

**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: Melissa Toffel 9/28/09  
*Name of Contact person* *Date*

in the Land & Chemicals Division (3LC70) at 215-814-2060  
*Office* *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  
Sunoco Inc.

The Total Dollar Amount of Receivable \$300.00  
(If in installments, attach schedule of amounts and respective due dates)

The Case Docket Number RCRA-03-2009-0260FC

The Site-Specific Superfund Acct. Number \_\_\_\_\_

The Designated Regional/HQ Program Office Land & Chemicals Division (3LC70) EPA Region 3

**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. U.S Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-002)  
Cincinnati, OH 45268
2. Originating Office (ORC)
3. Designated Program Office

Attn: Lori Weidner

**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

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

**PART I: ENFORCEMENT COMPLIANCE ORDER**

ENFORCEMENT COMPLIANCE ORDER NO. **RCRA-03-2009-0260FC**

On May 22, 2009 to August 17, 2009  
(Violation date) (a.m./p.m.)

Sunoco #0141-1784  
(Name of Facility)

2200 P Street NW, Washington, DC 20037  
(Address of Facility)

Facility Identification Number 2000197  
Name of Owner, Operator or  
On Site Representative: Mr. Ed Rhodes

Sunoco Inc, 100 Green Street, Marcus Hook, PA 19061  
(Address of Owner, Operator, or On-Site Representative)

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:

DCMR Title 20 Chapter 57, Section 5705.2 (1 UST)  
Penalty \$300.00

Nature of Violation:  
Failure to have overfill protection

Civil Penalty Total \$300.00

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.

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 I 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).

I find Sunoco Inc. in violation of the above-referenced UST regulations.

Chibnt Fend Date 8/20/09  
(Signature of Authorized Representative of EPA)

I hereby acknowledge receipt of this Enforcement Compliance Order and Settlement Agreement.

Ed Rhodes Date 9/1/09  
(Signature of Owner, Operator, or On-Site Representative)

**Part II: SETTLEMENT AGREEMENT**

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:

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 \$300.00 in payment of the full civil penalty amount, as described in the Enforcement Compliance Order.

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.

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.

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 Office of Land Enforcement (3LC70), EPA Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.

Final approval of the Settlement Agreement is in the sole discretion of the Regional Administrator, Region III, EPA or his or her authorized delegate.

SIGNATURE BY OWNER OR OPERATOR:

Name (print) Edward Rhodes  
Title (print) Senior Enviro Engineer  
Signature [Signature] Date 9/1/09

FINAL APPROVAL BY EPA:

Name (print) Abraham Perdas  
Title (print) Dir. Land/Chemicals Div.  
Signature [Signature] Date 9/20/09

SEP 29 AM 9:01



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**FED EX**

Mr. Ed Rhodes  
Sunoco Inc.  
Auto Lab Building  
100 Green Street  
P.O. Box 426  
Marcus Hook, PA 19061

SEP 28 2009

Re: Field Citation # RCRA-03-2009-0260FC

Dear Mr. Rhodes:

Enclosed please find a copy of a signed and approved Settlement Agreement for Sunoco Inc., regarding the diesel underground storage tank located at Sunoco #0141-1784, 2200 P Street NW, in Washington, DC. The Underground Storage Tank violation has been corrected and the associated penalty has been paid.

If you have any questions or require additional information, please feel free to contact Ms Melissa Toffel of my staff at 215-814-2060.

Sincerely,

  
Abraham Ferdas, Director  
Land and Chemicals Division

