

U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 7
11201 Renner Boulevard, Lenexa, Kansas 66219

UNDERGROUND STORAGE TANK FIELD CITATION FORM FOR EXPEDITED SETTLEMENT DOCKET NO. RCRA-07-2014-0004

PART I: INSPECTION SUMMARY

On: June 26, 2013
(Date of Inspection)

At: Crowl Oil Company (ID #:13349)
(Facility Name and Identification Number)

Address: 201 Parallel

Clifton, Kansas

Mr. Aaron Crowl

(Name of On-site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator (circle which applies).

Name: Mr. Aaron Crowl

Address: 201 Parallel

Clifton, Kansas

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 provide adequate line leak detector system for underground piping.

Cite: 40 C.F.R. § 280.44(a) [KAR 28-14.23(c)]

Proposed Penalty: \$ 210.00

PROPOSED PENALTY TOTAL: \$ 210.00

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



Date: 2-11-14

(Signature of Authorized Officer or Employee of EPA)

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 \$210.00 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 7, 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): Aaron Crowl Aaron Crowl

Title (print): Owner

Signature: Aaron Crowl Date: 1-2-14

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.

SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (print): KARINA BORROMEO

Title (print): REGIONAL JUDICIAL OFFICER

Signature: Karina Borromeo Date: 2-19-14

Notes:

UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY-REGION 7

2014 FEB 19 AM 10:20

INSTRUCTIONS

On the reverse side is an Underground Storage Tank Field Citation Form for Expedited Settlement (Form). If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

1. Correct the violation(s) cited in Part I of the Form ("Part I");
2. Pay the total penalty amount listed in Part I in accordance with the directions provided below;
3. Sign the Settlement Agreement in Part II of the Form ("Part II") (or in the case when an Owner or Operator is a corporate entity, have an authorized representative sign it); and
4. Return the Field Citation Form along with documentation of compliance and payment information (copy of the check would suffice) to EPA at the following address (within the 30-day time limit specified below): Dr. Peter A. Sam, EPA Region 7 AWMD/STOP, 11201 Renner Boulevard, Lenexa, KS 66219.

This settlement process is optional. You are not required to submit this Form to EPA. If you do not submit this Form, EPA will conclude that you are not interested in pursuing an expedited settlement. EPA will then consider other actions to resolve these violations including the possibility of formal administrative or judicial enforcement.

Whether you submit the Form or not, you are by law required to correct any noncompliance and comply with all applicable UST requirements. EPA will not approve the Settlement Agreement if there is an alteration of any of the information in the Form or if the payment submitted is less than the full amount of settlement.

Timeline: The Form must be postmarked no later than thirty (30) days after the date of the inspection. In the event the Form is sent to you via registered or certified mail, the timeline begins on the date of receipt of that mail. If EPA does not receive the Form within thirty (30) days, EPA will conclude that you do not wish to pursue expedited settlement. EPA will then consider taking other actions to resolve these violations including pursuing formal administrative or judicial enforcement. (Note: All time periods and deadlines in the Form, including these Instructions, are in calendar days. If a deadline falls on a Saturday, Sunday, or federal holiday, EPA will consider the deadline to fall on the next business day.)

Requesting An Extension: EPA may grant, at its discretion, an extension of thirty (30) days if you can demonstrate that it is not feasible for you to come into compliance within the initial 30-day time period. You must request that extension in writing before the initial 30-day time period expires. That written request must explain why compliance within 30 days is not feasible and it must contain a schedule for when you will come into compliance (which must not extend beyond the 30-day extension period).

Requesting that EPA Modify or Withdraw the Form: If you can document that you were in compliance with the regulations cited in Part I at the time of the inspection, you must submit that documentation to EPA within fifteen (15) calendar days of your receipt of the Form. EPA will review the documentation and may choose to not pursue enforcement or may withdraw some or all of the violations and reissue a modified Form to the Owner/Operator (via certified or registered mail) for any violations that are not withdrawn.

Payment: Payment can be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. The check should refer to the Field Citation Docket Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers and online payment are also accepted by EPA. For further information on those other forms of payment, please email CINWD_AcctsReceivable@epa.gov or use the EPA contact listed below.

Settlement Agreement Certification: By signing the Settlement Agreement in Part II, you are certifying under penalty of law that you have corrected the violations, submitted true and accurate documentation of compliance, and have paid the penalty. Failure to meet those conditions means you will remain liable for the original violations with the possibility of being liable for additional violations for noncompliance with the Compliance Order and for making a false representation to the U.S. Government.

EPA Review: Once EPA has received the Form, EPA will review it and the documentation of compliance, and verify that payment was made. If EPA decides to settle the case using this Field Citation, EPA will sign and approve the Settlement Agreement and the Compliance Order and send a copy of the completed Form to you. Once EPA has signed the Compliance Order and Settlement Agreement, you and EPA are bound by their terms. EPA reserves the right not to pursue settlement under the Field Citation and instead pursue formal enforcement. In that event, you will be promptly reimbursed for the amount you paid into the U.S. Treasury when submitting the Field Citation.

If you have any questions, please contact Dr. Peter A. Sam at 913-551-7642 or sam.peter@epa.gov.

10-12 UST011

KDHE Reference No.: Owner ID: 13349 Facility ID: 13349

Underground Storage Tank System Tightness Test

(This form must accompany tank/line tightness test results)

Submit to: Kansas Department of Health and Environment
Bureau of Environmental Remediation
Storage Tank Section

1000 SW Jackson, Suite 410
Topeka, KS 66612-1367

Phone: 785 296-8061
Fax: 785 296-8190

Date of Test	<u>9-30-13</u>
Tester I.D.	<u>125</u>
Company ID	<u>71</u>
Signature	<u>[Signature]</u>

FAXED
12/31/13

I. Facility Information

A. Facility Name: Crowl Oil Co.

B. Facility Address: 201 Parallel Clifton KS 66937
(Street) (City) (State) (Zip)

C. Contact Person: Aaron Crowl Phone: 785) 630-1038

II. Owner Information

A. Owner Name: Danny Knoetgen or Aaron Crowl

B. Owner Address: PO Box 116 Clifton KS 66937
(Street) (City) (State) (Zip)

C. Owner Contact Person: Danny Knoetgen or Aaron Crowl Phone: 785) 455-2000

III. Test Information

A. Test Method: Red Jacket F&T Leak Threshold: 3 GPH

IV. Tank Systems Tested When performing line tests always provide corresponding tank information.

KDHE tank no.	<u>1 NL</u>	<u>4 DS/CL</u>	<u>5 DS/</u>		
Total Capacity (gals)					
Capacity during Test (gals)					
Year Installed					
Pass/Fail					
Leak rate					
3 rd Party Certification met	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___

KDHE tank/line no.	<u>1</u>	<u>4</u>	<u>5</u>		
Dispenser type: Safe/Conventional/Pressure	<u>Pressure</u>	<u>Pressure</u>	<u>Pressure</u>		
Mech. Leak Det. or Auto. Line Mon. Model:	<u>Red Jacket MLD</u>	<u>Red Jacket MLD</u>	<u>Red Jacket MLD</u>		
MLD or ALM Pass Function Test: Y/N	<u>Y</u>	<u>Y</u>	<u>Y</u>		
Pass/Fail					
Leak rate					
3 rd Party Certification met	Yes <u>X</u> No ___	Yes <u>X</u> No ___	Yes <u>X</u> No ___	Yes ___ No ___	Yes ___ No ___

V. If tank or line has failed, a release is suspected. To whom has suspected release been reported?

Please direct questions regarding tank and line tests to KDHE, Storage Tank Section, 785-296-8061

Invoice

WESTHUSING'S, INC.

Date: 7/30/2013
 Invoice No.: 2255

PO BOX 546
 1016 SOUTH CEDAR
 STOCKTON, KS 67669
 (785) 425-6746 (785) 425-6323 (fax)

Bill to: CROWL OIL CO.
 201 WEST PARALLEL
 CLIFTON, KS 66937

Service at: CROWL OIL CO.
 201 WEST PARALLEL
 CLIFTON, KS 66937



Customer ID: 372

Description: Work Order 1490 PREVENTIVE MAINTENANCE Reference: Work Order 1490

Terms: PO Number:

Item	Description	Quantity	Unit Price	Amount
Labor				
	TESTING	7.50	\$70.0000	\$525.00
Labor Subtotal:				\$525.00
Parts				
	1160585 LEAK DETECTOR FX1DV (DIESEL)	1.00	\$359.1210	\$359.12
	1160565 LEAK DETECTOR, FX1V	1.00	\$359.1210	\$359.12
	V1006025 VALVE BALL .25	3.00	\$10.4517	\$31.36
	34D0150 NIPPLE .25 X CLOSE BLACK	3.00	\$1.6905	\$5.07
	34B3670 BUSHING, 3/8X1/4 CI BSHNG	3.00	\$1.5141	\$4.54
	34A0020 ELBOW, .25 BLK EL 90	1.00	\$3.1605	\$3.16
	34B5520 PLUG, .25 BLK PLUG	3.00	\$1.1613	\$3.48
Parts Subtotal:				\$765.85
Miscellaneous				
	ELECTRONIC LINE LEAK TEST	3.00	\$50.0000	\$150.00
	MILEAGE	240.00	\$0.8500	\$204.00
Miscellaneous Subtotal:				\$354.00

07/30/13 INSTALLED LEAK DETECTORS AND HOOKED COPPER LINES INTO SYPHON PORTS ON TOKHEIM SUB PUMPS. INSTALLED BALL VALVES AND TESTED LEAK DETECTORS. REPLACED UNION UNDER WEST DISP NL.

Subtotal:	\$1,844.85
Sales Tax:	\$117.61
Payments:	\$0.00
Total Due:	\$1,762.46

Facility Number: 13349 AboveGround Tanks: 0-Active 0 -Inactive Under Ground Tanks: 5-Active 2-Inactive
Name: CROWL OIL CO. Facility Phone: 785-455-2200 24-Hour Contact Name: AARON CROWL Title: CONTACT PERSON 24-Hour Phone: 785-455-1015 Update Date: 08/27/2010 Notification/Owner Signed Date: 02/10/86 Cell Phone: 785-630-1038
Mail Address: 201 PARALLEL City: CLIFTON State: KS ZipCode: 66937
Physical Address: 201 PARALLEL City: CLIFTON State: KS ZipCode: 66937
County -- District: Clay -- NC Legal Description: of of of Sec: Tws: Rng:
Location Method: Garmin GPS III Plus Location Feature: Facility Center Latitude: 39.56714 Longitude: -97.28217 Datum: WGS84
Inspection Date: 06/26/2013 Inspection Type: Compliance Inspector: Bjorn Brinkman, EPA Observed Releases: None Inventory Control Compliance: Yes Deficiencies: Full Release Prevention Compliance: Yes Deficiencies: Full Release Detection Deficiencies: No Deficiencies:
Leaking Tank Info*+: L/T Project Code: U5-101-12415 Status: Closed CA Date: Applicant:

► **Owner(13349)(KNOETTGEN, DANNY OR AARON CROWL)(201 PARALLEL CLIFTON KS 66937)(Phone:785-455-2200)**

▼ **Tanks**

Type	Tank#	Status	Permit	Exempt	YR-Inst	Substance	Capacity	Fill-Rmv-Compl
U	001	Cur In Use	11/12/2013	No	1976	Gas Unleaded Regular	8,000	Yes
U	002	Perm Out		No	1976	Gas (Incl Alcohol)	2,000	Removed
U	003	Perm Out		No	1976	Gas (Incl Alcohol)	2,000	Removed
U	004	Cur In Use	11/12/2013	No	1976	Diesel Clear	2,000	Yes
U	005	Cur In Use	11/12/2013	No	1976	Diesel Clear	2,500	Yes
U	006	Cur In Use	11/12/2013	No	1984	Dyed Diesel	8,000	Yes
U	007	Cur In Use	11/12/2013	No	1999	Dyed Diesel	2,000	Yes

IN THE MATTER OF Crowl Oil Company, Respondent
Docket No. RCRA-07-2014-0004

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Order was sent this day in the following manner to the addressees:


Copy emailed to Attorney for Complainant:

bosch.raymond@epa.gov

Copy by First Class Mail to Respondent:

Aaron Crowl, Owner
Crowl Oil Company
201 Parallel
Clifton, Kansas 66937

Dated: 2/19/14


Kathy Robinson
Hearing Clerk, Region 7

