



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 04 2012

Mr. John Johnson, Secretary
Classic Petroleum Services, Inc.
P.O. Box 707
Selmer, Tennessee 38375

SUBJ: Revised Docket Number
Classic Petroleum Services, Inc.
Docket No. CWA-04-2011-7005

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HEARING CLERK

Dear Mr. Johnson:

The purpose of this letter is to advise you that the Environmental Protection Agency has revised the Docket Number on the Consent Agreement and Final Order (CAFO) in the above-referenced case, **Classic Petroleum Services, Inc.** This revision is being made in order to address a clerical error which resulted in a change of the assigned docket number.

Please find attached a new cover page of the CAFO which was filed with the Agency on November 3, 2011. The new cover page reflects the new docket number, Docket No. CWA-04-2011-7005. Please add this corrected page to your copy of the CAFO.

Please note the following: The obligations of (Respondent) as set forth in the CAFO filed on November 3, 2011, Docket No. CWA-04-2011-7002, have not been altered in any way. The Company must fulfill its original obligations set forth in the original CAFO in accordance with the deadlines set forth therein.

We apologize for any inconvenience that this may have caused. If you have any questions, please call me at (404) 562-9744.

Sincerely,

César A. Zapata, Chief
RCRA and OPA Enforcement and Compliance
Branch
RCRA Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

61 FORSYTH ST S.W. ATLANTA, GEORGIA 30303

EXPEDITED SPILL PREVENTION, CONTROL AND
COUNTERMEASURES SETTLEMENT AGREEMENT

AUG 30 2011

DS

DOCKET NO. CWA-14-2011-7002 7005

On: April 1, 2009

At: Classic Petroleum Services, Inc., 106 West Cypress Street, (Post Office Box 707), McNairy County, Selmer, Tennessee, owned or operated by Classic Petroleum Services, Inc. (Respondent), an authorized representative of the United States Environmental Protection Agency conducted an inspection to determine compliance with the Spill Prevention, Control and Countermeasures regulations promulgated at 40 CFR Part 112 under Section 311(j) of the Clean Water Act, 33 U.S.C. § 1321(j), (the Act), and found that Respondent had failed to comply with the SPCC regulations as noted on the attached SPCC Alleged Violations, which is hereby incorporated by reference.

The EPA finds the Respondent is subject to the SPCC regulations and has violated the SPCC regulations as further described in the SPCC Alleged Violations. The Respondent admits being subject to 40 CFR § 112 and that the EPA has jurisdiction over the Respondent and the Respondent's conduct as described in the SPCC Alleged Violations. Respondent neither admits nor denies the Alleged Violations.

The EPA is authorized to enter into this Expedited Settlement Agreement under the authority vested in the Administrator of the EPA by Section 311(b)(6)(B)(i) of the Act, 33 U.S.C. § 1321(b)(6)(B)(i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement Agreement in order to settle the civil violations described in the Alleged Violations for a penalty of \$1,100. The Respondent consents to the assessment of this penalty.

This Expedited Settlement Agreement is also subject to the following terms and conditions: Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated its violations, has corrected its violations pursuant to federal requirements at a cost of \$74,00.00. The Respondent also by signature on this Expedited Settlement Agreement agrees to payment of the penalty assessed. Do not enclose payment. Upon receiving written execution of this Agreement, Respondent shall submit payment within 45 days by certified check or electronic funds transfer for \$1,100 payable to the "US Environmental Protection Agency CWA-311". Instructions on how to make this payment will be included in the written notice that will be issued when the Expedited Settlement Agreement becomes effective..

Upon signing and returning this Expedited Settlement Agreement to the EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to the EPA's approval of the Expedited Settlement Agreement without further notice.

After this Expedited Settlement Agreement becomes effective and the assessed penalty is paid, the EPA will take no further action

against the Respondent for the violation of Section 311(j)(3) of the Act described in the Form. However, the EPA does not waive any rights to take any enforcement action for any other past, present, or future violation by the Respondent of Section 311(j)(3) of the Act or of any other federal statute or regulation. By its first signature, the EPA ratifies the Findings and Alleged Violation set forth in the Form.

This Expedited Settlement Agreement is binding on the parties signing below, and effective upon the EPA's filing of the document with the Regional Hearing Clerk. If the Respondent does not sign and return this Expedited Settlement Agreement as presented within 7 days of the date of its receipt, the proposed Expedited Spill Settlement Agreement is withdrawn without prejudice to the EPA's ability to file any other enforcement action for the violation identified in the Form.

APPROVED BY RESPONDENT:

Name (print) JOHN JOHNSON

Title (print) SECRETARY

John Johnson Date 8-25-11
Signature

APPROVED BY EPA:

Frank S. Ney Date 10/25/11

Frank S. Ney, Acting Branch Chief
RCRA and OPA Enforcement & Compliance Branch
RCRA Division

IT IS SO ORDERED:

Susan B. Schrub
Susan B. Schrub,
Regional Judicial Officer

Date 11/4/11

Rev 5-31-11

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