



September 17, 2020

PILOT TRAVEL CENTERS  
JOEY CUPP  
720 N 108<sup>TH</sup> CT  
OMAHA NE 68154

**SUBJECT: NOTICE OF VIOLATION-** Inadequate Spill Containment, and Failure to Cooperate with Department Requests  
Location: Pilot Travel Center 913, 3231 Adventureland Dr, Altoona  
UST Registration: 198606382

Dear Mr. Cupp:

The Iowa Department of Natural Resources (Department) has not received the required testing and documentation requested for 2 spill containments at the above referenced UST facility. Your facility, as referenced above, is currently **out of compliance** with the Iowa Administrative Code (IAC) 567 Chapter 135.

The Department contacted you via email on July 31, 2020 regarding a recent visit to the facility during a UST tester audit on June 2, 2020 while spill containment testing was being conducted. The Department witnessed the failure of the 12,000gal Unleaded spill containment and that of the 12,000 gal Super Unleaded spill containment. In following up with our audit, the UST tester said he had not re-tested the spill contaminants since the repairs or replacements had not been completed.

**When equipment is tested and fails, it must be repaired or replaced.** Spill containment equipment is present to prevent releases to the environment when the transfer hose is detached. A failed hydrostatic test indicates the spill containments are not adequate to prevent releases due to an overfill. Proper documentation and testing was requested by August 14, 2020.

On September 3<sup>rd</sup>, 2020 the department advised that if no response was received by September 8<sup>th</sup>, the two tanks with failed spill containments would be red-tagged until passing tests are provided to the Department. Pursuant IAC Chapter 135.4(5) owners and operators are required to cooperate fully with the Department with requests for documentation submission, testing, and monitoring. Pilot has failed to cooperate regarding this matter.

As of today, no documentation of a repair or replacement of the failed spill containments has been received. **Within the next 5 business days, the Department will be out to red-tag the 12,000gal Unleaded and 12,000gal Super Unleaded tanks.** Once red-tagged it can take up to 5 business days to have the red-tags removed.

**In accordance with IAC Chapter 135.3(8)(b)(3), to have the red-tags removed, you must provide documentation that overfill and spill protection equipment has been installed.**

Please contact me at 515-725-8364 or [cara.ingle@dnr.iowa.gov](mailto:cara.ingle@dnr.iowa.gov) if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Cara Ingle". The signature is written in a cursive, flowing style.

Cara Ingle  
Environmental Specialist  
Underground Storage Tank Section  
P 515 725 8364 | F 515 725 8202 | [cara.ingle@dnr.iowa.gov](mailto:cara.ingle@dnr.iowa.gov)

CC. Field Office 5 (via email)  
Nick Petersen, UST Testing (via email)