

Attachment C
Use District Letterhead

Date

Facility Owner
Company
Address
City, State, Zip

Subject: Tank Upgrade
Facility Name
Address
City, County
DEP FACID#:

Dear Facility Owner:

The Department's records and today's inspection confirms that the underground petroleum underground storage tank system(s) at the above facility are out of compliance with Department rules. The deadline for upgrading single-wall **underground** storage tanks (UST) and piping with double-wall containment systems was **December 31, 2009**. This facility continues to operate its single-walled tanks in violation of Department rules.

You have been notified, numerous times, by the Department of the upgrade deadline, as recently as January 2010 and again in March 2010. You have been afforded the opportunity to negotiate a Consent Order with the Department regarding this facility's failure to timely upgrade. To date, the Department has received no request to negotiate a Consent Order or any information which would indicate you plan on upgrading the single-walled tanks at this facility.

Therefore, your UST systems must be placed out-of-service immediately. You must notify the Department of the change in service and out-of-service status no later than seven days from the date of this letter. Failure to place the UST systems out-of-service and notify the Department will result in the Department instituting enforcement action civil penalties and injunctive relief requiring you immediately and permanently close the UST system(s).

If you have any questions concerning this matter please contact me at (Phone Number).

Sincerely,

Waste Program Administrator or higher