



Connecticut Department of

**ENERGY &
ENVIRONMENTAL
PROTECTION**

Status Report

**Mayfair Garage, 142 Main Street, Plymouth, CT
Subsurface Gasoline Release & Remediation - December, 2013
Significant Operational Compliance (SOC) - April, 2013**

Prepared by: CT DEEP, Site Assessment and Support (SAS) Unit, 12-26-13

Purpose

This document summarizes site environmental conditions, financial matters and the Underground Storage Tank (UST) release response cleanup and operational compliance regulatory status of Mayfair Garage, located at 142 Main Street in Plymouth (Terryville), owned by Mr. Frank Fuller. The USTs, formerly used for gasoline retail sales, are still in place and are not in compliance with the Department's Operational Compliance Regulations (outstanding Notices of Violation exist), however no fuel is being sold. The site continues to operate as an automotive repair facility.

Environmental Conditions

The Department of Energy & Environmental Protection (DEEP) conducted active remediation for a subsurface gasoline release, from the fuel supply lines, which impacted the Pequabuck River. The release, reported in May 2007 to the Department, was estimated to be over 7,000 gallons. Mr. Fuller paid for remediation costs until June 13, 2007. From June 2007 to September 2011, the DEEP used state and federal funds to remove gasoline from the site. The remediation activities are summarized below:

1. A pump and treat system recovered gasoline and groundwater for 10 months.
2. Monitoring of gasoline thickness in wells and bailing was conducted by an environmental consultant for 18 months.
3. Federal Stimulus funds were used to install a recovery trench for monitoring and recovery of gasoline and groundwater (performed until September 2011).

Since September 2011, the DEEP Site Assessment & Support (SAS) Unit has been conducting periodic monitoring of the existing monitoring wells for the presence of separate-phase gasoline remaining in the subsurface. During the most recent monitoring event, conducted on December 20, 2013, some small areas of gasoline were detected in two monitoring wells located under the canopy between the dispenser islands.

Financial Matters

When federal or state funds are used for an environmental cleanup, cost recovery against the responsible party by the spending agency is an option for recovering funds. For the three stages of remediation listed above, a total of approximately \$1,168,500 was spent by DEEP to remove gasoline and prevent the river from being impacted.

In summary, the fund status is as follows:

1. Approximately \$994,000 of State Spill Fund money was spent. Of this amount, the federal government (through the US Coast Guard) reimbursed \$958,000 to the state of Connecticut. The remaining \$36,000 is considered to be outstanding and owed to the State Spill Fund. Demand letters for this money have been sent to Mr. Fuller.
2. The federal government, under the Coast Guard's purview, has the option of pursuing Mr. Fuller for the \$958,000 they reimbursed the State.
3. The DEEP spent approximately \$174,500 of Federal Stimulus funds and retains the right to refer this matter to the Connecticut Attorney General for recovery of the costs.

Regulatory Status

Following the 2007 release, a compliance inspection of the underground storage tanks was conducted by DEEP's Storage Tank Enforcement Unit. Because of the regulatory violations and pollution, a Notice of Violation (NOV) was issued to Mr. Fuller. These violations have not been rectified. The facility was again inspected in April 2013. An additional NOV was issued for not maintaining operational compliance for the tanks that remain temporarily out of service. In order to achieve full compliance with the NOV (issued for failure to register and failure to test cathodic protection) and maintain SOC, some of the other requirements which the owner/operator must comply with include:

1. Demonstrating Financial Responsibility (being covered by insurance) for any releases that may occur.
2. Having DEEP-sanctioned operator training.

Mr. Fuller has repeatedly stated to DEEP staff that he does not have the funds to perform any environmental cleanup or to correct the SOC violations to enable Mayfair Garage to resume retail sale of gasoline.