

FILED

Jul 20, 2026

2:14 pm

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

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

IN THE MATTER OF:

**Shaffer Oil Company
659 Berlin Plank Road
Somerset, PA 15501**

Respondent and Facility

)
) **DOCKET NO. EPCRA-03-2026-0165**

)
) **EXPEDITED SETTLEMENT**

)
) **AGREEMENT AND FINAL ORDER**

EXPEDITED SETTLEMENT AGREEMENT

1. Shaffer Oil Company ("Respondent") and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") enter into this Expedited Settlement Agreement ("the Agreement") pursuant to Section 325 of the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11045 (the "Act" or "EPCRA"), and by Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Penalties and the Revocation/ Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), (3). The Administrator has delegated the authority to enter into this Agreement to the Regional Administrator who, in turn, has delegated it to the Complainant.
2. The U.S. Environmental Protection Agency, Region 3 ("EPA") has jurisdiction over this matter pursuant to Section 325 of EPCRA, 42 U.S.C. §11045, and by 40 C.F.R. § 22.13(b).
3. Complainant alleges that, at all times relevant to the allegations described in this Agreement, Respondent was and continues to be a "person," and the operator and/or owner of a "facility" located at Shaffer Oil Company, 659 Berlin Plank Road, Somerset, Pennsylvania 15501 (the "Facility"), as those terms are defined in Section 329 of EPCRA, 42 U.S.C. § 11049.
4. On July 23, 2025, an authorized representative of EPA conducted an inspection of the Facility to determine compliance with regulations

promulgated at 40 C.F.R. Part 370 pursuant to Section 312 of EPCRA, 42 U.S.C. § 11022 (the “Regulations”).

5. Based on information obtained during the inspection, Complainant alleges that Respondent violated the Regulations by failing to timely submit complete and accurate annual Tier II reports to the State Emergency Response Commission, the Local Emergency Planning Committee, and the local fire department, as required by EPCRA Section 312 (implemented at 40 C.F.R. Part 370), for the following calendar years: (a) the report for calendar year 2021, due March 1, 2022, was submitted on July 24, 2025; (b) the report for calendar year 2022, due March 1, 2023, was submitted on July 24, 2025; (c) the report for calendar year 2023, due March 1, 2024, was submitted on July 24, 2025; and (d) the report for calendar year 2024, due March 1, 2025, was submitted on May 13, 2025. In each instance, the report was submitted after the applicable statutory deadline.
6. Complainant and Respondent agree that settlement of this matter for a penalty of **\$ 5000 (Five Thousand Dollars)** is in the public interest. In determining the amount of penalty to be assessed, EPA has taken into account the factors specified in Section 325 of the EPCRA, 42 U.S.C. § 11045.
7. Respondent agrees that, within 30 days of the effective date of this Agreement, Respondent shall make a payment of **\$ 5000** (the Assessed Penalty). 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 relating to electronic payment options, 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.
8. Within 24 hours of payment, the Respondent shall also send proof of payment (confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer) to:

Om P. Devkota
Devkota.om@epa.gov

and,

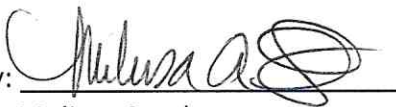
Regional Hearing Clerk (3RC00)
R3_Hearing_Clerk@epa.gov

9. In signing this Agreement, the Respondent admits the jurisdictional allegations in this Agreement; neither admits nor denies the specific factual allegations in this Agreement, except as provided in the jurisdictional admission above; agrees not to contest EPA's jurisdiction with respect to the execution of this Agreement, the issuance of the attached Final Order, or the enforcement of the Agreement; expressly waives its right to contest the allegations, to a hearing, and to appeal this Order under Section 325 of EPCRA, 42 U.S.C. § 11045; consents to the issuance of the Agreement and agrees to comply with its terms; agrees to bear its own costs and attorney's fees; and agrees not to deduct for federal tax purposes the civil penalty assessed in this Agreement.
10. By its signature below, the Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that (1) he or she has corrected the alleged violations, and (2) any documentation or information that he or she provided to EPA is true and accurate.
11. This Agreement and the attached Final Order constitute a settlement by EPA of its claims for civil penalties for the violations alleged in this Agreement.
12. 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. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Sections 22.18(c) and 22.31(a) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under EPCRA, the Regulations, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement, following its filing with the Regional Hearing Clerk.
13. Late payment of the agreed-upon penalty may subject Respondent to interest, administrative costs and late payment penalties in accordance with 40 C.F.R. § 13.11.

14. This Agreement is binding on the parties signing below and is effective upon filing, in accordance with 40 C.F.R. § 22.31(b).
15. The undersigned representative certifies that she/he is fully authorized to execute this Agreement and to legally bind Shaffer Oil Company.
16. As permitted under 40 C.F.R. § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and the Final Order by e-mail to the parties at the following valid e-mail addresses: Devkota.om@epa.gov (for Complainant), and shafferoil@gmail.com (for Respondent).
17. By signing this 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 Agreement.
18. By signing this Agreement, Respondent acknowledges that this Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.

For Respondent: Shaffer Oil Company

Date: 6/16/2026

By: 
Melissa Sunday
President

For Complainant: U.S. Environmental Protection Agency, Region 3

After reviewing the Agreement and other pertinent matters, I, the undersigned Acting 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 Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

[Digital Signature and Date]

Andrea Bain, Acting Director

Enforcement and Compliance Assurance Division

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

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In the Matter of:

Shaffer Oil Company
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Respondent and Facility

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: U.S. EPA Docket No. EPCRA-03-2026-0165
:
: Proceeding under Section 325(c) of EPCRA
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:
:

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 22.18(b)(2) and (3)), the Expedited Settlement Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

The Respondent is hereby **ORDERED** to comply with all of the terms of the Expedited Settlement Agreement.

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

By: _____
Regional Judicial and Presiding Officer
U.S. EPA, Region 3

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REGION 3
Philadelphia, Pennsylvania 19103**

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Somerset, PA 15501	:	
	:	Proceeding under Section 325(c) of EPCRA
Respondent.	:	

CERTIFICATE OF SERVICE

I certify that the foregoing ***Expedited Settlement Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Expedited Settlement 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:

Melissa Sunday, President
Shaffer Oil Company
659 Berlin Plank Road
Somerset, PA 15501
Email: shafferoil@gmail.com

Om P. Devkota
U.S. EPA Region 3
Devkota.om@epa.gov

[Digital Signature and Date]

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3