

APPENDIX E
REGULATORY RECORDS

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FAMILY RANCH MARKET

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LOUISIANA MOTOR FUELS TRUST FUND ELIGIBILITY DETERMINATION FOR REIMBURSEMENT APPLICATIONS

(This form is NOT to be used for third-party claims)

Site Name: <u>Family Ranch Market</u>		Date Release Confirmed: <u>October 1, 2002</u>
Eligibility Determination No. <u>ED-05058</u>	Agency Interest No. <u>70963</u>	Product Released: <u>gasoline</u>
FID No. <u>36-009553</u>	Incident No. <u>55529</u>	

ELIGIBILITY CRITERIA This form must be completed for EACH RELEASE.

If any of the criteria in 3 through 9 does not apply, check "N/A" (not applicable)	Response		
	Yes	No	N/A
1. Has DEQ determined that a release from a UST occurred?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Has a registration for the motor fuels underground storage tank that caused the release been received prior to the release?(Release date is last date of operation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Releases from motor fuel USTs (excluding new & used oil USTs)			
3. Did the release from the motor fuel UST (excluding new & used oil) occur on or after July 15, 1988?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Releases from new or used oil USTs			
4. Did the release from the new or used oil UST occur on or after September 6, 1991?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Was payment of the \$275 annual fee provided annually by the owner dating back to FY 92?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Releases occurring between July 15, 1988, and September 2, 1989			
6. Was payment of the annual maintenance & monitoring fee provided in a timely manner? FY 90 (July 1, 1989 - June 30, 1990 - invoice dated 12/30/90)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Did review of the enforcement file indicate that the site was in compliance with the state/federal regulations? If no, summarize findings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Releases occurring on or after August 1, 2001 (Act 692 of 2004)			
8. Was the site deemed in substantial compliance at the time the release occurred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fees			
9. Was payment of the UST fees provided annually by the owner dating back to FY 88?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Based on Items 1 - 9, site deemed - Eligible* Ineligible Partial Eligibility _____ %
 *Contingent upon receipt of proof of payment of deductible

Base Deductible: \$5,000.00 Noncompliance Deductible: \$5,000.00

Total Financial Responsibility Amount: \$10,000.00

Eligibility File Review Performed By: Clasie Odum Date: 6/1/05

Eligibility Determined By: Offord Date: 6/1/05

FACT SHEET
Family Ranch Market
11950 Hayne Boulevard
New Orleans, Louisiana (Orleans Parish)
Eligibility Determination No. ED-05058
Facility ID No. 36-009553
Agency Interest No. 70963
Incident Nos. UE-91-01-0282, UE-97-01-0045 and 55529

<u>Date</u>	<u>Fact</u>																
April 17, 1986	Per LDEQ registration database, the following underground storage tanks were registered at the site.																
	<table border="0" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;"><u>Size</u></th> <th style="text-align: left;"><u>Product</u></th> <th style="text-align: left;"><u>Tank#</u></th> <th style="text-align: left;"><u>Status</u></th> </tr> </thead> <tbody> <tr> <td>10,000</td> <td>gasoline</td> <td>25579</td> <td>in use</td> </tr> <tr> <td>10,000</td> <td>gasoline</td> <td>25580</td> <td>in use</td> </tr> <tr> <td>10,000</td> <td>gasoline</td> <td>25581</td> <td>in use</td> </tr> </tbody> </table>	<u>Size</u>	<u>Product</u>	<u>Tank#</u>	<u>Status</u>	10,000	gasoline	25579	in use	10,000	gasoline	25580	in use	10,000	gasoline	25581	in use
<u>Size</u>	<u>Product</u>	<u>Tank#</u>	<u>Status</u>														
10,000	gasoline	25579	in use														
10,000	gasoline	25580	in use														
10,000	gasoline	25581	in use														
February 06, 1987	Receipt of notification requirements indicating gasoline product was found in a sewer pumping station.																
February 12, 1987	Inspection report performed by Denis Piper.																
February 17, 1987	Receipt of correspondence indicating corrective action was taken.																
March 10, 1987	Inspection report performed by Denis Piper.																
June 23, 1987	Emergency response record. NOTE: No incident number was issued to this incident.																
January 24, 1992	First incident confirmed; #UE-91-01-0282. The product released was gasoline, approximately 20 gallons spilled onto the concrete and was cleaned up.																
January 11, 1993	Receipt of method of release detection for tanks #25579-25581.																
October 04, 1996	Receipt of installation/renovation form indicating spill/overflow is to be installed.																

November 26, 1996 Letter sent indicating a Termination of Remediation for UE-91-01-0282.

May 01, 1997 Receipt of notification requirements for two consecutive months of poor SIR data.

May 12, 1997 Receipt of inspection report performed by Tom Bailey.

May 20, 1997 Receipt of inspection report performed by Tom Bailey.

June 08, 1997 Second incident confirmed; Incident #UE-97-01-0045. The product released was gasoline due to a cracked dispenser.
Receipt of notification requirements.

July 09, 1997 Receipt of inspection report performed by Tom Bailey.
Issuance of Notice of Violation.

August 04, 1997 Receipt of response to Notice of Violation.

August 29, 1997 Emergency response record by Jeff Meyers.

May 29, 1998 Receipt of installation/renovation form indicating spill/overfill is to be installed.

February 03, 1999 Receipt of registration of technical requirements for tanks #25579-25581 indicating tanks are composite, piping is fiberglass-reinforced plastic and overfill was installed on November 16, 1998.

July 07, 1999 Receipt of installation/renovation form indicating three tanks were upgraded with corrosion protection and spill/overflow.

July 22, 1999 Receipt of amended registration indicating tanks were upgraded.

Receipt of registration of technical requirements for tanks #25579-25581.

October 01, 2002 Third incident confirmed; Incident #55529. The product released was gasoline found in property sampling.

November 04, 2002 Receipt of notification requirements.

Receipt of property sampling report.

January 22, 2003 Receipt of amended registration indicating tanks were taken out of use on December 2, 2002.

April 22, 2003 Change in ownership to Glyce L. DiMiceli and Anthony J. Rizzuto, Jr.

July 10, 2003 Receipt of registration of technical requirements for tanks #25579-25581.

July 19, 2004 Receipt of minimum data sheet.

July 30, 2004 Receipt of compliance evaluation inspection by Bridget Lions.

September 07, 2004 Letter sent by team leader, Elizabeth Weber, indicating further investigation of the release at this site is required.

September 27, 2004 Issuance of Warning letter.

January 06, 2005 Receipt of Trust Fund eligibility application with copies of Certificates of Registration for 1999-2003 and properly executed affidavit indicating no further information is available.

January 07, 2005 Fee check request sent to Carol Stamey.

E-mail correspondence received from team leader indicating the current contamination is not attributed to any of the prior releases due to constituent concentrations.

January 10, 2005 Accounts Receivable Database indicates no outstanding fees owed to the UST Program applicable to this site.

January 24, 2005 Receipt of additional information.

March 10, 2005 Issuance of Compliance Order.

March 31, 2005 Letter sent requesting additional information to determine Trust Fund eligibility.

April 12, 2005 Committee meeting held to determine Substantial Compliance, attended by Don Haydel, Philip Sporn, Joan Lee, Claire Greer, Lindsay Grissom, and Perry Theriot. It was discussed that no documentation was provided indicating that the inconclusive reports for the Plus-Grade gasoline tank in October 2001 and the Regular-Grade gasoline tank in July 2002 were adequately investigated as incidents. This indicates that there was not adequate release detection provided for the tank system at this site prior to the discovery of the release. This lack of appropriate release detection could have caused or contributed to the release at this site.

April 25, 2005 Receipt of memo from team leader, Elizabeth Weber, stating that the current contamination is due to a new release and is not related to the prior incidents or releases at this site.

May 19, 2005 Receipt of amended eligibility determination application.

May 27, 2005 Memorandum from Darryl Serio to Secretary Mike McDaniel indicating that it is recommended by the committee that the site be determined not in substantial compliance for Trust Fund eligibility. The noncompliance noted is (LAC 33:XI.701-703) lack of appropriate release detection for the gasoline tanks.

June 01, 2005 Declaratory Ruling letter drafted stating that based on a review of the available records, the 2002 gasoline release was determined to be eligible for reimbursement for response actions from the Louisiana Motor Fuels Underground Storage Tank Trust Fund and that this eligibility determination does not pertain to third party claims. In addition, a review of the available records indicates that the following areas of noncompliance caused or contributed to the release at this site: LAC 33:XI.701-703. Furthermore, the team leader of this site, Elizabeth Weber, has made the determination that none of the prior releases or incidents have contributed to the current contamination.

RELEASE DETECTION CHRONOLOGY**AI# 70963**

MONTH/YEAR	Regular gasoline	Plus gasoline	Super gasoline
June 2001	LD tested	LD tested	LD tested
September 2001	Tank passed tightness test SIR passed	SIR passed	SIR passed
October 2001	SIR passed	SIR Inconclusive	SIR passed
November 2001	SIR passed	SIR passed	SIR passed
December 2001	SIR passed	SIR passed	SIR passed
January 2002	SIR passed	SIR passed	SIR passed
February 2002	SIR passed	SIR passed	SIR passed
March 2002	SIR passed	SIR passed	SIR passed
April 2002	SIR passed	SIR passed	SIR passed
May 2002	LD tested SIR passed	LD tested SIR passed	LD tested SIR passed
June 2002	SIR passed	SIR passed	SIR passed
July 2002	SIR Inconclusive	SIR passed	SIR passed
August 2002	SIR passed	SIR passed	SIR passed
September 2002	No Data	No Data	No Data

**Louisiana Department of Environmental Quality
FIELD INTERVIEW FORM**

Agency Interest #: 70963 Inspection Date: 5/25/05 Time of Arrival: 2:30pm
 Departure Date: 5/25/05 Time of Departure: 2:35pm

Facility Name: Family Ranch Market Phone #: (504) 242-9126
 Location: 11950 Hayne Blvd.
New Orleans, LA

Mailing Address: 6723 Chef Menteur Highway New Orleans Parish Name: Orleans
Street/P.O. Box City LA 70126
 State Zip

Facility Representative: Glyce L. Dimiceli & Anthony J. Rizzuto Jr. Title: Property Owners

Inspection Type: General Media Involved: Air Waste Water Other Soil/groundwater

(e.g. Areas and Equipment Inspected, Problems, Deficiencies, Remarks, Verbal Commitments from Facility Representatives)

Inspector's Observations:

The purpose of this inspection was site status investigation. The site is an active retail gasoline station. No monitor wells are present on the property. Site conditions are unchanged since the last inspection. A work plan for further investigation has been approved and remediation activities will be scheduled following receipt of Trust Fund eligibility.

Areas of Concern	Explanation	Resolved?
<u>Site wide</u>	<u>COC's exceed RECAP screening standards</u>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO

Photos Taken? YES NO Samples Taken? YES NO (Attach Chain-of-Custody)

Received by: Signature: RP not present Title: _____

Print Name: Sent by US postal service
 (NOTE: Signature DOES NOT indicate agreement with Inspector's Notes)

Inspector(s): Elizabeth Weber Attachments: _____

Reviewer: _____

NOTE: The information contained on this form reflects only the preliminary observations of the inspector(s). It should not be interpreted as a final determination by the Department of Environmental Quality or any of its officers or personnel as to any matter, including, but not limited to, a determination of compliance or lack thereof by the facility operator with any requirements of statutes regulations or permits. Each day of non-compliance constitutes a separate violation of the regulations and/or the Louisiana Environmental Quality Act.

TRIMP - 5/31/05

PART 2

RELEASE INFORMATION

If necessary, this form may be duplicated to accommodate additional releases.

A. CURRENT RELEASE

Date of Release:	09/30/02		
Substance (s) Released:	Gasoline		
Date Release Reported to Louisiana Department of Environmental Quality:	09/30/02		
Incident No.:	55529		
Description of Release Source:			
Elevated levels of gasoline constituents were discovered during a baseline subsurface investigation.			

B. PREVIOUS RELEASE HISTORY

Date of Release:	(1) 02/06/87; (2) 01/24/92 (3) Reported 04/28/97 (4) 06/08/97		
Substance (s) Released:	(1) Gasoline; (2) Gasoline (3) Gasoline (4) Gasoline		
Date Release Reported to Louisiana Department of Environmental Quality:	(1) 02/06/87; (2) 01/24/92 (3) 04/28/97 (4) 06/09/97		
Incident No.:	(1) 91-01-0282 (2) N/A (3) N/A (4) N/A		
Description of Release Source:			
(1) LDEQ Reports state line and tank leaks. (2) Approximately 20 gallons of gasoline were released due to a burst dispenser hose. (3) Inconclusive SIR readings for February and March 1997 (4) Gasoline pump leaked due to a cracked delivery pump shear valve while customer was fueling car.			
Action Taken to Remediate Release:			
(1) The facility used an infiltration/recovery system for remediation. (2) Pump turned off, LDEQ was contacted, Dri-Zit used to absorb spill, LDEQ representative onsite and deemed no further action. (3) Tank and Line Tightness Tests were conducted and passed. (4) System was shut down, Fire Department and Consulting Firm contacted, and free product was removed. No further action required by LDEQ.			
Date No Further Action Letter Issued:	(1) 11/26/96 (2) N/A (3) N/A (4) N/A		

PART 3

TANK SPECIFICATIONS

Complete for all previous and existing tanks at this location. If not applicable, indicate with N/A. **Do not leave blank.** If any questions are left unanswered, form will be returned. If necessary, this form may be duplicated to accommodate the number of tanks at the site.

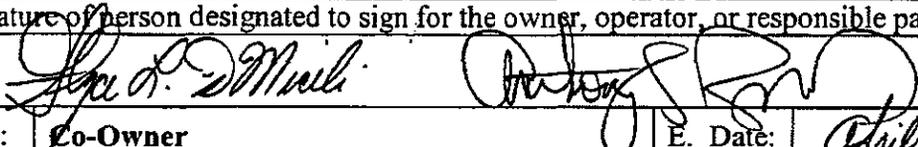
A. TANK INFORMATION

		Tank No.	Tank No.	Tank No.	Tank No.
1. Department of Environmental Quality issued tank no.		25579	25580	25581	
2. Substance stored in tank		Gasoline	Gasoline	Gasoline	
3. Total capacity of tank (gallons)		10,000	10,000	10,000	
4. Date installed		April 17, 1982	April 17, 1982	April 17, 1982	
5. Date of initial registration		Unknown	Unknown	Unknown	
6. Date operation began		April 17, 1982	April 17, 1982	April 17, 1982	
7. Is tank currently in use? (yes or no)		Yes	Yes	Yes	
8. If no in #7 above, indicate date tank out-of-service		N/A	N/A	N/A	
9. Date of temporary closure		*See Attached	*See Attached	*See Attached	
10. Type of tank construction		Cathodically Protected Steel	Cathodically Protected Steel	Cathodically Protected Steel	
11. Type of piping system	metal or fiberglass	Fiberglass Reinforced Plastic	Fiberglass Reinforced Plastic	Fiberglass Reinforced Plastic	
	pressurized or suction	Pressurized	Pressurized	Pressurized	
12. Date installed and type of corrosion protection (tank)	Date	May 27, 1999	May 27, 1999	May 27, 1999	
	Type	Impressed Current System	Impressed Current System	Impressed Current System	
13. Date installed and type of spill/over fill protection	Date	Spill - Unknown Overfill - April 4, 2003	Spill - Unknown Overfill - April 4, 2003	Spill - Unknown Overfill - April 4, 2003	
	Type	Catchment Basin/Butterfly Valves	Catchment Basin/Butterfly Valves	Catchment Basin/Butterfly Valves	
14. Date installed and type of leak/release detection for piping. If tightness test used, indicate last date tightness test performed	Date	Unknown	Unknown	Unknown	
	Type	Line & Line Leak Detector, SIR Last tightness test performed 03/02/04	Line & Line Leak Detector, SIR Last tightness test performed 03/02/04	Line & Line Leak Detector, SIR Last tightness test performed 03/02/04	
15. Date installed and type of leak/release detection for tanks. If tightness test used, indicate last date tightness test performed	Date	Unknown	Unknown	Unknown	
	Type	Manual Tank Gauging, SIR Tank Tightness Testing; Last Test performed 03/02/04	Manual Tank Gauging, SIR Tank Tightness Testing; Last Test performed 03/02/04	Manual Tank Gauging, SIR Tank Tightness Testing; Last Test performed 03/02/04	
16. Date of permanent closure		N/A	N/A	N/A	

PART 4

OWNER, OPERATOR, OR RESPONSIBLE PARTY CERTIFICATION AFFIDAVIT

I, the undersigned, certify under penalty of law that this document and all attachments were prepared under my direction or supervision. I do solemnly declare and affirm, under the penalties of law that the information contained herein is true and accurate to the best of my knowledge. I understand that I agree to return to the Louisiana Department of Environmental Quality, upon its demand, the entire amount received or any lesser amount that the Department considers appropriate if I misrepresented or omitted any fact relevant to the eligibility determinations made by the Department.

A. Site Owner, Operator, Responsible Party (Printed Name):	
Glyce L. DiMiceli & Anthony J. Rizzuto, Jr.	
B. Name of person designated to sign for the owner, operator, or responsible party (Printed Name):	
Glyce L. DiMiceli	
C. Signature of person designated to sign for the owner, operator, or responsible party:	
	
D. Title:	E. Date:
Co-Owner	April 13, 2005

Before me, the undersigned notary public, came and appeared Glyce L. DiMiceli (please print or type the name shown in C above), who, being known to me, did execute the foregoing certification affidavit in my presence, and who, being duly sworn, did state under oath or affirmation that he/she executed said document for the purpose expressed therein.

WITNESS my hand and official seal this 14th day of April, 2005.

Gail A. McDonough My commission expires at death
Notary Public GAIL A. McDONOUGH - 9295

State of La County or Parish of Orleans

PART 5

ADDITIONAL INFORMATION, FORMS, AND REQUIREMENTS

1. Appendix A – *LDEQ Incident Report*
2. Appendix B – *UST Release Notification Form*
3. Appendix C - *Certificates of Registration dated from 1999 through 2003*
4. Appendix D – *LDEQ Office of Environmental Compliance Surveillance Division Inspection Dated June 17, 2004.*
5. Appendix E – *LDEQ Underground Storage Tank Registrations*
6. Appendix F – *Certification of UST Inspection for Spill and Overfill Dated February 3, 1999*
7. Appendix G – *SIR Compliance Reports for Both Tanks and Piping from September 2001 through August 2002*
8. Appendix H – *Release Detection Records for Tanks and Piping*
9. Appendix I – *Cathodic Protection Compliance Surveys and Rectifier Readings*
10. Appendix J – *Site Profile Reports Dated October 26, 2002*
11. Appendix K – *LDEQ Further Investigation Letter Dated September 7, 2004*
12. Appendix L - *LDEQ Field Interview Form Dated September 24, 2004*
13. Appendix M - *Letters from LDEQ dated September 27, 2004 and Owl Food Mart Dated October 15, 2004*
14. Appendix N – *Owner Affidavit of No Further Support Information*

*** Please note that this location put into temporary closure by the EZ-Serve Trust on 01/14/03. Mr. Glyce DiMiceli and Mr. Anthony Rizzuto purchased the location from EZ-Serve on 02/03/03. An updated UST Registration Form was forwarded to LDEQ in April 2003. This change was reflected on the LDEQ Databas**



State of Louisiana
Department of Environmental Quality



KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

May 27, 2005

MEMORANDUM

TO: Mike McDaniel, Ph.D., LDEQ Secretary

FROM: Darryl Serio, Accountant Administrator *Darryl*

SUBJECT: Family Ranch Market
11950 Hayne Boulevard
New Orleans, Louisiana (Orleans Parish)
Eligibility Determination No. ED-05058
Facility ID No. 36-009553
Agency Interest No. 70963
Incident No. 55529

Pursuant to Section 2195 of the Environmental Quality Act, a committee meeting was held on April 12, 2005 to determine if the above-referenced site was in substantial compliance at the time of the release. The participants of the meeting were: Don Haydel, Philip Sporn, Joan Lee, Claire Greer, Lindsay Grissom, and Perry Theriot.

The available records of the above-referenced facility were reviewed, and it was the committee's recommendation that the site be determined not in substantial compliance at the time of the release.

Documentation could not be provided which demonstrates that the inconclusive Statistical Inventory Reconciliation reports for the Plus-Grade gasoline tank in October 2001 and the Regular-Grade gasoline tank in July 2002 were adequately investigated and reported to the Department as incidents. This indicates that there was not adequate release detection provided for the tank system at this site prior to the discovery of the release. The contamination at this site shows gasoline constituents in the tank area. Therefore, the committee has determined that lack of appropriate release detection caused or contributed to the release at this site.



recycled paper

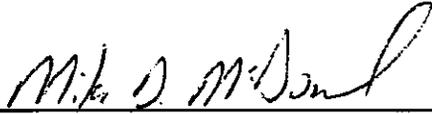
OFFICE OF MANAGEMENT AND FINANCE • P.O. BOX 4303 • BATON ROUGE, LOUISIANA 70821-4303

AN EQUAL OPPORTUNITY EMPLOYER



TO: Dr. Mike McDaniel, LDEQ Secretary
FROM: Darryl Serio, Accountant Administrator
Page 2

Concurrence with the committee's recommendation:



Mike McDaniel, Ph.D.
LDEQ Secretary

MM:DS:DH:CDG

c: Don Haydel, Durwood Franklin, Joan Lee, Claire Greer
Lindsay Grissom, Perry Theriot

**Louisiana Department of Environmental Quality
FIELD INTERVIEW FORM**

Agency Interest #: 70963 Inspection Date: 02/01/2006 Time of Arrival: 10:30 am
 Departure Date: 02/01/2006 Time of Departure: 12:30 pm

Facility Name: Family Ranch Mkt.
 Location: 11950 Haynes Blvd.

Mailing Address: 6723 Chef Mentheur Hwy. New Orleans LA 70126
 Street/P.O. Box City State Zip

Facility Representative: Clyce L. Dimicell and Anthony Rizzuto, Jr. Title: Owners

Inspection Type: Initial Program Involved: Air Waste Water Other IAS

Inspector's Observations: (e.g. Areas and Equipment Inspected, Problems, Deficiencies, Remarks, Verbal Commitments from Facility Representatives)

Initial site visit, Environ reported constituents in soil and groundwater above RECAP screening standards.
 Site manager Elizabeth Weber had reviewed and approved an investigation work. This site was flooded but is open at this time.

Areas of Concern	Explanation	Resolved?	
<u>Groundwater</u>	<u>BTEX and MTBE</u>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<u>Soils</u>	<u>BTEX and MTBE</u>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
_____	_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Photos Taken? YES NO Samples Taken? YES NO (Attach Chain-of-Custody)

Received by: Signature: To be mailed Title: _____

Print Name: Sent by US postal service
 (NOTE: Signature DOES NOT indicate agreement with inspector's Notes)

Inspector(s): Rich Johnson Attachments: _____
Nora Lane

Reviewer: _____

NOTE: The information contained on this form reflects only the preliminary observations of the Inspector(s). It should not be interpreted as a final determination by the Department of Environmental Quality or any of its officers or personnel as to any matter, including, but not limited to, a determination of compliance or lack thereof by the facility operator with any requirements of statutes regulations or permits. Each day of non-compliance constitutes a separate violation of the regulations and/or the Louisiana Environmental Quality Act.

*7 go 2/02/2006
 UST File*

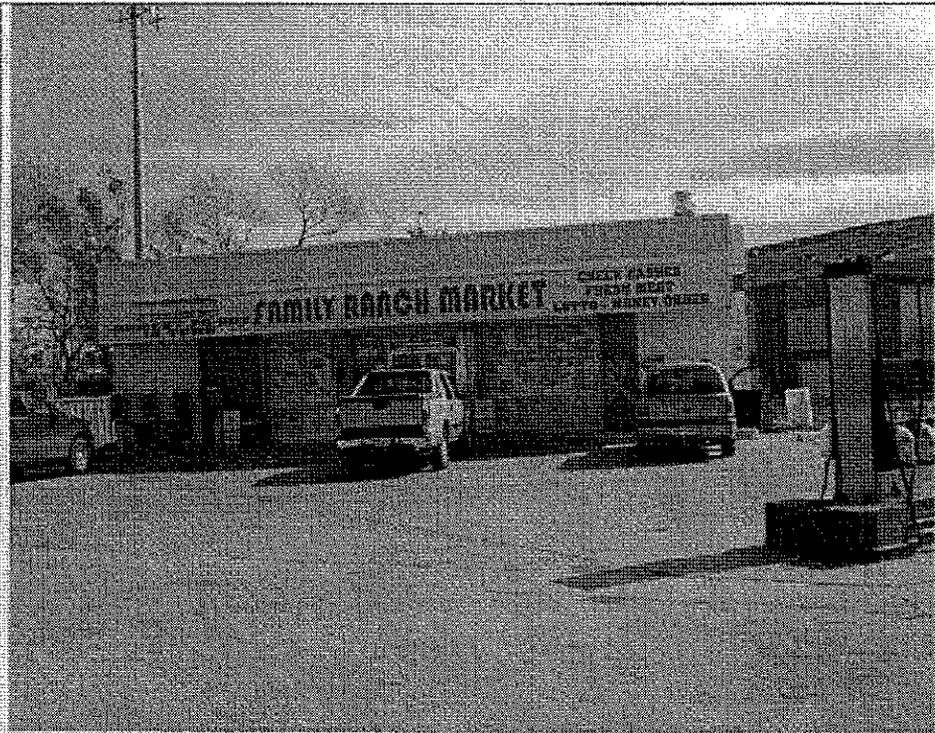


Photo #: #1 Date: 02/01/2006
Description: Family Ranch Market, open but not selling gas at this time.

Photo #: Date:
Description:

Incident Description

Incident Type: UST Rem, Tank Tight Fail
Incident Date: APR-21-06 00:00
Parish: Orleans
Municipality: New Orleans
Location: Family Ranch Market - 11950 Hayne Blvd., New Orleans
Lat/Lon:
Basin/Segment:
Substance(s):
Media Impacted: Soil
Incident Desc: s06-2356 UST....tank failure....tie

Incident Status

Lead Investigator: Mark Stansbury
Incident Region: Southeast
Incident Status: Closed
Followup Status: Closed
As Of: AUG-15-2006 13:06

Incident Reporter

Received By: Teresa Edwards
Received Date: AUG-04-2006 14:40
Dispatch #: s06-2356
Reported By: Glyce L. DiMiceli, Agency Interest
Phone: 504-616-9009
Reporter Title:
Organization: G & A Properties
Address: P O Box 6256

Municipality: Metairie
State: LA
Zip Code: 70009
Comments: Found during written notification review. tie

Incident Source

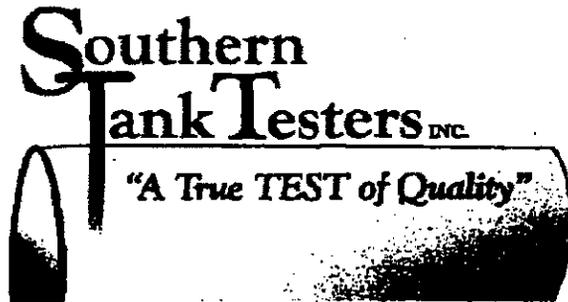
Source Name: Family Ranch Market
Address: 11950 Hayne Blvd

Municipality: New Orleans
State: LA
Phone:
Parish: Orleans
AI #: 70963

Related Permits:

Incident No. 89741 concerns a 7 Day Notification of Suspected UST Release, dated 04/21/06, from Mr. Glyce L. DiMiceli for Family Ranch Market. This notification was in response to SIR data received from Southern Tank Testers indicating a failure for the Plus tank for the month of March. In further response and as required in order to determine if a leak exists either in the subject tank or piping system, a system tightness test was conducted by Southern Tank Testers, Inc. on 04/27/06. Certificate of Precision Leak Test, dated 04/27/06, found that both the Plus tank and associated piping are tight. I discussed the aforementioned finding and facts with Mr. DiMiceli by telephone on 08/16/06. Mr. DiMiceli stated that further investigation by Southern Tank Testers and himself found that the subject failure may have in fact resulted from problems in reporting data and in incorrect data entries. He said that he is currently looking into the installation of an ATG for the facility. In the meantime, he will continue to report any failures and investigate as necessary. No further comment or action recommended at this time.mds

Mark Stambury #82306



P.O. Box 278, Breaux Bridge, La 70517

Office: (337) 332-5787

(800) 648-0025

Fax: (337) 332-5789

Email: indest@southerntank.com

www.southerntank.com

June 8, 2006

To Whom It May Concern:

Southern Tank Testers, Inc. is the company that Family Ranch Market does their SIR monthly monitoring with. The station started doing SIR again after the storm in March 2006. At that time the unleaded and plus tanks were mixed up in our system. When the plus tank failed for March, we tested the plus tank in April. The plus tank failed again in April but we had just tested it on April 27th. I spoke to Don Brandon with the DEQ and he said that we did not have to test it again unless it failed in May.

When the May paperwork came in, we noticed that the data had been put in wrong and the plus tank did not fail for March, April or May. The unleaded tank is the tank that should have been tested, but due to the mix up in paperwork on Southern Tank Testers part, the wrong tank was tested, the unleaded tank will be tested on 6/13/06. At that time we will calibrate the unleaded pumps and talk to the person sending in the data to make sure that all data collection is taken at the same time with no fuel being sold in between sticking the tank and getting the product sold.

If you have any questions, please give me a call.

Thank you,

Sandra Lasseigne
General Manager

 **OWL**
FOOD MART

POST OFFICE BOX 6256
METAIRIE, LA. 70009-6256

August 16, 2006

Mark Stansbury
Louisiana Department of Environmental Quality
New Orleans Office

Mark,
Information you requested regarding the failures at Family Ranch Market,
11950 Hayne Boulevard, New Orleans, Louisiana 70128.

7 Day Notification dated April 21, 2006
Leak Test Results dated May 8, 2006

7 Day Notification dated June 9, 2006
Leak Test Results dated June 26, 2006

7 Day Notification dated July 13, 2006
Leak Test Results dated July 25, 2006

A copy of the letter from Sandra Lasseigne from Southern Tank Testers, Inc.
explaining wrong data in their system from March, April, May, 2006.

It is my opinion that all of the failures at Family Ranch Market since March, 2006
resulted from reporting data and incorrect data entries.

If any additional information is needed, please feel free to contact me at 504-616-
9009.

Sincerely,

Glyce L. DiMiceli

NAZARETH INN

Contents

1. Unit Log, October 2, 2005

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Appendix E**

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In Infinity Outdoor S, Lake Forest, EAL.

~~NAZARETH INN I & II~~

AI: 6157, 15930, 72407, 70959, 75169, 114159, 114158, 69122, 73455
 77847, 76611, 12239, 12676, 29041, 15493, 75987, 69984, 130534

UNIT LOG	1. Incident Name HURRICANE KATRINA	2. Date Prepared 10-03-05	3. Time Prepared 1610 124810
4. Unit Name/Designators UST Recon Team 4	5. Unit Leader (Name and Position) Charlie Andrews (team leader)		6. Operational Period 0817 through 1630

7. Personnel Roster Assigned		
Name	ICS Position	Home Base
Andy Messina	DEQ	Galvez
Tommy Poole	START	Weston

8. Activity Log	
Time	Major Events
0817	In route to Orleans Parish.
0958	Tier 2 Site 12767. Eddie's Ace Hardware at 4401 Downman St. N 30.01461; W -90.021303 130534 One Propaine AST had drifted about one ft. and probably leaked. Watermark at 1.5 ft ags.
1019	AI 73455. Discount Center at 4901 Downman St. N 30.018835; W -90.021803. No damage to UST system.
1035	AI 69122. EZ Shop at 7900 Downman St N 30.025298; W -90.024563. No apparent damage to UST system.
1056	AI 69984. Texaco (44-398-0012) at 6500 Downman St. N 30.019923; W -90.022283. No apparent damage to UST system.
1109	AI 6157. UPS at 5700 Morrison St. N 30.024993; W -90.028041. No apparent damage to UST system.
1127	AI 12239. Kenilworth I-10 Exxon. N 30.028291; W -90.016086. No apparent damage to UST system.
1136	AI 15930. Morison and I-10 Shell (137495). N 30.026601; W -90.01605. UST vents had been truncated, but remained open. Layer of motor oil on repair shop floor, beneath cars on hydrolic lift. No apparent leaks from the USTs.
1205	AI 72407. Infinity Outdoor at 8001 Townsend. No apparent damage to UST system. About five small spills (<1 gal) of motor oil from machinery and waste oil storage containers. N 30.031348; W -90.02856.
1218	AI 77847. Former Chevron at 8020 Downman. No apparent damage to USTs, vents had been slightly bent at the ground surface but remain open. N 30.032528; W -90.027065.
1225	AI 70959. 6318 Hayne Blvd. One pump station was overturned. Emergency cut off valves appear to have closed the system instantly. The was no evidence of spilling. N 30 02' 3.465"; W 90 01' 16.206".
1241	AI 75169. 7220 Hayne Blvd. No apparent damage to UST system. N 30.037633; W -90.011295.
1247	Tier 2 Site 12676. New Orleans Sewerage at 9600 Hayne Blvd. No apparent damage. Disposal drums appear to have remained in place. N 30.046653; W -89.988295. AI = 124810
1316	AI 114158 and AI 114159. Nazareth Inn I & II at 9630 and 9640 Hayne Blvd. No appatent damage to UST systems at either site. N 30.04665; W -89.98829.
1331	AI 15493. Western Auto 9840 Lake Disposal drums appear to have remained on site. N 30 01' 49.664"; W -89 58' 36.201".
1340	AI 76611. East Haven Care & Rehab Center at 9660 Lake Forest. No apparent damage to UST system. N 30 01' 44.516"; W -89 58' 52.369".
1405	AI 75987. Brothers Discount at 8500 Lake Forest. Disposal drums are severely rusted, but have remained on site. N 30 01' 38.326"; W -89 59' 23.827".

9. Prepared by (Name and Position)
Tommy Poole START