



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

SEP 27 2012

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL # 7001 0320 0005 8921 9465
RETURN RECEIPT REQUESTED

Ms. Bridgette Liedorff
East Side Fuel
211 Cleveland Road
Norwalk, Ohio 44857

BD# 2751206M014

RUST-05-2012-0013

Re: Compliance Order/Settlement Agreement for East Side Fuel in Norwalk, Ohio

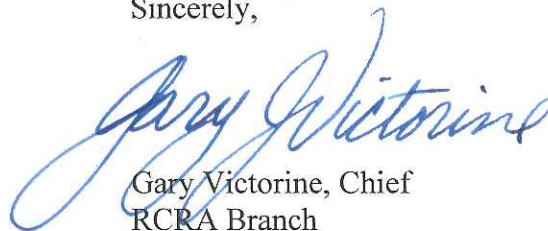
Dear Ms. Liedorff:

On September 10, 2012, the U.S. Environmental Protection Agency Underground Storage Tank Section issued a Notice of Violation and Compliance Order/Settlement Agreement concerning violations found during a compliance inspection conducted at East Side Fuel, 211 Cleveland Road in Norwalk, Ohio.

We have received your signed original copy of the Settlement Agreement, dated September 17, 2012 and the check for \$1050 in penalties. We have reviewed the original copy of the Settlement Agreement where you have indicated that the violations of the underground storage tanks regulations for which you were cited have been corrected.

The Settlement Agreement states that it is effective upon the 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 EPA 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 Erin Galbraith, of my staff, at 312-886-6879.

Sincerely,



Gary Victorine, Chief
RCRA Branch

Enclosure

cc: William Hills, Chief, Ohio Bureau of Underground Storage Tank Regulations

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-12-009-EG

Part I: INSPECTION SUMMARY

On 08/16/2012 Time 09:49 AM

At East Side Fuel
 (Name of Facility)

Address: 211 Cleveland Road
Norwalk, OH 44857

Bridgette Liedorff
 (Name of On site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: East Side Fuel

Address: 211 Cleveland Road
Norwalk OH 44857

A duly designated officer, employee, or duly designated officer or employee of the facility. EPA has reviewed the inspector materials and has identified the following regulations promulgated or approved by the Resource Conservation and Recovery Act (42 U.S.C. § 6991 et seq.).

Regional Hearing Clerk COPY

- Violation:** Failure to monitor tanks at least every 30 days if appropriate
 Cite: 40 CFR 280.41(a) Proposed Penalty: \$ 420
 - Violation:** Failure to have annual line tightness test or perform monthly monitoring on pressurized piping
 Cite: 40 CFR 280.41(b)(1)(ii) Proposed Penalty: \$ 420
 - Violation:** Failure to provide adequate line leak detector system for underground piping
 Cite: 40 CFR 280.44(a) Proposed Penalty: \$ 210
 - Violation:** _____
 Cite: _____ Proposed Penalty: \$ _____
- TOTAL PROPOSED PENALTY: \$ 1050**

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

Eric Holmquist Date: 8/16/12
 (Signature of EPA Inspector)

RECEIVED
SEP 27 2012
REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL PROTECTION AGENCY

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 \$ **1050** 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): Happy Sarao
 Title (Print): OWNER
 Signature: [Signature] Date: 9-17-12

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.

SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (Print): Gary J. Victorine
 Title (Print): Chief, RCRA Branch
 Signature: [Signature] Date: 9/27/12
 Notes: _____

9/21/12 Check mailed to Cin. Finance Center
Via Certified # 70010320 000589219472

EAST SIDE FUEL PLUS INC
OPERATING ACCOUNT
 211 Cleveland Rd
 Norwalk, OH 44857

1451
6-12/410

9/17 2012

PAY TO THE ORDER OF U.S. Environmental Prot. Agency \$ 1050⁰⁰

One thousand fifty dollars DOLLARS

PNC BANK
 9 EAST MAIN ST
 NORWALK, OH 44857

FOR [Signature]

⑆041000124⑆ 4244349389⑆ 1491

MONARCH

Witnessed
 Mailed
 Erin
 check
 Mark Boston

9/21/12

RECEIVED
 SEP 27 2012

RUST-05-2012-0013

REGIONAL HEARING CLERK
 U.S. ENVIRONMENTAL
 PROTECTION AGENCY
 U.S. ENVIRONMENTAL
 PROTECTION AGENCY

BD# 2751206M014

[Signature]
 Regional Hearing Clerk
 9/27/2012