



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

10/23/2015

PAUL ROY
PORTSMOUTH YACHT CLUB
PO BOX 189
NEW CASTLE, NH 03854-0189

Subject Site: NEW CASTLE, PORTSMOUTH YACHT CLUB, 76 PISCATAQUA ST
DES Site # 199706056, UST Facility # 0113724

Reference: Underground Storage Tank Facility Inspection Report

On October 23, 2015 the New Hampshire Department of Environmental Services, Waste Management Division (DES) conducted an inspection of the underground storage tank (UST) system(s) at the subject site. The inspection was 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 inspection conducted at this facility is part of the DES release prevention effort.

Deficiencies noted during this inspection warrant your facility to be considered in substantial non-compliance with applicable rules. This means they pose a threat of a release to the environment and may result in a release going undetected. The following deficiency(ies) requires your immediate attention:

GENERAL

Env-Or 404.05-07 requires a permit to operate and that the permit is permanently affixed on the facility premises and visible to a DES inspector.

The field inspection revealed that the permit posted has expired. If you are unable to locate your permit, a replacement permit can be provided upon receipt of the renewal application.

Please post the correct permit on the facility premises and submit in writing that the correct permit was posted.

Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the DES inspector at the facility premises and RSA 146-C requires specific UST operator training postings and reporting, and requires significant operational compliance with the release prevention and release detection measures of the statute and Env-Or 400.

The DES inspector has determined that the facility is not in significant operational compliance with release prevention and release detection requirements, other requirements of RSA 146-C, or the implementing rules.

The current Class A Operator shall be retrained and recertified In accordance with RSA 146-C:21 or a replacement Class A Operator shall be designated, and the owner shall report to DES in accordance the requirements of RSA 146-C:17,V.

DES Web Site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

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Env-Or 405.01(g) requires that a UST certificate be permanently affixed and visible to the DES inspector at the facility premises and RSA 146-C requires specific UST operator training postings and reporting, and requires significant operational compliance with the release prevention and release detection measures of the statute and Env-Or 400.

The DES inspector has determined that the facility is not in significant operational compliance with release prevention and release detection requirements, other requirements of RSA 146-C, or the implementing rules.

The current Class B Operator shall be retrained and recertified in accordance with RSA 146-C:21 or a replacement Class B Operator shall be designated, and the owner shall report to DES in accordance the requirements of RSA 146-C:17,V.

RSA 146-C:19 requires that monthly visual inspections be conducted by or under the direction of the Class A or B operator at all underground storage tank facilities.

The DES inspector has determined that monthly inspections have not been consistently or comprehensively conducted pursuant to statutory requirement.

Please conduct monthly visual inspections pursuant to the requirements of RSA 146-C:19 and provide DES with a copy of the next inspection report.

TANK #3 (Containing GASOLINE with Capacity of 2000 gallons)

Env-Or 405.05 and 406.06 require spill containment devices be installed and maintained in good working order on all UST systems.

Spill containment device was not maintained in good working order.

The spill containment device shall be replaced, repaired or cleaned to enable the device to collect and hold a minimum 5-gallon spill during a product delivery. Please provide spill containment maintenance results.

Env-Or 405.09 and 406.08 require leak monitoring for piping be properly installed and continuously operate. The low point sump and leak monitoring system must be maintained pursuant to the requirements of Env-Or 406.08. Additionally, Env-Or 407.05(d) and Saf-C 6000 requires that UST system components be installed in accordance with fire code requirements.

The leak monitor for piping was in alarm condition and the piping system was not temporarily closed.

Please provide monitor replacement or maintenance records or notify DES that tank system is temporarily closed.

Env-Or 405.09 and 406.08 require leak monitoring for piping be properly installed and continuously operate. The low point sump and leak monitoring system must be maintained pursuant to the requirements of Env-Or 406.08. Additionally, Env-Or 407.05(d) and Saf-C 6000 requires that UST system components be installed in accordance with fire code requirements.

The DES inspector has determined that there is liquid or evidence of liquid accumulating in sump.

Please remove liquid from sump and determine cause of liquid accumulation. Repair sump, test for tightness and submit report to DES of maintenance or notify DES that this tank system is empty of all product and is temporarily closed.

TANK #4 (Containing DIESEL FUEL with Capacity of 2000 gallons)

Env-Or 405.05 and 406.06 require spill containment devices be installed and maintained in good working order on all UST systems.

Spill containment device was not maintained in good working order.

The spill containment device shall be replaced, repaired or cleaned to enable the device to collect and hold a minimum 5-gallon spill during a product delivery. Please provide spill containment maintenance results.

Env-Or 405.08 requires continuous leak monitoring of double wall tank systems and Env-Or 406.20 requires annual leak monitoring system testing for proper operation. The leak monitor for the tank system listed was in alarm condition and the tank system was not temporarily closed.

Please provide monitor replacement or maintenance results for all UST systems as noted or indication that the system is temporarily closed.

Env-Or 405.08 requires continuous leak monitoring of double wall tank systems and Env-Or 406.20 requires annual leak monitoring system testing for proper operation.

The DES inspector has determined that the tank has liquid in the interstitial space.

Pursuant to Env-Or 406.10, Unusual Operating Conditions, please investigate the source of the liquid and determine if a release of regulated substance has occurred, conduct a tightness test, and submit a written report to DES within 7 days.

Env-Or 405.09 and 406.08 require leak monitoring for piping be properly installed and continuously operate. The low point sump and leak monitoring system must be maintained pursuant to the requirements of Env-Or 406.08. Additionally, Env-Or 407.05(d) and Saf-C 6000 requires that UST system components be installed in accordance with fire code requirements.

The leak monitor for piping was in alarm condition and the piping system was not temporarily closed.

Please provide monitor replacement or maintenance records or notify DES that tank system is temporarily closed.

Env-Or 405.09 and 406.08 require leak monitoring for piping be properly installed and continuously operate. The low point sump and leak monitoring system must be maintained pursuant to the requirements of Env-Or 406.08. Additionally, Env-Or 407.05(d) and Saf-C 6000 requires that UST system components be installed in accordance with fire code requirements.

The DES inspector has determined that there is liquid or evidence of liquid accumulating in sump.

Please remove liquid from sump and determine cause of liquid accumulation. Repair sump, test for tightness and submit report to DES of maintenance or notify DES that this tank system is empty of all product and is temporarily closed.

DISPENSER #1-2

Env-Or 505 requires the owner or operator of an applicable gasoline storage tank to maintain and properly operate stage II equipment as specified by the manufacturer or by DES. Additionally, Env-Or 407.05(d) and Saf-C 6000 requires that UST system components be installed in accordance with fire code requirements.

The DES inspector has determined that the LLD test connection extends above the shear plane of the crash valve.

Please relocate the test connector so that it does not extend above the shear plane of the crash valve or remove the connector and plug the crash valve port.

The above noted **deficiencies 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 DES proceeding under the DES Compliance Assurance Response Policy to determine an appropriate enforcement response. Please note that New Hampshire RSA 125-C and 146-C authorize permit revocation, administrative fines not to exceed \$2,000 per violation, administrative orders, delivery prohibition, injunctive relief, and civil penalties not to exceed \$10,000 per violation per day of continuing violation, and \$25,000 for each continued day of a repeat violation.

Your signature below acknowledges that you were briefed by DES staff concerning the noted deficiencies. Should you have any questions concerning the content of this letter, please contact me in the Waste Management Division of DES at (603) 271-3899. DES appreciates your willingness to comply with the UST program in an effort to preserve New Hampshire's environment.

Sincerely,



10/23/2015

SPRUCE WHEELLOCK, Inspector

Date



10/23/2015

PAUL ROY, Facility Manager

Date