

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FIRST CLASS MAIL

September 2, 2010

Lori Weidner
U.S. Environmental Protection Agency
Cincinnati Finance Center
26 W. MLK Drive
Cincinnati, OH 45268

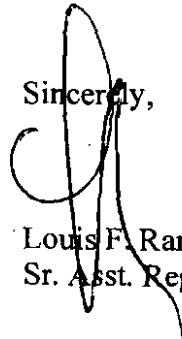
Re: **Accounts Receivable**
Consent Agreement and Final Order
EPA Docket No. EPCRA-03-2010-0342

Dear Ms. Weidner:

Enclosed please find a true and correct copy of the Consent Agreement and Final Order, and the Enforcement Accounts Receivable Control Number Forms (EARCNF) filed with the Regional Hearing Clerk today in settlement of the above referenced subject matters.

Should you have any question or require further information, please feel free to call me at (215) 814-2681.

Sincerely,



Louis F. Ramalho
Sr. Asst. Regional Counsel

Enclosures

cc: Lydia Guy
Regional Hearing Clerk
U.S. EPA, Region III

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM

TO BE FILLED OUT BY ORIGINATING OFFICE:

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: L. RAMALHO 8/25/10
Name of Contact person Date

in the ORE at X2681
Office Phone number

Non-SF Jud. Order/Consent Decree. DOJ COLLECTS Administrative Order/Consent Agreement FMD COLLECTS PAYMENT

SF Jud. Order/Consent Decree. FMD COLLECTS

This is an original debt This is a modification

Name of Person and/or Company/Municipality making the payment Shawston Investments INC.

The Total Dollar Amount of Receivable \$25,000.00

The Case Docket Number RCRS-03-2010-0342
(If in installments, attach schedule of amounts and respective due dates)

The Site-Specific Superfund Acct. Number _____
The Designated Regional/HQ Program Office _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

The IFMS Accounts Receivable Control Number _____
If you have any questions call: _____
Name of Contact Date

in the Financial Management Office, phone number: _____

JUDICIAL ORDERS: Copies of this form with an attached copy of the front page of the final judicial order should be mailed to:

- 1. Rosemarie Pacheco
Environmental Enforcement Section
Lands Division, Room 130044
1425 New York Avenue, N.W.
Washington, D.C. 20005
- 2. Originating Office (ORC)
- 3. Designated Program Office

ADMINISTRATIVE ORDERS: Copies of this form with an attached copy of the front page of the administrative order should be sent to:

- 1. Originating Office
- 2. Designated Program Office
- 3. Regional Hearing Clerk
- 3. Regional Counsel

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION III
 1650 Arch Street
 Philadelphia, Pennsylvania 19103-2029**

In the Matter of:)	
)	
Shantam Investments Inc.)	
DBA Broadview Chevron	)	U.S. EPA Docket Number
121 Broadview Avenue	)	RCRA-03-2010-0342
Warrenton, VA 20186)	
)	
RESPONDENT,)	
)	
Broadview Chevron Facility	)	Proceeding Under Section 9006 of the
121 Broadview Avenue	)	Resource Conservation and Recovery
Warrenton, VA 20186	)	Act, as amended, 42 U.S.C. § 6991e
)	
FACILITY.)	
)	
)	
	)	CONSENT AGREEMENT

CONSENT AGREEMENT

This Consent Agreement ("CA") is entered into by the Director, Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("Complainant") and Shantam Investments Inc. ("Respondent"), 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"), 40 C.F.R. Part 22, including, specifically 40 C.F.R. §§ 22.13(b) and .18(b)(2) and (3).

This CA and the Final Order (collectively "CAFO"), resolves violations of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the Commonwealth of Virginia's federally authorized underground storage tank ("UST") program by Respondent in connection with its underground storage tanks at Respondent's facility located at 121 Broadview Avenue, Warrenton, VA (the "Facility").

Effective October, 28, 1998, pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, and 40 C.F.R. Part 281, Subpart A, the Commonwealth of Virginia was granted final authorization to administer a state UST management program *in lieu* of the Federal UST management program established under Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991m. The provisions of the Commonwealth of Virginia UST management program, through this final authorization, are

enforceable by EPA pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e(a). The Commonwealth of Virginia's authorized UST program regulations are set forth in the Virginia Administrative Code as Underground Storage Tanks: Technical Standards and Corrective Action Requirement ("VA UST Regulations"), 9 VAC § 25-580-10 *et seq.*, and will be cited hereinafter as 9 VAC §§ 25-580-10 *et seq.*

GENERAL PROVISIONS

1. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
2. Respondent neither admits nor denies the specific factual allegations and conclusions of law set forth in this CAFO, except as provided in Paragraph 1, above.
3. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this Consent Agreement ("CA"), the issuance of the attached Final Order ("FO"), or the enforcement thereof.
4. For the purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact set forth in this CA and any right to appeal the accompanying FO.
5. Respondent consents to the issuance of this CAFO, and agrees to comply with its terms and conditions.
6. Respondent shall bear its own costs and attorney's fees.
7. The provisions of this CAFO shall be binding upon Respondent, and its officers, directors, employees, successors and assigns.
8. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit, nor does this CAFO constitute a waiver, suspension or modification of the requirements of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, or any regulations promulgated thereunder.
9. Complainant shall have the right to institute further actions to recover appropriate relief if Complainant obtains evidence that the information provided and/or representations made by Respondent to EPA regarding matters at issue in the CA are false or, in any material respect, inaccurate. Respondent is aware that the submission of false or misleading information to the United States government may subject Respondent to separate civil and/or criminal liability.
10. Respondent agrees not to deduct for civil taxation purposes the civil penalty specified in this Consent Agreement and the attached Final Order.

11. EPA has given the Commonwealth of Virginia prior notice of the issuance of this CAFO in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

FACTUAL ALLEGATIONS AND CONCLUSIONS OF LAW

12. The United States Environmental Protection Agency - Region III ("EPA" or the "Region") and EPA's Office of Administrative Law Judges have jurisdiction over this matter pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e, 40 C.F.R. Part 280 and 40 C.F.R. § 22.1(a)(4) and .4(c).
13. Respondent is a "person" as defined in Section 9001(5) of RCRA, 42 U.S.C. 6991(5), and 9 VAC § 25-580-10.
14. At all times relevant to the violations alleged in this CAFO, Respondent has been the "owner" and/or "operator," as those terms are defined in Section 9001(3) and (4) of RCRA, 42 U.S.C. § 6991(3) and (4), and 9 VAC § 25-580-10, of the "underground storage tanks" ("USTs") and "UST systems" as those terms are defined in Section 9001(10) of RCRA, 42 U.S.C. § 6991(10), and 9 VAC § 25-580-10, located at the Facility.
15. On April 27, 2009, representatives of the United States Environmental Protection Agency (EPA) conducted a Compliance Evaluation Inspection (CEI) of Respondent's Facility pursuant to Section 9005 of RCRA, as amended, 42 U.S.C. § 6991d.
16. At the time of the April 27, 2009 CEI, and at all times relevant to the applicable violations alleged herein, four (4) USTs were located at the Facility as described in the following subparagraphs:
- A. A ten thousand (10,000) gallon fiberglass-reinforced-plastic tank that was installed in or about 1991, and that, at all times relevant hereto, routinely contained and was used to store regular gasoline (hereinafter "UST No. 1");
 - B. A four thousand (4,000) gallon fiberglass-reinforced-plastic tank that was installed in or about 1991, and that, at all times relevant hereto, routinely contained and was used to store regular gasoline (hereinafter "UST No. 2");
 - C. A ten thousand (10,000) gallon fiberglass-reinforced-plastic tank that was installed in or about 1991, and that, at all times relevant hereto, routinely contained and was used to store premium gasoline (hereinafter "UST No. 3");

- D. A twelve thousand (12,000) gallon fiberglass-reinforced-plastic tank that was installed in or about 1991, and that, at all times relevant hereto, routinely contained and was used to store diesel fuel (hereinafter "UST No. 4");
17. On July 9, 2009, EPA issued Respondent a Request for Information letter pursuant to Section 9005 of RCRA, as amended, 42 U.S.C. § 6991d, regarding UST compliance at the Respondent's Facility.
18. At all times relevant to the applicable violations alleged herein, USTs Nos. 1 through 4 located at the Facility have been "petroleum UST systems" and "new tank systems" as these terms are defined in 9 VAC § 25-580-10.
19. USTs Nos. 1 through 4 located at the Facility are and were, at all times relevant to the applicable violations alleged in this CAFO, used to store "regulated substance(s)" at Respondent's Facility, as defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 9 VAC § 25-580-10, and have not been "empty" as that term is defined at 9 VAC § 25-580-310.1.

COUNT 1

(Failure to perform release detection on USTs Nos. 1 through 4)

20. The allegations of Paragraphs 1 through 19 of this CAFO are incorporated herein by reference.
21. Pursuant to 9 VAC § 25-580-130.A. and C., owners and operators of new and existing UST systems must provide a method or combination of methods of release detection monitoring that meets the requirements described therein.
22. 9 VAC § 25-580-140.1. provides, in pertinent part, that USTs shall be monitored at least every 30 days for releases using one of the methods listed in 9 VAC § 25-580-160.4.-8., except that:
- (a) UST systems that meet the performance standards in subsections 1 through 5 of 9 VAC § 25-580-50 (Performance Standards for New UST Systems) or subsections 1 through 4 of 9 VAC § 25-580-60 (Upgrading of Existing UST Systems), and the monthly inventory control requirements in subsections 1 or 2 of 9 VAC § 25-580-160 (Inventory Control or Manual Tank Gauging), and tank tightness testing, conducted in accordance with subsection 3 of 9 VAC § 25-580-160 (Tank Tightness Test), at least every 5 years until December 22, 1998, or until 10 years after the UST is installed or upgraded under subsection 2 of 9 VAC § 25-580-60 (Tank Upgrading Requirements); and

- (b) UST systems that do not meet the performance standards in 9 VAC § 25-580-50 (Performance Standards for New UST Systems) or 9 VAC § 25-580-60 (Upgrading of Existing UST Systems), may use monthly inventory controls, conducted in accordance with subsections 1 or 2 of 9 VAC § 25-580-160 (Inventory Control or Manual Tank Gauging) and annual tank tightness testing, conducted in accordance with subsection 3 of 9 VAC § 25-580-160 (Tank Tightness Test) until December 22, 1998, when the tank must be upgraded under 9 VAC § 25-580-60 (Tank Upgrading Requirements) or permanently closed under 9 VAC § 25-580-320; and
- (c) Tanks with a capacity of 550 gallons or less and not metered may use weekly tank gauging, conducted in accordance with subsection 2 of 9 VAC § 25-580-160.

- 23. From August 15, 2006 through November 14, 2008, the method of release detection selected by Respondent for USTs Nos. 1 through 4 was inventory control in accordance with 9 VAC § 25-580-160.
- 24. Pursuant to 9 VAC § 25-580-140.1(a), inventory control as an appropriate method of release detection for Respondent's USTs Nos. 1 through 4 expired 10 years after such USTs were installed in 1991. As a result, inventory control as an appropriate method of release detection for Respondent's USTs Nos. 1 through 4 expired in 2001.
- 25. During the period of time indicated in Paragraph 23, above, Respondent did not use any of the other release detection methods specified in 9 VAC § 25-580-140.1.a.-c. and/or 9 VAC § 25-580-160.4.-8. on USTs Nos. 1 through 4 located at the Facility.
- 26. Respondent's acts and/or omissions as alleged in Paragraphs 23 through 25, above, constitute violations by Respondent of 9 VAC § 25-580-130.A. and C. and 9 VAC § 25-580-140.1.

COMPLIANCE ORDER

- 27. Pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e, Respondent is hereby ordered to:
 - A. Within thirty (30) days of the effective date of this Compliance Order, comply with the release detection requirements of 9 VAC § 25-580-130 for all UST systems located at the Facility subject to this CAFO or close such UST systems in accordance with 9 VAC § 25-580-320.
- 28. Any notice, report, certification, data presentation, or other document submitted by Respondent pursuant to this CAFO which discusses, describes, demonstrates, supports any finding or makes any representation concerning Respondent's compliance or noncompliance with any requirement of this CAFO shall be certified by a principal executive officer or ranking elected official as defined at 40 C.F.R. § 270.11(a).

The certification required above shall be in the following form:

I certify that the information contained in or accompanying this [type of submission] is true, accurate, and complete. As to [the/those] identified portions of this [type of submission] for which I cannot personally verify [its/their] accuracy, I certify under penalty of law that this [type of submission] and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____

Name: _____

Title: _____

29. All documents and reports to be submitted pursuant to this CAFO shall be sent to the following persons:

A. Documents to be submitted to EPA shall be sent either by overnight mail or by certified mail, return receipt requested to:

Gary Morton (3LC70)
U. S. Environmental Protection Agency Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103

B. One copy of all documents submitted to EPA shall be sent by first class mail to:

Mr. Nitin Avaiya
Shantam Investments, Inc.
121 Broadview Avenue
Warrenton, VA 20186

CIVIL PENALTY

30. In settlement of EPA's claims for civil monetary penalties assessable for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty of Twenty Five Thousand Dollars (\$25,000.00), which Respondent agrees to pay in accordance with the terms set forth below.
31. The civil penalty of Twenty Five Thousand Dollars (\$25,000.00) set forth in Paragraph 30, above, shall be paid in four (4) installments with interest at the rate of one percent (1%) per annum on the outstanding principal balance in accordance with the following schedule:
- a. 1st Payment: The first payment in the amount of Six Thousand Two Hundred Fifty Dollars (\$6,250.00), consisting of a principal payment of \$6,250.00 and an interest payment of \$0.00, shall be paid within thirty (30) days of the date on which this CAFO is mailed or hand-delivered to Respondent;
 - b. 2nd Payment: The second payment in the amount of Six Thousand Three Hundred Eleven Dollars and Sixty-Four Cents (\$6,311.64), consisting of a principal payment of \$6,250.00 and an interest payment of \$61.64, shall be paid within one hundred twenty (120) days on which this CAFO is mailed or hand-delivered to Respondent;
 - c. 3rd Payment: The third payment in the amount of Six Thousand Two Hundred Eighty Dollars and Eighty-Two Cents (\$6,280.82), consisting of a principal payment of \$6,250.00 and an interest payment of \$30.82, shall be paid within two hundred ten (210) days of the date on which this CAFO is mailed or hand-delivered to Respondent; and
 - d. 4th Payment: The fourth and final payment in the amount of Six Thousand Two Hundred Sixty-Five Dollars and Forty-One Cents (\$6,265.41), consisting of a principal payment of \$6,250.00 and an interest payment of \$15.41, shall be paid within three hundred (300) days of the date on which this CAFO is mailed or hand-delivered to Respondent.
32. Pursuant to the above schedule, Respondent will remit total principal payments for the civil penalty in the amount of Twenty Five Thousand Dollars (\$25,000.00) and total interest payments in the amount of One Hundred Seven Dollars and Eighty-Seven Cents (\$107.87).
33. If Respondent fails to make one of the installment payments in accordance with the schedule set forth in paragraph 31, above, the entire unpaid balance of the penalty and all

accrued interest shall become due immediately upon such failure, and Respondent shall immediately pay the entire remaining principal balance of the civil penalty along with any interest that has accrued up to the time of such payment. In addition, Respondent shall be liable for and shall pay administrative handling charges and late payment penalty charges as described below in the event of any such failure or default.

34. Notwithstanding Respondent's agreement to pay the assessed civil penalty in accordance with the installment schedule set forth in Paragraph 31, above, Respondent may pay the entire civil penalty of Twenty Five Thousand Dollars (\$25,000.00) within thirty (30) calendar days after the date on which a copy of this CAFO is mailed or hand-delivered to Respondent and, thereby, avoid the payment of interest pursuant to 40 C.F.R. § 13.11(a) as calculated in Paragraph 31, above, and as described in Paragraph 32. In addition, Respondent may, at any time after commencement of payments under the installment schedule, elect to pay the entire principal balance, together with accrued interest to the date of such full payment.
35. The aforesaid settlement amount was based upon Complainant's consideration of a number of factors, including, but not limited to, the statutory factors in RCRA Section 9006(c) - (e), 42 U.S.C. § 6991e(c) - (e), and with EPA's Penalty Guidance for Violations of UST Regulations ("UST Guidance") dated November 4, 1990.
36. Respondent shall remit each installment payment for the civil penalty and interest, pursuant to Paragraph 31, above, and/or the full penalty pursuant to Paragraph 34, above, and/or any administrative fees and late payment penalties, in accordance with Paragraphs 37 through 39, below, by electronic funds transfer ("EFT"), as described below, or by sending a corporate check or certified check, in the following manner:
- A. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, *i.e.*, RCRA-03-2010-0342;
 - B. All checks shall be made payable to "**United States Treasury**";
 - C. All payments made by check and sent by regular mail shall be addressed to:
 - U.S. Environmental Protection Agency
 - Fines and Penalties
 - Cincinnati Finance Center
 - P.O. Box 979077
 - St. Louis, MO 63197-9000

Contact: Eric Volck 513-487-2105
 - D. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Bank
Government Lockbox 979077
U.S. EPA, Fines & Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101

Contact: 314-418-1028

- E. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance
US EPA, MS-NWD
26 W. M.L. King Drive
Cincinnati, OH 45268-0001

- F. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA = 021030004
Account No. = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:
D 68010727 Environmental Protection Agency

- G. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737
Contact: Jesse White 301-887-6548 or REX, 1-866-234-5681

- H. On-Line Payment Option:

WWW.PAY.GOV/PAYGOV

Enter sfo 1.1 in the search field. Open and complete the form.

I. Additional payment guidance is available at:

http://www.epa.gov/ocfo/finservices/make_a_payment.htm

A copy of Respondent's check or a copy of Respondent's electronic transfer shall be sent simultaneously to:

EPA Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103 - 2029, and
Regional Hearing Clerk (3RC00)

Louis F. Ramalho
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

37. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest, administrative costs and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below.
38. In accordance with 40 C.F.R. § 13.11(a), interest on any civil penalty assessed in a Consent Agreement and Final Order begins to accrue on the date that a copy of the Consent Agreement and Final Order is mailed or hand-delivered to the Respondent. However, EPA will not seek to recover interest on any amount of such civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
39. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's Resources Management Directives - Cash Management, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
40. A late payment penalty of six percent (6%) per year will be assessed monthly on any portion of a civil penalty which remains delinquent more than ninety (90) calendar days.

40 C.F.R. § 13.11(c). Should assessment of the penalty charge on a debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).

FULL AND FINAL SATISFACTION

41. This CAFO constitutes a settlement by EPA of its claims for civil penalties pursuant to 9006(a) of RCRA, 42 U.S.C. § 6991e(a), for the violations alleged in this Consent Agreement.

RESERVATION OF RIGHTS

42. 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 Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk.

OTHER APPLICABLE LAWS

43. Nothing in this CAFO shall relieve Respondent of any duties otherwise imposed on it by applicable federal, state or local law and/or regulations.

AUTHORITY TO BIND THE PARTIES

44. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and bind Respondent hereto.

ENTIRE AGREEMENT

45. This Consent Agreement and the attached Final Order constitute the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Consent Agreement and the attached Final Order.

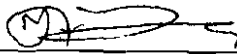
EFFECTIVE DATE

46. This CAFO shall become effective upon filing with the Regional Hearing Clerk.

For Respondent:

Shantam Investments, Inc.
121 Broadview Avenue
Warrenton, VA 20186


8/14/10
Date


Nitan Avaiya
President

For Complainant:


U.S. Environmental Protection Agency,
Region III

8/25/10
Date


Louis F. Ramalho
Senior Assistant Regional Counsel

After reviewing the foregoing Consent Agreement and other pertinent information, the Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or the Regional Judicial Officer issue the Final Order attached hereto.

8/26/10
Date

By: 
Abraham Ferdas, Director
Land and Chemicals Division
EPA Region III

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103**

In the Matter of:)	
)	
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In the Matter of:)	U.S. EPA Docket Number
)	RCRA-03-2010-0342
Shantam Investments Inc.)	
DBA Broadview Chevron	)	Proceeding Under Section 9006(a) of
121 Broadview Avenue	)	the Resource Conservation and
Warrenton, VA 20186	)	Recovery Act, as amended, 42 U.S.C.
	)	§ 6991e(a).
)	
RESPONDENT,)	
)	
Broadview Chevron Facility)	
121 Broadview Avenue)	
Warrenton, VA 20186)	
)	
FACILITY.)	
)	
)	
	)	FINAL ORDER

RECEIVED
MAY 11 2010
PHILADELPHIA, PA

FINAL ORDER

Complainant, the Director, Land and Chemicals Division, U.S. Environmental Protection Agency - Region III, and Respondent, Shantam Investments, Inc. have executed a document entitled "Consent 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. The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated herein as if set forth at length.

Pursuant to Section 22.18(b)(3) of the *Consolidated Rules of Practice* and Section 9006(c) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6991e(c) ("RCRA"), and having determined, based on the representations of the parties in the attached Consent Agreement, that the civil penalty agreed to therein was based upon a consideration of the factors set forth in Section 9006(c) - (e) of RCRA, 42 U.S.C. § 6991e(c) - (e), it is hereby ordered that Respondent pay a civil penalty of Twenty Five Thousand Dollars (\$25,000.00) in accordance with the payment provisions set forth in the attached Consent Agreement, and comply with each of the additional terms and conditions as specified in the attached Consent Agreement.

The effective date of this Final Order and the accompanying Consent Agreement is the date on which the Final Order, signed by the Regional Administrator of U.S. EPA Region III or the Regional Judicial Officer, is filed with the Regional Hearing Clerk of U.S. EPA - Region III.

Date

9/1/10



Renée Sarajian
Regional Judicial Officer
U.S. EPA, Region III

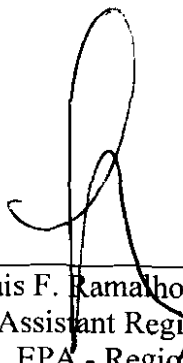
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date listed below, the original of the foregoing Consent Agreement and Final Order, EPA Docket No. RCRA-03-2010-0342, was filed with the Regional Hearing Clerk, U.S. EPA - Region III, 1650 Arch Street, Philadelphia, Pennsylvania, 19103-2029, and that a true and correct copy was sent via first class mail to the following:

Shantam Investments, Inc.
d/b/a Broadview Chevron
121 Broadview Avenue
Warrenton, VA 20186

Date

9/2/10



Louis F. Ramalho
Sr. Assistant Regional Counsel
U.S. EPA - Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RECEIVED
U.S. EPA
PHILADELPHIA