

# From the Compliance Corner:

by Bill Morris

## *If it's too good to be true...it probably is!*



We have recently seen a lot more convenience stores with a UST system being sold. Some of these locations have been closed for several years and a few are currently in operation. Sometimes, the seller will reduce the price substantially for a quick sale. If the location is good and the store looks very nice, then the buyer probably got a deal **too good to be true**.

An example of a deal too good to be true, happened to this one person who bought a convenience store with two tanks installed in 1985. He decided to remove them and install new tanks. When the tanks were removed, it was discovered that there was a release and is now an LPST site. So now, the buyer of this property, **even though they never used the existing UST system**, is now stuck with paying for the cleanup which could amount to tens of thousands of dollars. Not such a good deal after all! How did this release occur? Possibly spills/overfills prior to December 22, 1994, when spill/overfill was required.

**How to avoid this scenario** – If you get someone that is **thinking about buying** a store with UST's, do the following:

1. A TCEQ PST Registration Database check on their web site to see what the facility has.
2. Check the LPST Data Query to see if this was a previous or existing LPST site.
3. Recommend a phase I & phase II environmental site assessment to assure there are no previous or ongoing leaks. If there is evidence of a release, it will be the current owners problem and not the buyers.
4. If everything else checks out OK, the facility should be evaluated for compliance with TCEQ regulations.