NEW YORK STATE | Department of Environmental Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

NOTICE OF VIOLATION (NOV)

April 20, 2026

MATT SMITH
RENEWCENTERS LLC
142 FOX HILL RD
NEEDHAM, MA 02492
MATT@RNGTRANSPORTATION .COM

Re: Petroleum Bulk Storage (PBS) Program Site Inspection - 6 NYCRR Part 613
PBS# 8-600264 - EMPIRE TERMINAL
7615 LEWISTON ROAD
OAKFIELD, NY 14125

Dear MATT SMITH:

On February 23, 2026, the New York State Department of Environmental Conservation (NYSDEC or DEC) inspected the EMPIRE TERMINAL facility to determine compliance with New York State's PBS regulations (6 NYCRR Part 613). The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank(s) listed. The PBS regulations and inspection checklist are available online at:

- https://dec.ny.gov/sites/default/files/2024-01/part613.pdf
- https://dec.ny.gov/sites/default/files/2025-03/pbsinspectionform.pdf

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frame(s) and submit required documentation.

Unregistered tank – [613-1.9(a)(1)]. The facility is registered, but there is an unregistered 1,000 gallon Aboveground Storage Tank (AST) storing diesel fuel on site.

*Within 7 calendar days after the date of the NOV, update the site registration using the enclosed application form or submit online at: https://nform-prod.dec.ny.gov/ . To use the online system (nForm) you will need the PBS number and the PIN for your facility, which is **5C87A6**. For additional information on eRegistration, please visit: https://www.dec.ny.gov/chemical/125369.html.*

Cert not displayed – [613-1.9(a)(2)]. The registration certificate is not posted, or is not posted at a conspicuous location. The certificate must be posted in a location accessible to the facility operator and readily observable to a DEC inspector or emergency responder.

Within 30 calendar days after the date of the NOV, display (and submit a photograph showing) the certificate in a conspicuous location.

Tank # 1A, 1B, 1C, Unreg1
No 30-day inspections performed for the aboveground storage tank (AST) system – [613-4.2(h)(1) / 4.2(h)(3)]. 30-day inspections are not being performed for the AST system.

Within 30 calendar days after the date of the NOV, take the AST system out of service and perform (and submit the records of) a 30-day inspection.

Tank # 1B, 1C
Surface coating is faded or no longer covers the entire aboveground storage tank (AST) exterior – [613-1.12 / 4.1(b)(1)(ii)(a)(2)]. The surface coating on the AST exterior either is faded or no longer covers the whole exterior.

Within 30 calendar days after the date of the NOV, sand areas of corrosion to bare steel, recoat to provide adequate corrosion protection and submit a photograph showing the recoated tank exterior.

Tank # 1A, 1B, 1C, Unreg1
Label incomplete/inaccurate – [613-1.12 / 4.2(d)(1)]. The tank label has either incomplete or inaccurate information.

Within 30 calendar days after the date of the NOV, rewrite or replace the tank label and submit a photograph showing the fill port with the rewritten/replaced tank label.

Corrective Action and Penalties

As a result of these violations, you may be subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to $37,500 per day for each of the above noted 6 NYCRR Part 613 violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.

Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements.

Except where a shorter time frame is expressly required, within 30 calendar days from the date of this notice you must submit either documentation that the violations have been corrected or a plan to achieve compliance, as noted above. In accordance with any corrective action plan, you must submit documentation after compliance is achieved.
When sending documentation and/or compliance plans, be sure to reference PBS # 8-600264.

Sincerely,

Matthew J Griffiths
NYSDEC, Region 8

Enclosures: Inspection Report, PBS Application #8-600264

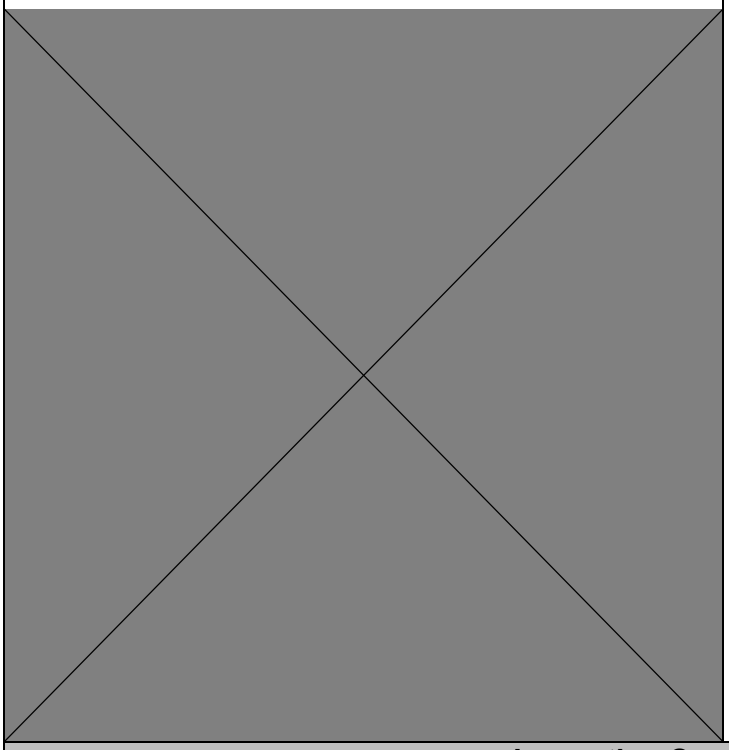
New York State Department of Environmental Conservation
Petroleum Bulk Storage (PBS) Inspection Form

Facility Information				Mail Contact			
PBS Number	8-600264			***Contact Name***	MATT SMITH		
Facility Name	EMPIRE TERMINAL			***Company Name***	RENEWCENTERS LLC		
Street Address	7615 LEWISTON ROAD			***Street Address***	142 FOX HILL RD		
City	OAKFIELD			***City***	NEEDHAM		
County	Genesee	***ZIP Code***	14125	***State***	MA	***ZIP Code***	02492
Phone Number	(585) 948-6017			***Email***	MATT@RNGTRANSPORTATION .COM		
Facility Status	1 - Active			***PIN***			

Facility Information

Latitude	43.044931249	***Longitude***	-78.249382100

Map:



Site Exterior:

Inspection-Specific Questions

Inspection Information			Facility Representative	
Inspector Name	ECO Laczi		***Rep. Name***	Not provided
Inspection Date	February 23, 2026		***Title***	
NOV Date	April 20, 2026		***Signature:***	
Case Closed Date				
Is the inspection announced or unannounced?	UA - Unannounced		***Was site access granted?***	Y - Yes

Comments:

-Registration Certificate not posted -Tank labeling incomplete (All tanks must have tank ID, design capacity and working capacities) -Tank exterior insufficiently coated to protect against corrsion (Tanks 1B & 1C) -1,000 gallon diesel tank not registered

Site-Specific Questions

Registration

REG_info – Is the registration information current and accurate? Note: this pertains to tank system information not captured in other questions.

IN – Inaccurate registration info

UT – Unregistered tank

REG_cert – Is the registration certificate signed/posted at a conspicuous location at the facility?

ND – Cert not displayed

As-Built Diagram

AB_dia – Does the facility have a complete/accurate as-built diagram?

XT – As-built diagram not required - no Cat. 2/3 UST systems on site [SP2/SP3/SP5]

Financial Responsibility

FR_ap – Does Financial Responsibility apply to this facility?

XTU – FR not required - no SP2/SP5 UST systems

Tank-Specific Questions

Tank System Information			
Tank ID	1A	***Compartment***	0 - Not part of compartmented tank
(T) Location	3 - Aboveground on saddles, legs, stilts, rack or cradle	***Manifolded***	0 - Not manifolded to another tank
(T) Type	01	***Tank Capacity [gals.]***	250
Stored (or Formerly Stored) Petroleum	2642 - Used Oil (Heating; On-Site Consumption)		
Applicable Subpart	4	***(P) Location***	C01 - Aboveground
Status	1 - In-service	***(P) Type***	D01 - Steel/Carbon Steel/Iron
(T) Install Date	January 1, 2018	***(P) Install Date***	
(T) Closure Date		***Pumping/Dispensing Method***	J04 - On-Site Heating System (Suction)
(T) Leak Detection	H00 - None	***(P) Leak Detection***	L00 - None
(T) Secondary Containment	G01 - Diking (AST Only)	***(P) Secondary Containment***	E00 - None
		Under-Dispenser Containment	FALSE - No UDC/dispenser sump
(T) Corrosion Protection	B01 - Painted/Asphalt Coating	***(P) Corrosion Protection***	F01 - Painted/Asphalt Coating
(T) (Internal) Lining	A00 - None	***Overfill Prevention***	I04 - Product Level Gauge (AST Only)
Fill Port Catch Basin	K01 - Catch Basin		

OOS Status & Permanent Closure

OC_rc – What's the tank system's status?

1 – In-service

Tank System: Design/Construction, Installation, Compatibility, Repair

TS_cs – Does the tank system meet pertinent construction standards?

Y – Yes

TS_bf – Is the entire tank system compatible with the stored petroleum?

XP – Compatibility documentation not required - no biofuel blends greater than E10/B20

Walkthrough Inspections

WT_itm – Are the inspections being performed periodically? Note: 30-day (UST system) inspections may be performed less frequently (i.e., prior to every delivery) if deliveries are less frequent than every 30 days.

N30A – No 30-day inspections performed for the AST system [SP4/SP5]

Leak Detection

LD_trc – Tank LD Methods: select all LD methods that apply to the tank, including those required, and any supplementary methods being performed.

XT – Tank LD not required - exempt AST [SP4/SP5]

LD_prc – Piping LD Methods: select all LD methods that apply to the piping, including those required, and any supplementary methods being performed. Do not select anything if there is no piping associated with the tank.

XT – Piping LD not required - exempt piping

Secondary Containment

SC_trc – Tank SC Equipment: select all SC equipment that apply to the tank, including those required, and any supplementary equipment installed.

XTA – Tank SC not required - AST (<10k gal) not near a sensitive receptor [SP4/SP5]

Corrosion Protection

CP_gwo – Is the equipment in good working order?

Y – Yes

Color Code & (Tank) Label

CL_pre – Is the required equipment present?

Y – Yes

CL_gwo – Is the equipment in good working order?

Y – Yes

Fill Port Catch Basin

CB_pre – Is the required equipment present?

XT – No CB but not required - non-SP2/SP5 UST system [SP3/SP4/SP5]

Overfill Prevention

OP_rc – OP equipment: select all OP equipment that apply to the tank, including those required, and any supplementary equipment installed.

LG – Level Gauge

OP_ri – Is the registered OP equipment accurate?

Y – Yes

OP_val – Is the equipment valid for the tank system?

Y – Yes

OP_gwo – Is the equipment in good working order?

Y – Yes

Valves

VL_pre – Is the required equipment present?

Y – Yes

VL_gwo – Is the equipment in good working order?

Y – Yes

Tank System Information			
Tank ID	1B	***Compartment***	0 - Not part of compartmented tank
(T) Location	3 - Aboveground on saddles, legs, stilts, rack or cradle	***Manifolded***	1 - Manifolded to another tank
(T) Type	01	***Tank Capacity [gals.]***	1,000
Stored (or Formerly Stored) Petroleum	2642 - Used Oil (Heating; On-Site Consumption)		
Applicable Subpart	4	***(P) Location***	C01 - Aboveground
Status	1 - In-service	***(P) Type***	D01 - Steel/Carbon Steel/Iron
(T) Install Date	January 1, 1998	***(P) Install Date***	
(T) Closure Date		***Pumping/Dispensing Method***	J04 - On-Site Heating System (Suction)
(T) Leak Detection	H06 - Impervious Barrier/Concrete Pad (AST Only)	***(P) Leak Detection***	L00 - None
(T) Secondary Containment	G01 - Diking (AST Only)	***(P) Secondary Containment***	E00 - None
		Under-Dispenser Containment	FALSE - No UDC/dispenser sump
(T) Corrosion Protection	B01 - Painted/Asphalt Coating	***(P) Corrosion Protection***	F01 - Painted/Asphalt Coating
(T) (Internal) Lining	A00 - None	***Overfill Prevention***	I04 - Product Level Gauge (AST Only)
Fill Port Catch Basin	K01 - Catch Basin		

OOS Status & Permanent Closure

OC_rc – What's the tank system's status?

1 – In-service

Tank System: Design/Construction, Installation, Compatibility, Repair

TS_cs – Does the tank system meet pertinent construction standards?

Y – Yes

TS_bf – Is the entire tank system compatible with the stored petroleum?

XP – Compatibility documentation not required - no biofuel blends greater than E10/B20

Walkthrough Inspections

WT_itm – Are the inspections being performed periodically? Note: 30-day (UST system) inspections may be performed less frequently (i.e., prior to every delivery) if deliveries are less frequent than every 30 days.

N30A – No 30-day inspections performed for the AST system [SP4/SP5]

Leak Detection

LD_trc – Tank LD Methods: select all LD methods that apply to the tank, including those required, and any supplementary methods being performed.

XT – Tank LD not required - exempt AST [SP4/SP5]

Secondary Containment

SC_trc – Tank SC Equipment: select all SC equipment that apply to the tank, including those required, and any supplementary equipment installed.

DK – Diking

SC_gwo – Is the equipment in good working order?

Y – Yes

Corrosion Protection

CP_gwo – Is the equipment in good working order?

SCF – Surface coating is faded or no longer covers the entire AST exterior [SP4/SP5]

Color Code & (Tank) Label

CL_pre – Is the required equipment present?

Y – Yes

CL_gwo – Is the equipment in good working order?

LIN – Label incomplete/inaccurate

Fill Port Catch Basin

CB_pre – Is the required equipment present?

XT – No CB but not required - non-SP2/SP5 UST system [SP3/SP4/SP5]

Overfill Prevention

OP_rc – OP equipment: select all OP equipment that apply to the tank, including those required, and any supplementary equipment installed.

LG – Level Gauge

OP_ri – Is the registered OP equipment accurate?

Y – Yes

Valves

VL_pre – Is the required equipment present?

Y – Yes

VL_gwo – Is the equipment in good working order?

Y – Yes

Tank System Information			
Tank ID	1C	***Compartment***	0 - Not part of compartmented tank
(T) Location	3 - Aboveground on saddles, legs, stilts, rack or cradle	***Manifolded***	1 - Manifolded to another tank
(T) Type	01	***Tank Capacity [gals.]***	1,000
Stored (or Formerly Stored) Petroleum	2642 - Used Oil (Heating; On-Site Consumption)		
Applicable Subpart	4	***(P) Location***	C01 - Aboveground
Status	1 - In-service	***(P) Type***	D01 - Steel/Carbon Steel/Iron
(T) Install Date	May 1, 2017	***(P) Install Date***	
(T) Closure Date		***Pumping/Dispensing Method***	J04 - On-Site Heating System (Suction)
(T) Leak Detection	H00 - None	***(P) Leak Detection***	L00 - None

(T) Secondary Containment	G01 - Diking (AST Only)	***(P) Secondary Containment***	E00 - None
		Under-Dispenser Containment	FALSE - No UDC/dispenser sump
(T) Corrosion Protection	B01 - Painted/Asphalt Coating	***(P) Corrosion Protection***	F01 - Painted/Asphalt Coating
(T) (Internal) Lining	A00 - None	***Overfill Prevention***	I04 - Product Level Gauge (AST Only)
Fill Port Catch Basin	K01 - Catch Basin		

OOS Status & Permanent Closure

OC_rc – What's the tank system's status?

1 – In-service

Tank System: Design/Construction, Installation, Compatibility, Repair

TS_cs – Does the tank system meet pertinent construction standards?

Y – Yes

TS_bf – Is the entire tank system compatible with the stored petroleum?

XP – Compatibility documentation not required - no biofuel blends greater than E10/B20

Walkthrough Inspections

WT_itm – Are the inspections being performed periodically? Note: 30-day (UST system) inspections may be performed less frequently (i.e., prior to every delivery) if deliveries are less frequent than every 30 days.

N30A – No 30-day inspections performed for the AST system [SP4/SP5]

Leak Detection

LD_trc – Tank LD Methods: select all LD methods that apply to the tank, including those required, and any supplementary methods being performed.

XT – Tank LD not required - exempt AST [SP4/SP5]

Secondary Containment

SC_trc – Tank SC Equipment: select all SC equipment that apply to the tank, including those required, and any supplementary equipment installed.

DK – Diking

SC_gwo – Is the equipment in good working order?

Y – Yes

Corrosion Protection

CP_gwo – Is the equipment in good working order?

SCF – Surface coating is faded or no longer covers the entire AST exterior [SP4/SP5]

Color Code & (Tank) Label

CL_pre – Is the required equipment present?

Y – Yes

CL_gwo – Is the equipment in good working order?

LIN – Label incomplete/inaccurate

Fill Port Catch Basin

CB_pre – Is the required equipment present?

XT – No CB but not required - non-SP2/SP5 UST system [SP3/SP4/SP5]

Overfill Prevention

OP_rc – OP equipment: select all OP equipment that apply to the tank, including those required, and any supplementary equipment installed.

LG – Level Gauge

OP_ri – Is the registered OP equipment accurate?

Y – Yes

Valves

VL_pre – Is the required equipment present?

Y – Yes

VL_gwo – Is the equipment in good working order?

Y – Yes

Tank System Information			
Tank ID	UNREG1	***Compartment***	0 - Not part of compartmented tank
(T) Location	3 - Aboveground on saddles, legs, stilts, rack or cradle	***Manifolded***	0 - Not manifolded to another tank
(T) Type	01	***Tank Capacity [gals.]***	1,000
Stored (or Formerly Stored) Petroleum	0008		
Applicable Subpart	4	***(P) Location***	C00 - No Piping
Status	1 - In-service	***(P) Type***	
(T) Install Date		***(P) Install Date***	
(T) Closure Date		***Pumping/Dispensing Method***	J06 - Tank-Mounted Dispenser
(T) Leak Detection	H00 - None	***(P) Leak Detection***	
(T) Secondary Containment	G00 - None	***(P) Secondary Containment***	
		Under-Dispenser Containment	
(T) Corrosion Protection	B01 - Painted/Asphalt Coating	***(P) Corrosion Protection***	
(T) (Internal) Lining	A00 - None	***Overfill Prevention***	I04 - Product Level Gauge (AST Only)
Fill Port Catch Basin	K01 - Catch Basin		

OOS Status & Permanent Closure

OC_rc – What's the tank system's status?

1 – In-service

Tank System: Design/Construction, Installation, Compatibility, Repair

TS_cs – Does the tank system meet pertinent construction standards?

Y – Yes

TS_bf – Is the entire tank system compatible with the stored petroleum?

XP – Compatibility documentation not required - no biofuel blends greater than E10/B20

Walkthrough Inspections

WT_itm – Are the inspections being performed periodically? Note: 30-day (UST system) inspections may be performed less frequently (i.e., prior to every delivery) if deliveries are less frequent than every 30 days.

N30A – No 30-day inspections performed for the AST system [SP4/SP5]

Leak Detection

LD_trc – Tank LD Methods: select all LD methods that apply to the tank, including those required, and any supplementary methods being performed.

XT – Tank LD not required - exempt AST [SP4/SP5]

Secondary Containment

SC_trc – Tank SC Equipment: select all SC equipment that apply to the tank, including those required, and any supplementary equipment installed.

XTA – Tank SC not required - AST (<10k gal) not near a sensitive receptor [SP4/SP5]

Corrosion Protection

CP_gwo – Is the equipment in good working order?

Y – Yes

Color Code & (Tank) Label

CL_pre – Is the required equipment present?

Y – Yes

CL_gwo – Is the equipment in good working order?

LIN – Label incomplete/inaccurate

Fill Port Catch Basin

CB_pre – Is the required equipment present?

Y – Yes

CB_gwo – Is the equipment in good working order?

Y – Yes

Overfill Prevention

OP_rc – OP equipment: select all OP equipment that apply to the tank, including those required, and any supplementary equipment installed.

LG – Level Gauge

OP_ri – Is the registered OP equipment accurate?

Y – Yes

OP_val – Is the equipment valid for the tank system?

Y – Yes

OP_gwo – Is the equipment in good working order?

Y – Yes

Spills Observed

SP_des – Description: give this spill a short name/identifier to distinguish it from any other observed spills.

None

Inspection Photos

Tank 1A – 275 Gallon Used Oil AST (working capacity 250 gallon)

Tank 1B - 1,000 gallon used oil tank manifolded to tank 1A. Tank needs repainting and labeling (design and working capacities)

Tank 1B – Side view showing areas of corrosion

Tank 1C – 1,000 gallon used oil tank manifolded to tank 1A. Areas of corrosion need to be sanded down to bare steel and recoated. Tank labeling missing design and working capacities.

Unregistered 1,000 gallon diesel AST