

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

**FILED**

Sep 15, 2025

7:45 am

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

**IN THE MATTER OF:**

**US Gas 2, LLC**

**Respondent**

**US Gas #2**

**505 Bay Road**

**Dover, DE 19901**

**Facility**

**DOCKET NO.: RCRA-03-2025-0116**

**EXPEDITED SETTLEMENT AGREEMENT AND  
FINAL ORDER**

**EXPEDITED SETTLEMENT AGREEMENT**

1. US Gas 2, LLC ("Respondent") and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C § 6991e, and 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 40 C.F.R. §§ 22.13(b), 22.18(b)(2), and (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 9006 of RCRA, 42 U.S.C. § 6991e, and 40 C.F.R. §§ 22.1(a)(4) and 22.4 of the Consolidated Rules of Practice.
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 "underground storage tanks" ("USTs") and "UST systems," located at US Gas #2, 505 Bay Road in Dover, Delaware 19901 ("Facility").
4. Complainant alleges and finds that Respondent failed to comply with specific requirements of Subtitle I of RCRA, 42 U.S.C. §§ 6991 *et seq.*, its implementing regulations at 40 C.F.R. Part 280, and the federally authorized Delaware Regulations Governing Underground Storage Tanks ("DRGUST").

5. On January 22, 2025, a representative of EPA conducted a Compliance Evaluation Inspection, and observed the following USTs located at the Facility:
  - a. A 6,000-gallon tank that was installed in or about July 1991, and that, at all times relevant hereto, routinely contained premium-grade gasoline, a “regulated substance” as that term is defined in DRGUST Part A § 2.0 (40 C.F.R. § 280.12) (hereinafter “UST No. 1”).
  - b. A 6,000-gallon tank that was installed in or about July 1991, and that, at all times relevant hereto, routinely contained regular-grade gasoline, a “regulated substance” as that term is defined in DRGUST Part A § 2.0 (40 C.F.R. § 280.12) (hereinafter “UST No. 2”).
  - c. An 8,000-gallon tank that was installed in or about November 1987, and that, at all times relevant hereto, routinely contained regular-grade gasoline, a “regulated substance” as that term is defined in DRGUST Part A § 2.0 (40 C.F.R. § 280.12) (hereinafter “UST No. 3”).
  - d. A 2,000-gallon tank that was installed in or about October 1992, and that, at all times relevant hereto, routinely contained kerosene, a “regulated substance” as that term is defined in DRGUST Part A § 2.0 (40 C.F.R. § 280.12) (hereinafter “UST No. 4”).
6. Complainant has identified the following violation:
  - a. From at least May 3, 2024 until November 9, 2024, Respondent failed to perform release detection at least every 30 days on UST No. 4, in violation of DRGUST Part B § 2.9.1.1.1. (40 C.F.R. § 280.41(a)(1)).
7. Complainant and Respondent agree that settlement of this matter for a penalty of \$1,222 (**ONE THOUSAND TWO HUNDRED AND TWENTY-TWO DOLLARS**) is in the public interest. In calculating this amount, Complainant considered the statutory factors set forth in Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c), the Revised Consolidated Enforcement Penalty Policy for Underground Storage Tank Regulations and Revised Field Citation Program and ESA, effective October 5, 2023, and the Technical Correction to the UST Penalty Inflation Memo, effective February 7, 2024.
8. Respondent agrees that, within 30 days of the effective date of this Agreement, Respondent shall make a payment of **\$1,222** to “**United States Treasury**” with the case name, address and docket number of this Agreement (RCRA-03-2025-0116), for the amount specified above. Respondent shall pay the assessed penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.

9. Within 24 hours of payment, the Respondent shall also send proof of payment (a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer), by electronic mail to:

Melissa Toffel, UST Compliance Officer (3ED22)  
[toffel.melissa@epa.gov](mailto:toffel.melissa@epa.gov)

and,

Regional Hearing Clerk (3RC00)  
R3\_Hearing\_Clerk@epa.gov

10. 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 the Agreement; expressly waives its right to a hearing on any issue of law or fact in this Agreement and any right to appeal the accompanying Final Order; 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 and Final Order.
11. 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 was true and accurate.
12. 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.
13. 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.
14. 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 the RCRA, the RCRA regulations promulgated, 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.

15. 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.
16. This Agreement is binding on the parties signing below and is effective upon filing, in accordance with 40 C.F.R. § 22.31(b).
17. The undersigned representative certifies that she/he is fully authorized to execute this Agreement and to legally bind US Gas 2, LLC.
18. As permitted under 40 CFR § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and Final Order by e-mail to the parties at the following valid e-mail addresses: toffel.melissa@epa.gov (for Complainant), and usgas.dover@gmail.com (for Respondent).
19. 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: US Gas 2, LLC

Date:

8/28/25

By:



Mukhtiar Singh  
Owner

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

After reviewing the Agreement and other pertinent matters, I, the undersigned 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.

**ANDREA  
BAIN**

Digitally signed by  
ANDREA BAIN  
Date: 2025.09.08  
07:36:47 -04'00'

*[Digital Signature and Date]*

Andrea Bain, Acting Division Director  
Enforcement and Compliance Assurance Division



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

**FILED**

Sep 15, 2025

7:46 am

U.S. EPA REGION 3  
HEARING CLERK**IN THE MATTER OF:****US Gas 2, LLC****Respondent****US Gas #2****505 Bay Road****Dover, DE 19901****Facility****DOCKET NO.: RCRA-03-2025-0116****EXPEDITED SETTLEMENT AGREEMENT AND  
FINAL ORDER****FINAL ORDER**

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency - Region 3, and Respondent, US Gas 2, LLC, have executed a document entitled "Expedited Settlement Agreement," which I hereby ratify as a Consent Agreement in accordance with 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 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Expedited Settlement Agreement are accepted by the undersigned and incorporated herein as if set forth at length.

Based upon the representations of the parties in the attached Expedited Settlement Agreement, the penalty agreed to therein took into account the statutory factors set forth in Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c), the Revised Consolidated Enforcement Penalty Policy for Underground Storage Tank Regulations and Revised Field Citation Program and ESA, effective October 5, 2023, and the Technical Correction to the UST Penalty Inflation Memo, effective February 7, 2024.

**NOW, THEREFORE, PURSUANT TO** Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Section 6991e, and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of \$1,222 (**ONE THOUSAND TWO HUNDRED AND TWENTY-TWO DOLLARS**), in accordance with the payment provisions set forth in the Expedited Settlement Agreement, and comply with the terms and conditions of the Expedited Settlement Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate

injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Expedited Settlement Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of Subtitle I of the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6991 et seq., and the regulations promulgated thereunder.

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.

JEFFREY  
NAST

Digitally signed by  
JEFFREY NAST  
Date: 2025.09.12  
15:46:50 -04'00'

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*[Digital Signature and Date]*

Regional Judicial Officer  
U.S. EPA - Region 3

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

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|--------------------------|---|--|
| <b>In the Matter of:</b> | : | <b>U.S. EPA Docket No, RCRA-03-2025-0116</b>   |
|                          | : |  |
| <b>US Gas 2, LLC</b>     | : |  |
| <b>505 Bay Road</b>      | : |  |
| <b>Dover, DE 19901</b>   | : |  |
| <b>Respondent</b>        | : | <b>Proceeding under Section 9006 of the</b>    |
|                          | : | <b>Resource Conservation and Recovery Act</b>  |
|                          | : | <b>("RCRA"), as amended, 42 U.S.C §</b>        |
|                          | : | <b>6991e, and the Consolidated Rules of</b>    |
| <b>US Gas #2</b>         | : | <b>Practice Governing the Administrative</b>   |
| <b>505 Bay Road</b>      | : | <b>Assessment of Civil Penalties and the</b>   |
| <b>Dover, DE 19901</b>   | : | <b>Revocation/Termination or Suspension of</b> |
|                          | : | <b>Permits ("Consolidated Rules of</b>         |
|                          | : | <b>Practice"), 40 C.F.R. Part 22</b>           |

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**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:

**Mukhtiar Singh, Owner**  
**US Gas 2, LLC**  
**505 Bay Road**  
**Dover, DE 19901**  
[usgas.dover@gmail.com](mailto:usgas.dover@gmail.com)

**Melissa Toffel**  
**Environmental Protection Specialist**  
**U.S. EPA, Region 3**  
[toffel.melissa@epa.gov](mailto:toffel.melissa@epa.gov)  
**BEVIN**  
**ESPOSITO**

Digitally signed by BEVIN ESPOSITO  
Date: 2025.09.15 07:48:22 -04'00'

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[Digital Signature and Date]

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



