

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF:)	Docket No. RCRA-02-2021-7701
)	
)	
Parsco, Inc.)	EXPEDITED SETTLEMENT
)	AGREEMENT AND
)	FINAL ORDER
Respondent)	
)	
)	
)	

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) has determined that Parsco Inc. (“Parsco” or “Respondent”), owner of the Underground Storage Tanks (“USTs”) situated at 1255 Ringwood Avenue, Haskell, NJ (“the facility”), failed to comply with the following requirement of Subtitle I of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. §§ 6991 *et seq.*, and its implementing regulations at 40 C.F.R. Part 280:

The UST regulations require owners and operators to test spill prevention equipment at least once every three years to ensure the equipment is liquid tight. For USTs in use on or before October 13, 2015, the initial spill prevention equipment testing had to have been conducted no later than October 13, 2018. EPA’s July 15, 2020 inspection of the facility and documents sent to EPA on September 8, 2020 indicated that three spill buckets at the facility were tested on January 03, 2019. Therefore, the owner and operator were in violation of 40 C.F.R. § 280.35(a)(1)(ii) for having failed to meet the testing deadline of October 13, 2018.
2. The EPA and the Respondent agree that settlement of this matter for a penalty of **two-thousand eight hundred and twenty \$2,820** without further proceedings is in the public interest.
3. The EPA is authorized to enter into this Expedited Settlement Agreement and Final Order (“Agreement”) pursuant to Section 9006 of RCRA and 40 C.F.R. § 22.13(b) and § 22.18(b)(2).
4. In signing this Agreement, the Respondent (1) admits that the Respondent is subject to requirement listed above in Paragraph 1, (2) admits that the EPA has jurisdiction over the Respondent and the Respondent’s conduct as described herein, (3) neither admits nor denies the factual determinations contained herein, (4) consents to the assessment of the penalty in Paragraph 2 above, and (5) waives any right to contest the determinations contained herein.
5. By signature below, the Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that Respondent has: (1) performed the required tests described in Paragraph 1, (2) submitted true and accurate documentation of the testing, (3) provided a deposit for payment of the civil penalty in Paragraph 2 above in accordance with the EPA penalty collection procedures provided to the Respondent, (4)

submitted true and accurate proof of deposit for payment of the civil penalty with this Agreement, and (5) agreed to release the deposit for payment to the EPA upon entry of this Order.

Full payment of the penalty in Paragraph 2 shall only resolve Respondent's liability for federal civil penalties for the violation and facts described in Paragraph 1, above. Full payment of this penalty shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

6. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Agreement shall be claimed by Respondent as a deduction for federal or state income tax purposes.
7. Upon signing and returning this Agreement to the EPA, the Respondent waives the opportunity for a hearing or appeal pursuant to Section 9006(b) of RCRA or 40 C.F.R. Part 22.
8. EPA and Respondent agree that the parties may use electronic signatures for this matter.
9. Each party shall bear its own costs and fees, if any.
10. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon the date of its filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 2, New York, New York.

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IT IS SO AGREED,

RESPONDENT:

Parsco, Inc.

Name of individual signing (type or print): Faromarz Ebrahimi

Title: President

Company Parsco Inc

Signature: 

Date 3-17-21

COMPLAINANT:

For Dore LaPosta, Director
Enforcement and Compliance Assurance Division

Date _____

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FINAL ORDER

The Regional Judicial Officer of the U.S. Environmental Protection Agency, Region 2, ratifies the foregoing Expedited Settlement Agreement ("Agreement"). This Agreement, entered into by the parties to this matter, is hereby approved, incorporated herein, and issued as an Order pursuant to Section 9006 of the Act and 40 C.F.R. § 22.18(b)(3). The Effective Date of this Order shall be the date of its filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 2, New York, New York. 40 C.F.R. § 22.31(b).

BY: _____
Helen S. Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency - Region 2
290 Broadway
New York, New York 10007-1866

DATE: _____