UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 9

75 Hawthorne Street
San Francisco, CA 94105-3901

March 27, 2007

In reply, refer to: WST-8
Certified mail 7000 0520 0021 6109 8986

Mr. Kyle Prior, Chairman
Shoshone-Paiute Tribes of Duck Valley Reservation
P.O. Box 219
Owyhee, NV 89832

Re: No Further Action for the Underground Storage Tank (UST) Site at the Owyhee Combined Schools (DUCV-003), Owyhee, Nevada

Dear Chairman Prior:

The U.S. Environmental Protection Agency (EPA) Region 9, Underground Storage Tanks Program Office (USTPO) has reviewed the case file for the Owyhee Combined Schools (DUCV-003). This is part of the national effort to review all outstanding underground storage tank (UST) case files and close out open UST sites, where warranted. As a result, my office has reviewed this case file and determined that a 1,000-gallon gasoline and a 3,000-gallon diesel USTs were removed from the site on August 19, 1996. In addition, analyses for soil samples from the UST excavation showed no detections of gasoline or diesel contamination. We have also reviewed the State of Nevada Division of Environmental Protection (NDEP) letter to the Elko County School District (ECSD) on September 19, 1996 which stated that the ECSD had done a satisfactory site assessment and that remediation was not required at the time. Lastly, ECSD filed a notice of UST closure to EPA on September 19, 1996. For your information, a 10,000-gallon heating oil UST is still being used at the site. This letter does not address that UST because our program does not regulate heating oil tanks.

After reviewing the completed site information and history, the EPA has determined that this site does not appear to pose a threat to human health and the environment. Therefore, EPA is in concurrence with NDEP that the site requires no further action at this time. If additional information is found in the future indicating that there is contamination above regulatory levels remaining at this site, EPA will work with the Tribe to resolve these issues. If you have any questions regarding the information contained in this letter, please contact Tess Salire of my staff at (415) 972-3376.

Sincerely,

Steven C. Linder, Manager
Underground Storage Tanks Program Office

Cc: Marcie Hunter, Director, Tribal Environmental Protection Program
Antoinnete Cavanaugh, Superintendent, Elko County School District
USTPO File (DUCV-003)

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Underground Storage Tanks Program Office

Cc: Marcie Hunter, Director, Tribal Environmental Protection Program
Antoinnete Cavanaugh, Superintendent, Elko County School District
USTPO File (DUCV-003)

Chris Prokop
07/16/2003 02:41 PM

To: ShoPaiTr8@aol.com
cc:
Subject: UST sites in Duck Valley, etc.

Marcie- I appreciate the time you gave me and Walt during the inspections in Owyhee last month, and also for your input during the closeout meeting with Herman Atkins. The time I spent in Owyhee and surrounding areas was of great value to me because it enhanced my understanding of the issues from a work perspective, and it also gave me an appreciation for the beauty of the Tribal lands.

Before addressing the closed underground storage tank (UST) sites in Duck Valley, I'd like to discuss an issue of concern for me at the Duck Valley Gas & Go station. Although I didn't list this as a violation during my inspection, the potentially-damaged spill bucket for Tank #3 could be a significant problem if it is indeed damaged. If the base of the spill bucket is cracked, it could result in fuel releases to the soil every time there's a slight overfilling of the UST. Over time, this could become a significant problem for the Tribe given the relatively shallow groundwater table. As such, the Tribe should check this spill bucket as soon as possible for any damage (e.g., fill the bucket with water and monitor the liquid level). I'm also more than a little concerned about the possibility of lightning strikes on the 4 free-standing vent lines at this station. As such, the Tribe should determine if these vent lines are properly grounded.

Per our discussion following the inspection, I also appreciate your willingness to send me closure documentation on the following 5 UST sites:

1) Manning's Texaco (EPA ID# DUCV-004)
2) Wildhorse Marina (DUCV-006)
3) J & W Store (DUCV-007)
4) Tribal Farm (DUCV-008)
5) Archuleta Ranch (DUCV-009)

At present, the only closure documentation in the EPA files for these sites is a report dated 5/12/98 for the Tribal Farm. Please send me documentation for each of these sites on the UST closure parameters listed below at your earliest convenience. For the Tribal Farm, I only need documentation for a few of the listed parameters. I've included Archuleta Ranch, which had "farm tanks", in order to assess the agreement between the reported UST volumes in our data base and the actual volumes, based on measured dimensions, obtained during the UST removals. Unfortunately, I'm finding that the reported UST volumes in our data base don't always agree with reality. It's also important for me to have this documentation in the file for Archuleta Ranch in order to support any subsequent determinations about UST regulatory status.

<u>Closure parameters</u>

- Date of removal(s).
- Name and address of the firm(s) performing the removal(s) and soil sampling.
- Observations of UST/piping integrity, presence of hydrocarbon vapors, other evidence of contamination in soil/groundwater, etc.
- Locations of soil/groundwater samples.
- Methods of sample collection.
- Extent of overexcavation, if applicable.
- In-situ measurements, if applicable (e.g., photo-ionization detector readings, etc.)
- Laboratory results and QA reports.
- Manifests for the recycling/disposal of USTs/piping, UST/piping contents (including any sludge), hydrocarbon-impacted soil/groundwater/debris, and other investigation-derived wastes.

<u>A few comments about the above 5 sites</u>

Manning's Texaco

During my recon of Manning's Texaco, I noticed some piping at the southeastern corner of the station building that could have been associated with the USTs. In addition, as I mentioned during my visit, there appeared to be a third dispenser based on the existence of a third square cutout in the concrete dispenser island that had piping/conduit rising vertically upward through it. Please discuss these matters in your closure documentation. Even though the 10,000 gallon UST sitting on the ground surface at this site never contained fuel, I believe you said it would be removed as part of a city beautification effort.

Wildhorse Marina

Based on our discussions, this site is **OFF** the Duck Valley Reservation, but the Tribe has what I believe is a long-term, renewable lease with BIA for this land. I've spoken with an EPA attorney about this site, and it was her position that the State of Nevada and the federal government have dual jurisdiction with regard to the former UST. Assuming this site is closed in the not-too-distant future, the closure letter could be jointly issued by the Nevada Department of Environmental Protection (NDEP) and EPA, or EPA could issue the letter if NDEP deferred the matter to EPA. If the latter occurred, the Tribe would probably want something in writing from NDEP that it was indeed deferring the closure to EPA. I believe you indicated that your contractor who performed the UST removal and sampling at this site didn't follow through appropriately on the closure paperwork.

J & W Store

I believe you indicated that when removal of the 2 known USTs began, 3 additional ("orphan") USTs were discovered, and that 2 of the orphan USTs had to be left in-place out of concern for the building's foundation. Please keep me apprized of the additional UST closure activities that will occur for the 2 orphan USTs. Based on the 18,000 ppm TPH (gas) and elevated BTEX concentrations remaining in soil at this site (per your comments to me), there will also be some additional site characterization and corrective action work at this site. Please keep me apprized of your schedule on these activities as well. I'm assuming that the legal issues surrounding this site, which involve a Tribal credit firm, the previous operators (Chester & Louis Cleveland), BIA and the Tribe, won't preclude progress on the environmental issues. Walt and I noticed some largely buried piping near the base of a wooden stairway on the northern side of the store building. Is this piping association with the former or still in-place USTs? Lastly, was there a waste oil UST associated with the tire and oil change shop just south of the J & W Store that was also operated by the Clevelands until 2000 or so? As I indicated previously, Walt and I noticed a little oil-stained soil near a concrete oil changing structure at the rear of the tire and oil change shop.

A few comments about other UST/hydrocarbon matters

Elko County School District (Owyhee Combined Schools) UST site (DUCV-003)

Hopefully, you've received the District's closure documentation package dated 7/1/03 for the two USTs that were removed at the District's school maintenance facility in Owyhee in 1996. As you know, I requested this documentation in a letter dated 6/10/03. In 1996, the District's consultant mistakenly sent its closure documentation to NDEP, and NDEP mistakenly issued a no further action (NFA) letter to the District on 9/19/96. EPA and the Tribe should review this newly-submitted documentation and make a determination on the closure status of the District's USTs. Per your comment, I spoke with Steve Bowers (Building Operations and Construction Manager for the District) about the former 4,000 gallon UST that was originally located in the center of the "U"-shaped school building. One BIA map dated 11/2/94 indicates this UST was removed in "late 1980", but the most recent, comprehensive BIA map for the area dated 10/20/99 (from the May 2000 Subsurface Investigation Report) shows a 1989 removal date. Mr. Bowers indicated this UST was a heating oil tank for the school's boilers and that it was replaced with another heating oil UST (possibly the 10,000 gallon UST located just east of the U-shaped school building). I asked Mr. Bowers to provide me documentation on the closure of the 4,000 gallon heating oil

UST and he said he'd try to obtain this documentation from the District's archives.

BIA Roads Shop (DUCV-001, incorrectly listed in EPA's data base as DUCV-005)

Based on a BIA map dated 5/15/96, it appears that the gasoline plume in groundwater downgradient from the Road Shop was the result of an estimated 800 gallon gasoline spill in 1989 (apparently from a 1,500 gallon AST). Based on the May 2000 Subsurface Investigation Report, this release was caused by an act of vandalism. The only UST listed in EPA's data base near the Road Shop was a 12,000 diesel UST that was reportedly removed on 3/18/88. Reportedly, this UST showed no evidence of a release (again, based on the May 2000 report). The point I'm making is that both the gasoline and diesel plumes in groundwater downgradient of the Road Shop may potentially be linked only to the ASTs and heating oil releases (unregulated by EPA's UST program). Regardless of the regulatory program involved, however, BIA still needs to address the contamination and it makes sense, for simplicity, to keep the remediation effort under the UST program. I just want to note that the previously-mentioned BIA map dated 11/2/94 shows a 500 gallon UST at the mid-point of the southern wall of the Road Shop building. It's possible this UST was listed in error because all subsequent BIA maps don't show this UST, but instead show a 500 gallon waste oil **AST** at the southwestern corner of the Road Shop building. I've left a message with John Krause (BIA) about this apparent discrepancy.

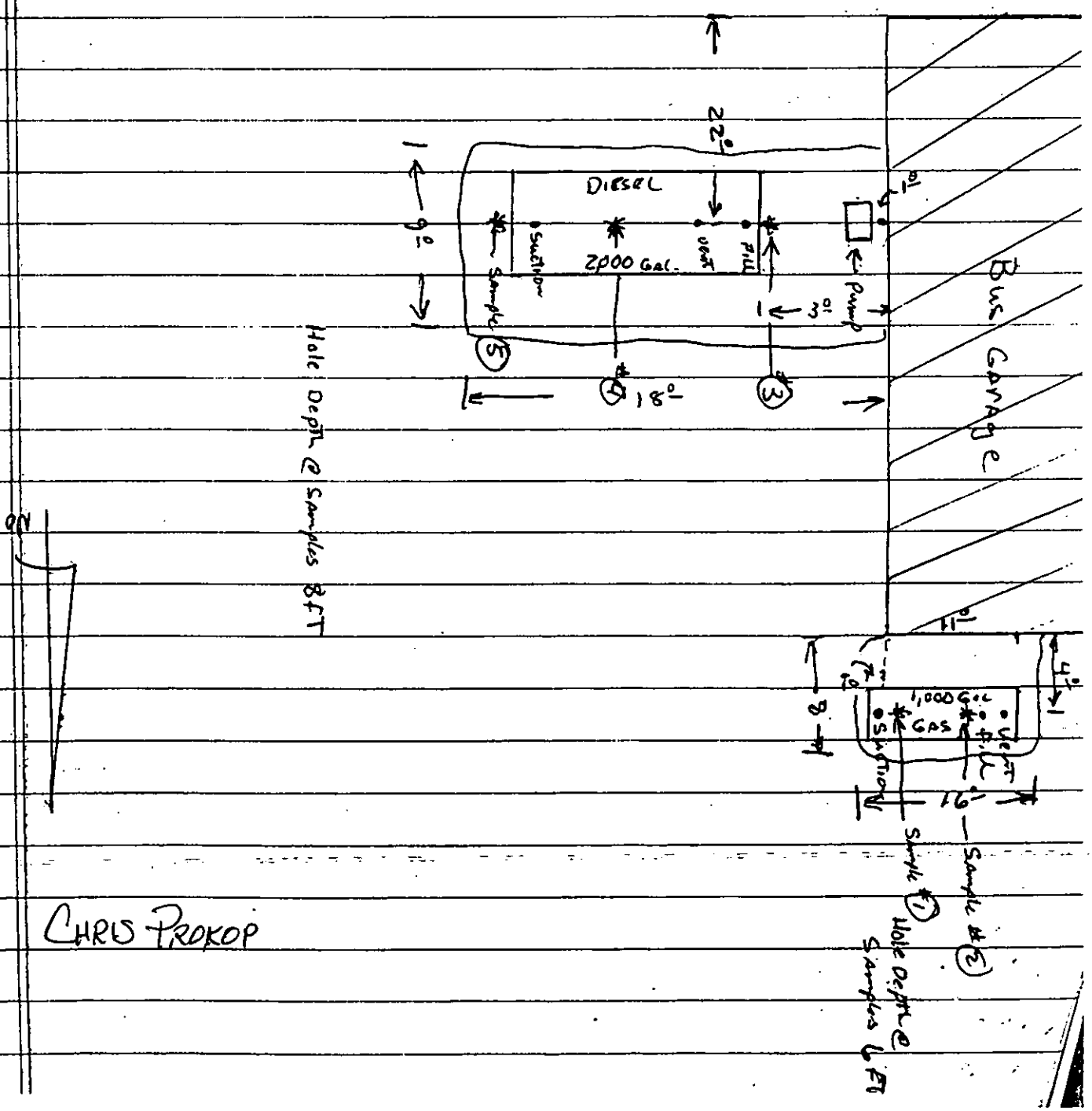
Chris Prokop

06/24/2003 03:20 PM

To: Chris Prokop/R9/USEPA/US@EPA
cc:
Subject: Memo to file on my conversation with Steve Bowers, Elko Co. School District

I called Steve Bowers this morning at 11:10 am to discuss a former UST at the Owyhee Combined Schools in Owyhee, NV. I informed Mr. Bowers, who is the Building Operations and Construction Manager for Elko County School District, that a map of the BIA Roads Shop cleanup site shows a former UST location in the center of the District's "U-shaped" building at the Owyhee Combined Schools. I added that this UST was removed in 1989 according to the BIA map. Mr. Bowers acknowledged this former UST, and indicated that it was used for heating oil and that it had been removed. I asked him if this UST had even been used for vehicle fueling, and he said no. He said he really didn't know much about this UST since it was removed before his time. I indicated that a tribal representative had expressed some concern about hydrocarbon contamination remaining in the excavation for this third District UST, and that I was trying to get a handle on all hydrocarbon sources hydraulically upgradient of the Roads Shop gasoline and diesel groundwater plumes. I asked Steve to send me all available information on the removal of this third UST, and to include it with the closure information on the two other District USTs that I asked for in my 6/10/03 letter to the Superintendent. Steve said he would try to obtain records on the removal of this third UST from the District's archives. Steve noted that this third UST was replaced with an underground heating oil tank.

Kerry Guisti gave me this figure during my 6/18/03 site visit at Owyhee Combined Schools. Steve Bowers (w/ Elko Co.) sent this to Kerry to give to me. C. Prokop



CHRIS PROKOP

6/16/03, 12:05 PM

I called Ms. Cavanaugh to confirm that she'd received my letter, but she wasn't in the office so I spoke with Steve Bowers instead. He confirmed that he'd gotten a copy of my letter. He said Leonard Petroleum Co. had subcontracted-out the UST/piping/sludge disposal, and that it might be difficult to obtain these records. He also said LPC had used a standard closure report form favored by NDEP that may not be exactly what I was looking for in a closure report. I replied that I didn't care about the format as long as all of the critical information was present. (recorded by Chris Prokop)

Also — Steve confirmed that Mr. Kerry Guisti would give Walt + me a recon of the former UST site on the afternoon of 6/18/03.

FAX

U.S. Environmental Protection Agency - Region 9
Waste Management Division, (WST)
75 Hawthorne Street - San Francisco, CA 94105

TO	FROM
Name: Ms. Antoinette Cavanaugh	Name: Chris [redacted] Kerry Guisti will probably give us the school tour
Organization: Elko County School District	Organization: WST-
Fax #: (775) 738-0808	Fax #: (415) 947-5550
Verification Phone #: (775) 738-5196	Verification Phone #s: (415) 972-3363 or (415) 947 - 8708
Date: 6/10/03	Pages: 3 (Including cover page)

Subject: EPA letter requesting closure records for former District USTs in Owyhee.

Comments:

Ms. Cavanaugh - Please contact me if you have any questions. Thanks, Chris (415) 972-3363.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

June 10, 2003

Certified Mail: 7001 0360 0000 3639 6389
Return Receipt Requested

Ms. Antoinette Cavanaugh
Superintendent
Elko County School District
P.O. Box 1012
Elko, NV 89803

Subject: Former underground storage tanks at the Owyhee Combined Schools
100 Academic Way, Owyhee, NV, EPA ID No. DUCV-003

Dear Ms. Cavanaugh:

The purpose of this letter is to request documentation on the closures of two underground storage tanks (USTs) formerly operated by the Elko County School District at the Owyhee Combined Schools in Owyhee, Nevada, on land of the Shoshone-Paiute Tribes of Duck Valley. In a letter dated May 28, 1996, William McLeod, then Director of Instruction for the District, informed the U.S. EPA that the District would be removing the two USTs at the Owyhee Combined Schools in July or August 1996. Based on a conversation on June 5, 2003 between Chris Prokop of my staff and Steve Bowers, Building Operations and Construction Manager for the District, these USTs were indeed removed in 1996. Mr. Bowers indicated that some closure documentation was sent by the District's consultant, Leonard Petroleum Company, to the Nevada Department of Environmental Protection (NDEP) under a cover letter dated September 16, 1996. Mr. Bowers also referred to a letter from NDEP dated September 19, 1996 reportedly stating that the District UST removals had been satisfactorily performed, and that no further action was needed at that time based on the analytical data.

Due to the fact that the Owyhee Combined Schools are located on land of the Shoshone-Paiute Tribes of Duck Valley, the U.S. EPA is the lead regulatory agency for UST matters. Pursuant to the Code of Federal Regulations at 40 CFR 280.72, the U.S. EPA is requiring the District to submit closure documentation for the two USTs formerly located at the Owyhee Combined Schools within 30 days of receipt of this letter. This closure documentation must include the following, at a minimum:

- The name of the firm(s) that performed the UST excavation, soil/groundwater sampling, and other activities associated with the UST closures.

- Records of field observations during the UST closures (e.g., visual/olfactory evidence of contamination, integrity of tanks/piping, etc.).

- The results of all soil/groundwater analyses, and supporting QA/QC documentation.

- All manifests for the disposal of the UST system, UST contents, petroleum-impacted debris, and other investigation-derived wastes.

Please send a duplicate copy of this closure documentation to Marcie Phillips, the Environmental Director for the Shoshone-Paiute Tribes of Duck Valley, at the address below:

Ms. Marcie Phillips
Environmental Director
Shoshone-Paiute Tribes of Duck Valley
P.O. Box 219
Owyhee, NV 89832

Please be advised that the U.S. EPA will be conducting UST inspections in Owyhee on June 18 and 19, and that we would like to observe the locations of the former USTs at the Owyhee Combined Schools during the afternoon of June 18. Please arrange for a District staff person knowledgeable on the former locations of the USTs and the 1996 closure activities to be present during our visit. If you have any questions regarding this letter, please contact me at (415) 972-3368 or Mr. Prokop at 972-3363.

Sincerely,

Lester Kaufman, Manager
Underground Storage Tanks Program Office

cc: Greg Phillips, EPA, Indian Programs Office
Marcie Phillips, Environmental Director, Shoshone-Paiute Tribes of Duck Valley
LaDonna Thomas, EPA, Underground Storage Tanks Program Office

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REGION IX
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(changed before sending)

Sincerely,

Lester Kaufman, Manager
Underground Storage Tanks Program Office

cc: Greg Phillips, EPA, Indian Programs Office
Marcie Phillips, Environmental Director, Shoshone-Paiute Tribes of Duck Valley
LaDonna Thomas, EPA, Underground Storage Tanks Program Office

	Originator					
MAIL CODE	WST-8	WST 8				
SURNAME	Prokop	Kaufman				
DATE	6/10/03	6/10/03				

U.S. EPA CONCURRENCES OFFICIAL FILE COPY

Chris Prokop

05/16/2003 12:45 PM

To: Walter Guggenheimer/R9/USEPA/US@EPA
cc: Bobby Ojha/R9/USEPA/US@EPA
Subject: Closed USTs at the school in Owyhee

Walt- I just spoke with Steve Bowers, the Building Operations and Construction Manager for Elko County School District, about the closed USTs at the District's school in Owyhee (DUCV003). I told him that we have a letter dated 5/28/96 from the District notifying EPA that the 2 USTs would be pulled later that year, but that we have no subsequent documentation about the removals. Did you receive a closure report for this site? I doubt that you would have received a closure report because Marcie Phillips recently informed me that the District has not been forthcoming with documentation on the closures. Marcie said there was some sort of obstacle in the lease arrangement between the Tribe and the District, that prevented the Tribe from requiring the District to submit the closure documentation. Steve informed me that the 2 old USTs were indeed removed in the summer of 1996, that samples were collected, and that 2 above ground storage tanks (ASTs) were installed in their place for gas and diesel. Steve also noted that the District installed a 10,000 gallon, double-walled, heating oil UST with a Veeder-Root ATG system in about 1996, within roughly 500 feet of the area of the former USTs. I asked Steve if this new UST were ever used to support an emergency generator and he said no. Steve is based in Elko, which is about 100 miles south of Owyhee, but Wilber Woods is the maintenance person at the school in Owyhee.

I subsequently left a voice mail message with Antoinette Cavanaugh, the Superintendent of the District, about the apparently absent closure report on the 2 closed USTs. If it's confirmed that the District never submitted a closure report, I'll prepare a letter to the District requiring its submittal. Please get back to me ASAP about your involvement with this site. I'm including the information below just for my reference. Thanks, Chris.

Ms. Antoinette Cavanaugh
Superintendent
Elko County School District
1092 Burns Road
Elko, NV 89801
(775) 738-5196
Acavanua@elko.k12.nv.us

Steve Bowers is at the same phone number

Steve Bowers subsequently indicated that ~~Harry~~ Kerry Guisti would likely be the person to show us the former UST area.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail: P 869 871 068

BILL MCLEOD
ELKO COUNTY SCHOOL DISTRICT
1092 BURNS RD.
ELKO, NV 89801

NOV 2 7 1992

Dear Owner or Operator of Underground Storage Tanks:

This letter requests that you as owner/operator of an underground storage tank (UST) certify that you are in compliance with the federal requirements for release detection and financial responsibility associated with your UST(s) and return the completed letter to EPA by January 30, 1993.

Our records indicate that you own and/or operate UST system(s), located at the following address:

OWYHEE COMBINED SCHOOLS
100 ACADEMIC WAY
OWYHEE, NV 89832

These UST(s) are located on Native American Lands and, therefore, are subject to U.S. Environmental Protection Agency (EPA) Region IX jurisdiction. Accordingly, we require that you complete parts A, B, and C of the attached certification letter entitled "Self-Certification Letter of Compliance with Federal Financial Responsibility and Release Detection Requirements on Underground Storage Tank Systems". An introductory/fact sheet is included to explain the requirements and aid in the completion of the letter.

EPA is requiring you, as owner/operator, to complete the "self-certification" letter. Failure to do so may result in future enforcement actions. EPA has the right to require this information under Section §9005 [42 U.S.C. §6991(d)] of the Resource Conservation and Recovery Act (RCRA).

By signing this "self-certification" letter, you are stating that, under penalty of the law, the information listed on the self-certification letter is correct. Pursuant to §9006 [42 U.S.C. §6991(e)] of RCRA, refusal to provide the requested information by the specified deadline or falsification of information on the form may result in the issuance of an administrative compliance order or the initiation of civil action, which may include an assessment of civil penalties of up to $10,000 per UST for each day of violation. If you have any questions, please contact Walter Guggenheimer at (415) 744-2094.

Sincerely,

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

Enclosure

Dock Valley 003

Matt - another NV self-certificati @ 2/11/93

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

RECEIVED DEC 2 - 1992 ELKO COUNTY SCHOOL DISTRICT

Certified Mail: P 869 871 068

BILL MCLEOD
ELKO COUNTY SCHOOL DISTRICT
1092 BURNS RD.
ELKO, NV 89801

NOV 27 1992

RECEIVED FEB 1 5 1993

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Sincerely,

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

Enclosure

REFER TO MAIL CODE H-W-4
AND SITE # DUV-003
Certified Mail Z 745 799 536

Mr. Richard Harris
Assistant Superintendent
Elko County School District
Central Administrative Office
P. O. Box 1012
Elko , Nevada 89803

Dear Mr. Harris

A staff member of our office recently visited Owyhee, NV on the Duck Valley Shoshone Paiute Reservation. A walk through the school grounds resulted in the following observations and photographs:

Picture # 1

This location is at the front of the wooden structure facing the main highway and shows the fill pipe of the heating oil tank. It is obvious that little care is being taken when filling the tank. Overfill and spillage has soaked into the soil, killing the grass.

The existing soil contamination should be removed and replaced with clean fill. The supplier should be warned of the carelessness of their personnel.

Picture # 2

This picture shows the unleaded gasoline dispenser. The installation and location violates every existing safety rule. The dispenser is located at the corner of the school bus yard entrance, has no barrier at all. Any vehicle which corners too sharply or backs up into the dispenser can cause a major explosion. The vent pipe is only 2 feet above ground level. A carelessly discarded cigarette can blow up the tank, together with anybody who happen to be nearby.

SYMBOL	H.W.4	H-W-4				
SURNAME	Erlund	F. Morris				
DATE	5/7/96	6/13/96				

U.S. EPA CONCURRENCES OFFICIAL FILE COPY

The dispenser should be moved to a more secure location, preferably inside the fence mounted on a concrete slab. The dispenser should be protected by four 4" diameter pipes filled with concrete and set into a concrete footing, at least 3' into the ground. The vent pipe should be extended to a height of at least 15'.

Picture # 3
This picture shows what appears to be the diesel dispenser unit. Please note that the fill pipe is in front of the pipe barrier and therefore not protected at all against accidental shearing which could cause an explosion. The existing pipe barrier is inadequate to stop a vehicle in motion. The dispenser should be protected by concrete filled 4" Diameter pipes, set into concrete footings. The vent line should be extended beyond the roof line.

Picture # 4
To the right of the diesel(?) dispenser is an area of soft ground which appears to have slumped. This may be an indication of problems around the underground storage tank, either from soil piping due to groundwater movements or a leaking tank. On the other hand it may only be standing rainwater in a puddle. It should be investigated however.

Please provide this office with a workplan that addresses these concerns within 60 days. If you have questions please call Walt Guggenheimer at (415)744-2094.

Sincerely

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

cc: Joe Kenny, Circuit Rider
Bill Beck, DVSPT
Steven T. Tibbitt, BIA
John Krause, BIA
Marvin Weber, IHS

ATTACHMENT: LIST OF CONTACTS

Joe Kenny, Circuit Rider
15149 Vale Drive
Goodyear, AZ 85388 (602)935-4113

William E. Beck
Environmental Protection Specialist
Duck Valley Shoshone Paiute Tribe
P. O. Box 219
Owyhee, NV 89832- 0219 (702)757-2921

Steven D. Tibbitt, Superintendent
Bureau of Indian Affairs
Eastern Nevada Agency
P. O. Box 5400
Elko, NV 89802 (702)738-0569

John Krause
Environmental Quality
Bureau of Indian Affairs
Phoenix Area
P. O. Box 10
Phoenix, AZ 85001 (602)379-6750

Marvin Weber
IHS District Engineer
1395 Greg Street, Suite 101
Sparks, NV 89431 (702)784-5327

REFER TO MAILCODE H-W-4
and SITE # DUV- 003
Certified Mail Z 695 245 140

Mr. Richard Harris
Assistant Superintendent
Elko County School District
1092 Burns Road
Elko, NV 89801

JUN 5 - 1995

Dear Mr. Harris:

This correspondence refers to the information submitted regarding the procedures used for inventory control of the Underground Storage Tanks (UST's) located at the maintenance building of the Owyhee Combined School in Owyhee, NV on land of the Duck Valley Indian Community.

Inventory control as practiced at the Owyhee school UST's does in no way conform to the regulations detailed in CFR § 280.43 as it does not reconcile actual fuel dispensing and fill up with the quantities calculated from sticking the tank on a daily basis.

In a telephone conversation with Walt Guggenheimer on May 31, 1995 you indicated that the correct inventory control system has now been initiated at Owyhee.

Once a complete month of data is available, please furnish a copy to this office for review, together with the date of the last tank tightness test performed on these tanks.

For your information and guidance we attach the following publications:

* API 1621 "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets".

* EPA/530/UST "Musts for UST's".

SYMBOL	H.W.4					
SURNAME	BHA					
DATE	6/1/95					

U.S. EPA CONCURRENCES OFFICIAL FILE COPY

Pursuant to §9005 [42 U.S.C. §6991(d)] of the Resource Conservation and Recovery Act (RCRA), as amended, EPA requires that you furnish the above information within **45 calendar days** from your receipt of this letter. If you have any questions, please contact Walt Guggenheimer at (415) 744-2094.

Sincerely,

For

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

cc: Joe Kenny, Circuit Rider
Steven D. Tibbitt, BIA
John Krause, BIA
Marvin Weber, IHS
Lindsay Manning, Chairman

ATTACHMENT: LIST OF CONTACTS

Joe Kenny, Circuit Rider
23713 Vista Ramona
Ramona, CA 92065 (619)789-0546

Steven D. Tibbitt, Superintendent
Bureau of Indian Affairs
Eastern Nevada Agency
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Elko, NV 89802 (702)738-0569

John Krause
Environmental Quality
Bureau of Indian Affairs
Phoenix Area
P. O. Box 10
Phoenix, AZ 85001 (602)379-6750

Marvin Weber
IHS District Engineer
1395 Greg Street, Suite 101
Sparks, NV 89431 (702)784-5327

Lindsey Manning, Chairman
Duck Valley Shoshone Paiute Tribe
P. O. Box 219
Owyhee, NV 89832 (702)757-3161

DUCK VALLEY SHOSHONE PAIUTE

SITE	OWNER/OPERATOR	TANKS CLOSED/REMOVED	TANKS INSTALLED	STATUS	Contact
DUV001	BIA-ROAD MAINT YD	1-16,000		NOT AN UST	Elvin Blosson (702)757-3188
DUV002	IHS-OWYHEE HOSP	1-2,000; 10-22-91			Bill Beck (702)757-2929
DUV003	OWYHEE SCHOOLS				Gary Jones (702)757-3400
	OWYHEE LOCATION		1-3,000 1-1,000	IN SERVICE	
	WELLS LOCATION		1-5,000		
	BURNS RD LOCATION	1-12,000;	1-5,000 1-2,000		
DUV004	TEXACO MANNING	1-10,000; 10-1-94	2-2,000 1-1,000	NOT IN USE NOT IN USE	Larry Manning (702)757-2863
DUV005	BIA SHOPS/GARAGE	2-12,000 1-1,500			Elvin Blossom (702)757-3188
DUV006	BIA WILDHOSE MARINA		1-5,000		Elvin Blossom

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 5 - 1995

REFER TO MAILCODE H-W-4
and SITE # DUV- 003
Certified Mail Z 695 245 140

Mr. Richard Harris
Assistant Superintendent
Elko County School District
1092 Burns Road
Elko, NV 89801

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* EPA/530/UST "Musts for UST's".

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Sincerely,

for

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

cc: Joe Kenny, Circuit Rider
Steven D. Tibbitt, BIA
John Krause, BIA
Marvin Weber, IHS
Lindsay Manning, Chairman

ATTACHMENT: LIST OF CONTACTS

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Ramona, CA 92065 (619)789-0546

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Bureau of Indian Affairs
Eastern Nevada Agency
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Elko, NV 89802 (702)738-0569

John Krause
Environmental Quality
Bureau of Indian Affairs
Phoenix Area
P. O. Box 10
Phoenix, AZ 85001 (602)379-6750

Marvin Weber
IHS District Engineer
1395 Greg Street, Suite 101
Sparks, NV 89431 (702)784-5327

Lindsey Manning, Chairman
Duck Valley Shoshone Paiute Tribe
P. O. Box 219
Owyhee, NV 89832 (702)757-3161

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

MR Guggenheimer: Per our phone conversation.
Dick Harris
702-738-5196

APR 12 1995

REFER TO MAILCODE H-W-4
and SITE # DUV-003
Certified Mail Z 695 245 175

RECEIVED
APR 17 1995
ELKO COUNTY SCHOOL DISTRICT

Mr. Richard Harris
Asst. Superintendent
Elko Count School District
1092 Burns Road
Elko, NV 89801

Dear Mr. Harris:

This correspondence refers to the Owyhee Combined School, located in Owyhee, NV on land of the Duck Valley Shoshone Paiute Tribe. A file review of our records on this site indicates that there are two Underground Storage Tanks (UST's) in service, one ~~5,000 gallon~~ 3,000 gasoline tank and one 1,000 gallon Diesel tank. The UST's are located at the north and east side of the school maintenance building, respectively.

In accordance with the Self Certification Letter dated February 4, 1993 these tanks did not have a leak detection device installed but used manual tank gauging as a means of tank tightness testing.

In view of the massive groundwater contamination in the tribal drinking water wells north of the school maintenance building EPA requires that you submit the monthly inventory reconciliation for both tanks for the last year and the certificates of tank tightness and product line tightness tests which must be carried out on a yearly basis, unless the tanks are equipped with corrosion protection. If these tanks are temporarily out of service you must submit a copy of the Tank Notification form. However, if they have been out of service for more than one year permanent closure is required in accordance with 40 CFR § 280.71.

2 TANKS ON SITE
a.) 1,000 gl
b.) 3,000 gl (NOT 5,000 AS shown)

Pursuant to §9005 [42 U.S.C. §6991(d)] of the Resource Conservation and Recovery Act (RCRA), as amended, EPA requires that you furnish the above information within **45 calendar days** from your receipt of this letter. **Your immediate attention is needed in this matter.** If you have any questions, please contact Walt Guggenheimer at (415) 744-2094.

Sincerely,

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

cc: Joe Kenny, Circuit Rider
Steven D. Tibbitt, BIA
John Krause, BIA
Marvin Weber, IHS
Lindsey Manning, Chairman

ATTACHMENT: LIST OF CONTACTS

Joe Kenny, Circuit Rider
23713 Vista Ramona
Ramona, CA 92065 (619)789-0546

Walter Mills, Area Director
Bureau of Indian Affairs, Phoenix Area
P. O. Box 10
Phoenix, AZ 85001 (602)379-6750

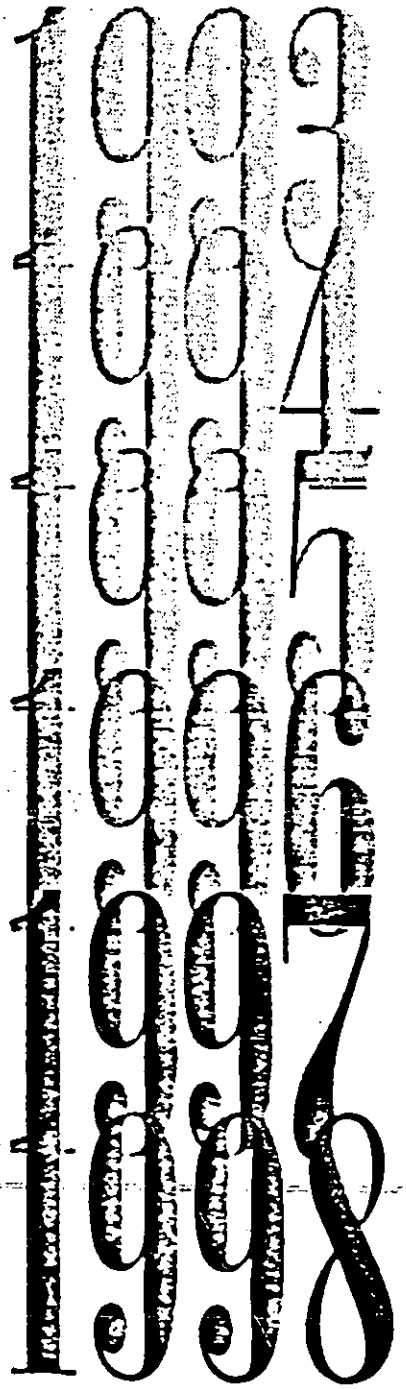
John Krause
Environmental Quality
Bureau of Indian Affairs
Phoenix Area
P. O. Box 10
Phoenix, AZ 85001 (602)379-6750

Marvin Weber
IHS District Engineer
1395 Greg Street, Suite 101
Sparks, NV 89431 (702)784-5327

Lindsey Manning, Chairman
Duck Valley Shoshone Paiute Tribe
P. O. Box 219
Owyhee, NV 89832 (702)757-3161

Have You **Upgraded Your Tank?**

Start Planning Now...



You have until December 22, 1998 to upgrade tanks installed before December 22, 1988.

Upgrading simply means that your underground storage tank system (UST) must have **corrosion protection** and **spill and overfill prevention devices**.

Although the federal regulatory deadline for compliance is 1998, you should make these improvements as soon as possible to help avoid the cost of cleaning up leaks from substandard USTs.

For More Information

You can call EPA's toll-free Hotline at 800-424-9346 to ask questions about what it takes to upgrade a substandard UST.

Information for USTs on Native American Lands in Region 9

For information on upgrades for underground storage tanks located on Native American or Tribal lands within EPA Region 9 (Arizona, California, and Nevada) contact:

U.S. Environmental Protection Agency
Office of Underground Storage Tanks
75 Hawthorne Street (H-2-1)
San Francisco, California, 94105

Walter Guggenheimer (415) 744-2094
EPA Information (415) 744-1305

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

APR 12 1995

REFER TO MAILCODE H-W-4
and SITE # DUV-003
Certified Mail Z 695 245 175

Mr. Richard Harris
Asst. Superintendent
Elko Count School District
1092 Burns Road
Elko, NV 89801

Dear Mr. Harris:

This correspondence refers to the Owyhee Combined School, located in Owyhee, NV on land of the Duck Valley Shoshone Paiute Tribe. A file review of our records on this site indicates that there are two Underground Storage Tanks (UST's) in service, one 5,000 gallon gasoline tank and one 1,000 gallon Diesel tank. The UST's are located at the north and east side of the school maintenance building, respectively. these 2 tanks are in Ruth

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Pursuant to §9005 [42 U.S.C. §6991(d)] of the Resource Conservation and Recovery Act (RCRA), as amended, EPA requires that you furnish the above information within **45 calendar days** from your receipt of this letter. **Your immediate attention is needed in this matter.** If you have any questions, please contact Walt Guggenheimer at (415) 744-2094.

Sincerely,

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

cc: Joe Kenny, Circuit Rider
Steven D. Tibbitt, BIA
John Krause, BIA
Marvin Weber, IHS
Lindsey Manning, Chairman

ATTACHMENT: LIST OF CONTACTS

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Sparks, NV 89431 (702)784-5327

Lindsey Manning, Chairman
Duck Valley Shoshone Paiute Tribe
P. O. Box 219
Owyhee, NV 89832 (702)757-3161

PRC letter

① DUV-003
Site: Elko County School Dist.
3 - locations:
Owyhee school yard
1 - 1,000 gal UST. > on Tank N.F. 1-5-87
1 - 5,000 gal UST.
Self Cert Form dated 2-4-93 shows
1 - 3000 gal UST

Phone call on 12-7-93 to Richard Harris. Asst Supt (702) 738-5196.
he states as follows:
3 locations.
1 - Owyhee location:
1 - 3,000 gal UST.
1 - 1,000 gal AST
2 - Wells location.
1 - 5,000 gal UST
3 - Burns Road location.
1 - 12,000.
1 - 5,000.
1 - 2,000.

Barry Jones (702) 757-3400

REFER TO MAILCODE H-W-4
and SITE # DUV-003
Certified Mail Z 695 245 175

Mr. Richard Harris
Asst. Superintendent
Elko Count School District
1092 Burns Road
Elko, NV 89801

Dear Mr. Harris:

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SYMBOL		HW4	H-W-4			
SURNAME		[illegible]	F. Olario			
DATE		4/11/95	4-12-95			

U.S. EPA CONCURRENCES/ OFFICIAL FILE COPY

Pursuant to §9005 [42 U.S.C. §6991(d)] of the Resource Conservation and Recovery Act (RCRA), as amended, EPA requires that you furnish the above information within **45 calendar days** from your receipt of this letter. **Your immediate attention is needed in this matter.** If you have any questions, please contact Walt Guggenheimer at (415) 744-2094.

Sincerely,

Patricia D. Eklund, Chief
Office of Underground Storage Tanks

cc: Joe Kenny, Circuit Rider
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