



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



March 25, 2024

TEJASKUMAR PATEL
RUHI LLC
221 CENTRAL AVENUE
DOVER, NH 03820-

Subject Site: DOVER, MOBIL, 221 CENTRAL AVE
NHDES Site # 199012028, UST Facility # 0111679

Reference: UNDERGROUND STORAGE TANK FACILITY TRIENNIAL INSPECTION REPORT

On March 22, 2024 the New Hampshire Department of Environmental Services, Waste Management Division (DES) conducted a routine triennial inspection of the underground storage tank (UST) system(s) at the subject site. This triennial inspection is following a recent March 7, 2024 UST system survey inspection, both of which were conducted to determine the level of compliance with key elements of the New Hampshire Code of Administrative Rules Env-Or 400 Underground Storage Facilities (UST Rules) and Env-Or 500, Recovery of Gasoline Vapors. These rules were established for the purpose of reducing the number of product releases to the environment from UST systems and to establish a leak detection system which would alert a facility owner or operator before significant environmental damage and economic loss occurs. The inspections conducted at this facility are part of the DES release prevention effort.

Both the March 7, 2024 Survey inspection and this March 22, 2024 Triennial inspection have confirmed your facility is in **Substantial Non-Compliance**. This means the deficiencies recognized pose a threat of a release to the environment and may result in a release going undetected. Corrective measures must be immediately taken to resolve all discovered deficiencies. The Survey report requested that all verifying information supporting deficiency resolution must be submitted to NHDES by **March 23, 2024**. The Survey stated that if NHDES does not receive evidence that all deficiencies have been resolved within this specified timeframe, NHDES will initiate formal Red Tagging procedures pursuant to NH Statute RSA 146-C:15 (Section 146-C:15 Red-Tagging Procedure).

The following deficiencies were identified during this triennial inspection and/or the survey inspection and require your immediate attention.

DEFICIENCY OBSERVATIONS (SAS – Refers to Same Deficiency as presented in Survey with assoc. bulleted (no.)

RSA 146-C:19, II and Env-Or 406.18 require monthly and annual visual inspections be conducted by or under the direction of the class A or B operator at all UST facilities.

1. SAS (1) - The NHDES inspector determined monthly visual inspections have not been conducted.
Requested Action: Please conduct and record monthly visual inspections in accordance with RSA 146-C:19, II and Env-Or 406.18, and submit a copy of the most recent inspection report to NHDES.

RSA 146-C:17-21 requires that all regulated facilities in New Hampshire have designated Class A, B and C operators who have been trained and certified in accordance with an approved training program, a posting of the

certified Class C operators for the facility and a posting for the facility response guidelines. Env-Or 404.06 through 404.08 require a permit to operate and that the permit is permanently affixed on the facility premises in a location that is visible to a NHDES inspector. Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the NHDES inspector at the facility premises.

2. SAS (2) - The NHDES inspector has determined a current listing of class C operator(s) is not posted per RSA 146-C:17, IV.

Requested Action: Please post a current listing of class C operators, submit a copy of the class C list to NHDES and notify NHDES in writing that the listing has been posted.

RSA 146-C:17-21 requires that all regulated facilities in New Hampshire have designated Class A, B and C operators who have been trained and certified in accordance with an approved training program, a posting of the certified Class C operators for the facility and a posting for the facility response guidelines. Env-Or 404.06 through 404.08 require a permit to operate and that the permit is permanently affixed on the facility premises in a location that is visible to a NHDES inspector. Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the NHDES inspector at the facility premises.

3. SAS (3) - The NHDES inspector has determined Operator Response Guidelines meeting the requirements of RSA 146-C:17, III and RSA 146-C:19, I are not posted.

Requested Action: Please post Operator Response Guidelines for the UST facility that include spill reporting procedures, contact phone numbers, malfunctioning equipment lock-out/tag-out and notification procedures and initial mitigation protocol for emergencies and notify NHDES in writing when complete.

RSA 146-C:17-21 requires that all regulated facilities in New Hampshire have designated Class A, B and C operators who have been trained and certified in accordance with an approved training program, a posting of the certified Class C operators for the facility and a posting for the facility response guidelines. Env-Or 404.06 through 404.08 require a permit to operate and that the permit is permanently affixed on the facility premises in a location that is visible to a NHDES inspector. Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the NHDES inspector at the facility premises.

4. SAS (4) - The NHDES inspector has determined the class A operator is currently overdue for recertification, as required by RSA 146-C:18(I)(a)(3).

Requested Action: Please have at least one employee certified as a class A operator by an approved training program in accordance with RSA-C:18 and submit a new Statement of Training form to NHDES designating the certified class A operator for the subject facility. Please contact Suzanne Picone (suzanne.m.picone@des.nh.gov) for questions regarding the UST Operator Training Program.

RSA 146-C:17-21 requires that all regulated facilities in New Hampshire have designated Class A, B and C operators who have been trained and certified in accordance with an approved training program, a posting of the certified Class C operators for the facility and a posting for the facility response guidelines. Env-Or 404.06 through 404.08 require a permit to operate and that the permit is permanently affixed on the facility premises in a location that is visible to a NHDES inspector. Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the NHDES inspector at the facility premises.

5. SAS (5) - The NHDES inspector has determined the class B operator is currently overdue for recertification, as required by RSA 146-C:18(I)(b)(5).

Requested Action: Please have at least one employee certified as a class B operator by an approved training program in accordance with RSA-C:18 and submit a new Statement of Training form to NHDES designating the certified class B operator for the subject facility. Please visit <https://www.des.nh.gov/business-and-community/fuel-storage-tanks/underground-storage-tanks/operator-training> for the NHDES UST Operator Training Program schedule. Please contact Suzanne Picone (suzanne.m.picone@des.nh.gov) for questions regarding the UST Operator Training Program.

RSA 146-C:17-21 requires that all regulated facilities in New Hampshire have designated Class A, B and C operators who have been trained and certified in accordance with an approved training program, a posting of the certified Class C operators for the facility and a posting for the facility response guidelines. Env-Or 404.06 through 404.08 require a permit to operate and that the permit is permanently affixed on the facility premises in a location that is visible to a NHDES inspector. Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the NHDES inspector at the facility premises.

6. SAS (6) - The NHDES inspector has determined the permit to operate is not posted, per Env-Or 404.08(a).

Requested Action: Please permanently post the current facility owner's permit in a location that is visible to a NHDES inspector during a routine inspection and notify NHDES in writing that the permit has been posted. If you are unable to locate your permit, a replacement permit can be provided to you upon request.

RSA 146-C:17-21 requires that all regulated facilities in New Hampshire have designated Class A, B and C operators who have been trained and certified in accordance with an approved training program, a posting of the certified Class C operators for the facility and a posting for the facility response guidelines. Env-Or 404.06 through 404.08 require a permit to operate and that the permit is permanently affixed on the facility premises in a location that is visible to a NHDES inspector. Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the NHDES inspector at the facility premises.

7. SAS (7) - The NHDES inspector has determined the UST tank certificate was not posted.

Requested Action: Please post the UST tank certificate on the facility premises and notify NHDES in writing that the UST tank certificate has been posted.

TANK #8 (Containing REGULAR with Capacity of 8000 gallons)

Env-Or 406.13 requires the owner to conduct annual leak monitoring system testing for proper operation and submit test results to NHDES no later than 30 days after the date of the test.

8. SAS (12) - The NHDES inspector has determined the tank leak monitoring equipment was not tested annually for proper operation.

Requested Action: Please conduct annual leak monitor testing and submit passing test results to NHDES that meet the requirements of Env-Or 406.13(e) through (g). If it is determined that the leak monitoring system is malfunctioning, Env-Or 406.02(c) requires the owner to repair the system and clear and reset any alarm condition to normal operating mode within 15 working days, or place the

affected system(s) into temporary closure until satisfactory repairs are made. Finally, if the leak monitor indicates a possible leak, the owner shall investigate the cause of the indication to determine if a leak has occurred, in accordance with Env-Or 406.04.

Env-Or 406.09 requires automatic line leak detectors to be tested annually in accordance with the manufacturer's requirements to confirm that they are operating in accordance with their designed functions and requires the facility owner to submit test results to NHDES no later than 30 days after the date of the test.

9. SAS (13) - The NHDES inspector has determined the line leak detector was not tested annually for proper operation.

Requested Action: Please conduct annual line leak detection testing and submit passing test results to NHDES that meet the requirements of Env-Or 406.09(b) and (c). If it is determined that the line leak detection system is malfunctioning, Env-Or 406.09(f) requires the owner to remove the affected piping system(s) from service until the line leak detector is repaired or replaced and passes the line leak detector test. Finally, if the line leak detection system indicates a possible leak, the owner shall investigate the cause of the indication to determine if a leak has occurred, in accordance with Env-Or 406.04.

Env-Or 406.13 requires the owner to conduct annual leak monitoring system testing for proper operation and submit test results to NHDES no later than 30 days after the date of the test.

10. SAS (14) - The NHDES inspector has determined the piping leak monitoring equipment was not tested annually for proper operation.

Requested Action: Please conduct annual leak monitor testing and submit passing test results to NHDES that meet the requirements of Env-Or 406.13(e) through (g). If it is determined that the leak monitoring system is malfunctioning, Env-Or 406.02(c) requires the owner to repair the system and clear and reset any alarm condition to normal operating mode within 15 working days, or place the affected system(s) into temporary closure until satisfactory repairs are made. Finally, if the leak monitor indicates a possible leak, the owner shall investigate the cause of the indication to determine if a leak has occurred, in accordance with Env-Or 406.04.

Env-Or 406.12 requires that no later than December 22, 2017 and triennially thereafter, all spill containment equipment without secondary containment and leak monitoring shall be tested for tightness as specified in Env-Or 406.05 through Env-Or 406.08.

11. SAS (15) - The NHDES inspector has determined the fill pipe spill containment integrity testing has not been conducted.

Requested Action: Please conduct triennial tightness testing of the spill containment, per Env-Or 406.12, and submit the passing test results to NHDES. Please refer to Env-Or 406.08(i) for test failure requirements, Env-Or 408.03 for repair requirements, and Env-Or 406.12(g) for closure requirements, if applicable. For closure of a spill containment device, please submit a summary of closure activity per Env-Or 406.12(g) and Env-Or 408.03(e).

Env-Or 406.17 requires the owner of a motor fuel dispensing UST system to test the primary containment system for tightness no later than December 22, 2017, prior to operation after a significant system modification, and triennially after the initial test.

12. SAS (16) - The NHDES inspector has determined the triennial primary containment tightness testing has not been conducted.

Requested Action: Please conduct triennial tightness testing of the primary containment system, per Env-Or 406.17(b), and submit the passing test results to NHDES that meet the requirements of Env-Or 406.07. If primary containment testing fails, as an unusual operating condition, notify NHDES per Env-Or 406.04. The owner shall investigate the cause of the unusual operating condition within 24 hours of becoming aware of the condition, implement measures to prevent or minimize a release, eliminate a leak, or otherwise correct the deficiency, and submit a written report to NHDES within 7 days that describes the investigation and its conclusions, per Env-Or 406.04(e).

Env-Or 405.05 and 406.01 require spill containment devices be installed and maintained in good working order on all UST systems.

13. (New) - The NHDES inspector determined that spill containment equipment for the vapor recovery dry brake is not installed.

Requested Action: Please install spill containment equipment in accordance with Env-Or 405.05 at all Stage I riser pipes and submit installation documentation and passing spill containment tightness test results to NHDES in accordance with Env-Or 406.12.

Env-Or 403.06, Env-Or 405, NFPA 30, NFPA 30A, UL 971 and UL 971A require tank and piping standards for UST systems.

14. SAS (17) - The NHDES inspector has determined that the piping shows visual evidence of component deterioration, and that the system may not be liquid or vapor tight.

Requested Action: As an unusual operating condition, per Env-Or 406.04, the owner shall investigate the cause of the unusual operating condition within 24 hours, implement measures to prevent or minimize a release, eliminate the leak, or otherwise correct the deficiency, and submit a written report to NHDES within 7 days that describes the investigation and its conclusions. As part of the investigation, the owner shall have a tightness test performed on the primary and secondary piping in accordance with Env-Or 406.05 through Env-Or 406.08. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, and 408.06 through 408.10 for closure requirements, if applicable. Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

TANK #9 (Containing SUPER with Capacity of 6000 gallons)

Env-Or 406.13 requires the owner to conduct annual leak monitoring system testing for proper operation and submit test results to NHDES no later than 30 days after the date of the test.

15. SAS (21) - The NHDES inspector has determined the tank leak monitoring equipment was not tested annually for proper operation.

Requested Action: Please conduct annual leak monitor testing and submit passing test results to NHDES that meet the requirements of Env-Or 406.13(e) through (g). If it is determined that the leak monitoring system is malfunctioning, Env-Or 406.02(c) requires the owner to repair the system and clear and reset any alarm condition to normal operating mode within 15 working days, or place the affected system(s) into temporary closure until satisfactory repairs are made. Finally, if the leak monitor indicates a possible leak, the owner shall investigate the cause of the indication to determine if a leak has occurred, in accordance with Env-Or 406.04.

Env-Or 406.09 requires automatic line leak detectors to be tested annually in accordance with the manufacturer's requirements to confirm that they are operating in accordance with their designed functions and requires the facility owner to submit test results to NHDES no later than 30 days after the date of the test.

16. SAS (22) - The NHDES inspector has determined the line leak detector was not tested annually for proper operation.

Requested Action: Please conduct annual line leak detection testing and submit passing test results to NHDES that meet the requirements of Env-Or 406.09(b) and (c). If it is determined that the line leak detection system is malfunctioning, Env-Or 406.09(f) requires the owner to remove the affected piping system(s) from service until the line leak detector is repaired or replaced and passes the line leak detector test. Finally, if the line leak detection system indicates a possible leak, the owner shall investigate the cause of the indication to determine if a leak has occurred, in accordance with Env-Or 406.04.

Env-Or 406.13 requires the owner to conduct annual leak monitoring system testing for proper operation and submit test results to NHDES no later than 30 days after the date of the test.

17. SAS (23) - The NHDES inspector has determined the piping leak monitoring equipment was not tested annually for proper operation.

Requested Action: Please conduct annual leak monitor testing and submit passing test results to NHDES that meet the requirements of Env-Or 406.13(e) through (g). If it is determined that the leak monitoring system is malfunctioning, Env-Or 406.02(c) requires the owner to repair the system and clear and reset any alarm condition to normal operating mode within 15 working days, or place the affected system(s) into temporary closure until satisfactory repairs are made. Finally, if the leak monitor indicates a possible leak, the owner shall investigate the cause of the indication to determine if a leak has occurred, in accordance with Env-Or 406.04.

Env-Or 406.17 requires the owner of a motor fuel dispensing UST system to test the primary containment system for tightness no later than December 22, 2017, prior to operation after a significant system modification, and triennially after the initial test.

18. SAS (25) - The NHDES inspector has determined the triennial primary containment tightness testing has not been conducted.

Requested Action: Please conduct triennial tightness testing of the primary containment system, per Env-Or 406.17(b), and submit the passing test results to NHDES that meet the requirements of Env-Or 406.07. If primary containment testing fails, as an unusual operating condition, notify NHDES per Env-Or 406.04. The owner shall investigate the cause of the unusual operating condition within 24 hours of

becoming aware of the condition, implement measures to prevent or minimize a release, eliminate a leak, or otherwise correct the deficiency, and submit a written report to NHDES within 7 days that describes the investigation and its conclusions, per Env-Or 406.04(e).

Env-Or 403.06, Env-Or 405, NFPA 30, NFPA 30A, UL 971 and UL 971A require tank and piping standards for UST systems.

19. SAS (26) - The NHDES inspector has determined that the piping shows visual evidence of component deterioration, and that the system may not be liquid or vapor tight.

Requested Action: As an unusual operating condition, per Env-Or 406.04, the owner shall investigate the cause of the unusual operating condition within 24 hours, implement measures to prevent or minimize a release, eliminate the leak, or otherwise correct the deficiency, and submit a written report to NHDES within 7 days that describes the investigation and its conclusions. As part of the investigation, the owner shall have a tightness test performed on the primary and secondary piping in accordance with Env-Or 406.05 through Env-Or 406.08. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, and 408.06 through 408.10 for closure requirements, if applicable. Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

DISPENSER #1/2

Env-Or 405.04 and Env-Or 406.01(a) require dispenser sumps to be installed that are liquid-tight, free of liquid and debris, maintained and provided with continuous leak detection monitoring.

20. SAS (28) - The NHDES inspector has determined the containment sump integrity testing for all dispenser pans has not been conducted.

Requested Action: Please conduct triennial tightness testing of the dispenser containment sump that meets the requirements of Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. and submit the passing test results to NHDES. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, Env-Or 406.14(h) and 408.06 through 408.10 for closure requirements, if applicable. Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

DISPENSER #3/4

Env-Or 405.04 and Env-Or 406.01(a) require dispenser sumps to be installed that are liquid-tight, free of liquid and debris, maintained and provided with continuous leak detection monitoring.

21. SAS (29) - The NHDES inspector has determined the containment sump integrity testing for all dispenser pans has not been conducted.

Requested Action: Please conduct triennial tightness testing of the dispenser containment sump that meets the requirements of Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. and submit the passing test results to NHDES. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, Env-Or 406.14(h) and 408.06 through 408.10 for closure requirements,

if applicable. Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

DISPENSER #5/6

Env-Or 405.04 and Env-Or 406.01(a) require dispenser sumps to be installed that are liquid-tight, free of liquid and debris, maintained and provided with continuous leak detection monitoring.

22. SAS (30) - The NHDES inspector has determined the containment sump integrity testing for all dispenser pans has not been conducted.

Requested Action: Please conduct triennial tightness testing of the dispenser containment sump that meets the requirements of Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. and submit the passing test results to NHDES. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, Env-Or 406.14(h) and 408.06 through 408.10 for closure requirements, if applicable. Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

SUMP #T#8 tank top

Env-Or 406.14 requires the owner to test each new sump for tightness at installation, in accordance with Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. Env-Or 406.14 requires that no later than October 13, 2021 and triennially thereafter, in accordance with Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15.

23. SAS (31) - The NHDES inspector has determined the containment sump integrity testing has not been conducted.

Requested Action: Please conduct triennial tightness testing of the containment sump that meets the requirements of Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. and submit the passing test results to NHDES. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, Env-Or 406.14(h) and 408.06 through 408.10 for closure requirements, if applicable. Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

SUMP #T#9 TANK TOP

Env-Or 406.14 requires the owner to test each new sump for tightness at installation, in accordance with Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. Env-Or 406.14 requires that no later than October 13, 2021 and triennially thereafter, in accordance with Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15.

24. SAS (32) - The NHDES inspector has determined the containment sump integrity testing has not been conducted.

Requested Action: Please conduct triennial tightness testing of the containment sump that meets the requirements of Env-Or 406.05 through Env-Or 406.08 or Env-Or 406.15. and submit the passing test results to NHDES. Please refer to Env-Or 406.08 for test failure requirements, Env-Or 408.03 for repair requirements, Env-Or 406.14(h) and 408.06 through 408.10 for closure requirements, if applicable.

Immediately conduct applicable notification and response actions required of Env-Or 600 if a release has occurred.

Any above noted deficiency that was not already requested to be resolved by March 23, 2024, must be corrected within 30 days of the date of this inspection. To verify that the proper corrective measures were taken, documentation, in the form of a report from the certified technician that effected the repair, testing results, invoices, inventory records, photographs, etc., indicating the date and description of the corrective measures taken must be submitted to DES within 45 days of the date of this inspection. Please be advised that failure to correct the deficiencies in a proper and timely manner will result in NHDES proceeding under the NHDES Compliance Assurance Response Policy to determine additional appropriate enforcement response(s). Non-compliant Facilities will be subject to New Hampshire Statute 146-C, which authorizes permit revocation, administrative fines, administrative orders, delivery prohibition, injunctive relief, and civil penalties.

Should you have any questions concerning the content of this letter, please contact me in the Waste Management Division of NHDES at (603) 271-3899. NHDES appreciates your compliance with the UST program in an effort to protect and preserve New Hampshire's fragile environment.

Sincerely,



3/8/2024

ROB STOCKMAN, Inspector

Date

Requirement	Tanks	Next Date Due	Frequency
Tank Leak Monitor Test	8, 9	Past Due	Annual
LLD Function Check	8, 9	Past Due	Annual
Tank Corrosion Protection Test	N/A	N/A	Every 3 years
Piping Corrosion Protection Test	N/A	N/A	Every 3 years
Fittings Corrosion Protection Test	N/A	N/A	Every 3 years
Spill Bucket Tightness Testing	8	Past Due	Every 3 years OR monthly interstice monitoring
Spill Bucket Tightness Testing	9	Not required when monitoring interstice monthly	Every 3 years OR monthly interstice monitoring
Overfill Testing	8	3/22/2027	Every 3 years
Overfill Testing	9	Past Due	Every 3 years
Primary Containment System Tightness Test	8, 9	Past Due	Every 3 years
Operator Monthly Checklist			Monthly
TEJASKUMAR PATEL - A Operator Training		Past Due	Every 2 years
TEJASKUMAR PATEL - B Operator Training		Past Due	Every 2 years