



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JAN 22 2015

**CERTIFIED MAIL #7001 0320 0005 8921 9328**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

Mr. Patel Kalpesh  
Krish Krishna Inc. Mobil  
123 North Williams Street  
Thornton, Illinois 60476

Re: Notice of Violation and Compliance Order/Settlement Agreement (Field Citation)  
for the Mobil/Express Convenience Mart facility, 123 North Williams Street, Thornton,  
Illinois. **RUST-05-2015-0004**

Dear Mr. Kalpesh:

On October 21, 2014 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 UST violations (i.e., release detection monitoring & overfill protection) found at the Mobil/Express Convenience Mart, 123 North Williams Street, Thornton, Illinois, based on an inspection conducted on October 16, 2014.

This letter is to inform you that we have received your signed copies of the Settlement Agreement, dated December 15, 2014 and the check for a total of \$1050 in penalties. We also received your supporting documentation stating that the UST violation was addressed.

The Settlement Agreement states that it is effective upon EPA's final approval. I have enclosed 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 (check #1159) as part of the settlement process.

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

Sincerely,

Gary J. Victorine, Chief  
RCRA Branch

Enclosure

cc: Fred Schneller, OSFM

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 5  
77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590  
UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. R5-UST-15-025-AC

PART I: INSPECTION SUMMARY

On: 10/16/2014 Time: 12:00 PM

At: Phillips 66 (dba Convenience Mart)  
Address: 123 North Williams  
Thornton, IL 60476

Kalpesh Patel  
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Phillips 66 (dba Convenience Mart)  
Address: 123 North Williams  
Thornton, IL 60476

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 spill or overfill prevention system for an existing tank

Cite: 40 CFR 280.21(d)

Proposed Penalty: \$420

2. Violation: Failure to monitor tanks at least every 30 days, if appropriate

Cite: 40 CFR 280.41(a)

Proposed Penalty: \$420

3. Violation: Failure to provide adequate line tightness testing system for underground piping system

Cite: 40 CFR 280.44(b)

Proposed Penalty: \$210

4. Violation:

Cite: 40 CFR

Proposed Penalty:

TOTAL PROPOSED PENALTY: \$1050

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

(Signature of EPA Inspector)

(Date)

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 \$1050 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 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.

SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:

Name (Print):

Title (Print):

Signature:

Date:

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.

Name (Print):

Title (Print):

Signature:

Date:

Notes:

RUST-05-2015-0004

Docket #

Paid  
Check # 1159





REGION: 1 2 3 4 5 6 7 8 9 10 HQ CIN TRAVEL JURYDUTY CARDFUNDS TUITION IAG PARKING

HEATHER BLAKE KIM LORI DICK DANA MICHELLE PATTI CRAIG KEN JESS

### COLLECTION INFORMATION

DEPOSIT NUMBER: 2710215201720

SUSPENSE ☐

LIABILITY ☒

COLLECTION TYPE: CNR CFR CDV

COLLECTION NUMBER: 45T-05-2015-025 AC

BILL TYPE: NN NF SN SF RJ JV MN MF TO TD RQ

BILL NUMBER: \_\_\_\_\_

COLLECTION DONE BY: KEN

ENTERED DATE: 12/19/14

IPAC TO: HQ IV RTP

### Accounting

CNR/CFR	BFY	FUND	ORG	PRC	FOC	PROJECT	AMOUNT	LINE
001	15	1099	80				1050.00	



**RUST-05-2015-0004**  
Docket #

U S ENVIRONMENTAL PROTECTION

Lockbox: GLX-979077 Ledger Date 12/18/2014

**usbank**  
St. Louis GA Lockbox  
(314) 425-1818

KRISH KRISHA, INC. 123 N WILLIAMS ST THORNTON, IL 60476		DATE <u>12-15-14</u>	70477-719
PAY TO THE ORDER OF <u>Treasury of the United States</u>		✓ \$ <u>1050.00</u>	
<u>One thousand fifty dollars 0/100</u>		DOLLARS	
FOR <u>Penalty Fees</u>		<u>Kalpana Patel</u>	
⑈001159⑈ ⑈071904779⑈ ⑈57632984598⑈			

Batch	Item	TID	Batch Total	Amount
474	2	Y-4662293	\$17,738.76	\$1,050.00