



# WASHINGTON

## Retail Environmental Enforcement Summary January 1, 2017 - June 30, 2017



The Washington State Department of Ecology (Ecology) enforces the state's environmental laws



**31** Enforcement actions were issued to retailers

The types of retail stores facing enforcement.



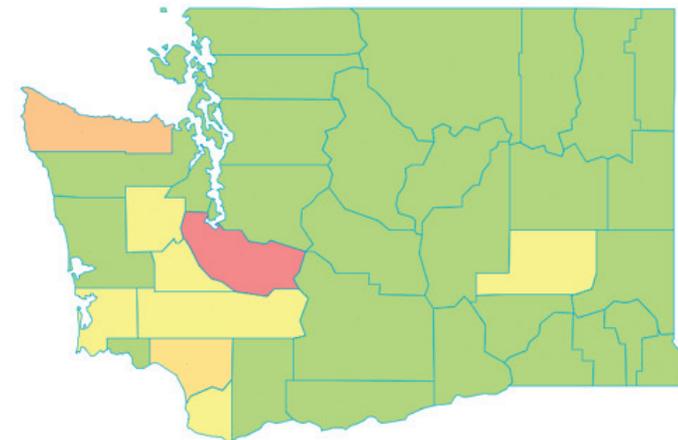
Total fine issued to retailers

**520% ↑**

Enforcement action increase in 2017

Enforcement by county

[Click here for interactive map.](#)



## HIGHLIGHTS

Between January 1, 2017 and June 30, 2017, 31 enforcement actions filed by the Washington State Department of Ecology (Ecology) were issued. This is a steep increase from the 5 enforcement actions issued from July 1, 2016 and December 31, 2016.

In addition to the increase in the number of enforcement actions issued, the type of retail entities receiving such actions changed. Between January 1, 2017 and June 30, 2017, retailers that received enforcement included an automotive store and gas stations. In contrast, a department store, grocery stores, and a lumber and building material store received enforcement actions in the previous six-month time period.

Between July 1, 2016 and December 31, 2016, no retailers received an enforcement action for an underground storage tank (UST) regulation noncompliance. Between January 1, 2017 and June 30, 2017, all enforcement actions issued to retailers were for UST violations.

As was the case during the prior six months, no fines were issued to retailers between January 1, 2017 and June 30, 2017. Retailers were obligated to complete actions required to bring them into compliance.

Washington does not make inspection reports publicly available.



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### ENFORCEMENT DETAIL

Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Stores	Fine (\$) and actions to comply
<b>Underground storage tank (UST).</b> Violations covered an automotive store and gas stations. Violations included failure to comply with emergency signage requirements, maintain release detection records, and pay annual tank fees.						
UST	Automotive store	Notice of non-compliance	Failure to: <ul style="list-style-type: none"> <li>• Comply with deadlines for operator training</li> <li>• Comply with emergency signage requirements</li> <li>• Comply with the financial responsibility requirement</li> <li>• Conduct annual line tightness test or monthly monitoring on pressurized piping</li> <li>• Conduct tank release detection</li> <li>• Maintain release detection records</li> <li>• Meet automatic line leak detector requirements, including annual testing</li> <li>• Pay annual tank fees</li> <li>• Properly monitor tanks and piping for releases</li> <li>• Test CP system</li> </ul>	Pierce	1	The retailer was required to: <ul style="list-style-type: none"> <li>• Complete operator training</li> <li>• Comply with emergency signage requirements</li> <li>• Conduct a line tightness detection test</li> <li>• Have CP test completed</li> <li>• Record tank readings and send to SIR vendor for reconciliation</li> <li>• Renew business license and/or insurance</li> <li>• Stick tanks and record data to SIR vendor</li> <li>• Test the cathodic protection system and line leak detector</li> </ul>



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Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Stores	Fine (\$) and actions to comply
UST	Gas stations	Notices of non-compliance Notice of delivery prohibition <sup>1</sup>	Failure to: <ul style="list-style-type: none"> <li>• Comply with emergency signage requirements</li> <li>• Comply with operator training requirements</li> <li>• Comply with release detection requirements</li> <li>• Conduct annual line tightness test or monthly monitoring on pressurized piping</li> <li>• Document and maintain records for trained operators</li> <li>• Have necessary records available at the time of inspection</li> <li>• Indicate that a ball float check was conducted</li> <li>• Inspect to determine if cathodic protection is adequate</li> <li>• Meet automatic line leak detector requirements, including annual testing</li> <li>• Meet piping performance standards for new UST system</li> <li>• Operate and maintain corrosion protection system to provide continuous protectionPay annual tank fees</li> <li>• Properly monitor tanks and piping for releases</li> <li>• Provide and maintain spill and overfill prevention equipment</li> <li>• Test cathodic protection system</li> </ul>	Adams Clallam Clark Cowlitz Lewis Mason Pacific Pierce Thurston	1 4 1 3 1 2 1 16 1	The retailer was required to: <ul style="list-style-type: none"> <li>• Calibrate a release detection method</li> <li>• Check relays</li> <li>• Complete the Class C log and maintain the log as new employees are hired and trained</li> <li>• Conduct required tests</li> <li>• Submit required testing results</li> <li>• Install additional anodes for protection of all lines and retest cathodic protection</li> <li>• Install emergency signs for customers and delivery drivers</li> <li>• Maintain third-party certification documents</li> <li>• Monitor for releases</li> <li>• Obtain ranges for volts and amps and submit corrected corrosion protection report</li> <li>• Program equipment to meet third-party certification</li> <li>• Remove ice and liquid from spill buckets</li> <li>• Remove liquid from diesel turbine sumps</li> <li>• Replace spill bucket(s)</li> <li>• Resolve release detection issues</li> <li>• Submit evidence of corrosion protection</li> <li>• Submit evidence of owner operator training</li> <li>• Submit evidence of three ball floats</li> <li>• Submit passing 0.2 hour per gallon slips for three tanks</li> <li>• Submit passing release detection</li> <li>• Submit passing tank tests from tank monitor</li> <li>• Test fuel alarms.</li> <li>• Train all class C operators and submit training certificates</li> <li>• Use an alternate method of release detection</li> </ul>

<sup>1</sup> See Glossary for details



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## GLOSSARY

**Notice of delivery prohibition** — a document given to an entity after inspection. It serves as a warning to violators before a tank is Red Tagged. Once a notice is issued, the entity has a 30-day period to file an appeal to the Pollution Control Hearings Board. If the entity does not appeal or the notice is upheld, then the Department will attach a Red Tag to the tanks identified in the notice.

**Notice of non-compliance** — a document used to officially inform an entity that it has violated or has the potential to violate environmental laws. These notices can be issued with a penalty of up to \$3,000.

**Retail** — stores that sell goods or services to customers, typically in small quantities, for consumption or use. Retail stores can include: automotive parts and new/used tire sales, convenience stores, gas stations, distribution centers, dry cleaners, pharmacies, rental stores, sports/hunting goods stores, and variety stores.

*Documents concerning state enforcement actions on retail entities are obtained by contacting the state's environmental regulatory agency directly by email and by phone, submitting Freedom of Information Act (FOIA) requests, or using online document databases. The search is refined using retail-specific criteria, such as titles and address locations of the entities, Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) codes and descriptions. Enforcement actions involving non-retailers are excluded from the data analysis and summaries. Texas does not make inspection reports publicly available.*

*Retail-specific state enforcement documents and data are analyzed to determine trends including: the most frequent violations, what the most common media types violations are (such as air, petroleum contamination, waste, or water), and where the retailers who were issued enforcement actions are located. Data is collected and trends are analyzed on a biannual basis.*