

NORTH CAROLINA

Retail Environmental Enforcement Summary
July 1, 2016 - December 31, 2016



1

The North Carolina Department of Environmental Quality (DEQ) enforces the state's environmental laws.



324

Enforcement actions were issued to retailers.

3



\$450

Total fine issued to one retailer.

HIGHLIGHTS

Between July 1, 2016 and December 31, 2016, 324 enforcement actions filed by the North Carolina Department of Environmental Quality (DEQ) were issued to retail¹ facilities within the state. These included automotive stores, a dry cleaner, gas stations, and a grocery store. North Carolina does not make inspection reports publicly available.

2

The types of retail stores facing enforcement.



Automotive Store

315



Gas Station

2



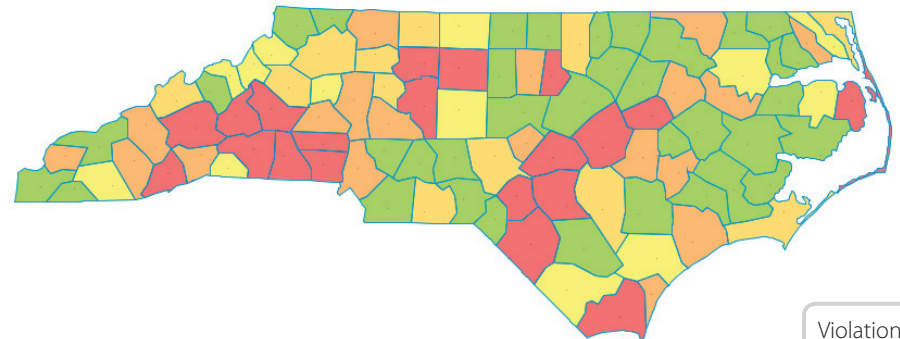
Grocery Store

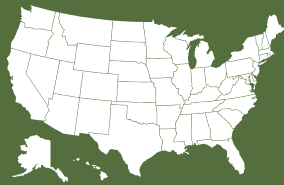
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Enforcement by county

[Click here](#) for interactive map.





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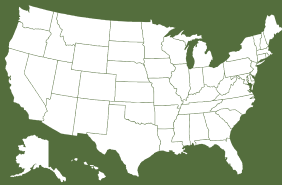
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ENFORCEMENT DETAIL

Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Facilities	Fine (\$) and actions to comply
Water. Violations covered gas stations and a dry cleaner. Violations included failure to comply with numeric effluent limits.						
Groundwater	Gas Station	Notice of Violation (NOV) ¹	Well violation	Edgecombe	1	None.
	Gas Station	NOV	Failure to: <ul style="list-style-type: none"> • Comply with numeric effluent limits 	Wilkes	1	None.
Underground storage tanks (UST). Violations covered automotive stores, gas stations, and a grocery store. Violations included failure to: complete Primary Operator Training, install required equipment, maintain records, and perform required testing.						
UST	Automotive stores	NOVs	Failure to: <ul style="list-style-type: none"> • Complete Primary Operator training • Install non-corroding spill bucket • Maintain LD records • Maintain temporary closure • Operate and maintain CP 	Gaston Rutherford	1 1	The retailer was required to: <ul style="list-style-type: none"> • Repair or replace leak detectors and perform an operability test • Provide the most recent leak detection test results or have the devices tested immediately



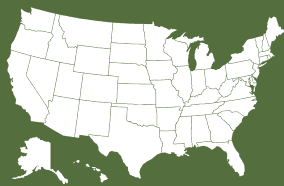
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Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Facilities	Fine (\$) and actions to comply
UST	Automotive stores	NOVs	Failure to: <ul style="list-style-type: none"> Assess the site at closure Attend tank school or complete an online course Close substandard UST Complete Primary Operator training Conduct leak detection Do annual test of automatic line leak detector Hold a currently valid operating permit Inspect equipment Investigate a suspected release Maintain leak detection records Maintain temporary closure Meet corrosion protection requirements Meet internally lined upgrade requirements Meet overfill requirements Meet spill prevention requirements Operate and maintain equipment Perform required testing on equipment Place petroleum in a permitted tank Provide corrosion protection Provide notification and records Provide leak detection monitoring Register or update registration Remove liquid from equipment within 48 hours Repair or replace equipment Report a suspected release 	Alexander Anson Avery Bertie Brunswick Buncombe Burke Caldwell Carteret Catawba Cleveland Columbus Cumberland Currituck Dare Davidson Davie Durham Edgecombe Forsyth Gaston Graham Granville Guilford Harnett Haywood Henderson Hoke Iredell Jackson Johnston Lee Lenoir	1 2 1 1 7 17 8 2 2 3 17 1 5 2 5 13 2 7 2 23 31 3 2 8 6 4 3 5 4 3 5 3 4	Retailers were required to: <ul style="list-style-type: none"> Affix locking caps Attend tank school or complete an online course. Check all pipe interstice at sumps Clean equipment Complete corrective actions Complete Primary Operator Training Conduct integrity checks Conduct required tests Correct corrosion protection issues Correctly position sensors. Demonstrate that metal components under dispensers are isolated Demonstrate that the tanks were pumped down Disconnect piping Document overfill functionality Empty tanks Inspect equipment Install required equipment Maintain clean and dry spill buckets Maintain records and test results Obtain a valid operating permit Pass required tests Perform corrective action Perform site checks Permanently close the UST system Properly dispose of petroleum products and any absorbent cloths laced with fuel Pump down and secure tank Remove product and liquid from equipment Remove soil from equipment and components Repair or replace equipment and systems Replace the vapor recovery cap



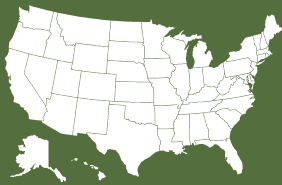
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Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Facilities	Fine (\$) and actions to comply
UST	Automotive stores	NOVs	<i>continued</i> <ul style="list-style-type: none"> • Submit forms • Submit notification prior to closure • Submit water supply well samples • Visually inspect sump annually 	<i>continued</i> Lincoln Macon Madison Martin McDowell Mecklenburg Mitchell Moore New Hanover Northampton Onslow Orange Pasquotank Pender Polk Randolph Robeson Rockingham Rowan Rutherford Sampson Stokes Surry Transylvania Tyrrell Watauga Wayne Wilkes Wilson Yadkin	<i>continued</i> 9 1 2 4 7 4 1 2 4 3 4 3 3 1 1 1 12 1 4 12 2 2 4 6 1 1 4 1 8 2	<i>continued</i> <ul style="list-style-type: none"> • Report and investigate a release • Reprogram tanks • Resolve corrosion protection • Resolve a fuel alarm issue • Retain records • Retrain and recertify Primary Operator • Submit a Primary Operator training certificate • Submit a Site Check Report • Submit a work order or invoice for repairs made • Submit Installer Certification • Submit leak test history • Submit required forms and test results • Submit sensor status and alarm history • Submit well sample results • Update registration



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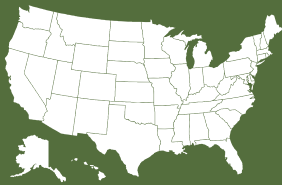
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Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Facilities	Fine (\$) and actions to comply
UST	Grocery store	NOV	Failure to: <ul style="list-style-type: none">• Inspect leak detection equipment• Inspect sump• Maintain leak detection records• Perform annual test of automatic line leak detector• Provide leak detection monitoring	Camden	1	None.

¹ See Glossary for details

² This retailer received more than one enforcement action across one enforcement area.



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GLOSSARY

Civil Penalty Assessment (CPA) — fines assessed against a responsible entity for violation(s) of environmental regulations. The assessment of a penalty is based on the specifics of each civil penalty case.

Notice of Violation (NOV) — a document alerts the entity of infractions and requests that whatever caused the violation is corrected immediately. These notices do not typically include a fine.

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.

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. Note that one retailer received more than one enforcement action across one enforcement area.