

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

FILED

Sep 24, 2026

1:40 pm

**U.S. EPA REGION 3
HEARING CLERK**

In the Matter of:	:	
	:	
Irfan Samma LLC	:	U.S. EPA Docket No. RCRA-03-2026-0221
1162 Rockwall Drive	:	
Abingdon, Virginia 24210	:	Proceeding under Section 9006 of the Resource
	:	Conservation and Recovery Act, 42 U.S.C.
Respondent.	:	Section 6991e
	:	
Stop N Save	:	
21982 Jeb Stuart Highway	:	
Damascus, Virginia 24236	:	
	:	
Facility.	:	
	:	

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") and Irfan Samma LLC ("Respondent") (collectively, the "Parties"), pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA" or the "Act"), 42 U.S.C. § 6991e, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. Section 9006 of RCRA authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter, jointly referred to as the "Consent Agreement and Final Order") resolve Complainant's civil penalty claims against Respondent under RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency (“EPA”) has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(4).
5. EPA has given the Virginia Department of Environmental Quality (“VADEQ”) notice of the issuance of this Consent Agreement and Final Order in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

GENERAL PROVISIONS

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
7. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
8. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
9. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
10. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
11. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.
12. By signing this Consent Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the Final Order accompanying the Consent Agreement.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

13. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
14. On September 28, 1998, pursuant to Section 9004 of RCRA, 42 U.S.C. 6991c, and 40 C.F.R. Part 281, EPA granted the Commonwealth of Virginia final authorization to administer the underground storage tank (“UST”) program, set forth in the Virginia Administrative Code, Title 9, Agency 25, Chapter 580, in lieu of the federal UST program established under RCRA Subtitle I, effective October 28, 1998. Through this final authorization, the provisions of the Virginia UST program became requirements of RCRA Subtitle I and are, accordingly, enforceable by the EPA on and after the effective date pursuant to Section 9006(a) of RCRA, 42 U.S.C. § 6991e(a). EPA authorized a revised Virginia UST program effective May 3, 2021, and, accordingly, the provisions of the authorized revised Virginia UST program are enforceable by EPA on and after those dates pursuant to Section 9006(a) of RCRA. *See* 63 Fed. Reg. 51528 (Sep. 28, 1998) and 86 Fed. Reg. 12145 (Mar. 2, 2021).
15. Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), authorizes the assessment of civil penalties against any owner or operator of an UST who fails to comply with, inter alia, any requirement or standard of a state program that has been approved pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, for the violations alleged herein.
16. The Virginia UST program regulates USTs used that contain “regulated substances,” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 9 Va. Admin. Code § 25-580-10.
17. At all times relevant to this Consent Agreement, Respondent is, and has been, a corporation under the Commonwealth of Virginia and therefore a “person,” as defined by Section 9001(5) of RCRA, 42 U.S.C. § 6991(5), and 9 Va. Admin. Code § 25-580-10.
18. At all times relevant to this Consent Agreement, Respondent is, and has been, the “operator” and/or “owner” of “USTs,” as those terms are defined by Sections 9001(3), (4), and (10) of RCRA, 42 U.S.C. § 6991(3), (4), and (10), and 9 Va. Admin. Code § 25-580-10, respectively, of the gas station and convenience store located at 21982 Jeb Stuart Highway, Damascus, Virginia 24236 (the “Facility”).
19. At all times relevant to this Consent Agreement, there was, and there have been three USTs used to store regulated substances at the Facility: one 8,000-gallon regular gasoline UST installed January 1, 1992 (“Tank 1”); one 6,000-gallon diesel fuel UST installed July 1, 1987 (“Tank 3”); and one 8,000-gallon premium fuel UST installed January 1, 1992 (“Tank 4”) (jointly, the “Facility USTs”). The Facility USTs are StIP3 tanks

and equipped with pressurized fiberglass-reinforced plastic piping. The Facility uses a Gilbarco EMC Automatic Tank Gauge (“ATG”) system for tank release detection. The ATG system conducts six-hour downtime 0.2 gallon/hour tank release detection tests.

20. On April 17, 2024, pursuant to Section 9005(a) of RCRA, 42 U.S.C. § 6991d(a), EPA conducted a compliance evaluation inspection of the Facility (the “Inspection”) to determine Respondent’s compliance with RCRA Subtitle I and the Virginia UST program.
21. Based on EPA’s findings during the Inspection and other information Respondent provided to EPA, EPA concludes that Respondent violated certain requirements and provisions of RCRA Subtitle I and certain federally authorized Virginia UST program requirements as enumerated below.

Count 1
Failure to Annually Test ATG System

22. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
23. Pursuant to 9 Va. Admin. Code § 25-580-130.A.3.a, “[o]wners and operators of UST systems must provide a method, or combination of methods, of release detection that...is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: (i) manufacturer’s instructions; (ii) a code of practice developed by a nationally recognized association or independent testing laboratory; or (iii) requirements determined by the [VADEQ] to be no less protective of human health and the environment than the two options listed in subdivisions 1 and 2 of [Section 25-580-130.A.3]” beginning January 1, 2021. In addition, a “test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover...test alarm; verify system configuration; [and] test battery backup” for ATGs and other controllers.
24. Respondent provided EPA documentation of ATG testing at the Facility that showed the ATG was tested on December 15, 2021 and on June 14, 2024. Following the December 15, 2021 ATG testing, subsequent ATG testing was due by December 15, 2022.
25. From December 15, 2022 through June 13, 2024, Respondent violated 9 Va. Admin. Code § 25-580-130.A.3.a by failing to annually test its ATG system.
26. In failing to comply with 9 Va. Admin. Code § 25-580-130.A.3.a, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 2**Failure to Monitor the Facility USTs for Releases at Least Every 30 days**

27. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
28. Pursuant to 9 Va. Admin. Code § 25-580-140.1.a, “[o]wners and operators of petroleum UST systems must provide release detection for tanks.” Specifically, if the tanks were installed before September 15, 2010, they “must be monitored for releases at least every 30 days for releases using one of the methods listed in subdivisions 4 through 9 of 9 Va. Admin. Code § 25-580-160,” with exceptions that do not apply here. Pursuant to 9 Va. Admin. Code § 25-580-160.3, a Gilbarco EMC ATG system is an acceptable release detection method for the purposes of 9 Va. Admin. Code § 25-580-140.1.a.
29. Tank release detection records provided by Respondent, along with information available to EPA, showed that Respondent did not perform tank release detection monitoring at least every 30 days on the Facility USTs. *See Table 1*, below.

Table 1. Facility’s ATG System Monitor Release Activity

RELEASE DETECTION MONTH	MONITORING DATE AND RESULT TANK 1	MONITORING DATE AND RESULT TANK 3	MONITORING DATE AND RESULT TANK 4
March 2022	03/24/2022 – Pass	03/24/2022 – Pass	03/24/2022 – Pass
April 2022	No Data Provided	No Data Provided	No Data Provided
May 2022	No Data Provided	No Data Provided	No Data Provided
June 2022	No Data Provided	No Data Provided	No Data Provided
July 2022	No Data Provided	No Data Provided	No Data Provided
August 2022	No Data Provided	No Data Provided	No Data Provided
September 2022	No Data Provided	No Data Provided	No Data Provided
October 2022	No Data Provided	No Data Provided	No Data Provided
November 2022	No Data Provided	No Data Provided	No Data Provided
December 2022	No Data Provided	No Data Provided	No Data Provided
January 2023	No Data Provided	01/23/2023 – Pass	01/23/2023 – Pass
February 2023	No Data Provided	02/22/2023 – Pass	02/22/2023 – Pass
March 2023	No Data Provided	No Data Provided	No Data Provided
April 2023	No Data Provided	No Data Provided	No Data Provided
May 2023	No Data Provided	No Data Provided	No Data Provided
June 2023	No Data Provided	06/24/2023 – Pass 06/28/2023 - Pass	06/24/2023 – Pass 06/28/2023 - Pass
July 2023	No Data Provided	07/07/2023 - Pass	07/07/2023 - Pass
August 2023	No Data Provided	08/03/2023 - Pass	08/03/2023 - Pass
September 2023	No Data Provided	09/30/2023 – Pass	09/30/2023 – Pass
October 2023	No Data Provided	10/29/2023 – Pass	10/29/2023 – Pass
November 2023	No Data Provided	11/02/2023 - Pass	11/02/2023 - Pass

		11/15/2023 – Pass	11/15/2023 – Pass
December 2023	No Data Provided	12/07/2023 - Pass 12/11/2023 – Pass	12/07/2023 - Pass 12/11/2023 – Pass
January 2024	No Data Provided	01/04/2024 – Pass 01/20/2024 - Pass	01/04/2024 – Pass 01/20/2024 - Pass
February 2024	No Data Provided	02/24/2024 – Pass	02/24/2024 – Pass
March 2024	No Data Provided	03/11/2024 – Pass 03/25/2024 – Pass 03/27/2024 - Pass	03/10/2024 – Pass 03/25/2024 – Pass 03/27/2024 – Pass
April 2024	04/17/2024 – Pass	No Data Provided	No Data Provided
May 2024	05/03/2024 – Pass	05/03/2024 – Pass	05/03/2024 – Pass

30. Between April 24, 2022 to May 2, 2024, Respondent violated 9 Va. Admin. Code § 25-580-140.1.a by failing to monitor the Facility USTs for releases at least every 30 days as shown in *Table 1*.
31. In failing to comply with 9 Va. Admin. Code § 25-580-140.1.a, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 3

Failure to Conduct Adequate Walkthrough Inspections Every 30 Days

32. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
33. Pursuant to 9 Va. Admin. Code § 25-580-85.A.1.a, “owners and operators must...[c]onduct a walkthrough inspection that, at a minimum, checks...[e]very 30 days” spill prevention equipment and release detection equipment, with exceptions and other methods that do not apply here. For spill prevention equipment, owners and operators must “visually check for damage; remove liquid or debris; check for and remove obstructions in the fill pipe; check the fill cap to make sure it is securely on the fill pipe; and, for double walled spill prevention equipment with interstitial monitoring, check for a leak in the interstitial area.” For release detection equipment, owners and operators must “check to make sure the release detection equipment is operating with no alarms or other unusual operating conditions present and ensure records of release detection testing are reviewed and current.”
34. Respondent provided EPA with walkthrough inspection checklists that included spill prevention and release detection equipment dated from January 2021 through January 2022. In addition, Respondent provided records for walkthrough inspections that included spill prevention and release detection equipment inspections for calendar year 2023 and for January, March, May, June, and July 2024 that were carried out by a Class C operator employee. Class C operators are not qualified to conduct walkthrough inspections. See 9 Va. Admin. Code § 25-580-125.A The walkthrough inspections for

calendar year 2023 and January, March, May, June, and July 2024 were not adequate monthly walkthrough inspections since they were not conducted by a qualified operator.

35. From at least March 2022 to at least July 2024, Respondent violated 9 Va. Admin. Code § 25-580-85.A.1.a by failing to conduct adequate walkthrough inspections every 30 days that, at a minimum, checked spill prevention and release detection equipment.
36. In failing to comply with 9 Va. Admin. Code § 25-580-85.A.1.a, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 4

Failure to Conduct Adequate Walkthrough Inspections Annually

37. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
38. Pursuant to 9 Va. Admin. Code § 25-580-85.A.1.b, “owners and operators must...[c]onduct a walkthrough inspection that, at a minimum, checks...[a]nnually” containment sumps and handheld release detection equipment, with exceptions and other methods that do not apply here. For containment sumps, owners and operators must “visually check for damage, leaks to the containment area, or releases to the environment; remove liquid (in contained sumps) or debris; and, for double walled sumps with interstitial monitoring, check for a leak in the interstitial area.” For handheld release detection equipment, owners and operators must “check devices such as tank gauge sticks or groundwater bailers for operability and serviceability.”
39. Respondent provided EPA with monthly walkthrough inspection records that included containment sumps and handheld release detection equipment inspections from January 2021 through January 2022. In addition, Respondent provided records for walkthrough inspections that included containment sumps and handheld release detection equipment inspections for calendar year 2023 and for January, March, May, June, and July 2024 carried out by a Class C operator employee. Class C operators are not qualified to conduct walkthrough inspections. See 9 Va. Admin. Code § 25-580-125.A. The walkthrough inspections for calendar year 2023 and January, March, May, June, and July 2024 were not adequate annual walkthrough inspections since they were not conducted by a qualified operator.
40. From February 2023 to at least July 2024, Respondent violated 9 Va. Admin. Code § 25-580-85.A.1.b by failing to conduct adequate walkthrough inspections annually that, at a minimum, checked containment sumps and handheld release detection equipment.

41. In failing to comply with 9 Va. Admin. Code § 25-580-85.A.1.b, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 5

Failure to Inspect the Impressed Current Cathodic Protection System

42. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
43. Pursuant to 9 Va. Admin. Code § 25-580-90.3, “UST systems with impressed current cathodic protection systems must also be inspected every 60 days to ensure the equipment is running properly” to ensure that releases due to corrosion are prevented. Pursuant to 9 Va. Admin. Code § 25-580-90.4, “results of the last three inspections” of UST systems with impressed current cathodic protection systems “must be maintained” by owners and operators.
44. Respondent provided EPA documentation of readings of the rectifier of the Facility’s impressed current cathodic protection system from February 2019 through December 2021. Respondent also provided EPA a record of a rectifier reading from the day of the Inspection.
45. From at least October 20, 2023 to April 16, 2024, Respondent violated 9 Va. Admin. Code §§ 25-580-90.3 and 25-580-90.4 by failing to inspect the Facility’s impressed current cathodic protection system and maintain the results of the last three inspections.
46. In failing to comply with 9 Va. Admin. Code §§ 25-580-90.3 and 25-580-90.4, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 6

Failure to Designate Class C Operators

47. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
48. Pursuant to 9 Va. Admin. Code § 25-580-125.B.1, “[o]wners and operators of UST systems shall designate Class A, Class B, and Class C operators.”
49. Respondent provided EPA certificates of training for several former employees, for Respondent’s contractor, and for one current employee. The certificates for Respondent’s contractor and the current employee were for Class A and Class B training. Respondent’s contractor was present at the Inspection, and he confirmed that he was a

trained Class C operator and that there were no other Class C trained operators working for the Facility. The contractor is not regularly onsite. After the Inspection, Respondent provided EPA documentation for three employees at the Facility that were all provided Class C operator training on May 30, 2024.

- 50. From April 18, 2024 to May 29, 2024, Respondent violated 9 Va. Admin. Code § 25-580-125.B.1 by failing to designate required Class C operators.
- 51. In failing to comply with 9 Va. Admin. Code § 25-580-125.B.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 7

Failure to Have Class C Operators Onsite

- 52. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
- 53. Pursuant to 9 Va. Admin. Code § 25-580-125.B.4.b, “[t]rained operators shall be readily available to respond to suspected/confirmed releases, other unusual operating conditions and equipment shut-offs or failures.” Specifically, for manned facilities, “a Class C operator shall be onsite whenever the UST facility is in operation.”
- 54. Respondent’s contractor was present at the Inspection, and he confirmed that he was a trained Class C operator and that there were no other Class C trained operators working for the Facility. The contractor is not regularly onsite. After the Inspection, Respondent provided EPA documentation for three employees at the Facility that were all provided Class C operator training on May 30, 2024.
- 55. From April 18, 2024 to May 29, 2024, Respondent violated 9 Va. Admin. Code § 25-580-125.B.4.b by failing to have Class C Operators onsite when the UST was in operation.
- 56. In failing to comply with 9 Va. Admin. Code § 25-580-125.B.4.b, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 8

Failure to Train Class C Operators

- 57. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
- 58. Pursuant to 9 Va. Admin. Code § 25-580-125.D.1, an “owner and operator shall ensure that...Class C operators are trained as soon as practicable” per the requirements of 9 Va. Admin. Code § 25-580-125.C.

59. Respondent provided EPA certificates of training for several former employees, for Respondent's contractor, and for one current employee. The certificates for Respondent's contractor and the current employee were for Class A and Class B training. Respondent's contractor was present at the Inspection, and he confirmed that he was a trained Class C operator and that there were no other Class C trained operators working for the Facility. The contractor is not regularly onsite. After the Inspection, Respondent provided EPA documentation for three employees at the Facility that were all provided Class C operator training on May 30, 2024.
60. From April 18, 2024 to May 29, 2024, Respondent violated 9 Va. Admin. Code § 25-580-125.D.1 by failing to ensure that Class C operators were trained as soon as practicable.
61. In failing to comply with 9 Va. Admin. Code § 25-580-125.D.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 9

Failure to Conduct Annual Tests of the Operation of the Line Leak Detectors

62. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
63. Pursuant to 9 Va. Admin. Code § 25-580-170.1, for automatic line leak detectors required by 9 Va. Admin. Code § 25-580-140.2 for the pressurized piping at the Facility, owners and operators must conduct an "annual test of the operation of the leak detector" in accordance with 9 Va. Admin. Code § 25-580-130.
64. Respondent's contractor provided passing mechanical line leak detectors test results, dated December 15, 2021, for the Facility USTs. The next annual tests of the operation of the mechanical line leak detectors of the Facility USTs were due on or before December 15, 2022. Following the Inspection, Respondent's contractor provided passing mechanical line leak detectors test results, dated May 22, 2024, for the Facility USTs.
65. From December 15, 2022 to May 21, 2024, Respondent violated 9 Va. Admin. Code § 25-580-170.1 by failing to conduct annual tests of the operation of the mechanical line leak detectors of the Facility USTs.
66. In failing to comply with 9 Va. Admin. Code § 25-580-170.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 10
Failure to Conduct Piping Release Detection

67. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
68. Pursuant to 9 Va. Admin. Code § 25-580-140.2.a.(1)(b), “[o]wners and operators of petroleum UST systems must provide release detection for...underground piping that routinely contains regulated substances.” For pressurized piping, the piping must “have an annual line tightness test conducted in accordance with [9 Va. Admin. Code §] 25-580-170.2” or other methods not applicable here.
69. Respondent provided EPA documentation of passing line tightness test results, dated December 15, 2021. The next annual line tightness test was due on or before December 15, 2022. Following the Inspection, Respondent also provided EPA documentation of passing line tightness test results, dated May 22, 2024.
70. From December 15, 2022 to May 21, 2024, Respondent violated 9 Va. Admin. Code § 25-580-140.2.a.(1)(b) by failing to conduct annual line tightness tests for pressurized piping of the Facility USTs.
71. In failing to comply with 9 Va. Admin. Code § 25-580-140.2.a.(1)(b), Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

CIVIL PENALTY

72. In settlement of EPA’s claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of TEN THOUSAND dollars (\$10,000) (“Assessed Penalty”), which Respondent shall be liable to pay in accordance with the terms set forth below.
73. In determining the amount of the Assessed Penalty, EPA has taken into account the factors specified in Section 9006(c) of the RCRA, 42 U.S.C. § 6991e(c).
74. The civil penalty is also based upon an analysis of Respondent’s ability to pay a civil penalty. This analysis was based upon information submitted to EPA by Respondent, including Respondent’s: 2022, 2023, and 2024 tax returns; 2025 profit and loss statement; and Corporate Debtor Form.
75. Based upon Respondent’s documented inability to pay claim, and in accordance with applicable laws, EPA conducted an analysis of Respondent’s financial information and determined that the Assessed Penalty is an appropriate amount to settle this action.

76. Respondent agrees to pay the Assessed Penalty within thirty (30) days of the Effective Date of this Consent Agreement and Final Order.
77. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using one of the electronic payment options provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions, see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. Respondent acknowledges that EPA has provided adequate notification that, prior to the Effective Date, in accordance with Executive Order 14247: Modernizing Payments To and From America's Bank Account, EPA ceased accepting paper checks as a form of payment of civil penalties and EPA only accepts specific electronic methods of payments as provided on the above website.
78. When making a payment, Respondent shall:
- a. Identify every payment with Respondent's name and the docket number of this Consent Agreement, RCRA-03-2026-0221,
 - b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve Proof of Payment simultaneously by email to the following person(s):

Promy Tabassum
Assistant Regional Counsel
tabassum.promy@epa.gov,

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctsReceivable@epa.gov,

and

U.S. EPA Region 3 Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov.

"Proof of Payment" means, as applicable, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent's name.

79. Interest, Charges, and Penalties on Late Payments. Pursuant to 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this Consent Agreement, EPA is authorized to recover, in

addition to the amount of the unpaid Assessed Penalty, the following amounts.

- a. Interest. Interest begins to accrue from the Effective Date of this Consent Agreement. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. To protect the interests of the United States, the rate of interest is set at the Internal Revenue Service (“IRS”) standard underpayment rate, any lower rate would fail to provide Respondent adequate incentive for timely payment.
 - b. Handling Charges. Respondent will be assessed monthly a charge to cover EPA’s costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Consent Agreement, EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Effective Date. Additional handling charges will be assessed every thirty (30) days, or any portion thereof, until the unpaid portion of the Assessed Penalty as well as any accrued interest, penalties, and other charges are paid in full.
 - c. Late Payment Penalty. A late payment penalty of six percent (6%) per annum, will be assessed monthly on all debts, including any unpaid portion of the Assessed Penalty, interest, penalties, and other charges, that remain delinquent more than ninety (90) days. Any such amounts will accrue from the Effective Date.
80. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, EPA may take additional actions. Such actions EPA may take include, but are not limited to, the following.
- a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.
 - b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the IRS for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
 - c. Suspend or revoke Respondent’s licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.

- d. Refer this matter to the United States Department of Justice for litigation and collection, per 40 C.F.R. § 13.33.

81. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.
82. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.
83. The Parties consent to service of the Final Order by email at the following valid email addresses: tabassum.promy@epa.gov (for Complainant), and brad@bradfleminglaw.com (for Respondent).

GENERAL SETTLEMENT CONDITIONS

84. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
85. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy, or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to EPA regarding matters relevant to this Consent Agreement and Final Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

86. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

87. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension, or modification of the requirements of the RCRA Subtitle I, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

88. This Consent Agreement and Final Order resolves only EPA's claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under RCRA Subtitle I, the regulations promulgated thereunder, and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its Effective Date. Respondent reserves whatever rights or defenses it may have to defend itself in any such action.

EXECUTION/PARTIES BOUND

89. This Consent Agreement and Final Order shall apply to and be binding upon EPA, Respondent, and the officers, directors, employees, contractors, successors, agents, and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

90. The effective date of this Consent Agreement and Final Order ("Effective Date") is the date on which the Final Order, signed by the Regional Administrator of EPA, Region 3, or the Regional Administrator's designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

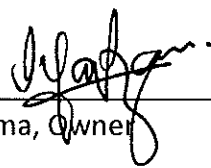
91. This Consent Agreement and Final Order constitute the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

For Respondent: **IRFAN SAMMA LLC**

Date: 9-17-26

By: _____

Azam "Ron" Samma, Owner
Irfan Samma LLC

A handwritten signature in black ink, appearing to read 'Azam Samma', is written over a horizontal line.

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or the Regional Administrator's designee, the Regional Judicial Officer, issue the attached Final Order.

By: _____
[*Digital Signature and Date*]
Acting Director
Enforcement and Compliance Assurance Division
U.S. EPA – Region 3
Complainant

Attorney for Complainant:

By: _____
[*Digital Signature and Date*]
Promy Tabassum
Assistant Regional Counsel
U.S. EPA – Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

FILED

Sep 24, 2026

1:40 pm

U.S. EPA REGION 3
HEARING CLERK

In the Matter of:

Irfan Samma LLC
1162 Rockwall Drive
Abingdon, Virginia 24210

Respondent.

Stop N Save
21982 Jeb Stuart Highway
Damascus, Virginia 24236

Facility.

:
:
: U.S. EPA Docket No. RCRA-03-2026-0221
:
: Proceeding under Section 9006 of the Resource
: Conservation and Recovery Act, 42 U.S.C.
: Section 6991e
:
:
:
:
:
:
:
:
:
:

FINAL ORDER

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)), the Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

Respondent is hereby ORDERED to comply with all of the terms of the Consent Agreement.

The effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

By:

[Digital Signature and Date]

Regional Judicial and Presiding Officer
U.S. EPA – Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:
	:
Irfan Samma LLC	: U.S. EPA Docket No. RCRA-03-2026-0221
1162 Rockwall Drive	:
Abingdon, Virginia 24210	: Proceeding under Section 9006 of the Resource
	: Conservation and Recovery Act, 42 U.S.C.
Respondent.	: Section 6991e
	:
Stop N Save	:
21982 Jeb Stuart Highway	:
Damascus, Virginia 24236	:
	:
Facility.	:
	:

CERTIFICATE OF SERVICE

I certify that the foregoing ***Consent Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Consent Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Azam "Ron" Samma, Owner
Irfan Samma LLC
1162 Rockwall Drive
Abingdon, Virginia 24210
sammairfan@gmail.com

Bradley D. Fleming, Esq.
Brad Fleming Attorney at Law, PLLC
134 Clintwood Main Street
Clintwood, Virginia 24228
brad@bradfleminglaw.com

Promy Tabassum, Esq.
Assistant Regional Counsel
U.S. EPA, Region 3
tabassum.promy@epa.gov

Melissa Toffel
Enforcement Officer
U.S. EPA, Region 3
toffel.melissa@epa.gov

By: _____
[Digital Signature and Date]
Regional Hearing Clerk
U.S. EPA – Region 3