

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
EXPEDITED ENFORCEMENT
COMPLIANCE ORDER AND SETTLEMENT AGREEMENT**

PART I: ENFORCEMENT COMPLIANCE ORDER	Part II: SETTLEMENT AGREEMENT
<p>ENFORCEMENT COMPLIANCE ORDER NO. RCRA-03-2008-0163FC</p> <p>On <u>January 21, 2008</u> (Violation date) (a.m./p.m.)</p> <p><u>Georgetown Chevron</u> (Name of Facility) 2450 Wisconsin Avenue, NW Washington DC 20007 (Address of Facility)</p> <p>Facility Identification Number <u>9000655</u> Name of <u>Owner, Operator or</u> On Site Representative: <u>Mr. Peter Troilo</u></p> <p>(Address of <u>Owner, Operator, or On-Site Representative</u>)</p> <p><u>Mid-Atlantic Petroleum Properties, LLC 12311 Middlebrook Road</u> <u>Germantown, MD 20847</u> An authorized representative of the United States Environmental Protection Agency (EPA) inspected this facility to determine compliance with underground storage tank (UST) regulations promulgated under Subtitle I of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. §6991 et seq.), and codified at 40 C.F.R. Part 280, a copy of which is enclosed. During this inspection, the following civil violation(s) of underground storage tank regulations were found, with corresponding penalty amounts:</p> <p><u>20 DCMR §5705.2</u></p> <p>Penalty <u>\$150.00</u></p> <p>Nature of Violation:: <u>Failure to install overfill protection.</u></p> <p align="right">Civil Penalty Total <u>\$150.00</u></p> <p>The Owner or Operator of the above facility may resolve the above-cited violation(s) without further civil enforcement action by EPA for said violation(s) by complying with the terms and conditions specified in the Settlement Agreement.</p> <p>This Enforcement Compliance Order is not an adjudicatory proceeding under 40 C.F.R. Part 22, the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, but is issued solely with reference to the Settlement Agreement in Part II of this form. If the Settlement Agreement in Part II is not returned in correct form by the Owner or Operator within 30 calendar days of receipt, this Enforcement Compliance Order is hereby withdrawn, without prejudice to EPA's ability to file additional enforcement actions for the above or any other violation(s).</p> <p>I find <u>Mid-Atlantic Petroleum Properties, LLC</u> in violation of the above-referenced UST regulations</p> <p><u>Alain Fend</u> Date <u>3/26/08</u> (Signature of Authorized Representative of EPA)</p> <p>I hereby acknowledge receipt of this Enforcement Compliance Order and Settlement Agreement.</p> <p><u>[Signature]</u> Date <u>4/15/08</u> (Signature of Owner, Operator, or On-Site Representative)</p>	<p><u>The United States Environmental Protection Agency (EPA) offers this Settlement Agreement in order to settle expeditiously the violations found in the Enforcement Compliance Order in Part I of this form subject to the following terms and conditions:</u></p> <p><u>The Owner or Operator signing below certifies, under civil and criminal penalties for making a false submission to the United States Government, that the Owner or Operator has corrected the violation(s) and enclosed a certified check for \$150.00 in payment of the full civil penalty amount, as described in the Enforcement Compliance Order.</u></p> <p>Upon EPA final approval of this Settlement Agreement, EPA will take no further civil action against the Owner or Operator for the violations described in the Enforcement Compliance Order. EPA does not waive the authority to pursue any enforcement action by EPA, the State, or Indian tribe or authorized tribal organization where the facility is located or any local agencies for any other past, present or future violation(s) of the underground storage tank requirements or any other violation(s) under any other statute not described in the Enforcement Compliance Order.</p> <p>Also, upon final approval by EPA of this Settlement Agreement, the Owner or Operator waives its right to a public hearing provided by Section 9006 of the Resource Conservation and Recovery Act, as amended.</p> <p>This Settlement Agreement is binding on the EPA and the Owner or Operator signing below. The Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Enforcement Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. This Settlement Agreement is effective upon EPA's final approval below. Upon final approval, EPA shall mail a copy of the approved Settlement Agreement to the Owner or Operator signing below. The original fully-executed Settlement Agreement will be filed with the Compliance & Enforcement Branch (3WC31), EPA Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.</p> <p>Final approval of the Settlement Agreement is in the sole discretion of the Regional Administrator, Region III, EPA or his or her authorized delegate.</p> <p>SIGNATURE BY OWNER OR OPERATOR:</p> <p>Name (print) <u>CARLOS HORCASITAS</u></p> <p>Title (print) <u>CEO</u></p> <p>Signature <u>[Signature]</u> Date <u>04/15/08</u></p> <p>FINAL APPROVAL BY EPA:</p> <p>Name (print) <u>Abe Ferdas</u></p> <p>Title (print) <u>Director, WCMD</u></p> <p>Signature <u>[Signature]</u> Date <u>5/6/08</u></p>

Cashier Check

0012574

The purchase of an indemnity bond may be required before any Official Check of this bank will be replaced in the event it is lost, stolen, or destroyed.

Date

April 09, 2008

Amount

\$150.00

Pay ONE HUNDRED FIFTY DOLLARS AND ZERO CENTS

To The Order Of

Treasurer United States of America

Client Copy

M. [Signature] 237

Remitter RCRA-03-2008-0163FC

Important Notice to Purchaser
It may not be possible to replace this check. Please contact Sandy Spring Bank if your check is lost, stolen, or destroyed. This is your receipt. please handle with care.

213761293701 New 6/05 M 63098-M / M 1666823

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

CASHIER CHECK

0012574



17801 GEORGIA AVE., OLNEY MARYLAND 20832

DATE April 09, 2008

23-97/1020

PAY TO THE ORDER OF *Treasurer United States of America*

\$*****150.00

ONE HUNDRED FIFTY DOLLARS AND ZERO CENTS

See Front Cover Back
DOLLARS

If this check is lost, stolen, or destroyed you may be required to purchase an indemnity bond before it can be replaced.

Remitter RCRA-03-2008-0163FC

M. [Signature] 237
Drawer: Sandy Spring Bank

⑈012574⑈ ⑆055001096⑆ 9900042201⑈

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM

TO BE FILLED OUT BY ORIGINATING OFFICE:

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: Andrew Ma
Name of Contact person

April 28, 2008
Date

in the RCRA Compliance & Enforcement Branch (3WC31)
Office

at 215-814-3429
Phone number

Non-SF Jud. Order/Consent
Decree. DOJ COLLECTS

Administrative Order/
Consent Agreement.
FMD COLLECTS PAYMENT

SF Jud. Order/Consent
Decree. FMD COLLECTS

This is an original debt

This is a modification

Name of Person and/or Company/Municipality making the payment

Mid-Atlantic Petroleum Properties, LLC
The Total Dollar Amount of Receivable \$150.00

(If in installments, attach schedule of amounts and respective due dates)

The Case Docket Number RCRA-03-2008-0163FC

The Site-Specific Superfund Acct. Number N/A

The Designated Regional/HQ Program Office RCRA Compliance and Enforcement Branch (3WC31)

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

The IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
Name of Contact Date

in the Financial Management Office, phone number: _____

JUDICIAL ORDERS: Copies of this form with an attached copy of the front page of the final judicial order should be mailed to:

1. Lori Weidner
U.S. EPA
MS-NWD
26 W ML King Drive
Cincinnati, OH 45268-0001
2. Originating Office (ORC)
3. Designated Program Office

ADMINISTRATIVE ORDERS: Copies of this form with an attached copy of the front page of the administrative order should be sent to:

1. Originating Office
2. Designated Program Office
3. Regional Hearing Clerk
3. Regional Counsel



INDEPENDENT
PETROLEUM SERVICES, INC.

March 18, 2008

Mid-Atlantic Petroleum Properties, LLC
12311 Middlebrook Road
Germantown, MD 20874
Attn: Pete Troila

The external overfill alarm for your location at 2450 Wisconsin Avenue, N.W., Wash., D.C. 20007 has been installed according to EPA regulations. The external alarm is visible to the driver of the fuel truck when delivering fuel and is tied into your Veeder Root TLS 350 system. This system covers the three tanks at this site. All functions were tested and are fully operational.

All work was completed 3/14/08

Sincerely,

Thomas Beck
President

☎ 410-646-4080
F 410-646-4082

2025 Inverness Road
Suite 250
Baltimore, MD 21230

sales@indpetro.com