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State Fines Pair of Companies For Underground Storage Tank Violations

WATERBURY – The Department of Environmental Conservation’s Compliance and Enforcement Division today announced that it has formally settled environmental violations involving D&C Transportation, Inc. and Fred’s Plumbing & Heating, Inc. The violations involved the monitoring of Category I underground storage tanks (USTs) at separate locations in Orleans County. The settlements include \$7,500 and \$6,000 penalties to each company, respectively.

Through routine Agency inspections, it was determined that D&C Transportation, Inc. (D&C) and Fred’s Plumbing & Heating, Inc. (Fred’s) failed to comply with provisions of the state’s UST regulations. An inspection of a D&C underground storage tank located at a facility in Troy revealed the company failed to conduct release detection and investigate a suspected release.

The Agency also fined D&C \$5,000 in November 2008 for failing to properly monitor its underground storage tanks.

An inspection of a Fred’s underground storage tank located at a facility in Derby revealed the company failed to perform release detection and maintain records of release detection monitoring.

Following the inspections, both companies began upgrading the electronic monitoring systems for all USTs that each company owns. The upgrades are designed to directly notify them, through an auto-dialer system, in the event of an electronic monitoring system alarm.

After the inspections were completed, D&C and Fred’s were notified of the violations and agreed to settle the matters. The settlements were reduced to assurances of discontinuance and were so ordered by the Environmental Court. In both agreements D&C and Fred’s agreed to submit an upgrade implementation plan and schedule for all of their Category I USTs for approval, complete upgrades in accordance with the approved plan, and comply with the Vermont Underground Storage Tank Rules in the operation of their businesses. D&C agreed to a civil penalty of \$7,500 and Fred’s agreed to a civil penalty of \$6,000, which will be paid to the State of Vermont for the violations.



