



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 5**

**77 WEST JACKSON BOULEVARD**

**CHICAGO, IL 60604-3590**

**September 27, 2021**

**ELECTRONIC MAIL  
DELIVERY RECEIPT REQUESTED**

Mr. Qasem Ahmed  
Harvey Marathon (dba BP)  
288 West 147th Street  
Harvey, Illinois 60626  
[harveybpinc@gmail.com](mailto:harveybpinc@gmail.com)

Re: Notice of Violation and Compliance Order/Settlement Agreement for the Harvey Marathon (dba BP) facility, 288 West 147th Street, Harvey, Illinois 60626 ICIS #3601320239 **RUST-05-2021-0015**

Dear Mr. Ahmed:

On August 11, 2021, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement (Field Citation) concerning an UST violation (i.e., failure to have designated C operators trained) found at the Harvey Marathon (dba BP) facility located at 288 West 147th Street, Harvey, Illinois.

On August 31, and September 1, 2021, EPA received your signed copy of the Settlement Agreement and supporting documentation. Also, on September 14, 2021 the EPA finance office confirmed receipt of your payment (check #1372) for a total of \$470.00 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. I have enclosed (see email attachment) a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in the EPA's files. We also have accepted and processed your check as part of the settlement process.

If you have any questions, please feel free to contact Arturo Cisneros, of my staff, at (312) 886-7447.

Sincerely,

**Julie Morris**

Digitally signed by Julie  
Morris  
Date: 2021.09.27  
06:18:07 -05'00'

Julie Morris, Acting Chief  
Land Enforcement and Compliance Assurance Branch

Enclosure

cc: Tom Kenney, ORC, [kenney.thomas@epa.gov](mailto:kenney.thomas@epa.gov)  
James Bently, IL OSFM, [James.Bentley@Illinois.gov](mailto:James.Bentley@Illinois.gov)

IRN : RUSB03212538962835  
 ALC+2 : 6801072702  
 Cashflow Name : EPA Fines and Penalties  
 Lockbox ID : 979077

RUST-05-2021-0015

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 5 77 West Jackson Boulevard (LR-17J), Chicago, Illinois 60604-3590 UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. <span style="float: right;">R5-UST-21-019-AC</span>	
<p style="text-align: center;"><b>Part I: INSPECTION SUMMARY</b></p> <p>On <u>08/11/2021</u> Time <u>9:30 am</u>                      (Date of Violation) (a.m. or p.m.)</p> <p>At <u>Harvey Marathon (dba BP)</u>                      (Name of Facility)</p> <p>Address: <u>288 West 147th</u>  <u>Harvey, IL 60426</u>  <u>Marwan Hussein</u>                      (Name of On site Representative if not the Owner or Operator)</p> <p>Name and address of the UST <input checked="" type="checkbox"/> Owner or <input type="checkbox"/> Operator</p> <p>Name: <u>Qasem Ahmed</u>                      Address: <u>288 West 147th</u>  <u>Harvey, IL 60426</u></p> <p>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.)</p> <p>1. Violation: <span style="border: 1px solid black; padding: 2px;">Failure to have their designated Class C operators trained to meet requirements in § 280.242(c) before assuming their duties.</span>                      Cite: <u>40 CFR §280.243(c)</u> Proposed Penalty: <u>\$ 470</u>                      x Tanks Multiplier: _____                      Subtotal: <u>\$ 470</u></p> <p>2. Violation: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span>                      Cite: <u>40 CFR</u> Proposed Penalty: _____                      x Tanks Multiplier: _____                      Subtotal: _____</p> <p>3. Violation: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span>                      Cite: <u>40 CFR</u> Proposed Penalty: _____                      x Tanks Multiplier: _____                      Subtotal: _____</p> <p>4. Violation: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span>                      Cite: <u>40 CFR</u> Proposed Penalty: _____                      x Tanks Multiplier: _____                      Subtotal: _____</p> <p style="text-align: right;"><b>TOTAL PROPOSED PENALTY: \$ 470</b></p> <p>EPA finds the Owner or Operator in violation of the above referenced UST regulations.</p> <p> Date: <u>8-11-2021</u>                      (Signature of EPA Inspector)</p>	<p style="text-align: center;"><b>Part II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER</b></p> <p><b>A. Settlement Agreement:</b> 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:</p> <p>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 <u>\$ 470</u> in payment of the full proposed penalty amount, as described in Part I of this Form.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:</b></p> <p>Name (Print): <u>Qasem Ahmed</u>                      Title (Print): <u>President</u>                      Signature:  Date: <u>9-3-21</u></p> <p><b>B. Compliance Order:</b> 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.</p> <p><b>SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:</b></p> <p>Name (Print): <u>Patrick Kuefler</u>                      Title (Print): <u>Chief, LCECAR</u>                      Signature: _____                      Digitally signed by Julie Morris Date: 2021.09.27 06:15:35 -05'00'</p> <p>Notes: <u>Julie Morris</u></p>

(5/1/01)