



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

JUL 11 2012

CERTIFIED MAIL #7009 1680 0000 7673 0464
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

LR-8J

Mr. Brian Chmielak
Lube Pros
5501 Willow Springs Road
La Grange, Illinois 60525

BD#

RUST-05-2012-0009

2751206M009

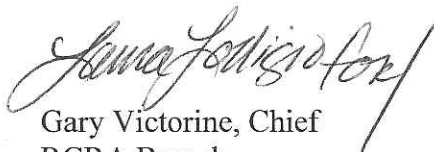
Re: Notice of Violation and Compliance Order/Settlement Agreement for the
Lube Pros facility, 5501 Willow Springs Road, La Grange, Illinois

Dear Mr. Chmielak:

On January 11, 2012 the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning UST violations (i.e., release detection monitoring & record keeping) found at the Lube Pros facility, 5501 Willow Springs Road, La Grange, Illinois. This letter is to inform you that we have received your signed copies of the Settlement Agreement, dated May 1, 2012 and June 1, 2012. We also received your supporting documentation stating that the UST violations were addressed. In addition, we received the check (#1014) from William Olson, for a total of \$490 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. This is to inform you that 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 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 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-12-013-AC

PART I: INSPECTION SUMMARY

On: 01/11/2012 Time: 02:53 PM

At: Lube Pros'
Address: 5501 Willow Springs Road
La Grange, IL 60525

Mr. Ryan Dilley
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Operator

Name: Lube Pros
Address: 5501 Willow Springs Road
La Grange, IL 60525

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 maintain documentation of compliance with release detection requirements

Cite: 40 CFR 280.34(b)(4) Proposed Penalty: \$70

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

Cite: 40 CFR 280.41(a) Proposed Penalty: \$420

3. Violation:

Cite: 40 CFR Proposed Penalty:

4. Violation:

Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$490

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

[Signature] 1-11-12
(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 \$490 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): Brenda Cheneleh

Title (Print): operator

Signature: [Signature] Date: 5/11/12

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): LAURA LODISIO

Title (Print): ACTING RCRA BRANCH CHIEF

Signature: [Signature] Date: 7/10/12
for Gary Victorine

Notes:

RECEIVED
JUL 11 2012

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

RUST-05-2012-0009

BA#

2751206M009

RECEIVED

JUL 11 2012

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

RUST-05-2012-0009

BA # 2751206M009

1014

WILLIAMS OLSON REVOCABLE TRUST UAD 02/99 74-347/724

JENNIFER OLSON

PH. 231-334-4363

6750 W HARBOR HWY. PO BOX 648

GLEN ARBOR, MI 49636-0648

Date April 24 2012

Pay to the Order of Secretary of the United States \$ 470.

Four Hundred Twenty and 00/100 Dollars

 **Huntington**

Memo R5-45T-12-013-AC MP

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Jennifer M. Olson