



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

RUST-05-2013-0003

DEC 20 2012

REPLY TO THE ATTENTION OF:
LR-8J

CERTIFIED MAIL # 7001 0320 0005 8913 8094
RETURN RECEIPT REQUESTED

Mrs. Karen Ruggles
Gas Depot
11 Akron Street
New London, Ohio 44851

Re: Gas Depot
11 Akron Street
New London, Ohio 44851

Dear Mrs. Ruggles:

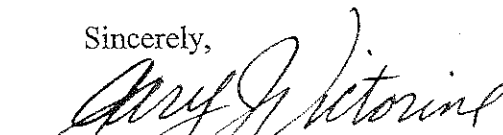
On June 26, 2012, the Underground Storage Tank (UST) Section issued a Notice of Violation (NOV) and Compliance Order (CO) concerning failure to maintain records of release detection monitoring for the three underground storage tanks operating at the Gas Depot facility located at 11 Akron Street New London, Ohio.

This is to inform you that we received your signed original copy of the Settlement Agreement, dated September 17, 2012, and the check for \$420.00 in penalties. We have reviewed the original copy of the Settlement Agreement in which you have certified under civil and criminal penalties that the violation of the underground storage tank regulation for which you were cited for has been corrected.

The Settlement Agreement states that it is effective upon U.S. EPA's final approval. This is to inform you that I have enclosed a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in U.S. EPA files. We also have accepted and processed your check as part of the Settlement process.

If you have any questions or concerns regarding this matter, please contact Kevin Hill, of my staff, at (312) 886-6087

Sincerely,



Gary Victorine
RCRA Branch Chief

Enclosure

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 5

77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. R5-UST-12-001-KH

PART I: INSPECTION SUMMARY

On: 06/26/2012 Time: 12:45 PM

At: Gas Depot
Address: 11 Akron Street
New London, OH 44851

Randy Ruggles
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Karen Ruggles
Address: 11 Akron Street
New London, OH 44851

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq).

1. Violation: Failure to have annual line tightness test or perform monthly monitoring on pressurized piping

Cite: 40 CFR 280.41(b)(1)(ii) Proposed Penalty: \$420

2. Violation:

Cite: 40 CFR Proposed Penalty:

3. Violation:

Cite: 40 CFR Proposed Penalty:

4. Violation:

Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$420

EPA finds the Owner or Operator in violation of the above referenced UST regulations.

Kevin A. Hill 9/17/2012
(Signature of EPA Inspector) (Date)

Part II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER

A. Settlement Agreement: The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$420 in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 5, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:

Name (Print): KAREN S. RUGGLES
Title (Print): OWNER / v. PRES
Signature: Karen Ruggles Date: 9/17/12

B. Compliance Order: This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

Name (Print): Gary J. Victorine
Title (Print): Chief, RCRA Branch
Signature: Gary J. Victorine Date: 12/20/12

Notes:

2012 DEC 21 AM 11:30
RECEIVED
REGIONAL HEARING CLERK
U.S. EPA-REGION 5

RUST-05-2013-0003

Docket #

CASE NAME: Gas Depot

DOCKET NO: RCRA R5-UST-12-001-KH

CERTIFICATE OF SERVICE

I hereby certify that today I filed the original of this **Field Citation form for expedited settlement** and this **Certificate of Service** in the office of the Regional Hearing Clerk (E-19J), U.S. Environmental Protection Agency, Region 5, 77 W. Jackson Blvd., Chicago, IL 60604-3590.

I further certify that I then caused true and correct copies of the filed document to be mailed via Certified Mail, Return Receipt Requested to the following:

Gas Depot
11 Akron Street
New London, Ohio 44851
Attn: Mrs. Karen Ruggles

Return Receipt # 7001 0320 0005 8913 8094

Dated: 12/21/2012

Kevin Hill

Kevin Hill, Environmental Scientist
U.S. EPA Region 5
RCRA Branch, (LR-8J)
Underground Storage Tanks Section
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 886-6087

RECEIVED
REGIONAL HEARING CLERK
U.S. EPA-REGION 5

2012 DEC 21 AM 10:43