

Vesta Kennedy Emails #32 - #36)

Lisa Vierling

From: Vesta Kennedy <rollovernclover@aol.com>
Sent: Monday, February 15, 2021 12:44 PM
To: Public Comment
Subject: ZA-20-20
Attachments: Screenshot_20210215-122517.png; Screenshot_20210215-122550.png

Dear Mayor and Town Council,

Please find pictures of Briles Oil and Gas station
514 Mcdowell Rd
Asheboro, NC

This is an example of what the proposed Gas station may resemble.
More examples in our area to follow.

Thank you,
Vesta Kennedy



514 McDowell Rd

Asheboro, NC 27205

At this address: Briles Oil & Gas, Triad Transport



514 McDowell Rd
Asheboro, NC 27205



Lisa Vierling

From: Vesta Kennedy <rollovernclover@aol.com>
Sent: Monday, February 15, 2021 1:01 PM
To: Public Comment
Subject: ZA-20-20, Local ASTs with Incidents
Attachments: Screenshot_20210215-112752.png; IMG_20210214_155003.jpg; IMG_20210214_154808.jpg; Screenshot_20210215-112927.png

Dear Mayor and Town Council,

Attached please find screenshots of two local Aboveground Storage Tank retail gas stations , both with gasoline spill/piping incidents. I WISH I could give you more details, but none are available for these two due to lack of regulation!!!!!!

Stokesdale's Service Center
8508 Highway 158
Guilford County
AST Incident#15752

Southmont Grocery
10411 NC Highway 8 South
Davidson County
AST Incident#87632

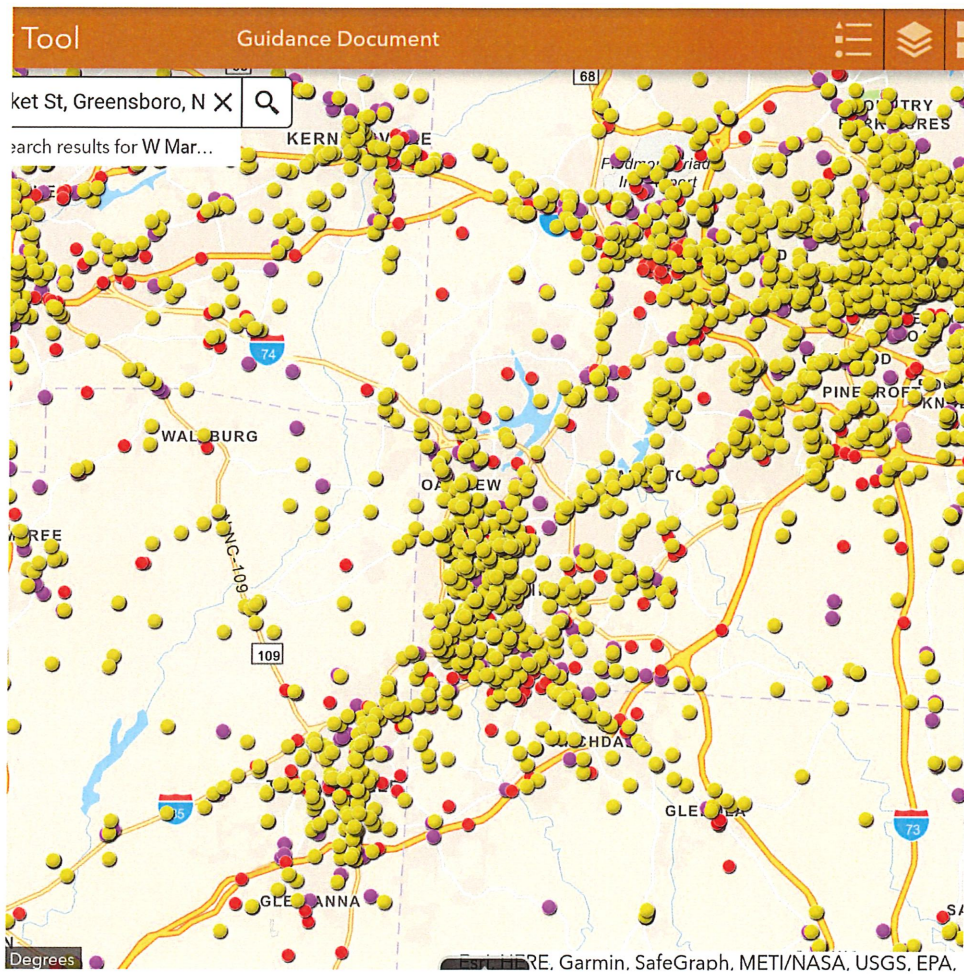
Please do not forget the numerous AST contamination incidents I have previously sent in.
Please note the many red dots on the screen shot of NCDEQ's argis tool map. Each red dot represents where gasoline contamination has occurred from ASTs.

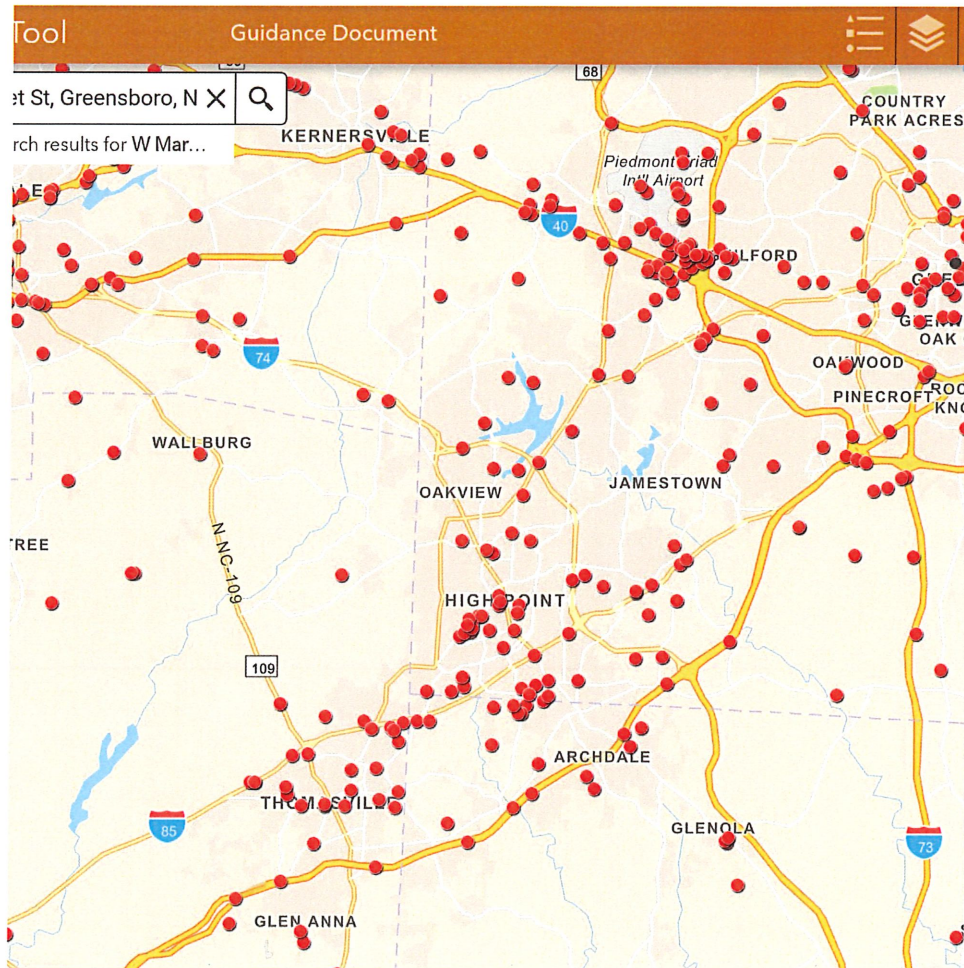
Thanks so much for your attention to my continuing efforts to insure public safety,

Vesta Kennedy


Shared via the [AOL App](#)









 Google Street View

ATM Southmont Grocery



From: [Vesta Kennedy](#)
To: [Public Comment](#)
Subject: ZA-20-20 ASTs, examples, incidents and NCDEQ Regulation(lack of)
Date: Monday, February 15, 2021 3:06:12 PM

Dear Mayor and City Council,

Attached please find information from NCDEQ regarding Aboveground Storage Tanks, two screenshots from NCDEQ showing a broad picture and the numerous petroleum gas leaks in High Point and within our watershed, and pictures of gas stations(non local and I THINK not allowed in NC, but examples, just in case setback requirements have changed) utilizing Aboveground Storage Tanks.

Important facts to note:

1-The proposed Aboveground Storage Tank gas station **IS NOT REQUIRED** to register with NCDEQ, as "Any retail gasoline dispensing operation serving the motoring public" is **not** included in the definition of an Oil Terminal Facility.

2-NCDEQ **DOES NOT** regulate the installation, construction, permitting or monitoring of ASTs.

3- In regards to the Division of Air Quality, NC **only requires** Stage 1 vapor recovery, for retailers that have an annual 50,000gl output.

a)This involves what is called a Dual Point System: gasoline goes in at one point through a fill tube, and gasoline vapors come out another.

b)Employee training for visual inspection of tanks, piping, valves and gaskets is at the retailer's discretion, and is **not regulated** by the state.

c)Division of Air Quality inspections are on a **once every 5 years** schedule.

d)Division of Air Quality inspects fill tubes for leaks, fill tube caps to insure the rubber gasket is not deteriorating, pressure vacuum valves on top of the tanks, and vapor recovery lines, poppet valves,

valve caps and their rubber gaskets.(below please find drawing of AST)

e)AST and UST technology is basically the same; they differ mainly only in their location. The issues for sudden onset of rust and corrosion found in the EPA's study in 2016 (previously provided) still occurs. Delivery truck drivers have stated the seals on the nozzles for delivery have a shorter shelf life due to increased ethanol and emerging fuels.

4-Federal requirements for ASTs can be found by googling MACT 6C. Basically they state that spill containment(normally a cinderblock wall) and vapor recovery is required.

5-The Fire Marshal does final inspection of new facilities, insuring that the 2018 NC State Building Code: Fire Prevention Code, Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages, Chapter 57 Flammable and Combustible Liquids, and the National Firecode Protection Association 30 are followed. (I will be happy to provide if requested) Some examples include: Setback Requirements, Fencing,

Dikes, etc depend on size of tanks. The tanks themselves need to be double-walled and insulated; they are typically painted white or silver for temperature control (petroleum has a low flash point).

6- I am unclear what regulations surround the underground piping needed from ASTs to dispensers, because there will be underground dispensing as NC has Setback requirements.(I am still researching this).

7- Will there be room for tankers to come and deliver the petroleum to this site which already has so much development on it? Imagine the traffic back up at delivery time! The ASTs are huge and will take up a lot of room by themselves, not even considering setbacks and fencing required.

8-Please inquire what storm water and runoff control measures will be used. Given the volatile and toxic nature of petroleum, industrial standards will need to be implemented.

9- PLEASE REMEMBER THAT PETROLEUM IN CRITICAL WATERSHED AREAS IS STRICTLY PROHIBITED!!!! Please do not allow the grading of this site to change its watershed classification and a landowner to be able to CIRCUMVENT important PUBLIC SAFETY regulations.

As always, thank you,
Vesta Kennedy

Aboveground Storage Tanks

Registration of Aboveground Storage Tanks (ASTs)

Aboveground storage tanks are **only** required to be registered with NCDEQ – Underground Storage Tanks (UST) Section if they meet the definition of an [Oil Terminal Facility](#). Most ASTs do not meet this definition and do not require registration. If your ASTs do require registration, then the registration form can be found on the [Oil Terminal Facility](#) page.

excerpt from Oil Terminal Facility Page:

What is an Oil Terminal Facility?

The definition of an oil terminal facility is found in North Carolina Oil Pollution and Hazardous Substances Control Act ([NCGS 143-215.77\(11\)](#)):

- [Oil](#) terminal facility means any facility of any kind and related appurtenances located in, on or under the surface of any land, or water, including submerged lands, which is used or capable of being used for the purpose of transferring, transporting, storing, processing or refining oil

This definition does not include any of the following:

- Any facility having a storage capacity of less than 500 barrels (21,000 gallons)
- Any retail gasoline dispensing operation serving the motoring public
- A [vessel](#) shall be considered an oil terminal facility only in the event that it is utilized to transfer oil from another vessel to an oil terminal facility; or to transfer oil between one oil terminal facility and another oil terminal facility; or is used to store oil.

AST Releases

If an AST has a release, then the release must be reported to the appropriate NCDEQ UST Section regional office and must be cleaned up as required by the state. For guidance, please see the [Non-UST Program](#).

AST Construction Standards

Aboveground storage tank construction standards are addressed in the North Carolina Building Code, Chapter 22 of the North Carolina Fire Code and the National Fire Protection Association Standard 30 and 30A (NFPA 30 and NFPA 30A).

DEQ does not regulate the installation, construction, permitting or monitoring of ASTs.

Questions regarding AST construction standards should be directed to the local and/or county fire prevention departments where the AST is being installed. A list of these fire prevention departments can be found [here](#)

The North Carolina Department of Insurance – Office of State Fire Marshal may also be contacted for questions at (919) 661-5880.

Federal Requirements for Prevention of Oil Pollution

The EPA's Oil Pollution Prevention regulation ([40 CFR Part 112](#)) establishes requirements for facilities to prevent oil spills from reaching the navigable waters of the U.S. or adjoining shorelines. The rule applies to owners or operators of certain facilities that drill, produce, gather, store, process, refine, transfer, distribute, use or consume oil.

The regulation applies to non-transportation-related facilities with a total aboveground (i.e., not completely buried) oil storage capacity of greater than 1,320 gallons, or total completely buried oil storage capacity greater than 42,000 gallons. The regulations apply specifically to a facility's storage capacity, regardless of whether the tank(s) is completely filled. In addition to the storage capacity criteria, a facility is regulated if a discharge or release of oil from the facility could enter navigable waters of the United States or adjoining shorelines.

The regulation requires that all regulated facilities have a fully prepared and implemented Spill Prevention, Control, and Countermeasure, or SPCC Plan. Find more information on [EPA's Oil Pollution Prevention regulations and SPCC plans](#) or contact EPA Region IV in Atlanta, Georgia at (404) 562-8752.

AST Stage I / II Vapor Recovery Requirements

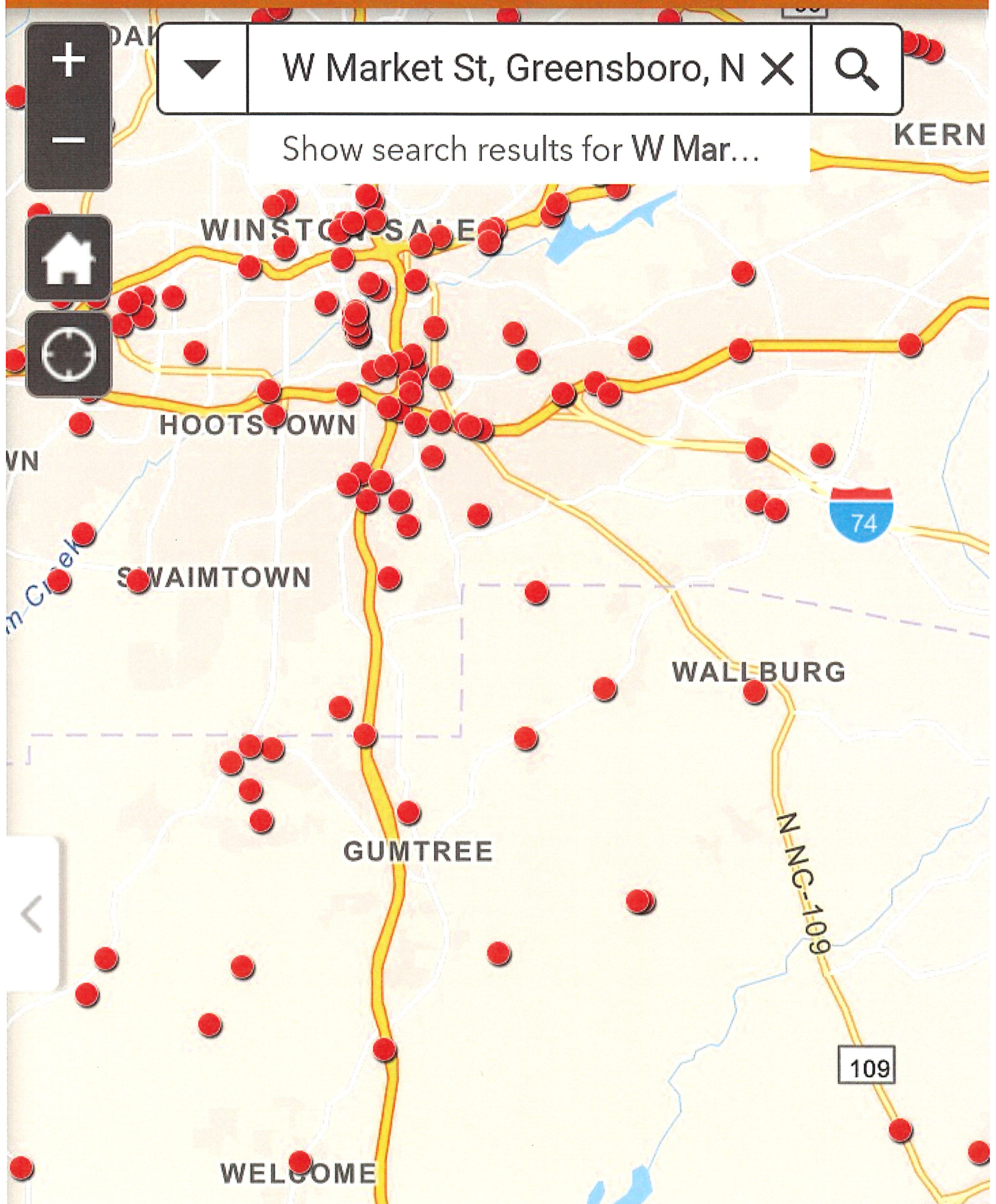
Stage I vapor recovery is required on all service stations/gasoline dispensing facilities that have annual throughputs greater than 50,000 gallons per year. Stage II vapor

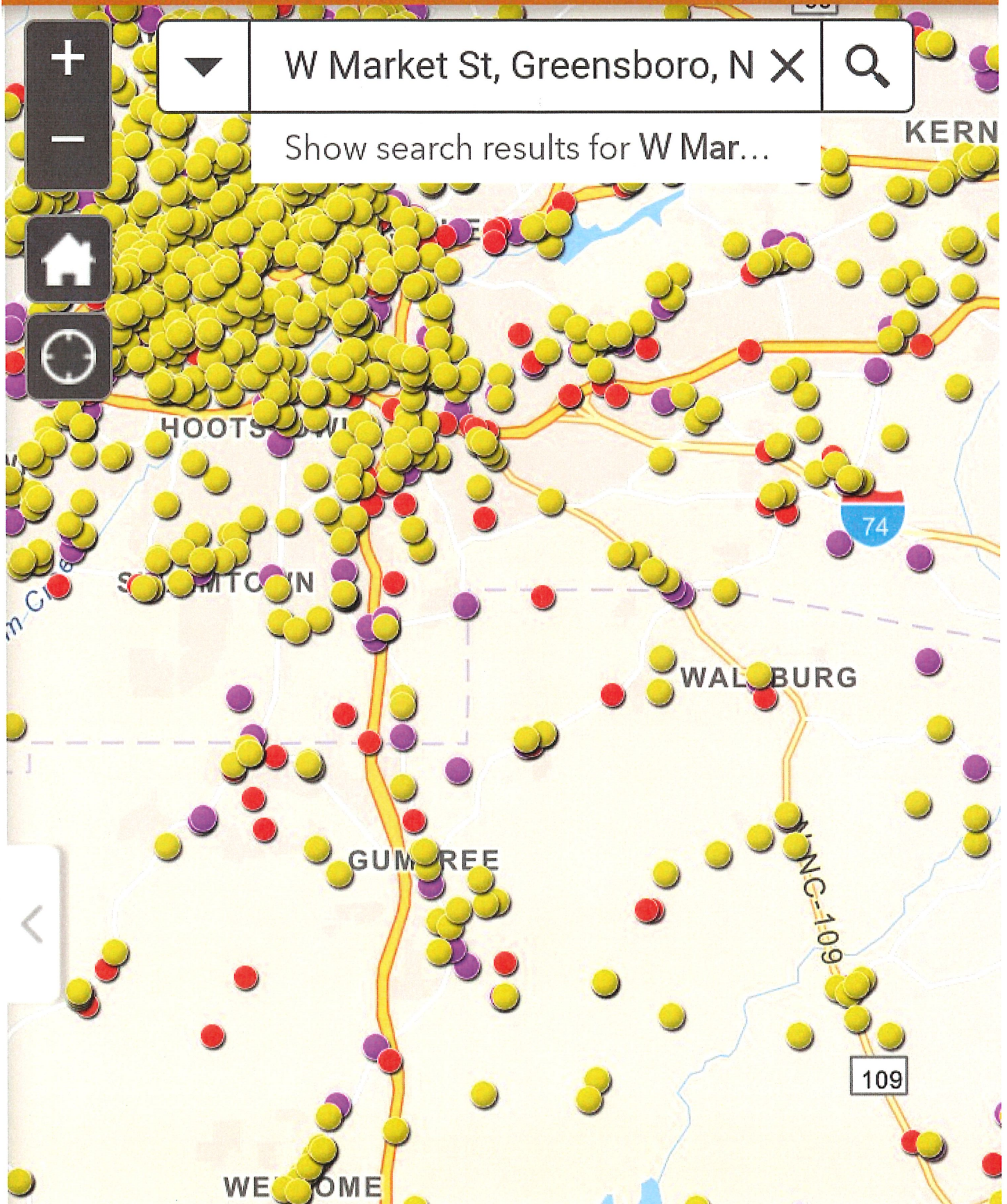
recovery is only required in certain areas.

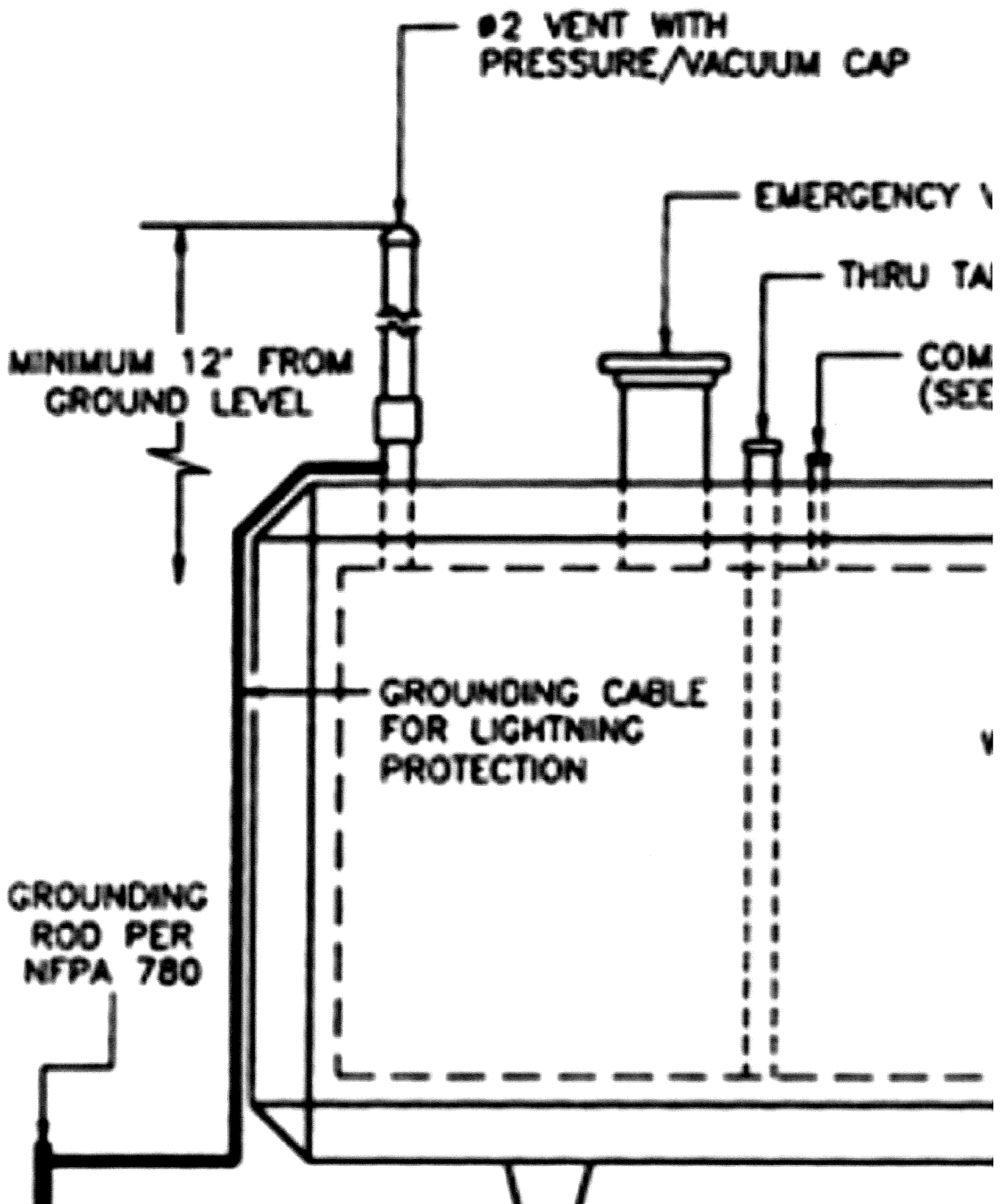
Questions regarding Stage I and Stage II controls for ASTs should be directed to the Division of Air Quality at (919) 707-8419.

7 Attached Images



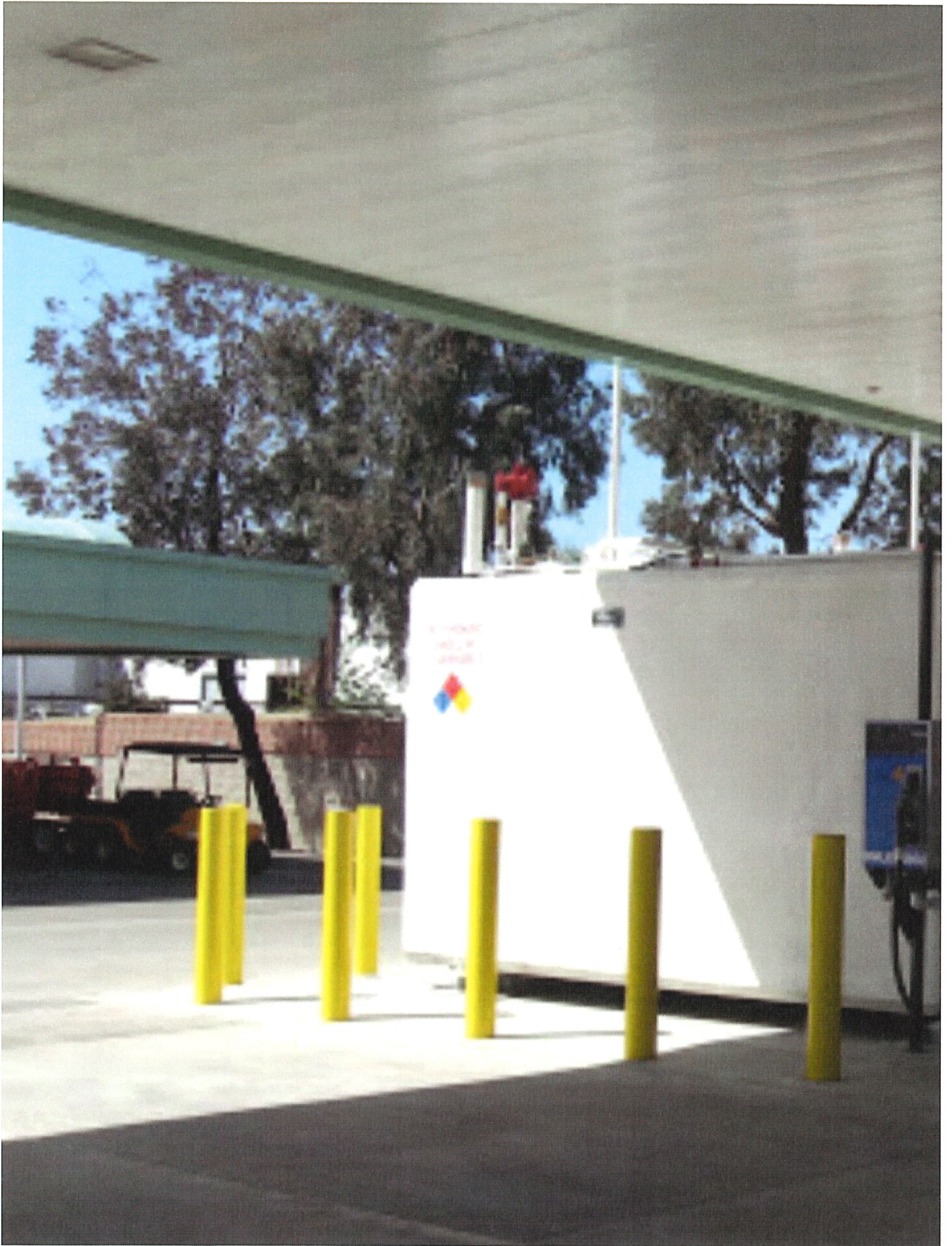














Lisa Vierling

From: rollovernclover <rollovernclover@aol.com>
Sent: Monday, February 15, 2021 4:36 PM
To: Public Comment
Subject: ZA-20-20
Attachments: IMG951123.jpg; IMG951122.jpg; IMG951121.jpg; IMG951120.jpg; IMG951119.jpg

Enclosed please find pictures of 7-11 that is at the end of Penny Rd in Jamestown.
This is very bright and red, green and white at night. Add a fast food restaurant AND ASTs to this visual.

Thanks so much,
Vesta Kennedy

Sent from my Galaxy











From: [rollovernclover](#)
To: [Public Comment](#)
Subject: ZA-20-20
Date: Tuesday, February 16, 2021 8:53:08 AM

Dear Mayor and City Council,

Thank you so much for your time and consideration.

I was so relieved that petroleum was taken off the table last night by BRC Spirit; that is one of the issues with this rezoning request finally off the table.

Just a quick follow up for future knowledge regarding the underground piping for ABT fuel dispensing, it is NOT regulated nor overseen by ANYONE.

This was confirmed last night by DEQ after the meeting started.

I hope you all got some well earned rest last night,
Vesta Kennedy

Sent from my Galaxy

(end of emails #32 - #36)