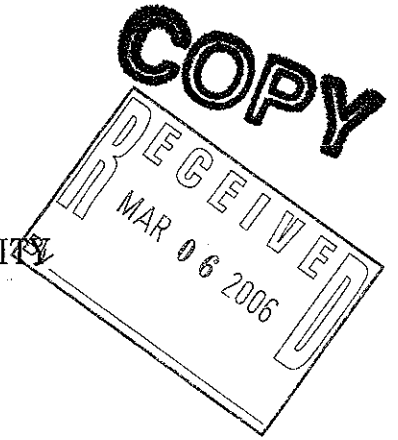


Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*



March 3, 2006

**CERTIFIED MAIL 7005 2570 0001 0899 0458**  
**RETURN RECEIPT REQUESTED**

Ms. Gracie Mata, Payroll Clerk  
Brackett ISD  
P.O. Box 586  
Brackettville, Texas, 78832

Re: Notice of Violation for the Petroleum Storage Tank (PST) Compliance Investigation at:  
Brackett ISD, 400 Ann St., Brackettville (Kinney County), Texas  
TCEQ PST Facility ID No.: 41641

Dear Ms. Mata:

On February 27, 2006, Mr. Arnaldo Lanese of the Texas Commission on Environmental Quality (TCEQ) Laredo Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for the PST Program. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by April 28, 2006 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules." Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at (800) 490-9198.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. TCEQ's enforcement powers include authority under Texas Water Code §26.3475 to order the shutdown of any underground storage tank (UST) system which is found to be noncompliant with release detection, spill and/or overfill prevention, and corrosion protection regulations until such time as the UST system is brought into compliance with Commission regulations. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the Laredo Region Office within 10 days from the date of this letter. At that time, I will schedule a violation review meeting to be

REPLY TO: REGION 16 • 707 EAST CALTON RD., STE. 304 • LAREDO, TEXAS 78041-3638 • 956/791-6611 • FAX 956/791-6716

P O Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

Ms. Gracie Mata  
March 3, 2006  
Page 2

conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the ICEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Arnaldo Lanese or Ms. Carmen Ramirez in the Laredo Region Office at 956-791-6611.

Sincerely,



Rose Luna-Pirtle  
Waste Section Manager  
Laredo Region Office

RLP/al

Enclosures:    **Summary of Investigation Findings**  
                    *Obtaining ICEQ Rules*

## Summary of Investigation Findings

BRACKETT ISD  
400 ANN ST  
BRACKETTVILLE, KINNEY COUNTY, TX 78832  
Additional ID(s): 41641

Investigation # 457650  
Investigation Date: 02/27/2006

### OUTSTANDING ALLEGED VIOLATIONS

Track No: 230166      Compliance Due Date: 04/28/2006  
30 TAC Chapter 334.49(c)(4)[G]

**Alleged Violation:**

Investigation: 457650

Comment Date: 2/28/2006

Failure to have the corrosion protection system inspected and tested within 3 to 6 months after the date of installation & once every 3 years thereafter.

Specifically, the entity could not provide documentation showing the required three-year CP test was conducted.

**Recommended Corrective Action:** Hire a qualified corrosion technician to test the corrosion protection system no later than April 28, 2006. Maintain the CP tests once every three years after initial test.

Track No: 230171      Compliance Due Date: 04/28/2006  
30 TAC Chapter 334.49(c)(2)(C)

**Alleged Violation:**

Investigation: 457650

Comment Date: 2/28/2006

Failure to check the rectifier (impressed current systems) once every 60 days

Specifically, the entity could not provide any paperwork documenting that the CP rectifier was being inspected every 60 days.

**Recommended Corrective Action:** Immediately begin inspecting the CP rectifier at least once every 60 days. Compliance documentation must be submitted to R16 no later than April 28, 2006.

Track No: 230173      Compliance Due Date: 04/28/2006  
30 TAC Chapter 334.50(b)(2)[G]

**Alleged Violation:**

Investigation: 457650

Comment Date: 2/28/2006

Failure to perform release detection for piping.

Specifically, the entity could not provide any paperwork documenting the required tests for suction piping.

**Recommended Corrective Action:** Have performance tests done on the product lines for the UST system and submit results to R16 no later than April 28, 2006.

Track No: 230177      Compliance Due Date: 04/28/2006  
30 TAC Chapter 334.8(c)(5)(C)

**Alleged Violation:**

Investigation: 457650

Comment Date: 2/28/2006

Failure to have all tanks numbered according to registration/self-certification form.

Specifically, the UST's did not have any labeling on them around the lids or around the fill caps.

**Recommended Corrective Action:** Label the tanks according to the UST Registration & Self-certification Form. Submit compliance documentation to R16 no later than April 28, 2006.

## Summary of Investigation Findings

BRACKETT ISD  
704 N ANN ST  
BRACKETTVILLE, KINNEY COUNTY, TX 78832  
Additional ID(s): 18124

Investigation # 455676  
Investigation Date: 02/27/2006

### OUTSTANDING ALLEGED VIOLATIONS

Track No: 230133 Compliance Due Date: 04/24/2006  
30 TAC Chapter 334.54(d)(2)

**Alleged Violation:**  
Investigation: 455676

Comment Date: 2/28/2006

Failure to empty the UST to less than 2.5 centimeters of product.

Specifically, the UST contained approximately 4.5 inches of petroleum product. Product measurements were taken with a tank gauging stick and water finding paste.

**Recommended Corrective Action:** The UST must be emptied to less than 2.5 cm (1 inch) of product. Submit a plan to R16 describing measures that will be taken to empty the UST of product. This must be done no later than April 24, 2006.

Track No: 230135 Compliance Due Date: 04/24/2006  
30 TAC Chapter 334.54(b)[G]

**Alleged Violation:**  
Investigation: 455676

Comment Date: 2/28/2006

Failure to assure that the vent lines are kept open and functioning and all other piping, pumps, manways and ancillary equipment has been capped, plugged, locked and/or otherwise secured to prevent access, tampering or vandalism by unauthorized persons.

Specifically, the fill cap for the UST was not locked at the time of the investigation.

**Recommended Corrective Action:** Locks must be placed on the fill cap to prevent access, tampering, or vandalism by unauthorized persons. Submit a written notice to R16 when this has been completed, but no later than April 24, 2006.

Track No: 230136 Compliance Due Date: 04/24/2006  
30 TAC Chapter 334.7(d)(3)

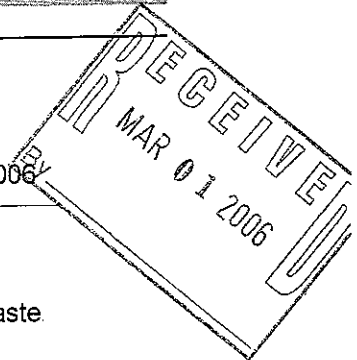
**Alleged Violation:**  
Investigation: 455676

Comment Date: 2/28/2006

Failure to amend, update or change registration information as required.

Specifically, the entity did not change their operational status from "in use" to "temporarily out of service."

**Recommended Corrective Action:** Submit a TCEQ UST Registration and Self-certification form to the PST Registration Section with updated information reflecting a change in status from "in use" to "temporarily out of service." Upgrade the UST system to make sure it is properly protected and monitored. Otherwise, the UST system must be permanently removed from service or a variance request must be submitted to bring the system back into service. Submit written documentation to R16 no later than April 24, 2006.



**CP Survey**  
**Brackettville Independent School District**  
**400 Ann Street**  
**Brackettville, Texas 78832**

A cathodic protection (CP) survey was conducted on 03/01/06 on the cathodic protection system at the above referenced UST facility. The purpose of this survey was to determine if the UST facility meets corrosion protection requirements. The CP system for the underground storage tanks consists of two underground storage tanks and associated product piping. The rectifier was found operating at a total current output of 0.00 amps +/- 5%. The potential measurements ranged from -350 millivolts to -639 millivolts. The results of the survey indicate that the structure-to-soil measurements for the tanks and piping **did not meet** the -850 millivolts criterion for cathodic protection as established by NACE. The electrical continuity of the bonding wire to the steel tanks and/or piping was also tested. The results of the continuity test indicated that the tanks and piping **are not** electrically continuous to the structure wire at the rectifier. Additionally, two of the four existing anodes had no current output (the other two had minimal output). It is recommended that the tanks and product piping be bonded into the impressed current cathodic protection system, replace the existing groundbed and install a new rectifier and anode junction box (outdoors). Note: due to the impending renovation of the existing maintenance warehouse building where the existing equipment resides it is further recommended to install the new equipment adjacent to the tank pad and dispensers, (outdoors).

Respectfully submitted,

**FAIL**



*Gilbert Rivera*

Gilbert Rivera  
Corrosion Technologist #5747

BRACKETVILLE I.S.D.  
BRACKETVILLE I.S.D.  
400 ANN ST.  
BRACKETVILLE, TX.

Phone: 830-563-2491

PRECISION TANK TIGHTNESS TEST LOG

Tank Information

Tank Number	1	2
Description	TK.#1 DIESEL	TK.#2 UNLEAD
Fuel Type	Diesel	Gasoline-Low
Diameter (in)	96	96
Capacity (gal)	6000	10000
Fuel Level (in)	30.79	28.18
Percent Full (%)	28	24

COPY


Precision Test Results

Start Date	03/03/06	03/03/06
Start Time	08:58:54	08:58:48
Duration	01:02:12	01:02:20
Temp Rate (F/hr)	0.033	0.011
Threshold (gal/hr)	+/- 0.05	+/- 0.05
Leak Rate (gal/hr)	0.042	0.009
Pass/Fail	Passed	Passed

Ullage Test Results

Test Date	03/03/06	03/03/06
Test Time	10:17:01	10:21:28
Pass/Fail	Passed	Passed

Operator R. Keith Rogers Signature [Signature] Date: 03/03/06

 **U.S.T. SURETEST**  
 Specializing in Underground Storage Tank Testing  
 P.O. Box 341313  
 Austin, TX 78734  
 1-800-255-2519

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## **Q:** What is Cathodic Protection?

**A:** Cathodic protection is a method of external corrosion prevention for underground fuel storage tanks and their associated piping. It is a recommended method because it protects your investment in underground tanks by protecting you from liability, litigation and cleanup costs associated with fuel leakage. It is technically sound and it is a proven approach to corrosion prevention.

The other standard approach to UST corrosion prevention is to isolate the tanks from the harmful environment by use of coatings or chemical films on the exterior metal wall. However, this method has particular shortcomings which are difficult to overcome. For instance, tank coatings can be damaged during installation. After the tanks are installed, the coatings can crack, deteriorate, and be attacked by bacteria in the soil. Bare metal can come in contact with the moist soil where there is a failure in the coating, an electrochemical cell is established at the point of contact and the metal begins to corrode.

A cathodic protection system applies principles of electrochemistry in providing a current which will counteract the local environments corrosive current. The purpose of ILFC's "Tank Environmental Profiling" or TEP® technology testing is used to determine the corrosive condition of the tank.

There are two methods of cathodically protecting a tank. One is a passive system that protects the tank by surrounding it with galvanic anodes. The anodes are made of a material more corroding in the electromotive series than the steel of the tank. The other is an impressed current system that utilizes buried anodes made of high silicone, cast iron or graphite. The anodes together with a rectifier are used in order to generate the necessary counter-acting current.

ILFC both engineers and installs cathodic protection systems, and is a sustaining member of the National Association of Corrosion Engineers. Cathodic protection systems are engineered by ILFC according to the needs and requirements of each particular location. Our firm will also monitor your cathodic protection system on a periodic schedule to insure that the system is performing satisfactorily.

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*This page created by (Jay Jones):*

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