



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

MAY 27 2016

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Article Number: 7015 3010 0001 6837 6466

Mr. Steve Warren
Service Supervisor
Reid Petroleum Corp.
P.O. Box 987
Lockport, NY 14095

Re: Underground Storage Tank (UST) Compliance Inspection of
Crosby's Clarkson, 8339 Ridge Road, Clarkson, NY 14430
NYS DEC PBS #: 8-080144; Opportunity for Expedited Settlement within 30 Days
Docket No. RCRA-02-2016-7704

U.S. Environmental
Protection Agency-Reg 2
2016 MAY 27 PM 12:09
REGIONAL HEARING
CLERK

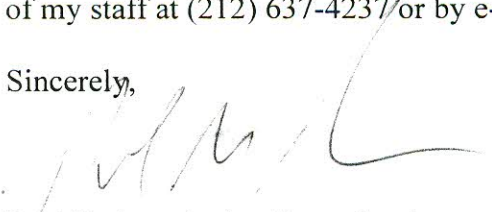
Dear Mr. Warren:

The U.S. Environmental Protection Agency (EPA) Region 2 is in receipt of Reid Petroleum Corp.'s penalty payment of \$3,400, the signed Expedited Settlement Agreement, and the documentation that the USTs at the above referenced facility 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 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 Reid Petroleum Corp.'s facility(s), 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 Reid Petroleum Corp.'s 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 \$16,000 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,


Paul Sacker, Acting Team Leader
UST Team

Enclosure

cc: Tim Walsh
Regional Director
DEC Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9519

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION II

U.S. ENVIRONMENTAL
PROTECTION AGENCY
2016 MAY 13 PM 4:05
DECA-RCB-UST

IN THE MATTER OF:) Docket No. RCRA-02-2016-7704
)
Reid Petroleum Corp.)
) **EXPEDITED SETTLEMENT AGREEMENT**
) **AND**
Respondent.) **FINAL ORDER**
_____)

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency (“EPA”) has determined that Reid Petroleum Corp. (“Respondent”), owner or operator of the Underground Storage Tank(s) (USTs) at 8389 Ridge Road, Clarkson, NY 14430 (the “UST Facility”), 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. §280.20(c)(1)(ii) requires that all new USTs must have installed overfill prevention devices that: (A) Automatically shut off flow into the tank when the tank is no more than 95 percent full; or (B) Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm; or (C) Restrict flow 30 minutes prior to overfilling, alert the transfer operator with a high level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling. Reid Petroleum Corp. failed to install adequate overfill prevention devices on the UST Facility’s four tanks for at least the period of September 24, 2015 to October 15, 2015.
2. The EPA and the Respondent agree that settlement of this matter for a penalty of \$3,400 is in the public interest.
3. The EPA is authorized to enter into this Expedited Settlement Agreement and Final Order (“Agreement”) pursuant to section 9006 of RCRA and 40 C.F.R. § 22.13(b).
4. In signing this Agreement, the Respondent: (1) admits that the Respondent is subject to requirements listed above in Paragraph 1, (2) admits that the EPA has jurisdiction over the Respondent and the Respondent’s conduct as alleged herein, (3) neither admits nor denies the factual determinations contained herein, (4) consents to the assessment of this penalty, and (5) waives any right to contest the determinations contained herein.

REGIONAL HEARING
CLIENT
2016 MAY 27 PM 12:10
U.S. Environmental
Protection Agency-RCB-2

