STATE OF RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF COMPLIANCE & INSPECTION

IN RE: COUNTRYSIDE LLC and VILLAGE GAS 4 INC. **FILE NO.: OCI-UST-25-64-03317**

NOTICE OF VIOLATION

A. INTRODUCTION

Pursuant to Sections 42-17.1-2(21) and 42-17.6-3 of the Rhode Island General Laws, as amended, ("R.I. Gen. Laws") you are hereby notified that the Director of the Rhode Island Department of Environmental Management ("Director" of "RIDEM") has reasonable grounds to believe that the above-named parties ("Respondents") have violated certain statutes and/or administrative regulations under RIDEM's jurisdiction.

B. FACTS

(1) The subject property is located at 180 Chapel Street, Assessor's Map 142, Lot 24 in the Town of Burrillville, Rhode Island ("Property"). The Property includes a petroleum product storage and dispensing system ("Facility").

(2) Respondent Countryside LLC owns the Property.

(3) Respondent Village Gas 4 Inc. operates the Facility.

(4) Underground storage tanks ("USTs" or "tanks") are installed on the Property, which tanks are used for storage of petroleum products, and which are subject to the State of Rhode Island's *Rules and Regulations for Underground Storage Facilities Used for Regulated Substances and Hazardous Materials*, 250-RICR-140-25-1 (the "UST Rules").

(5) The Facility is registered with RIDEM and is identified as UST Facility No. 03317.

(6) On 18 February 2025, RIDEM issued a written notice to all registered UST owners/operators to remind them that Part 1.10(C)(1)(c) of the UST Rules ("Facility Compliance – Environmental Results Program") required that they inspect their facilities, complete a *Compliance Certification Checklist*, a *Certification Statement* form and any necessary *Return to Compliance Plans* ("Compliance Certification Forms") and submit them to RIDEM before 30 June 2025.

(7) On 19 August 2025, RIDEM sent a second written notice to all non-compliant registered UST owners/operators to again remind them of the requirement to

comply with the *UST Environmental Results Program*. The non-compliant UST owners/operators were provided with a second opportunity to complete and submit the required Compliance Certification Forms to RIDEM before 30 September 2025.

(8) On 27 January 2026, RIDEM issued a *Notice of Intent to Enforce* ("NIE") by certified mail to Respondents. The NIE required Respondents to inspect the Facility, complete the Compliance Certification Forms and submit them to RIDEM within 15 days of receipt of the NIE. The NIE was delivered to Respondents on 2 February 2026.

(9) As of the date of this *Notice of Violation* ("NOV"), Respondents have not submitted the Compliance Certification Forms to RIDEM.

C. VIOLATION

Based on the foregoing facts, the Director has reasonable grounds to believe that Respondents have violated the following regulation:

(1) **UST Rules, Part 1.10(C)(1)(c)** – requiring UST facility owners/operators to inspect their facilities, complete the Compliance Certification Forms and submit them to RIDEM by the specified due date.

D. ORDER

Based upon the violations alleged above and pursuant to R.I. Gen. Laws Section 42-17.1-2(21), **Respondents are hereby ORDERED to complete the following within 30 days of receipt of this NOV:** submit completed Compliance Certification Forms for the Facility to RIDEM, in accordance with Part 1.10(C)(1) of the UST Rules.

E. PENALTY

(1) Pursuant to R.I. Gen. Laws Section 42-17.6-2, the following administrative penalty, as more specifically described in the attached penalty summary and worksheets, is hereby ASSESSED, jointly and severally, against each named respondent:

$3,000

(2) The proposed administrative penalty is calculated pursuant to Rhode Island's *Rules and Regulations for Assessment of Administrative Penalties* (250-RICR-130-00-1) ("Penalty Rules") and must be paid to RIDEM within 30 days of your receipt of the NOV.

(3) Penalty payments shall be by one of two methods:

(a) By certified check, cashier's check, or money order made payable to the **General Treasury – Water and Air Protection Program** and forwarded to:

Administrator, RIDEM Office of Compliance and Inspection
235 Promenade Street, Suite 220
Providence, RI 02908-5767

(b) By wire transfer in accordance with instructions provided by RIDEM.

(4) Penalties assessed against the respondents in the NOV are penalties payable to and for the benefit of the State of Rhode Island and are not compensation for actual pecuniary loss.

(5) If any violation alleged herein shall continue, then each day during which the violation occurs or continues shall constitute a separate offense and the penalties and/or costs for that violation shall continue to accrue in the manner set forth in the attached penalty summary and worksheets. The accrual of additional penalties and costs shall be suspended if RIDEM determines that reasonable efforts have been made to comply promptly with the NOV.

F. RIGHT TO ADMINISTRATIVE HEARING

(1) Pursuant to R.I. Gen. Laws Chapters 42-17.1, 42-17.6, 42-17.7 and 42-35, each named respondent is entitled to request a hearing before RIDEM's Administrative Adjudication Division regarding the allegations, orders and/or penalties set forth in Sections B through E above. All requests for hearing MUST:

(a) Be in writing. See R.I. Gen. Laws Sections 42-17.1-2(21)(i) and 42-17.6-4(b).

(b) Be **RECEIVED** by RIDEM's Administrative Adjudication Division, at the following address, within 20 days of your receipt of the NOV. See R.I. Gen. Laws Sections 42-17.1-2(21)(i) and 42-17.7-9:

Administrative Clerk
RIDEM - Administrative Adjudication Division
235 Promenade Street, Room 350
Providence, RI 02908-5767

(c) Indicate whether you deny the alleged violations and/or whether you believe that the administrative penalty is excessive. See R.I. Gen. Laws Section 42-17.6-4(b).

(d) State clearly and concisely the specific issues which are in dispute, the facts in support thereof and the relief sought or involved, if any. See Part 1.7(B) of Rhode Island's *Rules and Regulations for the Administrative Adjudication Division* (250-RICR-10-00-1).

(2) A copy of each request for hearing must also be forwarded to:

Maria Rice, Esq.
RIDEM - Office of Legal Services
235 Promenade Street, Suite 425
Providence, RI 02908-5767

(3) Each named respondent has the right to be represented by legal counsel at all administrative proceedings relating to this matter.

(4) Each respondent must file a separate and timely request for an administrative hearing before RIDEM's Administrative Adjudication Division as to each violation alleged in the written NOV. If any respondent fails to request a hearing in the above-described time or manner regarding any violation set forth herein, then the NOV shall automatically become a Final Compliance Order enforceable in Superior Court as to that respondent and/or violation and any associated administrative penalty proposed in the NOV shall be final as to that respondent. See R.I. Gen. Laws Sections 42-17.1-2(21)(i) and (vi) and 42-17.6-4(b) and (c).

(5) Failure to comply with the NOV may subject each respondent to additional civil and/or criminal penalties.

(6) The NOV does not preclude the Director from taking any additional enforcement action nor does it preclude any other local, state, or federal governmental entities from initiating enforcement actions based on the acts or omissions described herein.

If you have any legal questions, you may contact (or if you are represented by an attorney, please have your attorney contact) Maria Rice of RIDEM's Office of Legal Services at (401) 537-4189 or at maria.rice@dem.ri.gov. All other inquiries should be directed to Richard S. Lefebvre of RIDEM's Office of Compliance and Inspection at (401) 537-4452 or at richard.lefebvre@dem.ri.gov.

Please be advised that any such inquiries do not postpone, eliminate, or otherwise extend the need for a timely submittal of a written request for a hearing, as described in Section F above.

FOR THE DIRECTOR

By: _____
Christina A. Hoefsmit, Administrator
RIDEM Office of Compliance and Inspection

Dated: _____

CERTIFICATION

I hereby certify that on the _____ day of _____ the within Notice of Violation was forwarded to:

Countryside LLC
c/o Zeshan Abid, Resident Agent
172 Chapel Street
Harrisville, RI 02830; and

Village Gas 4 Inc.
c/o Zeshan Abid, Registered Agent
172 Chapel Street
Harrisville, RI 02830

by Certified Mail.

_____

ADMINISTRATIVE PENALTY SUMMARY

Program: UST Compliance
File No.: OCI-UST-25-64-03317
Respondents: Countryside LLC and Village Gas 4 Inc.

GRAVITY OF VIOLATION

SEE ATTACHED "PENALTY MATRIX WORKSHEETS."

VIOLATION No. & CITATION	APPLICATION OF MATRIX		PENALTY CALCULATION		AMOUNT
	Type	Deviation	Penalty from Matrix	Number or Duration of Violations	
C (1) – Failure to submit the UST ERP Compliance Certification Forms	Type II *($12,500 Max. Penalty) **	Moderate	$3,000	1 violation	$3,000
				SUB-TOTAL	**$3,000**

***Maximum Penalties represent the maximum penalty amounts per day, per violation.**

ECONOMIC BENEFIT FROM NON-COMPLIANCE

COSTS OF COMPLIANCE, EQUIPMENT, O&M, STUDIES OR OTHER DELAYED OR AVOIDED COSTS, INCLUDING INTEREST AND/OR ANY COMPETITIVE ADVANTAGE DERIVED OVER ENTITIES THAT COMPLY. NOTE: ECONOMIC BENEFIT MUST BE INCLUDED IN THE PENALTY UNLESS:

- **THERE IS NO IDENTIFIABLE BENEFIT FROM NON-COMPLIANCE, OR**
- **THE AMOUNT OF ECONOMIC BENEFIT CANNOT BE QUANTIFIED.**

A review of the record in this matter has revealed that Respondents have either enjoyed no identifiable benefit from the non-compliance alleged in this enforcement action or that the amount of economic benefit that may have resulted cannot be quantified.

COST RECOVERY

ADDITIONAL OR EXTRAORDINARY COSTS INCURRED BY THE DIRECTOR DURING THE INVESTIGATION, ENFORCEMENT AND RESOLUTION OF AN ENFORCEMENT ACTION (EXCLUDING NON-OVERTIME PERSONNEL COSTS), FOR WHICH THE STATE IS NOT OTHERWISE REIMBURSED.

A review of the record in this matter has revealed that RIDEM has not incurred any additional or extraordinary costs during the investigation, enforcement, and resolution of this enforcement action (excluding non-overtime personnel costs), for which the State is not otherwise reimbursed.

TOTAL PENALTY PROPOSED UNDER PENALTY RULES = $3,000

PENALTY MATRIX WORKSHEET

CITATION: Failure to submit the UST ERP Compliance Certification Forms
VIOLATION NO.: C (1)

TYPE		
____**TYPE I** DIRECTLY related to protecting health, safety, welfare, or environment.	__**X**__ **TYPE II** INDIRECTLY related to protecting health, safety, welfare, or environment.	____**TYPE III** INCIDENTAL to protecting health, safety, welfare, or environment.

DEVIATION FROM THE STANDARD

THE DEGREE TO WHICH A VIOLATION IS OUT OF COMPLIANCE WITH THE REQUIREMENT VIOLATED.

FACTORS CONSIDERED:

Taken from Part 1.10(A)(1)(b) of the Penalty Rules.

(1) **The extent to which the act or failure to act was out of compliance:** Respondents failed to submit completed Compliance Certification Forms to RIDEM for the year 2025 requirement. The UST Rules require all UST owners/operators to certify their compliance with the UST Rules by completing and submitting the Compliance Certification Forms within the time frame specified by RIDEM.

(2) **Environmental conditions:** Considered, but not utilized for this calculation.

(3) **Amount of the pollutant:** Considered, but not utilized for this calculation.

(4) **Toxicity or nature of the pollutant:** The volatile nature of gasoline presents both a public health hazard (due to the potential inhalation of benzene) and a public safety hazard (due to the potential for explosion). Gasoline can cause significant, deleterious soil and groundwater contamination if released into the environment.

(5) **Duration of the violation:** Respondents have been non-compliant with the subject Rule since 30 June 2025.

(6) **Areal extent of the violation:** Considered, but not utilized for this calculation.

(7) **Whether the person took reasonable and appropriate steps to prevent and/or mitigate the noncompliance:** Respondents failed to prevent the non-compliance by submitting completed Compliance Certification Forms to RIDEM before 30 June 2025. Respondents have made no apparent attempt to mitigate the non-compliance despite RIDEM's issuance of the written notice dated 19 August 2025 and despite receiving the NIE from RIDEM on 2 February 2026.

(8) **Whether the person has previously failed to comply with any regulations, order, statute, license, permit, or approval issued or adopted by RIDEM, or any law which RIDEM has the authority or responsibility to enforce:** Considered, but not utilized for this calculation.

(continued)

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(9) **The degree of willfulness or negligence, including but not limited to, how much control the violator had over the occurrence of the violation and whether the violation was foreseeable:** Respondents had full control over the occurrence of the violation. RIDEM issued a letter to UST owners/operators on 18 February 2025 requiring owners/operators to comply with the Environmental Results Program compliance certification rule and directing the owners/operators to RIDEM's website to obtain the necessary forms and workbooks. RIDEM issued the NIE to Respondents on 27 January 2026 requiring Respondents to submit completed Compliance Certification Forms to RIDEM within 15 days of receipt.

(10) **Any other factor(s) that may be relevant in determining the amount of a penalty:** Considered, but not utilized for this calculation.

____ **MAJOR**	**X** **MODERATE**	**MINOR**

Penalty Matrix where the applicable statute provides for a civil penalty up to $25,000		TYPE I	**TYPE II**	TYPE III
DEVIATION FROM STANDARD	MAJOR	$12,500 to $25,000	$6,250 to $12,500	$2,500 to $6,250
	MODERATE	$6,250 to $12,500	$2,500 to $6,250 **$3,000**	$1,250 to $2,500
	MINOR	$2,500 to $6,250	$1,250 to $2,500	$250 to $1,250