

**Division of Waste Management
UST Section
Civil Penalty Assessments
January 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Jennifer Hunnings 1520 Hugo Rd. Kinston, NC	Eubank's Grocery 1520 Hugo Rd. Kinston, NC Lenoir Co.	Violation of 15A NCAC 2N .0301 by failing to demonstrate compliance with corrosion protections requirements for metal flexible connectors and metal piping components for two UST systems; violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for one UST; and violation of 15A NCAC 2N .0801 by failing to secure and maintain one UST system in temporary closure.	\$8,985.10	1/24/12

**Division of Waste Management
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Civil Penalty Assessments
February 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Priest Grading Company, Inc. 618 Glenwood Rd. Asheboro, NC	Priest Grading Company, Inc. 4135 Us Hwy 64 E Asheboro, NC Randolph Co.	Violation of 15A NCAC 2N .0501, .0502, .0504 and .0506 by failing to comply with leak detection requirements for one UST; violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for one suction piping system; violation of 15A NCAC 2N .0601 and .0603 by failing to report and investigate a suspected release; and violation of 15A NCAC 2N .0801 by failing to secure and maintain a temporarily closed UST system.	\$9,453.39	2/16/12
Royal Mini Mart, LLC 6200 Big Sandy Dr. Raleigh, NC	Royal Mini Mart 3819 Hwy 401 S. Louisburg, NC Franklin Co.	Violation of 15A NCAC 2N .0402 by failing to operate and maintain a corrosion protection system to provide continuous corrosion protection for three UST systems; violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for one UST and three pressurized piping systems; and violation of 15A NCAC 2N .0505 by failing to conduct an annual test of the operation of three automatic line leak detectors on three pressurized piping systems.	\$11,020.30	2/10/12
Greystone Variety Mart, LLC 1492 Warrenton Rd. Henderson, NC	Greystone Variety Mart, LLC 1492 Warrenton Rd. Henderson, NC Vance Co.	Violation of 15A NCAC 2N .0302 by failing to comply with spill prevention requirements for three USTs; violation of 15A NCAC 2N .0304 by failing to provide secondary containment for three UST systems located between 100 and 500 feet of a well serving a public water system; violation of 15A NCAC 2N .0402 by failing to have an impressed current cathodic protection system evaluated by a qualified corrosion protection tester every three years and by failing to inspect an impressed current cathodic protection system every 60 days; and violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for one UST.	\$11,444.38	2/9/12
Southport Waterfront Properties, LLC 6752 Gordon Rd. Wilmington, NC	American Fish Company 319 W. Bay St. Southport, NC Brunswick Co.	Violation of 15A NCAC 2L .0110, .0111 and .0407 by failing to submit a Monitoring report.	\$3,666.16	2/27/12

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March 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Danny R. Lynch PO Box 473 Sharpsburg, NC	R&R Grocery 9204 County Line Rd. Rocky Mount, NC Edgecombe Co.	Violation of 15A NCAC 2N .0303 by failing to update registration information for three UST systems and violation of 15A NCAC 2N .0801 by failing to permanently close three substandard UST systems.	\$12,841.21	3/2/12
Jeffrey Karl Phipps 1211 N. Main St. Mocksville, NC	Gunter's II 981 N. Main St. Mocksville, NC Davie Co.	Violation of 15A NCAC .0303 by failing to update registration information for four UST systems and violation of 15A NCAC 2N .0801 by failing to permanently close four substandard UST systems.	\$12,929.90	3/2/12
Gregory W. Hicks 4 Summy Dr. Thomasville, NC	Buddy's Good Market 118 Fuller Mill Rd. Thomasville, NC Davidson Co.	Violation of 15A NCAC 2N .0801 by failing to secure and maintain two UST systems that are temporarily closed.	\$4,836.56	3/9/12
Rebecca Raper 8092 NC Hwy 222 W. Kenly, NC	RAPCO 11585 NC Hwy 42 E. Middlesex, NC Johnston Co.	Violation of 15A NCAC 2N .0801 by failing to permanently close one substandard UST system.	\$10,005.96	3/8/12
Save Mart of Duplin, LLC 204 W. College St. Warsaw, NC	T Mart 204 W. College St. Warsaw, NC Duplin Co.	Violation of 15A NCAC 2N .0302 by failing to provide corrosion protection for four UST systems including metal flexible connectors on piping and other metal piping components and by failing to comply with spill prevention requirements for four UST systems; violation of 15A NCAC 2N .0402 by failing to have a corrosion protection system evaluated by a qualified corrosion protection tester every three years; and violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for four UST systems.	\$11,627.65	3/29/12
Harold Keith Evans, Ann R. Evans, Joseph Steven Evans, Sr. and Linda B. Evans 3185 Old Bailey Hwy Nashville, NC	Steve Evans Facility 2849 Rose Loop Rd. Nashville, NC Nash Co.	Violation of 15A NCAC 2N .0801 by failing to permanently close two substandard UST systems.	\$10,527.10	3/30/12

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March 2012 (cont'd)**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Ramji, Inc. 3166 Hwy 16 S. Maiden, NC	Handy Mart 3166 Hwy 16 S. Maiden, NC Catawba Co.	Violation of 15A NCAC 2L .0404 by failing to submit an Initial Action Abatement report.	\$3,577.90	3/9/12
Mangika, LLC 223 W. Cabarrus Ave. Concord, NC	T&M Kwik-1 Food Store (aka D's Express) 223 W. Cabarrus Ave. Concord, NC Cabarrus Co.	Violation of 15A NCAC 2N .0302 by failing to provide verification of overfill control for one UST system; violation of 15A NCAC 2N .0402 by failing to inspect an impressed current cathodic protection systems every 60 days; violation of 15A NCAC 2N .0502 and .0506 by failing to conduct a valid method of leak detection for three USTs and three pressurized piping systems and by failing to maintain records demonstrating compliance with leak detection requirements; and violation of 15A NCAC 2N .0502 and .0506 by failing to conduct an annual test of the operation of three automatic line leak detectors.	\$17,717.88	3/2/12

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April 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
McNair Oil Company of Plymouth, Inc. PO Box 881 Plymouth, NC	McNair Oil Company of Plymouth, Inc. Hwys 64 and 32 Plymouth, NC Washington Co.	Violation of 15A NCAC 2N .0302 by failing to comply with corrosion protection requirements for metal flexible connectors and other metal piping components associated with six UST systems and by failing to inspect the internal liners for six UST systems; and violation of 15A NCAC 2N .0601 and .0603 by failing to report and investigate two suspected releases for one UST system.	\$17,445.07	4/12/12
Scotland-Graham Oil Co., Inc. 1044 20th Ave. Lane N.W. Hickory, NC	Little Oil Co. 10 3rd St. S.E. Hickory, NC Catawba Co.	Violation of 15A NCAC 2N .0303 by failing to update registration information for two UST systems.	\$7,831.94	4/4/12
A.G. Lee Oil Co., Inc. PO Box 237 Smithfield, NC	Seaside Stop and Shop 311 Island Rd. Harkers Island, NC Carteret Co.	Violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for one UST.	\$5,821.84	4/26/12

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May 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Furr Transport LLC PO Box 786 Denton, NC	Bill's Truck Stop 1210 Snider-Kines Rd. Linwood, NC Davidson Co.	Violation of NCGS 143-215.94U by placing petroleum product into UST systems for which the owner or operator did not hold a valid operating permit.	\$1,732.04	5/5/12
Eagle Transport Corporation 300 S. Wesleyan Blvd. Rocky Mount, NC	N A Minute Shoppe 1727 NC Hwy 39 S. Henderson, NC Vance Co.	Violation of NCGS 143-215.94U by placing petroleum product into UST systems for which the owner or operator did not hold a valid operating permit.	\$3,846.05	5/5/12
Virendra & Vinaben Sethiya 33 Holly Springs Rd. Greensboro, NC	Shumaker's Grocery 1603 Lee's Chapel Rd. Greensboro, NC Guilford Co.	Violation of 15A NCAC 2N .0303 by failing to update registration information for two UST systems and violation of 15A NCAC 2N .0801 by failing to permanently close two substandard UST systems.	\$10,617.38	5/18/12
Peddlers Village Group, Inc. 168 Clay Durett Rd. Murphy, NC	Peddlers Village 7251 Hwy 64 W. Murphy, NC Cherokee Co.	Violation of 15A NCAC 2N .0304 by failing to provide secondary containment for six UST systems located 100 to 500 feet of a well serving a public water supply system; violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for six USTs; violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for five pressurized piping systems and one suction piping system; and violation of 15A NCAC 2N .0505 by failing to conduct an annual test of the operation of ALLDs associated with five pressurized piping systems.	\$12,794.19	5/3/12
H.D. Oxendine 2440 W. 5th St. Lumberton, NC	Dobbs Place Exxon 2802 W. 5th St. Lumberton, NC Robeson Co.	Violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for three USTs and three pressurized piping systems.	\$3,728.38	5/18/12

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June 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Scenic Route 129, LLC PO Box 920 Murphy, NC	Topton's All That N Everything 11324 Tallulah Rd. Robbinsville, NC Graham Co.	Violation of 15A NCAC 2N .0301 and .0402 by failing to comply with corrosion protection requirements for five UST systems; violation of 15A NCAC 2N .0301 by failing to demonstrate compliance with overfill control requirements for five UST systems; violation of 15A NCAC 2N .0502 by failing to comply with leak detection requirements for five USTs; and violation of 15A NCAC 2N .0601 and .0603 by failing to report and investigate a suspected release when environmental conditions indicated a release may have occurred.	\$13,672.82	6/20/12
J.H. Duncan Oil, Inc. PO Box 616 Franklin, NC	Loafter's Glory 66 4717 Old Murphy Rd. Franklin, NC Macon Co.	Violation of 15A NCAC 2N .0301 by failing to demonstrate compliance with overfill control requirements for three UST systems; violation of 15A NCAC 2N .0402 by failing to comply with corrosion protection requirements for three UST systems; and violation of 15A NCAC 2N .0601 and .0603 by failing to report and investigate a suspected release when environmental conditions indicated a release may have occurred.	\$12,764.64	6/29/12
Abdo Ali Saleh, Mohammed Saleh & Moseleh Ahmed 531 S. Williams St. Henderson, NC	Brothers Minute Mart 525 S. Williams St. Henderson, NC Vance Co.	Violation of 15A NCAC 2N .0303 by failing to update registration information for three UST systems; violation of 15A NCAC 2N .0402 by failing to inspect an impressed current cathodic protection system every 60 days; and violation of 15A NCAC 2N .0801 by failing to secure and maintain two UST systems in temporary closure.	\$9,725.74	6/29/12
Nasher A. Alashmely 1727 Hwy 39 S. Henderson, NC	NA Minute Shoppe 1727 Hwy 39 S. Henderson, NC Vance Co.	Violation of 15A NCAC 2N .0302 by failing to comply with spill prevention requirements for three USTs and violation of NCGS 143-215.94U by failing to maintain a currently valid operating permit at a facility where petroleum product was caused to be placed.	\$3,846.05	6/20/12

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July 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Lee & Sue Gill 4000 Old Milburnie Rd. Raleigh, NC 27616	Jim's Mini Mart 4826 Watkins Rd. Raleigh, NC Wake Co.	Violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for three UST systems.	\$2,934.52	7/20/12
Warren Oil Co., Inc. of Louisburg 307 Duck Haven Swansboro, NC	In & Out Mart 508 E. Green St. Franklinton, NC Franklin Co.	Violation of 15A NCAC 2N .0402 by failing to comply with corrosion protection requirements for three UST systems and violation of 15A NCAC 2N .0801 by failing to permanently close three substandard UST systems.	\$20,520.64	7/20/12
Petroleum World, Inc. PO Box 341 Mooresboro, NC	Hoyle's Grocery 4295 Collettsville Rd. Collettsville, NC Caldwell Co.	Violation of 15A NCAC 2N .0801 by failing to permanently close three substandard UST systems in temporary closure.	\$15,444.92	7/20/12
Kathi W. Hoyle 1007 Wright St. S.W. Lenoir, NC	Hoyle's Grocery 4295 Collettsville Rd. Collettsville, NC Caldwell Co.	Violation of 15A NCAC 2N .0801 by failing to permanently close three substandard UST systems in temporary closure.	\$8,944.92	7/19/12
Gene Moore 303 Bell Ford Rd. Jacksonville, NC	Moore's Mini Mart #2 5527 Richlands Hwy Jacksonville, NC Onslow Co.	Violation of 15A NCAC 2L .0405 by failing to submit a Limited Site Assessment report.	\$4,394.35	7/6/12

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August 2012**

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Henry H. Lim 2715 S. Elm-Eugene St. Greensboro, NC	Crown at S. Elm-Eugene 2715 S. Elm-Eugene St. Greensboro, NC Guilford Co.	Violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for three USTs.	\$3,812.87	8/30/12
United Oil of the Carolinas, Inc. PO Box 68 Gastonia, NC	Cleveland Shell 11821 Statesville Blvd. Cleveland, NC Rowan Co.	Violation of NCGS 143-215.94U by placing petroleum product into unpermitted UST systems.	\$1,748.47	8/29/12
L & TA Enterprises, LLC 6020 Wilkinson Blvd. Charlotte, NC	L & TA Enterprises, LLC 6020 Wilkinson Blvd. Charlotte, NC Mecklenburg Co.	Violation of 15A NCAC 2L .0407 by failing to implement a Corrective Action Plan as approved and modified by DWM.	\$7,552.82	8/17/12

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September 2012

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Herrin Brothers Coal & Ice Co. 315 E. 36th St. Charlotte, NC	Herrin Brothers Coal & Ice Co. 315 E. 36th St. Charlotte, NC Mecklenburg Co.	Violation of 15A NCAC 2N .0301 by failing to provide corrosion protection for metal flexible connectors, piping extensions and other metal components associated with three UST systems.	\$11,514.62	9/18/12
Shri Hanuman, Inc. 144 Lockerbie Ln. Mooresville, NC	Cleveland Shell 11821 Statesville Blvd. Cleveland, NC Rowan Co.	Violation of 15A NCAC 2N .0404 by failing to repair or permanently close two UST systems; violation of 15A NCAC 2N .0603 by failing to investigate a suspected release from two UST systems; violation of 15A NCAC 2N .0801 by failing to secure and maintain four UST systems in temporary closure; and violation of 143-215.94U by failing to maintain a currently valid operating permit at a facility where petroleum product was caused to be placed.	\$10,854.26	9/17/12
Excursions, LLC PO Box 18973 Raleigh, NC	Countryside 5615 US 401 S. Youngsville, NC Franklin Co.	Violation of 15A NCAC 2N .0301 by failing to comply with spill prevention requirements for one UST system; violation of 15A NCAC 2N .0502 and .0506 by failing to comply with leak detection requirements for two USTs and two pressurized piping systems; violation of 15A NCAC 2N .0505 by failing to conduct annual tests of the operation of two automatic line leak detectors; and violation of NCGS 143-215.94QQ by failing to provide a trained primary operator for the UST facility.	\$12,636.56	9/20/12

**Division of Waste Management
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October 2012

No Civil Penalties Were Assessed in October 2012.

Division of Waste Management
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November 2012

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
Zelota C. Berry 6511 NC 86 N. Hillsborough, NC	Berry's Garage 6511 NC 86 N. Hillsborough, NC Orange Co.	Violation of 15A NCAC 2N .0801 by failing to permanently close two substandard UST systems.	\$9,518.85	11/28/12

**Division of Waste Management
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December 2012

Responsible Party	Facility Name	Violation(s)	Penalty Amount	Date Assessed
B&M Lee Oil Co., Inc. PO Box 67 Ansonville, NC 28007	Fast Shop 8902 Highway 218 E. Marshville, NC Union Co.	Violation of NC Session Law 2010-154 by failing to provide a trained primary operator for four UST systems.	\$1,847.22	12/31/12