

PIPELINE BULLETIN BOARD

THEFT CONVICTION

In reviewing invoices received from a contractor, Stephen Heintzelman, doing business as ECD Environmental Inc., the Board's staff noticed irregularities. It appeared Heintzelman was claiming costs that the Board had previously reimbursed. The matter was referred to the Ohio State Highway Patrol to investigate.

After an investigation by the Patrol, the matter was referred to the Franklin County Prosecutor's Office. A grand jury indicted Heintzelman on two counts of forgery, a felony in the fourth degree, one count of theft, a felony in the fourth degree, and two counts of attempted theft, a felony in the fourth degree. On September 5, 2002, Heintzelman plead guilty to an attempted theft in violation of R.C. 2923.02 as it relates to R.C. 2913.02, a misdemeanor of the first degree. As part of a plea bargain, Heintzelman paid the Board restitution.

The Board would like to express its appreciation and gratitude to the Ohio State Highway Patrol and to the Franklin County Prosecutor for their diligence and perseverance in this matter.

2002 REGISTRATION SUMMARY

A recent U.S. EPA study found that most UST owners are in "technical compliance" with the new performance standards for underground storage tanks but many are in "operational non-compliance". In other words, most owners have the proper equipment in place but many are not properly operating and maintaining that equipment.

As a result of the EPA study, the Board and BUSTR spent a considerable amount of time and effort informing the regulated community of the technical and operational requirements of tank ownership and to prepare them for the 2002 joint registration. "**Frank the Tank**" was distributed to all smaller owners and offered to larger owners with this purpose in mind. "**Frank**" led owners through the requirements of release detection for both tanks and piping, spill and overfill protection, and the methods and requirements of corrosion protection.

Despite these efforts, it has been somewhat alarming and discouraging the number of owners who have received "**Notice of Pending Denials**" because they incorrectly completed their registration forms and had to contact their tank contractors to find out if they were technically compliant. This would certainly imply that if an owner did not know what he had, how could he operate and maintain it in the proper manner?

Of the small percentage of owners who are not in "technical compliance" most have already made arrangements to have the proper equipment installed or have taken the necessary steps to come into compliance. The most common technical violation to date has been the **absence** of corrosion protection for piping and tanks. These owners have contacted their tank contractors to have either sacrificial anodes or impressed current installed.

In addition, some owners with tanks of greater capacity than 550 gallons are/were still performing leak detection by manual tank gauging. This ceased being an approved method of leak detection on December 22, 1998. These owners have been advised to contact BUSTR for permission to send their "stick readings" to an approved statistical inventory reconciliation (SIR) vendor or to install another approved means of leak detection.

BUSTR has been notified of those owners that have been denied a Certificate of Coverage. BUSTR inspectors are targeting these owners for compliance inspections. If you have been denied a Certificate of Coverage because of regulatory issues please be aware that your facility(s) will probably be inspected.

Remember, the Board's rules require that an owner must be in compliance with BUSTR's rules in order to receive a Certificate of Coverage and be eligible for reimbursement of corrective action and/or third-party costs.