



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Rebecca W. Goodman
SECRETARY

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Anthony R. Hatton
COMMISSIONER

January 12, 2026

T N MARSHALL
CLARKS PUMP-N-SHOP
PO BOX 1433
ASHLAND KY 41102

Re: Site Investigation Report Request
Agency Interest Number (AI #): 62115 UST ID #: 5990034
MARATHON FOOD MART #49
300 N Martin Luther King Blvd
Lexington, Fayette County
Incident #: N/A PSTEF Application #: 101948 – 58.00

Dear Sir or Madam:

A review of the information submitted on March 27, 2023 by Shield Environmental Associates has been performed by the Underground Storage Tank (UST) Branch personnel. The applicable regulation has been verified as Backlog Regulation and the site classification screening levels are Backlog Levels for on-site soils and Groundwater elevated levels for on-site groundwater. The analyses indicate the presence of BTEX constituents above screening levels within and beyond the point of compliance. To further characterize the site, in accordance with KRS 224.60-105, KRS 224.60-135, and 401 KAR 42:060, the UST Branch directs the activities listed below.

This request does not identify all required information necessary for a technical complete determination. Failure to address all items required in the UST Corrective Action Manual, may result in delayed reimbursement.

Technical Requirements:

- Notification:** At least two (2) weeks prior to the initiation of fieldwork associated with this directive, notify Diana Robertson at Diana.Robertson@ky.gov so that a representative may have the opportunity to visit the site during field activities.
- Site Information and History:** Submit the items in accordance with Section 5.1 of UST Corrective Action Manual.
- Maps:** In accordance with Section 5.2 of the UST Corrective Action Manual, submit an:
 - Updated site map and other required maps
- Soil Data:** Advance soil borings in accordance with Section 5.3 of the UST Corrective Action Manual.
 - Soil borings shall be advanced as described in the following table and at the locations indicated on the enclosed soil boring location map.
 - Soil samples shall be collected in accordance with Section 5.4 of the Corrective Action Manual.
 - Drilling shall cease if bedrock is encountered prior to reaching the maximum termination depth.

| Soil Location ID | Sample Interval (feet) | Max Termination Depth (feet) | Constituent |
|------------------|--|------------------------------|-------------|
| MW-17BR | 2 highest PID readings plus soil/bedrock interface | 40 | BTEX |

| Soil Location ID | Sample Interval (feet) | Max Termination Depth (feet) | Constituent |
|-------------------------|---|------------------------------|---------------|
| MW-19 | 2 highest PID readings plus termination | 40 | BTEX |
| Two Soil Borings | | | 6 BTEX |

5. **Monitoring Well Installation:** Install monitoring wells in accordance with Section 5.3 of the UST Corrective Action Manual.
- Install a permanent monitoring well as described in the following table and at the location shown on the enclosed monitoring well location map.
 - Monitoring wells shall not be installed if the total depth of the monitoring well is seven (7) feet below ground surface or less.
 - Overburden monitoring wells shall be installed to the depth indicated in the following table unless bedrock is encountered prior to reaching the termination depth, in which case drilling must cease and well construction must be completed. For site specific instances to help ensure water is encountered, the (overburden) well termination depth may be advanced to, but must not exceed, 30 feet below ground surface and must not be advanced into bedrock.
 - Bedrock monitoring wells must be installed to the depth indicated in the following table. For site specific instances to help ensure water is encountered, the bedrock well termination depth may be advanced to, but must not exceed, 30 feet below ground surface.
 - Double-cased bedrock monitoring wells shall be constructed with a permanent outer casing keyed into rock 1-foot below the soil/bedrock interface in accordance with 401 KAR 6:350 Section 2(3) and Section 5.3.2 of the UST Corrective Action Manual for bedrock well requirements.
 - All monitoring wells shall be properly developed prior to the collection of groundwater samples, as described in 401 KAR 6:350.

| MW ID | Type of Well | Soil Sampling | Screen Length (feet) | Max Termination Depth (feet) |
|---|----------------------|-------------------------------------|----------------------|------------------------------|
| MW-17BR | Double-cased bedrock | <input checked="" type="checkbox"/> | 10 | 40 |
| MW-19 | Overburden | <input checked="" type="checkbox"/> | 15 | 40 |
| TOTAL Number of MW Installations | | 2 | | |

6. **Lost/Destroyed Monitoring Well Records:** In accordance with Section 5.3.2 of the UST Corrective Action Manual, include a narrative detailing the steps taken to locate each lost or destroyed monitoring well identified in the following table and provide copies of the records submitted to the Division of Water for lost or destroyed monitoring wells.

| MW ID | Type of Well | AKGWA Number | Well Depth (feet) |
|--|--------------|--------------|-------------------|
| MW-12 | Overburden | 80050239 | 20.5 |
| TOTAL Number of Lost MW Records | | 1 | |

7. **Groundwater Data:**
- Gauge and collect groundwater samples in accordance with Section 5.4 of the UST Corrective Action Manual and as described in the following table.
 - Unless otherwise directed, groundwater samples shall not be collected from monitoring wells with free product. If free product is discovered during field activities, include a summary of the type of free product, thickness locations, etc. and recommendations for free product recovery.
 - If groundwater for any of the requested locations cannot be gauged or sampled for reasons beyond the control of the applicant, note this in the report. Do not collect duplicate samples unless directed in writing by the UST Branch.

| MW ID | Gauge | Sample | Constituent | Field Parameters |
|--------------|-------------------------------------|-------------------------------------|----------------|------------------|
| MW-1 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-1A | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-2 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-2A | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-3 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-5 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-6 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-7 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-8 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-11 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-14 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-15 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-16 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-17 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-17BR | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-18 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| MW-19 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | BTEX | N/A |
| Trip Blank | NA | <input checked="" type="checkbox"/> | BTEX | N/A |
| TOTAL | 20 | 21 | 21 BTEX | N/A |

8. **Off-Site Access Request:** In order to allow for the issuance of a written directive to perform sampling on an off-site property, an off-site access agreement must be provided for each property referenced in the following table. The proposed sampling location(s) are indicated on the enclosed map. Provide the information as required in Section 5.7 of the UST Corrective Action Manual. If an area is inaccessible or a property owner restricts access, provide a narrative and map indicating inaccessible/restricted areas and alternate sampling location(s).

| Type of Agreement | Property Name / Address | Purpose of Access |
|--------------------------------------|---|--|
| Off-site Access Agreement | Property south/southwest across East Third Street to replace MW-8 | Install 1 permanent monitoring well(s) |
| One off-site access agreement | | |

9. **Conclusions and Recommendations:** Provide conclusions and recommendations in accordance with Sections 5.8 and 5.9 of the UST Corrective Action Manual.

10. **Reporting Requirements:**

- At a minimum, the Site Investigation Report shall include a descriptive narrative of all applicable items listed on the UST Site Investigation Checklist (DWM 4269).
- In accordance with Section 5.0 of the UST Corrective Action Manual, include a completed Site Investigation Checklist (DWM 4269) certified by a P.E. or P.G.
- In accordance with Section 3.15 of the UST PSTEAF Reimbursement Rates, provide Site Investigation Reporting, as follows:
 - Site Investigation Base Reporting

In accordance with Section 1.0 of the UST Corrective Action Manual, the cabinet reserves the right to require additional data or information. If the submitted information is not technically sufficient to comply with the request of this directive, the owner/operator will be contacted, in writing, by the cabinet if more information is required or if modification to this and/or future reports or plan(s) is needed. The UST Branch shall have final authority to determine all reimbursable actions.

The owner/operator/contractor/consultant bears the responsibility of exploring, identifying and addressing all potential safety hazards during field activities.

Submit the requested item(s) by **April 12, 2026**. All documents may be submitted electronically (preferred) using our website or by mail at the address below. Always refer to the appropriate site AI # when contacting the UST Branch and include the AI # on all documents submitted.

**Division of Waste Management
Underground Storage Tank Branch
300 Sower Boulevard, Second Floor
Frankfort KY 40601**

www.eec.ky.gov/Environmental-Protection/Waste/underground-storage-tank

PSTEAF Provisions:

Refer to 401 KAR 42:250 for forms and other requirements necessary for reimbursement.

The actions required by this written directive letter have a reimbursable amount of **\$21,435.50**, as calculated on the attached **Site Investigation Report** itemization (**dated December 23, 2025**) and indicated on the attached UST Claim Request for Directed Actions (DWM 4286). Payment of this reimbursable amount is contingent upon a determination by the UST Branch that the submitted information is technically complete and addresses all requirements of this written directive. Final reimbursement may be subject to deduction of the entry level established in KRS 224.60-120. The established reimbursable amount will be adjusted for corrective actions as identified in 401 KAR 42:250, Section 7(6) if applicable.

If the contract with the eligible company or partnership designated on a written directive is terminated prior to the commencement of reimbursable activities in response to the written directive, the obligation and guarantee of payment of the reimbursable amount, made in accordance with KRS 224.60-140(5), will be null and void.

All eligible tank owners and operators seeking reimbursement from the PSTEAF must follow the eligible company or partnership and laboratory certification requirements outlined in 401 KAR 42:250.

More information including UST regulations, outlines, forms and updates can be found on our website. If you have any questions regarding this letter, please contact me at 502-782-7055 or Diana.Robertson@ky.gov.

Sincerely,



Diana Robertson,
UST Branch, Corrective Action 1 Section

Enclosure: UST Claim Request for Directed Actions (DWM 4286)
Itemization of the Reimbursable Amount

CC:

SHIELD ENVIRONMENTAL ASSOCIATES
948 FLOYD DRIVE
LEXINGTON, KY 40505