electronic release detection method must also be visually inspected every six months and records kept of the visual inspection.
 Corrective Action: Please provide your visual monthly tank system inspection record including Automatic tank gauge print outs from 1/7/2017 till present, if record has not been kept , then send your monthly visual inspection log plus ATG Printouts (liquid status) each month for next three months to, MUHAMMAD.KHAN@FLHEALTH.GOV and monica.wilson@flhealth.gov.

Type: Violation
 Significance: SNC-B
 Rule: 62-761.600(3), 62-761.600(3)(a), 62-761.600(3)(b), 62-761.600(3)(b)1., 62-761.600(3)(b)2., 62-761.600(3)(b)3.
 Violation Text: Integral piping release detection requirements not met.
 Explanation: 62-761.600(3)(b)1. # 4066 No current Annual operability testing results for your In line leak detectors were available at the time of inspection. Mechanical line leak detectors shall be capable of detecting a discharge of 3.0 gallons per hour (gph) with a probability

of detection of 0.95 and a probability of false alarm of 0.05 at an equivalent line pressure of 10 pounds per square inch (psi) and restrict flow within one hour. Any instance where the mechanical line leak detector is restricting flow is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.

Corrective Action: Please provide current Annual operability testing results for your Inline leak detectors.

Type: Violation
 Significance: Minor
 Rule: 62-761.500(7)(e)
 Violation Text: Overfill protection devices not registered or tested annually.
 Explanation: 62-761.500 # 4057 No current Annual operability testing results for your overfill device was available at the time of inspection.
 Overfill devices shall be registered in accordance with subsection 62-761.850(2), F.A.C., and an operability test shall be performed annually at intervals not exceeding 12 months to ensure proper operation
 Corrective Action: : Please provide current Annual operability testing results for overfill devices

Type: Violation
 Significance: Minor
 Rule: 62-761.350(1), 62-761.350(1)(c), 62-761.350(1)(d), 62-761.350(3)(b)2., 62-761.350(5)(a), 62-761.350(5)(b), 62-761.350(5)(c), 62-761.350(7)
 Violation Text: Operator certification requirements not met.
 Explanation: 62-761.350(7) # 4001 During the inspection AB and C operator training was not available,
 Owners and operators of underground storage tank system facilities, except unmanned facilities, must maintain required training certification documentation as described in this rule on-site and must provide it upon request to the county or Department.
 Documentation may be maintained electronically off-site if that facility has the capability of producing a clear printed copy which can be provided to the Department within 72 hours. Owners and operators of unmanned underground storage tank system facilities must provide documentation as requested by the Department.
 Corrective Action: Please obtain copies of training from provider if you completed the training and records lost, and or you can send evidence of paid training document for required training to our office.

Type: Violation
 Significance: Minor
 Rule: 62-761.600(4)
 Violation Text: Release detection devices not tested annually.
 Explanation: 62-761.600 # 4067 No current Annual operability testing results for Automatic tank gauge were available at the time of inspection.
 Annual operability testing of release detection systems. All release detection devices shall be tested annually at intervals not exceeding 12 months to ensure proper operation. The test must either simulate an actual alarm condition or shall be conducted according to manufacturer's specifications, and shall include, at a minimum, a determination of whether the device operates as designed. Remote testing of the system can be performed by the manufacturer if the remote test is included in the third-party certification by a Nationally Recognized Testing Laboratory.
 Corrective Action: Please provide current Annual operability testing results for Automatic tank gauge. (Veeder Root)

Type: Violation
 Significance: Minor

Rule:	62-761.700(3), 62-761.700(3)(a), 62-761.700(3)(a)1., 62-761.700(3)(a)1.a., 62-761.700(3)(a)1.b., 62-761.700(3)(a)1.c., 62-761.700(3)(a)1.d., 62-761.700(3)(a)1.e., 62-761.700(3)(a)1.f., 62-761.700(3)(a)2.
Violation Text:	Failure to conduct required periodic containment and interstitial integrity testing.
Explanation:	<p>62-761.700(3)(a) .# 4076 .No current integrity tests results for your Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps were available.</p> <p>The integrity of secondary containment systems and interstitial spaces, regardless of the date of installation of the storage tank system or storage tank system component, shall be verified by performing an interstitial or containment integrity test in accordance with manufacturer specifications or PEI/RP1200-12, 2012 Edition, incorporated by reference in subparagraph 62-761.500(1)(b)5., F.A.C. Secondary containment systems that use vacuum, pressure, or liquid level (hydrostatic) monitoring for release detection are exempt from this requirement. The interstitial or containment integrity tests shall be performed in accordance with the following schedule:</p> <p>Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps shall be tested by October 13, 2018, and every three years thereafter;</p>
Corrective Action:	Please provide current integrity tests results for : Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps.

Site Visit Comments

02/04/2020

8500738, ALWAYS STOP Annual Compliance

TCI 2/4/2020

Met on site with Ameer Ali jivani 850 381 1415. owner for 8500738 - ALWAYS STOP

Inspection report was emailed..

Current placard FR are posted.

Inspection Comments

02/04/2020

TANKS: One DW highland green jacketed tank. EQ # 267

PIPING: AMERON DUALAY 3000 LCX EQ=291

STP SUMPS: APT BLUE EQ-423.

DISPENSERS LINERS: TOTAL 5 -apt (4 ARE APT BLUE EQ-423) (5TH diesel) unknown.

SPILL CONTAINMENT: little liquid.

OVERFILL PROTECTION: Flappers

RELEASE DETECTION: ATG-TLS 300 EQ #196 Monthly Visuals of Dispenser Liners, spill buckets. STP's, leak detectors.

NOTE: None of the STPs could open, Ameer showed me pictures from yesterday when he arranged help from somebody to get them open prior to inspection. I took pictures with my camera from his cell phone of all STPs showed being open.

Amir said ATG works sometimes and no other times

There was no visual inspection printouts and system tests available at the time of inspection..

Inspection Photos

Added Date 02/14/2020

2020/2/4 ALWAYS STOP PUMPS



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-TANKS



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER LINER



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER LINER -
CLOSED



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-TANKS



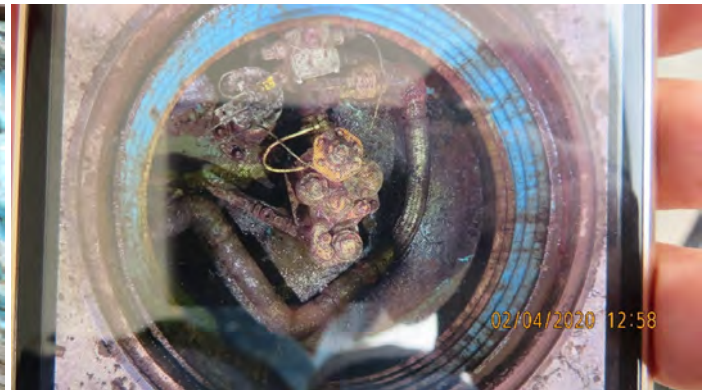
Added Date 02/14/2020

2020/2/4 ALWAYS STOP-premium spill box



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-premium stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-reg stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel pump



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel pump liner



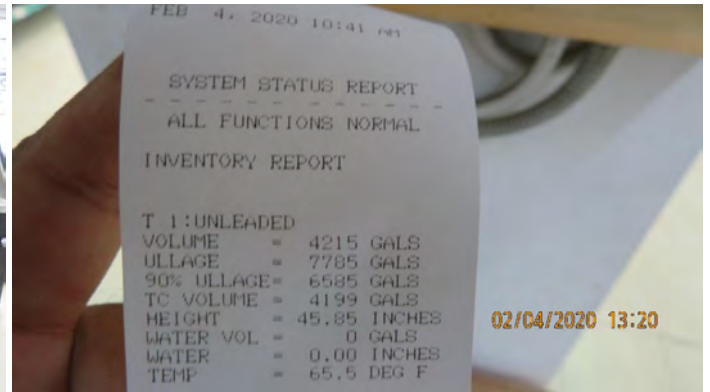


EXHIBIT IV

E-MAIL CORRESPONDENCE

From: [Bristol, Susan](#)
To: [Throckmorton, Jenna N](#)
Subject: FW: Facility ID 8500738
Date: Monday, October 26, 2020 12:18:00 PM
Attachments: [image001.png](#)

Hi Jenna-

A Warning Letter was issued on October 22, 2020 for this facility (Always Stop). Can you respond to the e-mail below?

Thanks,
Sue



Sue Bristol
Environmental Specialist III
Compliance Assurance Program
Florida Department of Environmental Protection
Northwest District
Susan.Bristol@floridadep.gov
Phone: 850-595-0570

From: ameerali jivani <ajivani1969@yahoo.com>
Sent: Monday, October 26, 2020 12:02 PM
To: Bristol, Susan <Susan.Bristol@dep.state.fl.us>
Subject: Facility ID 8500738

Hello Susan
I am Ameer jivani
Can you please give me a call
I need to explain and let you know what I have done so far and I am continue doing all compliance requirements
And need some help thanks
Cell 8503811415

Ameer ali jivani
Cell [850-381-1415](tel:850-381-1415)
Home [850-615-3623](tel:850-615-3623)
ajivani1969@yahoo.com

From: [Throckmorton, Jenna N](#)
To: ajivani1969@yahoo.com
Cc: [Bristol, Susan](#)
Subject: RE: Always Stop (8500738) Return to Compliance
Date: Tuesday, October 27, 2020 6:29:37 PM

Good afternoon Mr. Jivani,

In response to your question earlier today, I did some research and learned that there must be at least one named individual for each class of operator (Class A, Class B, and Class C) per facility. I will provide a link below to the Florida Department of Environmental Protection's web page on Operator Training Certification. This link is helpful in that it provides background information on the requirements, as well as the name of various contractors who offer the required training.

Operator Certificate Training: <https://floridadep.gov/waste/permitting-compliance-assistance/content/underground-storage-tank-operator-training>

Thank you so much for your time spent working towards environmental compliance. Please continue to consider me a resource for any questions you may have moving forward.

Best,



Jenna Throckmorton
Florida Department of Environmental Protection
Waste Management Division – Petroleum Tanks
Compliance Assurance Program
Environmental Specialist I
Jenna.N.Throckmorton@FloridaDEP.gov
Office: 850-595-0623

From: Throckmorton, Jenna N
Sent: Monday, October 26, 2020 12:53 PM
To: ajivani1969@yahoo.com
Cc: Bristol, Susan <Susan.Bristol@dep.state.fl.us>; Sullivan, Russell <Russell.Sullivan@dep.state.fl.us>
Subject: Always Stop (8500738) Return to Compliance

Good afternoon Mr. Jivani,

As per our phone conversation, I have attached the operator training certificate information that we have available. Within this PDF is our requirements, as well as the approved contractors that can offer the training. Please feel free to send me the documentation of repairs and work you have already performed in this email, so that I may begin reviewing them and can determine what tests may be required to resolve the remaining violations.

Thank you for your time, and I look forward to hearing from you soon.

Best,



Jenna Throckmorton

Florida Department of Environmental Protection
Waste Management Division – Petroleum Tanks
Compliance Assurance Program
Environmental Specialist I
Jenna.N.Throckmorton@FloridaDEP.gov
Office: 850-595-0623

From: ameral juari <ameraljuari@gmail.com>
Sent: Wednesday, November 11, 2020 2:02 PM
To: Throckmorton, Jenna N <jenna.n.throckmorton@duke.edu>
Subject: Re: Always stop L2

Hi Jenna
I just completed AII
And send you copy of that pls confirm and I will send you some more compliance in next week.
Thanks and have a great weekend

Answer all questions.
Call 850-381-1414
Home 850-875-

On Monday, November 8, 2021, 12:10 PM, Thaidinortus, Jenna N <jenna.n.thaidinortus@floods247.com> wrote:
(Good afternoon Mr. Buss)

Thank you for updating me on your progress! Seems like it's going well.

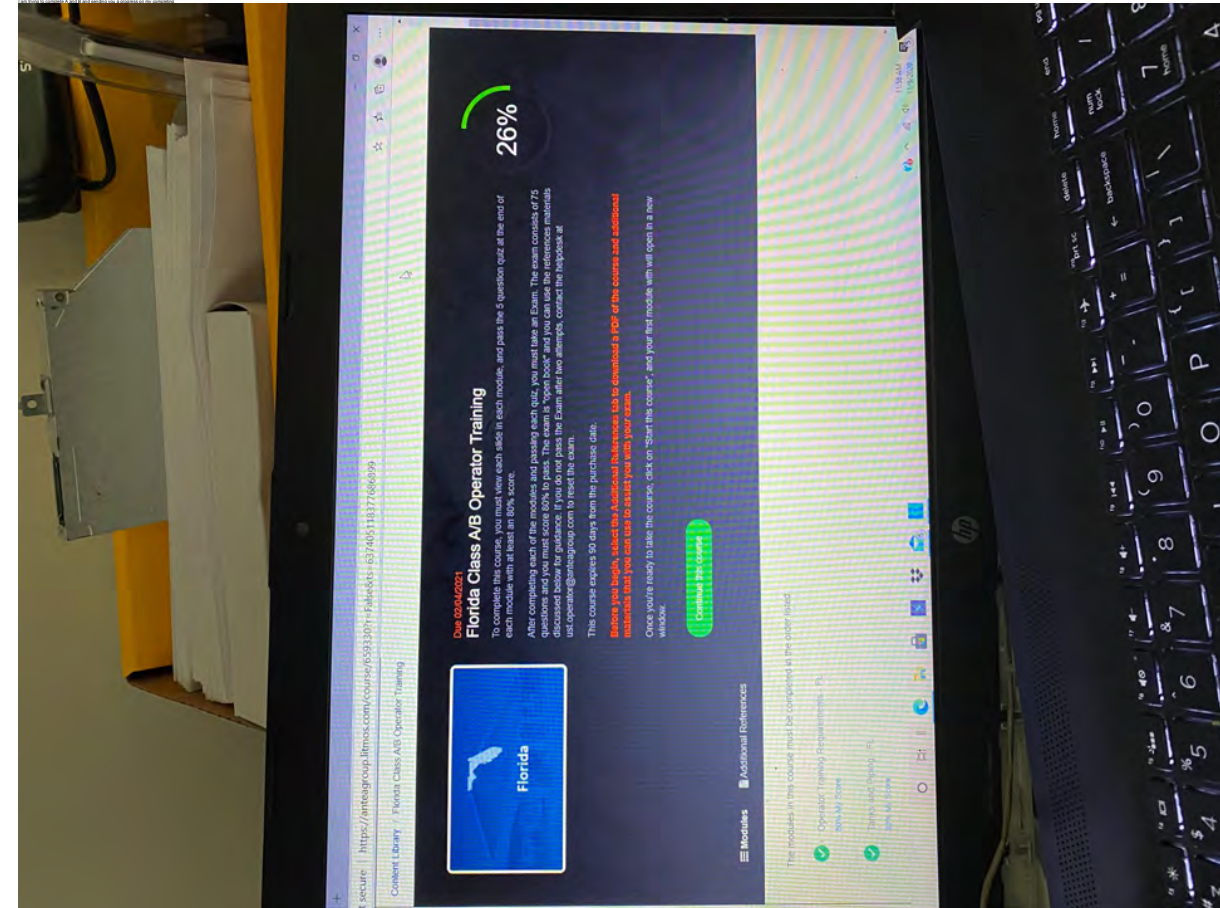
Have a GREAT Day!

8452



From: arnold@jvri.com <arnold@jvri.com>
Sent: Monday, November 9, 2020 11:59 AM
To: 'Theodor Morton, Jenna N' <jenna.n.theodor@morton.com>
Subject: Allusion about I/O

Media Janela



Answer all parts
Call 850-381-1415
Home 850-415-0623
oliver12345@uconn.edu

Certified Pollutant Storage System Specialty Contractors (PSSSC)

Registered with the Florida Department of Business and Professional Regulation

NOTE: The Department of Environmental Protection has published this list as a service to Florida businesses. The Department does not endorse specific companies or products. A company's absence from this list does not imply prejudice or impropriety. Users of this list are responsible for insuring products, equipment or services comply with the requirements of local, state, and Federal law. This list is taken from the Florida Department of Business and Professional Regulation (DBPR) and is updated periodically and is subject to change without notice.

For more information take a look at the DBPR's website: <http://www.myfloridalicense.com/dbpr/>, click on *Verify a License*, pick your method of search (name, county, license #) and look under Construction Industry for License Category and then choose Certified Pollutant Storage Contractor or Registered Precision Tank Tester for License Type.

The companies or persons below are listed by the county associated with their home office. Many of these companies work throughout the Florida panhandle and may be able to assist you even if you are outside of that county.

ESCAMBIA COUNTY	James Spann Panhandle Pump Company Inc. http://panhandlepump.com 4650 Chestnut Rd Molino, FL 32577 (850) 587-5735 License Number: PCC045053 Expires: 8/31/2020	ESCAMBIA	Eric Postma Guardian Fueling Services https://www.guardianfueltech.com 109 Industrial Blvd. Pensacola, FL 32505 (850)466-3050 (850)466-3054 Fax	BAY	Dwain Sapp Petro Flow Inc. http://petroflowinc.com/ 13807 Fiddlers Green Road Southport, FL 32409 (850) 271-0120 Office (850) 271-0121 Fax License No.: PCC1256798 Expires: 8/31/2020
	Chuck Hallbert Panhandle Pump Company Inc. http://panhandlepump.com 506 Legends Trail Enterprise, AL 36330 (850)587-5735 Service@panhandlepump.com License Number: PCC1256965 Expires: 8/31/2020	SANTA ROSA	Bluewater Service Frank McClellan 7595 Vinca Street Navarre, FL 32566 (850) 978-4163 License Number: PCC1256775 Expires: 8/31/2020		Alvin Phelps A Phelps Petroleum of Northwest Florida Inc. 2806 East Hwy 390 Panama City, Florida 32405 (850) 265-1207 License Number: PCC050798 Expires: 8/31/2020
	Joseph Spann Spanco Inc. 1932 Hwy 97 South Cantonment, FL 32533-9789 (850) 968-6877 License Number: PCC050804 Expires: 8/31/2020		Jeffery Day Gulf Coast Environmental Solutions, Inc. 3201 Quiet Water Lane Gulf Breeze, FL 32563 License Number: PCC1256852 Expires: 08/31/2020		Rodney Dykes Rodney Dykes Construction Inc. 8707 Dykes Drive Panama City, Florida 32409 (850) 265-1050 License Number: PCC056874 Expires: 8/31/2020
	Robert Barr III Barcor Enterprises 1093 Freeboard Boulevard Pensacola, FL 32507 (850) 497-8322 License Number: PCC056750 Expires: 8/31/2020		Gregory Gillam Kirlin Florida LLC 1396 West Shores Blvd Gulf Breeze, FL32563 License Number: PCC1256925 Expires: 08/31/2020		Robert Hartleb 9837 East Hwy 20 Youngstown, FL 32466 License Number: PCC052719 Expires: 8/31/2020
	Air Design System Inc. 400 East Lurton Street Pensacola, FL 32505 (850) 434-5592 <ul style="list-style-type: none"> William Brown #PCC056828 Exp. 8/31/2020 Stephen Alderman #PCC056850 Exp. 8/31/2020 	OKALOOSA	Clifton Hall Crestview Site & Underground Inc. 8188 Miller St Laurel Hill, FL 32567 (850) 689-8881 License Number: PCC056855 Expires: 8/31/2020	GADSDEN	Louis Hurst Hurst Asphalt Paving 10673 Florida Georgia Highway Havana, FL 32333 (850) 539-9664 License Number: PCC052716 Expires: 8/31/2020
	Mitchell Bass First City Builders LLC 1175 Greenbrier Blvd. Pensacola, FL 32514 (850) 889-6800 License Number: PCC1256893 Expires: 8/31/2020		James Foster Unitech Environmental Inc. 803 Pippin Dr Niceville, FL 32578 License Number: PCC1256814 Expires: 8/31/2020		Charles Blount Blount Plumbing Inc 1115 Glory Rd Quincy, FL 32352 License Number: PCC053387 Expires: 8/31/2020

Certified Pollutant Storage System Specialty Contractors

<http://www.myfloridalicense.com/dbpr/>

<p style="text-align: center;">LEON</p> <p>Keith Lawson Keith Lawson Company Inc. P.O. Box 37309 Tallahassee, FL 32315 (850) 562-2600 License Number: PCC050686 Expires: 8/31/2020</p> <p>Southern Pump and Tank (SPATCO) https://spatco.com 950 Yulee Street Tallahassee, FL 32304 (850) 765-6909 (800) 742-7919 License Number: PCC056875 Expires: 8/31/2020</p> <p>Wes Leon Northstar Contracting Group, Inc. 2020 Forest Glen Court Tallahassee, FL 32303 License Number: PCC1256827 Expires: 8/31/2020</p> <p>Robert Leger Tri-Con Inc. 2573 Barrington Circle Tallahassee, FL 32308 (850) 383-8312 License Number: PCC1256837 Expires: 8/31/2020</p> <p>James Spinnenweber Wes Environmental LLC 2079 Wildridge Drive Tallahassee, FL 32303 (850) 576-1281 License Number: PCC054941 Expires: 8/31/2020</p> <p>Andrew Phillips PO Box 384 Tallahassee, FL 32302 License Number: PCC1256953 Expires: 8/31/2020</p>	<p style="text-align: center;">WASHINGTON</p> <p>Brian Thomas Clemens Clemens Fuel Systems Inc. 1942 Edison Place Chipley FL 32428 (850) 265-8881 License Number: PCC050792 Expires: 8/31/2020</p> <p style="text-align: center;">DUVAL</p> <p>Southern Pump and Tank (SPATCO) https://spatco.com 435 Cassat Avenue Jacksonville, FL 32254 (904) 388-7571 (866) 445-7315 License Number: PCC056875 Expires: 8/31/2020</p> <p>David Billingsley Critical Fuel Services 1015 Atlantic Blvd., Suite 493 Atlantic Beach, FL 32233 (904)509-3213 david@criticalfueltech.com License Number: PCC1256757 Expires 8/31/2020</p> <p>Guardian Fueling Technologies https://www.guardianfueltech.com 9452 Phillips Highway, Suite 2 Jacksonville, FL 32256 (904)680-0850 6590 Commonwealth Ave. Jacksonville, FL 32254 (904)680-0860 (904)680-0857 Fax</p> <ul style="list-style-type: none"> • Chris Collura #PCC56736 Exp. 8/31/2020 • Joey Batchelor #PCC1256826 Exp. 8/31/2020 • Marcus Tyson #PCC1253796 Exp. 8/31/2020 (850) 556-1297 mtyson@guardianfueltech.com <p>Kevin Cormier K. C. Petroleum Inc http://kcpetroleum.com/ 650 Talleyrand Ave. Jacksonville, FL 32202 (904) 693-3200 License Number: PCC1256881 Expires: 8/31/2020</p>	<p style="text-align: center;">STATE OF ALABAMA</p> <p>Eddie Sells Superior Petroleum Services, Inc. 201 Shell Road Saraland, Alabama 32536 (850) 682-4911 License Number: PCC056589 Expires: 8/31/2020</p> <p>Evan Scott Milner Fuel Systems LLC 1108 Reeves St. Dothan, AL 36333 (334)678-0376 License Number: PCC056871 Expires: 8/31/2020</p> <p>William Reaves American Tank & Vessel Inc. 6701 Candlelight Ct. Mobile, AL 36695 (251) 432-8265 License Number: PCC056877 Expires: 8/31/2020</p> <p>Herbert Seaman Rittner Equipment Co. Inc. 9640 Irvington Bayou LaBatre Hwy Irvington, AL 36544 License Number: PCC 1256964 Expires: 8/31/2020</p> <p>Lee Bryant Bryant & Co. Inc. of AL 3709 3rd Avenue S Birmingham, AL 32532 (205) 592-9673 License Number: PCC046059 Expires: 8/31/2020</p> <p>Gregory Galmin Weiss Construction Co. of Florida LLC 1231 Quail Run Trail Sarasota, FL 34232 License Number: PCC5657 Expires: 8/31/2020</p>
<p style="text-align: center;">TAYLOR</p> <p>Joe Mattingly J & J Equipment of Perry http://www.jandjequip.com/ 88 Ellison-Frith Rd. Perry, FL 32347 (850) 584-6555 (800) 511-7742 Toll-free (850) 843-0432 Cell (850) 584-7566 Fax License Number: PCC056863 Expires: 8/31/2020</p>		<p>Conrad Bailey C.N. Bailey & Company, Inc. 211 Kilsby Circle Birmingham, Alabama 32536 (205) 425-3335 License Number: PCC050748 Expires: 8/31/2020</p>

Certified Pollutant Storage System Specialty Contractors

<http://www.myfloridalicense.com/dbpr/>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">OTHER COUNTIES</p> <p>Keith Townsel Advanced Environmental Technologies LLC 4265 New Tampa Highway Lakeland, FL 33815 (863) 619-9708 License Number: PCC056844 Expires: 8/31/2020</p> <p>Curtis Lee APTIM Environmental & Infrastructure LLC 1228 Winter Garden Vineland Rd. Winter Garden, FL 34787 License Number: PCC051689 Expires: 8/31/2020</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">STATE OF ALABAMA</p> <p>Michael House 32248 Riverlake Rd. Seminole, AL 36574 License Number: PCC056832 Expires: 8/31/2020</p> <p>Gerald Jackson PCEO Inc. 1705 Southpointe Dr. Hoover, AL 35244 License Number: PCC1256871 Expires: 8/31/2020</p> <p>One Source LLC James Criner (works under AET) (229) 869-4367 License Number: PCC056844 Expires 8/31/2020)</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">STATE OF TEXAS</p> <p>James Hoffman Tanknology NDE Corp 11000 N.Mopac Expressway #500 Austin, TX 78759 License Number: PCC056847 Expires: 8/31/2020</p> <p>Gregory Johnson United Installers LLC 33399 Sunny Parke Cir. Fernandina Beach, FL 32034 License Number: PCC056682 Expires: 8/31/2020</p>
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<p>STATE OF GEORGIA</p> <div> <div> <p>James Jones Petroleum Services Group LLC 1132 North Pinetree Boulevard Thomasville, GA 31792 License Number: PCC056648 Expires: 8/31/2020</p> <p>David Abercrombie United Tank Services Inc 1286 Hawthorne Ave. SE Smyrna, GA 30080 License Number: PCC 1256960 Expires: 8/31/2020</p> <p>Larry Seabolt Remtech Engineers 200 N. Cobb Parkway, Suite 208 Marietta, GA 3062 License Number: PCC1256907 Expires: 8/31/2020</p> </div> <div> <p>Curtis Barbee Petroleum Services Group LLC 1759 State St. Waycross, GA 31501 (866)291-6606 License Number: PCC051722 Expires: 8/31/2020</p> <p>Joshua Reynalds United Tank Services Inc 2112 Britt Rd. Douglasville, GA 30135 License Number: PCC 1256957 Expires: 8/31/2020</p> </div> <div> <p>John Piazza Southern Cathodic Protection Co. 780 Johnson Ferry Rd., Suite 225 Atlanta, GA 30342 License Number: PCC53995 Expires: 8/31/2020</p> <p>Thomas Burch Burch Industrial Services Inc. 2683 Tribble Mill Rd. Lawrenceville, GA 30045 License Number: PCC1256969 Expires: 8/31/2020</p> <p>Edward Ligon EDS Contracting Inc. 1154 Valor Ridge Way Kennesaw, GA 3152 License Number: PCC056549 Expires: 8/31/2020</p> </div> </div>		
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PETROLEUM CONTRACTORS FOR AST's and aboveground work

Work on storage tanks and piping that are not in contact with soil do not require a PSSSC.

Below are some contractors that have recently completed tank and component installations and repairs. This list is not inclusive and a company's absence from this list does not imply prejudice or impropriety.

Gulf Coast Environmental Services LLC

6930 Saufley Pines Road
Pensacola, FL 32529

- **Chuck Brown**
(850) 530-3786
c.brown@gcesllc.com
- **Aaron Shedd**
(850) 501-4839
a.shedd@gcesllc.com

BARCOR Enterprises

Robert Barr III
1093 Freeboard Boulevard
Pensacola, FL 32507
(850) 341-7841
barcorinc@yahoo.com

Ring Power Electric Power/Industrial Rep.

<http://powersystems.ringpower.com/>
Michael Acree
32000 Blue Star Hwy.
Midway, FL
(850) 536-2341
(850) 536-2383 Fax
(850) 228-4163 Mobile
michael.acree@ringpower.com

Leon Environmental LLC

Doug Nellums
3013 Pine Forest Road
Cantonment, FL 32533
(850) 478-6718

Merritt Commercial Services

Donald Merritt
217 Strickland Rd.
Whigham GA 39897
(229) 516-0498
donaldcms37@gmail.com

Jimmy Stevens LLC

Jimmy Stevens
8012 Babyfarm Rd.
Tallahassee, FL 32310
(850) 212-8911 Cell

Matteson Services

James Matteson
3711 Overland Drive
Pensacola, FL 32504
(850) 232 - 8621

All About Generators

Roy Holland
5019 Metzke Lane
Tallahassee, FL 32303
(850) 556-4985

Registered Precision Tank Testers

<http://www.mvfloridalicense.com/dbpr/>

Testing such as: Cathodic Protection (CP), Automatic Tank Gauge (ATG) operability, Line Leak Detectors (LLD), Interstitial testing of tanks & piping, Integrity testing of sumps/spill buckets/dispenser liners, Overfill device operability

FLORIDA	Clemens Fuel Systems Inc. 13741 Fiddlers Green Road Southport, FL 32409 (850) 265-8881 <ul style="list-style-type: none"> • Brian Thomas Clemens #RQ0058606 Exp. 8/31/2021 • Anthony Harris #RQ66560 Exp. 8/31/2021 	ALABAMA	Evan Scott Milner Fuel Systems LLC 1108 Reeves St. Dothan, AL 3633 (334)678-0376 License Number: RQ66558 Expires: 8/31/2021	PENNSYLVANIA	Crompco Corporation of PA 1815 Gallagher Rd Plymouth Meeting, PA 19462 (610) 278-7203 <ul style="list-style-type: none"> • Francis Dryslowski #RQ66544 Exp. 8/31/2021 • Thomas Brugger #RQ66574 Exp. 8/31/2021 • Adam Cybularz #RQ66570 Exp. 8/31/2021 • Thomas Decker #RQ66578 Exp. 8/31/2021 • Brian Hall #RQ66577 Exp. 8/31/2021 • Raoul Louza #RQ66572 Exp. 8/31/2021
	Valley Tank Testing LLC http://valleytank.com/ 451 Apollo Beach Blvd. Apollo Beach, FL 33572 (813) 671-9065 info@valleytank.com <ul style="list-style-type: none"> • Paul Kane #RQ66569 Exp. 8/31/2021 • Scott Montgomery #RQ66567 Exp. 8/31/2021 • Scott Beck #RQ66559 Exp. 8/31/2021 		Tanknology NDE Corporation https://tanknology.com 4154 Silver Peak Parkway, Suite E Suwanee, GA 30024 (800) 964-0070 <ul style="list-style-type: none"> • Shannon Jennings #RQ0066482 Exp.8/31/2021 • Jose Rivera #RQ0066521 Exp.8/31/2021 • Edwin Vega #RQ0066503 Exp.8/31/2021 		

Compliance Inspection Services

(Not an inclusive list – but Companies that have recently provided reports to the Department)

FLORIDA

AET Compliance, LLC

<https://www.aetllc.com/petroleum-storage-system-compliance>
4864 Corlett Street
Tallahassee, FL 32303
(850) 637-8004

Valley Tank Testing LLC

<http://valleytank.com/>
451 Apollo Beach Blvd.
Apollo Beach, FL 33572
(813) 671-9065
info@valleytank.com

Dwain Sapp

Petro Flow Inc.
<http://petroflowinc.com/>
13807 Fiddlers Green Road
Southport, FL 32409
(850) 271-0120 Office

Donald Merritt

Merritt Commercial Services
217 Strickland Rd.
Whigham GA 39897
(229) 516-0498
donaldcms37@gmail.com

1st Choice Compliance

235 W Roosevelt Ave #250
Albany, GA 31701
(888) 325-0117

GEORGIA

7G Environmental Compliance Management, LLC

<http://7g-enviro.com/>
1203 Governors Square Blvd., Suite 101
Tallahassee, FL 32301
(850) 304-2610
info@7G-Enviro.com

Tanknology

<https://tanknology.com>
4154 Silver Peak Pkwy, Suite F
Suwanee, GA 30024
(800) 964-0070 Operations
(800) 964-1250 Sales
(770) 271-2557 Local

Environmental Assessments

(Tank & component closures, Incident investigations, Discharge assessments)

Advanced Environmental Technologies LLC

<https://www.aetllc.com/environmental-site-assessments>
4864 Corlett Street
Tallahassee, FL 32303
(800) 989-8298, extension 20

GLM Associates

Geoff Maddox, P.G.
7497 Harvest Village Court
PO Box 5339
Navarre, FL 32566
(850) 450-7107
gmadwahoo@yahoo.com

Clean Asset Environmental

<https://cleanassetenvironmental.com/>
Glenn R. MacGraw, P.G.
(850) 322-1506 Cell
(850) 254-1147 Office
(850) 765-3555 Fax
glenn@cleanassetenvironmental.com

**Pensacola Environmental Services Inc.
Ken Davis**

13430 Gulf Beach Highway PMB20
Pensacola, FL 32507
(850) 380-2131
davis-pes@cox.net

Wood Environment & Infrastructure Solutions

www.woodplc.com
1441 Maclay Commerce Drive, Suite 102
Tallahassee, FL 32312
(850) 298-7707

Firms that Foam Fill Tanks for Closure

FoamSeal Insulation

<http://foamseal1.com>
5692 Mulat Road
Milton, FL 32583
(850) 675-3599
foam@foamseal.org

Southern Foam Insulation Inc.

Mike Brown
www.cfifoam.com/foam-insulation/tank-foam
www.southernfoaminsulation.com
P.O. Box 783788
Winter Garden, FL 34778
(407) 654-1251
(855) 261-3626
mikeb@southernfoaminsulation.com
License Number: CBC1258182
Expires: 08/31/2020

Mike Dugger & Associates

Mike Dugger
www.duggerequipment.com/index.html
207 Telfair Court
Summerville, SC 29485
(843) 224-4506
heavydugger@aol.com

All Florida Foam (Insulation)

www.allfloridainsulation.com
1275 Bennett Drive, Suite 137
Longwood, FL 32750
(407) 260-2525

Perma-Fill Corporation, Inc.

Tailored Foam of Florida
Scott Sander
www.tailoredfoaminc.com/perma-fill-foam-for-underground-storage-tank-abandonment
3900 St. Johns Pkwy
Sanford, FL 32771
(407) 332-0333
(800) 683-3155
License Number: CGC018512
Expires: 08/31/2018

Panhandle Insulation

Nicole Miller
<http://panhandleinsulation.com/>
1225 Transmitter Rd
Panama City, FL 32401
(850) 871-0894
nicole@panhandleinsulation.com

FDEP Approved Equipment List

<https://floridadep.gov/waste/permitting-compliance-assistance/documents/eq-list-files>

EQ#	Product	Category	Company	Renew by Date
EQ-672	Tank Foam	Foam	cfiFoam, inc. http://www.cfifoam.com/foam-insulation/tank-foam/	1/11/2022
EQ-591	Tripolymer® 105-TM Tank Media Foam	Foam	C.P. Chemical, Inc.	1/11/2022
EQ-505	Perma-Fill Foam	Foam	The Perma Fill Corporation	1/11/2022
EQ-445	Thermco Insulation Foam	Foam	Thermal Corporation of America http://www.thermcofoam.com/	1/11/2022
EQ-328	R-051 UST Fill Foam	Foam	R-051 (Formerly PolyMasters, Inc. http://polymaster.com/	4/24/2024
EQ-293	Petro Fill	Foam	Petro Fill, Inc.	1/11/2022



Florida Department of Environmental Protection
Twin Towers Office Bldg. 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400
Division of Waste Management
Petroleum Storage Systems
Storage Tank Facility Routine Compliance Site Inspection Report

Facility Information:

Facility ID: 8500738 County: BAY Inspection Date: 02/04/2020
Facility Type: A - Retail Station
Facility Name: ALWAYS STOP # of inspected ASTs: 0
14340 HWY 231 USTs: 1
YOUNGSTOWN, FL 32466 Mineral Acid Tanks: 0
Latitude: 30° 24' 23.0909"
Longitude: 85° 25' 54.9436"
LL Method: DPHO

Inspection Result:

Result: Major Out of Compliance

Signatures:

TKESPH - ESCAMBIA COUNTY HEALTH DEPARTMENT (850) 595-6700

Storage Tank Program Office and Phone Number

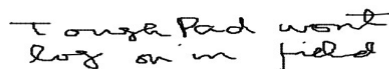
Muhammad Rafique Khan

Ameer Ali jivani 850 381 1415

Inspector Name

Representative Name


2-4-2020


Tough Pad went
lost on in field

Inspector Signature

Representative Signature

Principal Inspector

ESCAMBIA COUNTY HEALTH DEPARTMENT

Owners of UST facilities are reminded that the Federal Energy Policy Act of 2005 and 40 CFR 280 Subpart J requires Operator Training at all facilities by October 13, 2018. For further information please visit:
<https://floridadep.gov/waste/permitting-compliance-assistance/content/underground-storage-tank-operator-training>

Financial Responsibility:

Financial Responsibility: INSURANCE

Insurance Carrier: CRUM & FORSTER SPECIALTY INS. CO.

Effective Date: 07/28/2019

Expiration Date: 07/28/2021

Findings:

No Training Certificates are Available.

Violations:

Type:	Violation
Significance:	Minor
Rule:	62-761.700(1), 62-761.700(1)(a), 62-761.700(1)(a)1., 62-761.700(1)(a)2.
Violation Text:	Storage tank system has a not repaired component which has or could cause a release or discharge.
Explanation:	62-761.700(1)(a)2.#4068, During the inspection Automatic Tank gauge Veeder root seems to be not functioning properly, it had probe out message. An operational or structural problem that could potentially result in a release or discharge, or lead to the presence of groundwater or surface water in the interstice of a double-walled storage tank or integral piping.
Corrective Action:	Please let the repair technician diagnose the problem and fix it. when repair is done let our office know job has been completed, you could send a picture or invoice for repair also.

Type:	Violation
Significance:	SNC-B
Rule:	62-761.600(1)(d), 62-761.600(1)(e)
Violation Text:	Release detection, including visual inspections not being conducted monthly (not to exceed 35 days.) For electronically monitored sumps, visual inspections not conducted every 6 months. This violation may lead to Placard Revocation and Delivery Prohibition.
Explanation:	62-761.600(1)(e) 4059.No visual monthly tank system inspection record including Automatic tank gauge print outs was available at the time of inspection. Visual inspections. At least once a month, but not exceeding 35 days, every component of a storage tank system that contains, transfers, or stores, or is designed to contain, transfer, or store regulated substances that can be inspected visually shall be visually inspected and documented as to its condition pursuant to Rule 62-761.710, F.A.C. Any visual inspection of a storage tank system that reveals uncontrolled pitting corrosion, structural damage, leakage, or other similar problems is considered a positive response. The positive response shall be recorded as part of the release detection records. Repairs shall be made in accordance with Rule 62-761.700, F.A.C. The positive response shall be reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C., if it is determined that a release has occurred. A monthly visual inspection is not required for any system component using an electronic release detection method; however, piping and dispenser sumps that use an electronic release detection method must also be visually inspected every six months and records kept of the visual inspection.
Corrective Action:	Please provide your visual monthly tank system inspection record including Automatic tank gauge print outs from 1/7/2017 till present, if record has not been kept , then send your monthly visual inspection log plus ATG Printouts (liquid status) each month for next three months to, MUHAMMAD.KHAN@FLHEALTH.GOV and monica.wilson@flhealth.gov.

Type:	Violation
Significance:	SNC-B
Rule:	62-761.600(3), 62-761.600(3)(a), 62-761.600(3)(b), 62-761.600(3)(b)1., 62-761.600(3)(b)2., 62-761.600(3)(b)3.
Violation Text:	Integral piping release detection requirements not met.
Explanation:	62-761.600(3)(b)1. # 4066 No current Annual operability testing results for your In line leak detectors were available at the time of inspection. Mechanical line leak detectors shall be capable of detecting a discharge of 3.0 gallons per hour (gph) with a probability

of detection of 0.95 and a probability of false alarm of 0.05 at an equivalent line pressure of 10 pounds per square inch (psi) and restrict flow within one hour. Any instance where the mechanical line leak detector is restricting flow is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.

Corrective Action: Please provide current Annual operability testing results for your Inline leak detectors.

Type: Violation
 Significance: Minor
 Rule: 62-761.500(7)(e)
 Violation Text: Overfill protection devices not registered or tested annually.
 Explanation: 62-761.500 # 4057 No current Annual operability testing results for your overfill device was available at the time of inspection.
 Overfill devices shall be registered in accordance with subsection 62-761.850(2), F.A.C., and an operability test shall be performed annually at intervals not exceeding 12 months to ensure proper operation
 Corrective Action: : Please provide current Annual operability testing results for overfill devices

Type: Violation
 Significance: Minor
 Rule: 62-761.350(1), 62-761.350(1)(c), 62-761.350(1)(d), 62-761.350(3)(b)2., 62-761.350(5)(a), 62-761.350(5)(b), 62-761.350(5)(c), 62-761.350(7)
 Violation Text: Operator certification requirements not met.
 Explanation: 62-761.350(7) # 4001 During the inspection AB and C operator training was not available,
 Owners and operators of underground storage tank system facilities, except unmanned facilities, must maintain required training certification documentation as described in this rule on-site and must provide it upon request to the county or Department.
 Documentation may be maintained electronically off-site if that facility has the capability of producing a clear printed copy which can be provided to the Department within 72 hours. Owners and operators of unmanned underground storage tank system facilities must provide documentation as requested by the Department.
 Corrective Action: Please obtain copies of training from provider if you completed the training and records lost, and or you can sent evidence of paid training document for required training to our office.

Type: Violation
 Significance: Minor
 Rule: 62-761.600(4)
 Violation Text: Release detection devices not tested annually.
 Explanation: 62-761.600 # 4067 No current Annual operability testing results for Automatic tank gauge were available at the time of inspection.
 Annual operability testing of release detection systems. All release detection devices shall be tested annually at intervals not exceeding 12 months to ensure proper operation. The test must either simulate an actual alarm condition or shall be conducted according to manufacturer's specifications, and shall include, at a minimum, a determination of whether the device operates as designed. Remote testing of the system can be performed by the manufacturer if the remote test is included in the third-party certification by a Nationally Recognized Testing Laboratory.
 Corrective Action: Please provide current Annual operability testing results for Automatic tank gauge. (Veeder Root)

Type: Violation
 Significance: Minor

Rule:	62-761.700(3), 62-761.700(3)(a), 62-761.700(3)(a)1., 62-761.700(3)(a)1.a., 62-761.700(3)(a)1.b., 62-761.700(3)(a)1.c., 62-761.700(3)(a)1.d., 62-761.700(3)(a)1.e., 62-761.700(3)(a)1.f., 62-761.700(3)(a)2.
Violation Text:	Failure to conduct required periodic containment and interstitial integrity testing.
Explanation:	<p>62-761.700(3)(a) .# 4076 .No current integrity tests results for your Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps were available.</p> <p>The integrity of secondary containment systems and interstitial spaces, regardless of the date of installation of the storage tank system or storage tank system component, shall be verified by performing an interstitial or containment integrity test in accordance with manufacturer specifications or PEI/RP1200-12, 2012 Edition, incorporated by reference in subparagraph 62-761.500(1)(b)5., F.A.C. Secondary containment systems that use vacuum, pressure, or liquid level (hydrostatic) monitoring for release detection are exempt from this requirement. The interstitial or containment integrity tests shall be performed in accordance with the following schedule:</p> <p>Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps shall be tested by October 13, 2018, and every three years thereafter;</p>
Corrective Action:	Please provide current integrity tests results for : Double-walled spill containment systems, Below-grade dispenser sumps, Below-grade piping sumps.

Site Visit Comments

02/04/2020

8500738, ALWAYS STOP Annual Compliance

TCI 2/4/2020

Met on site with Ameer Ali jivani 850 381 1415. owner for 8500738 - ALWAYS STOP

Inspection report was emailed..

Current placard FR are posted.

Inspection Comments

02/04/2020

TANKS: One DW highland green jacketed tank. EQ # 267

PIPING: AMERON DUALAY 3000 LCX EQ=291

STP SUMPS: APT BLUE EQ-423.

DISPENSERS LINERS: TOTAL 5 -apt (4 ARE APT BLUE EQ-423) (5TH diesel) unknown.

SPILL CONTAINMENT: little liquid.

OVERFILL PROTECTION: Flappers

RELEASE DETECTION: ATG-TLS 300 EQ #196 Monthly Visuals of Dispenser Liners, spill buckets. STP's, leak detectors.

NOTE: None of the STPs could open, Ameer showed me pictures from yesterday when he arranged help from somebody to get them open prior to inspection. I took pictures with my camera from his cell phone of all STPs showed being open.

Amir said ATG works sometimes and no other times

There was no visual inspection printouts and system tests available at the time of inspection..

Inspection Photos

Added Date 02/14/2020

2020/2/4 ALWAYS STOP PUMPS



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-TANKS



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER LINER



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-DISPENSER LINER -
CLOSED



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-TANKS



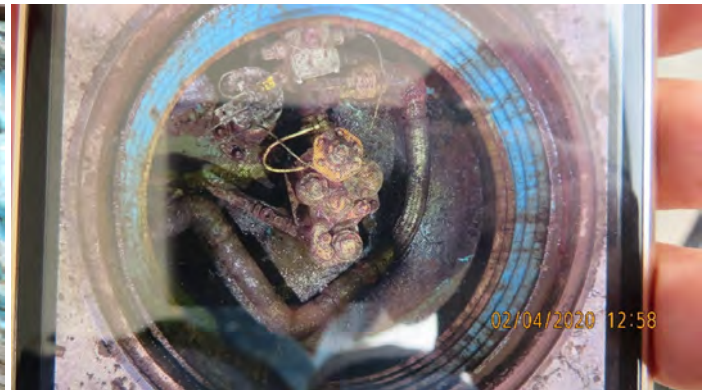
Added Date 02/14/2020

2020/2/4 ALWAYS STOP-premium spill box



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-premium stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-reg stp



Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel pump



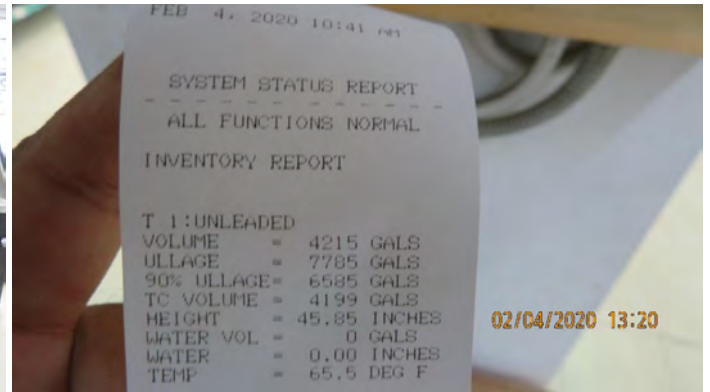
Added Date 02/14/2020

2020/2/4 ALWAYS STOP-diesel pump liner



2020/2/4 ALWAYS STOP-atg

2020/2/4 ALWAYS STOP-atg printout



PENALTY COMPUTATION WORKSHEET
SUBJECT TO FINAL APPROVAL

Violator's Name: **Always Stop LLC**

(Always Stop -Facility ID# 038500738)

Address: 14340 Highway 231, Youngstown, FL 32466

Name of Department Staff Responsible for the Penalty Computations:

Sue Bristol

Date: March 18, 2021

PART I - PENALTY DETERMINATIONS

	Violation Type and description	RCRA Guideline	ELRA Schedule	ENVIRON- MENTAL Harm	Extent of Dev.	Matrix Amount	Adjust- ments	Total
I	Subparagraph 62-761.700(1)(a)2, F.A.C. Failure to repair a storage tank system component which has or could cause a release or discharge. <i>(ATG probe)</i>	N/A	403.121(3)(g), F.S. Failure to properly operate, maintain, or close a storage tank system.	N/A	N/A	N/A	N/A	\$1,500.00
II	Subparagraph 62-761.600(1)(e), F.A.C. Failure to conduct monthly (not to exceed 35 days) visual release detection inspections. For electronically monitored sumps, visual inspections not conducted every 6 months. This violation may lead to Placard Revocation and Delivery Prohibition.	N/A	403.121(3)(g), F.S. Failure to conduct or maintain required release detection.	N/A	N/A	N/A	N/A	\$3,000.00
III	Subparagraph 62-761.600(4), F.A.C. Failure to conduct annual operability tests of the release detection devices (in-line leak detectors)	N/A	403.121(4)(d), F.S. Failure to conduct required monitoring or testing.	N/A	N/A	N/A	N/A	\$3,000.00
IV	Subparagraph 62-761.500(7)(d), F.A.C. Failure to conduct annual operability testing of the overfill protection devices.	N/A	403.121(4)(d), F.S. Failure to conduct required monitoring or testing.	N/A	N/A	N/A	N/A	\$3,000.00
V	Subparagraph 62-761.350(7), F.A.C., Failure to meet operator certification requirements.	N/A	403.121(4)(f), F.S. Failure to prepare, submit, maintain, or use required documentation.	N/A	N/A	N/A	N/A	\$750.00
VI	Subparagraph 62-761.600(4), F.A.C. Failure to conduct annual operability tests of the release detection devices (Veeder Root ATG).	N/A	403.121(4)(d), F.S. Failure to conduct required monitoring or testing.	N/A	N/A	N/A	N/A	\$3,000.00
VII	Subparagraph 62-761.700(3)(a)1, F.A.C. Failure to conduct required periodic containment and interstitial integrity testing.	N/A	403.121(4)(d), F.S. Failure to conduct required monitoring or testing.	N/A	N/A	N/A	N/A	\$3,000.00
Subtotals:						\$0	\$0.00	\$17,250.00
Total Penalties for all violations:								\$17,250.00

<div style="text-align: center; font-family: cursive; font-size: 1.2em; margin-bottom: 5px;">Elizabeth Mullins Orr</div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;">Elizabeth Mullins Orr, District Director</div> <div style="border-bottom: 1px solid black; padding-bottom: 5px; text-align: center;">NA</div>	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Department Costs: \$500.00</div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;">04/26/2021</div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;">Date</div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;">Date</div>
Michael Halpin Assistant Deputy Secretary, Regulatory	
Peer Reviewed by Division: Yes () No (X)	

<u>PART II - MULTI-DAY PENALTIES AND ADJUSTMENTS</u>		
<u>Adjustments</u>		<u>Amount</u>
Good faith prior to discovery:		\$0.00
Justification:		
Good faith after discovery:		\$0.00
Justification:		
History of non-compliance:		\$0.00
Justification:		
Economic benefit of non-compliance:	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Economic Benefit was calculated to be insignificant and will not be added to the penalties at this time. Refer to descriptions and calculations below.</div>	\$0.00
Justification:		
Ability to pay:		\$0.00
Justification:		
Total Adjustments:		\$0.00

ECONOMIC BENEFIT CALCULATIONS

EB = AC(1-T) + DC(I) =
 AC = Avoided Costs – expenditures that will never be incurred for violator's noncompliance.
 DC = Delayed Costs – expenditures deferred by violator's failure to comply.
 T = Corporate Tax Rate = 21% (in 2020)
 I = Interest rate charged by IRS for delinquent accounts = 4% (in 2020)
Avoided Costs (AC) and/or Delayed Costs (DC) for each Violation:
 Add description including assumptions used for cost calculations.

		Avoided	Corporate Tax Rate 2020=21%	Delayed Costs	Interest Rate for Delinquent Accounts 2020=4%	Economic Benefit	# of Components or Occurrences	
Count	Issue	Cost	T	DC	I	AC(1-T) + DC(I)		TOTAL

I	Veeder Root ATG probe repair/replace	=	0.79	\$200	0.04	=	\$8.00	1	\$8.00
II	Monthly visual release detection monitoring	=	\$0	0.79	0.04	=	\$0.00	48	\$0.00
III	Annual Operability Tests (release detection)	=	0.79	\$65	0.04	=	\$2.60	3	\$7.80
IV	Annual Operability Tests (overfill protection)	=	0.79	\$50	0.04	=	\$2.00	3	\$6.00
V	Annual Operability Tests (release detection)	=	0.79	\$65	0.04	=	\$2.60	1	\$2.60
VI	Integrity test - Spill buckets	=	0.79	\$50	0.04	=	\$2.00	3	\$6.00
VI	Integrity test - STP sumps	=	0.79	\$175	0.04	=	\$7.00	3	\$21.00
VI	Integrity test - Dispenser sumps	=	0.79	\$100	0.04	=	\$4.00	5	\$20.00
TOTAL:									\$71.40

MULTI-DAY PENALTIES

Justification:

Or

Justification:

Comments:

Relative merits of the case:

Date _____

USPS TRACKING #



PENSACOLA FL 325

3 MAY 2021 PM 2 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 5227 9122 4607 07

United States
Postal Service

RECEIVED

MAY 06 2021

Northwest Florida DEP

• Sender: Please print your name, address, and ZIP+4® in this box•

Sue Bristol

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NORTHWEST DISTRICT OFFICE
160W GOVERNMENT ST, STE 308
PENSACOLA, FL 32502-5794



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Always Stop LLC
c/o Ameer Ali Jivani, Registered Agent
14340 Highway 231
Youngstown, Florida 32466



9590 9402 5227 9122 4607 07

2. Article Number (Transfer from service label)

7017 0660 0000 5366 6814

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ *Ameer Ali Jivani*☐ Agent
☒ Addressee

B. Received by (Printed Name)

CHITCOBIC

C. Date of Delivery

5/3/21

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☒ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt