



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 13 2018

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7016 1370 0001 3671 2559

Mr. Carl Hasselback, President
White Arrow Service Stations, Inc.
2125 Walden Ave
Cheektowaga, NY 14225

Re: Underground Storage Tank (UST) Compliance Inspection of;

Valero 362 West Main St. Rochester, NY 14608 NYSDEC Facility ID#: 8-298433	Jim's Trucking Plaza 2115 Walden Ave, Cheektowaga, NY 14225 NYSDEC Facility ID#: 9-382787
Hassleback Oil Co., Inc. 755 East Delavan Ave. Buffalo, NY 14214 NYSDEC Facility ID# 9-073555	Spirits Spot, Inc. 4933 Main St. Amherst, NY 14221 NYSDEC Facility ID#: 9-125199
Oasis Convenience, Inc, 2437 Harlem Road Cheektowaga, NY, 14225 NYSDEC Facility ID#: 9-382345	Sun Car Wash 3958 Lockport-Olcott Road Lockport, NY 14094 NYSDEC Facility ID#: 9-461377
Orchard Pk. Sunoco 3388 Southwestern Blvd. Orchard Park, NY 14127 NYSDEC Facility ID# 9-382779	NOE Place 708 East Second St. Jamestown, NY 14701 NYSDEC Facility ID#: 9-600567

Final Expedited Settlement Agreement
Docket No. RCRA-02-2018-7701

Dear Mr. Hasselback:

The U.S. Environmental Protection Agency (EPA) Region 2 is in receipt of White Arrow Service Stations, Inc.'s penalty payment of \$11,900, the signed Expedited Settlement Agreement, and the documentation that the USTs at the above referenced facilities are now in compliance. By signing the Expedited Settlement Agreement, you have agreed to the terms of the Expedited Settlement Agreement and Final Order and have certified that all violations cited in the proposed Expedited Settlement Agreement were corrected.

Enclosed you will find a copy of the Expedited Settlement Agreement and Final Order issued by EPA. EPA has approved the Expedited Settlement Agreement based on your signed certification and

U.S. Environmental Protection Agency-Region 2
2018 AUG 14 AM 7:16
RECEIVED
OFFICE OF REGIONAL OPERATIONS

supporting compliance documentation. EPA will take no further civil action against you for the violations listed in Proposed Expedited Settlement Agreement provided that all listed violations were timely corrected. EPA may choose to re-inspect the USTs located at White Arrow Service Stations, Inc.'s or facilities or those of its affiliates and if EPA identifies any violations of federal UST regulations during the re-inspection or from any other information obtained by EPA, such findings would be White Arrow Service Stations, Inc.'s, or its affiliates, second violation of federal underground storage tank (UST) regulations. A second offense may result in a civil or judicial action which can include seeking penalties of up to \$23,426 per UST system per day of violation.

If you have any questions regarding this letter or any other related matter, please contact Paul Sacker of my staff at (212) 637-4237 or by e-mail at sacker.paul@epa.gov. Thank you for your cooperation.

Sincerely,

Handwritten signature in blue ink, appearing to read "Claudia Gutierrez For CG".

Claudia Gutierrez, Team Leader
UST Team

Enclosure

cc: Russ Brauksieck
NYSDEC
Chief – Facility Compliance Section
Division of Environmental Remediation
625 Broadway 11th Floor
Albany, NY 12233-7020

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION II**

IN THE MATTER OF:

Carl Hasselback
White Arrow Service Stations, Inc.
Hasselback Oil Co., Inc.
Hasselback Equipment, Inc.
364 West Main St., Inc.
Spirits Spot, Inc.
3958 Car Wash LLC

Respondents

Docket No. RCRA-02-2018-7701

**EXPEDITED SETTLEMENT
AGREEMENT AND
FINAL ORDER**

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) has determined that the above-captioned Respondents, are owners and/or operators of the Underground Storage Tanks (“USTs”) at the following facilities:

Valero Gas Station 362 West Main St. Rochester, NY 14608 NYSDEC Facility ID#: 8-298433	Jim's Trucking Plaza 2115 Walden Ave, Cheektowaga, NY 14225 NYSDEC Facility ID#: 9-382787
Hasselback Oil Co., Inc. 755 East Delavan Ave. Buffalo, NY 14214 NYSDEC Facility ID# 9-073555	Spirits Spot, Inc. 4933 Main St. Amherst, NY 14221 NYSDEC Facility ID#: 9-125199
Oasis Convenience, Inc. 2437 Harlem Road Cheektowaga, NY, 14225 NYSDEC Facility ID#: 9-382345	Sun Car Wash 3958 Lockport-Olcott Road Lockport, NY 14094 NYSDEC Facility ID#: 9-461377
Orchard Pk. Sunoco 3388 Southwestern Blvd. Orchard Park, NY 14127 NYSDEC Facility ID# 9-382779	NOE Place 708 East Second St. Jamestown, NY 14701 NYSDEC Facility ID#: 9-600567

An EPA enforcement officer noted that the facilities failed to comply with the following requirement(s) of Subtitle I of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. §§ 6991 *et seq.*, and its implementing regulations at 40 C.F.R. Part 280:

- a.) 40 C.F.R. § 280.41(a) requires owners and operators of underground storage tanks to conduct monthly release detection of their USTs every 30 days. Under 40 C.F.R. § 280.43, one of the methods approved by EPA to conduct monthly release detection is ground water monitoring.

