

Chronology for Facility ID: 09-42408

Facility Name: Vigilante Enterprise

Prepared by:

Assigned PO:

Assigned Att:

Commonwealth of Pennsylvania

Department of Environmental Protection

Storage Tank Section

Created: 2/24/2011

Updated: 12/7/17

Site Address: 1214 Bristol Pike	Municipality: Bensalem Twp
Bensalem PA 19020	County: Bucks
Owner: Joseph Vigilante	Operator: Nick Vigilante
Phone #: 215-639-1952	Phone #: 215-639-1952

Date Rec'd	Record	Action/Comments
6/14/90	Registration	2 - 4,000 gasoline, 1 - 4,000 diesel, 1 - 10,000 gasoline, 550 Used Oil
9/29/94	Closure Notice	All 5 USTs to be removed
10/20/94	NORR	Notice of Reportable Release (not in file)
10/26/94	NOV	Notice of Violation for contamination from regulated tanks
11/8/94	NORV	Verbal notice of localized soil contamination by Nick Vigilante
11/28/94	NOC form	Notice of Contamination for contaminated soil from tank remover (Lai #007)
12/12/94	Field Visit	New below-grade vaulted aboveground tanks installed; uncovered soil stockpile on site; requested closure report submission no later than 1/27/95
8/4/95	DER Letter	Requesting Spill Prevention Response Plan; registration amendment requested
8/8/95	Site Visit	DER Summer Intern site survey to document types and number of tanks: 3 ASTs in vault; registration does not match tanks at facility
1/22/99	NOV	Notice of Violation for operating 5 substandard USTs (an error since the gasoline tanks are ASTs in vaults - registration not properly amended by facility owner)
5/26/99	Site Visit	1998 UST Compliance check; vaulted ASTS - not USTs - at facility; registration amendment requested after Mr. Vigilante indicated he was unaware of registration amendment requirement; Mr. Vigilante claimed Used Oil UST removed and replaced with AST
8/5/99	DEP Letter	Request for performance of facility operations inspection for USTs
11/3/00	DEP Letter	Request for performance of facility operations inspection for USTs
9/21/01	DEP Letter	Request for performance of facility operations inspection for USTs
10/15/01	FOI form	UST Facility Operations inspection performed on closed Used Oil UST, will submit amended registration form
12/31/01	FOI form	Amended UST Facility Operations inspection performed on closed Used Oil UST, will submit closure report for Used Oil UST
2/24/05	NOV	Notice of Violation for failing to have inspection of vaulted ASTs
5/9/05	AST Inspect	AST Inspection forms received for vaulted tanks 001A, 002A, 003A
10/4/06	DEP Letter	Request for performance of facility operations inspection for Used Oil UST (registration amendment form not submitted as previously requested)
2/7/07	NOV	Notice of Violation for failing to have inspection performed on Waste Oil UST (registration not amended by facility owner)
10/31/08	DEP Ltr/NOV	Letter listing violations and issues regarding Used Oil UST; failing to submit SPRP for vaulted ASTs; failure to maintain leak detection records; failing to perform piping leak detection; failure to perform characterization of soil contamination following the 1994 tank removal; notification that operating non complaint tanks violates the regulations.
2/11/09	Site Visit	Drive by of facility verifies facility is operating

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2/26/09	Site Visit	Follow-up to 10/31/08 letter; still unavailable: SPRP, closure report, valid leak detection records
4/1/09	File Review	Preparation for 5/5/09 meeting
5/9/09	Meeting @ DEP	Meeting with Nick Vigilante; still need SPRP; not performed required monthly maintenance & operations check on ASTs; vault is required to have release detection sensors; piping construction and release detection undetermined; closure report for 5 USTs located but not provided; Mr. Vigilante provided with copy of regulations
5/20/09	Closure Report	Submitted by Leggette, Brashears and Graham (LBG): Received unsigned copy of closure report for 4 gasoline USTs removed in 1994, Used Oil UST was not removed; report reveals soil contamination (Benzene) above cleanup standards in two samples
5/28/09	DEP Letter	Response to submitted closure report: contamination above standards, need to perform correction actions
6/23/09	USTIF Claim	Rec'd copy of claim made to USTIF (via email from Dept of Insurance)
6/29/09	ICF Letters	Rec'd courtesy copies of 2 letters from ICF (USTIF contractor) acknowledging receipt of claim and additional documentation to support claim
8/20/09	Site Characterization Report	Submitted by LBG: Rec'd report of 7 soil and 4 groundwater samples collected 1n August 2009
8/31/09	DEP Letter	Response to submitted SCR: soil samples meet cleanup standards but not collected in location of contamination identified in 1994; groundwater samples from temporary wells revealed MTBE impact below cleanup standards however groundwater flow direction not established and gaps in sample locations; contamination not fully delineated; SCR disapproved
9/17/09	Meeting @ DEP	SCR disapproval discussed, permanent wells requested; Operation issues discussed: SPRP not received (copy of SPRP development guidance provided), failure to conduct and document monthly maintenance and operations check, failure to conduct release detection;
9/25/09	ICF Letter	Rec'd courtesy copy of second request from ICF (USTIF contractor) requesting additional documentation to support claim
12/29/09	ICF Letter	Rec'd courtesy copy of third request from ICF (USTIF contractor) requesting additional documentation to support claim; failure to submit within 60 days will result in denial of claim
2/22/10	ICF Letter	Rec'd courtesy copy of claim denial
3/15/10	DEP Letter	SPRP requested
4/1/10	Phone Call	Called Nick Vigilante; discussed lack of closure report for Used Oil UST; Mr. Vigilante stated tank is still in ground and he believes it to be empty; Mr. Vigilante's engineer preparing SPRP, expects submission in 6 to 8 weeks
5/6/10	Phone Call	Called Nick Vigilante; discussed presence of Used Oil UST previously identified as removed, Mr. Vigilante confirmed presence of tank; UST needs to be inspected; Mr. Vigilante now intending to complete SPRP himself and requested SPRP development guidance
5/7/10	DEP Letter	Letter following up on 5/6 phone conversation: requested SPRP, inspection of Used Oil UST; inspection of buried AST piping between vault and dispensers, verification of valid leak detection, documentation of monthly maintenance and operations check; contact DEP staff handling corrective action

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8/23/10	FOI Form	Inspection form for Used Oil UST and underground AST piping claims Used Oil tank UST was removed in 1994; piping leak detection performed is line leak detector and annual piping tightness test.
10/22/10	Enforcement Action Notice	Notice to Mr. Vigilante that his facility has been referred for enforcement action for his failure to address open violations.
2/24/11	E-mail	DEP response to a legislative inquiry detailing outstanding operational and corrective action violations at the facility.
3/7/11	DEP Letter	Letter sent to Vigilantes re T005 – DEP advised on two occasions that it was still in existence. Requested SPRP, closure documentation and registration for T005, and maintenance records for vault.
8/12/11	E-mail	DEP response to an inquiry submitted by Joel Bolstein regarding outstanding operational and corrective action violations at the facility.
3/26/13	Phone log	Nick Vigilante returned DEP phone call regarding open violations and documentation previously requested. Claimed tank 005 was removed but no documentation. No progress on corrective action. Referred to DEP project officer, Mike Penzone. Advised violations have remained open for a long time and EPA has made inquiries as to why.
3/29/13	Document submission	"SPRP" and monthly maintenance checklist rec'd
4/18/13	DEP Ltr	1 page "SPRP" is insufficient; provided guidance for a new SPRP; requested amended registration and closure report for T005, including site assessment
6/28/13	Phone log	DEP called regarding intention to take enforcement action. Open corrective action and operational viols. Why have fees on T005 continued to be paid if it was removed? SPRP needs completed
12/31/14	DEP ltr	In-service integrity inspection due 3/14/15 reminder
6/4/15	Field Order	DEP issued a Field Order for having failed to perform the required integrity inspection. No SPRP, coating issues and water in the vault noted.
6/17/15	Inspection report	Rec'd report of 6/9/15 inspection by Mott
6/18/15	SPRP	SPRP and Operations and Maintenance Plan rec'd
6/19/15	DEP email	DEP email to Vigilantes w/attached copy of Notice of Violation letter being sent out. Clean and coat tanks, prevent water ingress.
7/1/15	Document submission	Modification report – manhole covers to vault replaced Ltd Engineering Rpt – assessed vaulted tanks
7/1/15	Phone log	DEP call to Vigilantes. Based on documents submitted, facility is in compliance (operational compliance) and can resume operating
4/27/17	Phone log	DEP call w/ Kevin Brien of LBG re 2009 UST closure – could not recall if T005 was removed or not
4/27/17	Narrative	DEP inspection, investigation of T005
6/20/17	Phone Log	DEP call to Vigilantes re T005. Nick stated registration fees are worth paying to avoid hassle of proving it was removed in 1994
8/24/17	Report	Investigation report by Bristol Environmental re T005
9/14/17	DEP email	Report sufficient for DEP to close T005

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