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EPA -- REGION 10

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION X**

IN THE MATTER OF:

SRPH Gasoline Incorporated
EPA ID No. WA100582
Respondent

) Docket No.
) RCRA-10-2015-0090
)

) **EXPEDITED SETTLEMENT**
) **AGREEMENT AND**
) **FINAL ORDER**
)
)
)

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") alleges that SRPH Gasoline Incorporated ("Respondent"), owner or operator of the Underground Storage Tank(s) (USTs) at 780 Stevens Drive, Richland, Washington 99352 (the "UST Facility"), failed to comply with the following requirement(s) of the **Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6991 et seq., and its implementing regulations at Washington Administrative Code (WAC) 173-360**. Pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, EPA has approved the Washington Department of Ecology (Ecology) UST program to act in lieu of the federal UST program in Washington state. Therefore, the requirements and standards of Ecology's UST program are independently enforceable by EPA pursuant to its authority under Section 9006 of RCRA, 42 U.S.C. § 6991e.
 - a. Failure to monitor three petroleum tanks at least every 30 days as required by WAC 173-360-355(2)(a), from at least March 1, 2014 through January 31, 2015.
2. The EPA and the Respondent agree that settlement of this matter for a penalty of \$5,100 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).
4. In signing this Agreement, the Respondent: (1) admits that the Respondent is subject to requirements listed above in Paragraph 1, (2) admits that the EPA has jurisdiction over the Respondent and the Respondent's conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein, (4) consents to the assessment of this penalty, and (5) waives any right to contest the allegations contained herein.
5. By its signature below, the Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that he or she has: (1) corrected the alleged violations, (2) submitted true and accurate documentation of those corrections, (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) agrees to release the deposit for payment to the EPA upon entry of this Order.

6. Upon filing, this Consent Agreement and Final Order shall constitute full settlement of the violation(s) alleged herein.
7. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by the Respondent of RCRA, any other federal statute or regulation, or against any violations alleged to have been corrected pursuant to this Agreement that were not corrected.
8. 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.
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 filing.

IT IS SO AGREED,

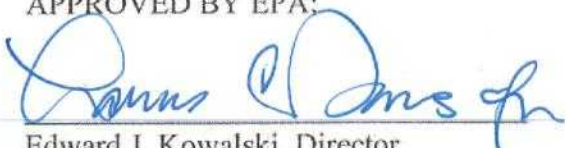
Name (print): SUKHIBIR SANDHU

Title (print): Pres

Signature: 

Date 4/24/15

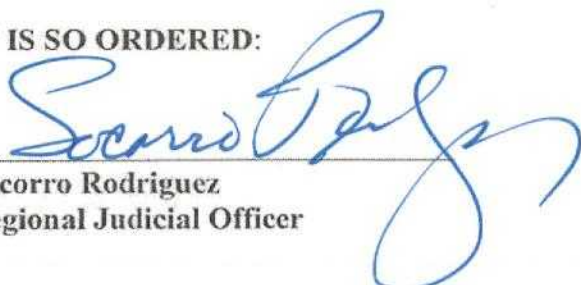
APPROVED BY EPA:



Edward J. Kowalski, Director
Office of Compliance and Enforcement
EPA Region 10

Date 5-13-15

IT IS SO ORDERED:



Socorro Rodriguez
Regional Judicial Officer

Date 5/26/15

Certificate of Service

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: SRPH Gasoline Incorporated Docket No.: RCRA 10-2015-0090**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Ben Horwitz
1200 Sixth Avenue, OCE-082
Suite 900
Seattle, Washington 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Sukhbir Sandhu
SRPH Gasoline Incorporated
5304 West Canal Drive
Kennewick, Washington 99336

DATED this 27th day of May, 2015


Signature

Candace H. Smith
Regional Hearing Clerk
EPA Region 10