

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III**

**Philadelphia, Pennsylvania 19103**

**In the Matter of:**

**Hanover 76, Inc.  
998 Carlisle Street  
Hannover, PA 17331**

**Respondent.**

**Hanover 76  
998 Carlisle Street  
Hannover, PA 17331**

**Facility.**

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: **U.S. EPA Docket No. RCRA-03-2022-0045**  
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: **CONSENT AGREEMENT**  
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: **Proceeding under Section 9006 of the Resource**  
: **Conservation and Recovery Act, as amended,**  
: **42 U.S.C. Section 6991e**  
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**CONSENT AGREEMENT**

**PRELIMINARY STATEMENT**

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency Region III (“Complainant”) and Hanover 76, Inc. (“Respondent”) (collectively the “Parties”), 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. Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), authorizes the Administrator of the U.S. Environmental Protection Agency (“EPA”) to assess a civil penalty against any owner or operator of an underground storage tank who fails to comply with, *inter alia*, any requirement or standard of a State underground storage tank program that has been approved by EPA pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “Consent Agreement and Final Order”) resolve Complainant’s civil penalty claims against Respondent under RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the Commonwealth of Pennsylvania’s federally authorized underground storage tank program for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this

administrative proceeding.

### **JURISDICTION**

3. The U.S. Environmental Protection Agency has jurisdiction over the above-captioned matter, as described in Paragraphs 1 - 3.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(4).
5. EPA has given the Commonwealth of Pennsylvania prior notice of the issuance of this Consent Agreement Final Order in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

### **GENERAL PROVISIONS**

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement Final Order.
7. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
8. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement Final Order.
9. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement Final Order and waives its right to appeal the accompanying Final Order.
10. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
11. Respondent shall bear its own costs and attorney's fees in connection with this proceeding.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

12. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
13. Effective September 11, 2003, pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, and 40 C.F.R. Part 281, EPA granted the Commonwealth of Pennsylvania final approval to administer a state underground storage tank ("UST") management program ("Pennsylvania 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 approved Pennsylvania UST management program, through this final authorization, are enforceable by EPA pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e. The Pennsylvania UST management program regulations are set forth in the Pennsylvania Code, Title 25, Chapter 245, Sections 245.1 *et seq.*, and will be cited hereinafter as 25 Pa. Code 245.1 *et seq.*

14. At all times relevant to this Consent Agreement Final Order, Respondent has been a Pennsylvania corporation doing business in the Commonwealth of Pennsylvania.
15. Respondent is a “person” as defined in Section 9001(5) of RCRA, 42 U.S.C. § 6991(5), and 25 Pa. Code § 245.1.
16. At all times relevant to violations alleged in this Consent Agreement Final Order, Respondent has been the “owner” and “operator”, as these terms are defined in Section 9001(4) of RCRA, 42 U.S.C. § 6991(4), and 25 Pa. Code § 245.1, of “underground storage tank(s)” and “underground storage tank system(s)” as those terms are defined in Section 9001(10) of RCRA, 42 U.S.C. § 6991(10), and 25 Pa. Code § 245.1, at the Hanover 76 facility located at 998 Carlisle Street, Hanover Pennsylvania (the “Facility”).
17. The Complainant conducted an inspection of the Facility identified in Paragraph 16 on March 18, 2019 (the “Inspection”) pursuant to Section 9005 of RCRA, 42 U.S.C. § 6991d. and the Commonwealth of Pennsylvania UST program.
18. At the time of the Inspection, and at all times relevant to the applicable violations alleged herein, underground storage tanks (“USTs”) and UST systems used to contain “regulated substance[s]” as this term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 25 Pa. Code § 245.1, were present at the Facility.

### **Count I - Failure to Conduct Tank Release Detection**

19. The allegations of Paragraphs 1 through 18 of his Consent Agreement are incorporated herein by reference.
22. Pursuant to 25 Pa. Code § 245.442(1), an owner or operator of petroleum underground storage tank systems shall monitor the tanks at least every 30 days for releases using one of the methods found in 25 Pa. Code § 245.444 (1-8).
23. At the time of the 2019 inspection conducted by EPA, and at all times relevant to the applicable violations alleged herein, Respondent’s Automatic Tank Gauging system, which was being utilized to conduct monthly tank release detection on all the USTs, was not working correctly insofar as:
  - a. It failed to provide information regarding release detection from 3/1/2018 – 7/17/2019 (503 days) for UST #1 10,000-gallon regular gasoline UST (“UST #1”), installed in September 1985 and constructed of single-walled Fiberglass Reinforced Plastic (“FRP”);
  - b. It failed to provide information regarding release detection from 3/1/2018 – 7/17/2019 (503 days) for UST #2 10,000-gallon regular gasoline UST (“UST

- #2”), installed in September 1985 and constructed of single-walled FRP; and
- c. It failed to provide information regarding release detection from 4/1/2018 – 7/17/2019 (472 days) for UST #3 10,000-gallon premium gasoline UST (“UST #3”), installed in September 1985 and constructed of single-walled FRP.
24. Upon request on the day of the Inspection and after multiple informal email requests after the Inspection, Respondent did not provide any evidence to demonstrate that the required monthly tank release detection was conducted on the USTs on the dates in Paragraph 23, above.
25. Respondent’s role as owner in the acts or omission as alleged in Paragraphs 23 and 24 constitute violations by Respondent of 25 Pa. Code § 245.442(1).
26. In failing to comply with 25 Pa. Code § 245.442(1), Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

### **Count II - Failure to Conduct Annual Line Leak Detector Testing**

27. The allegations of Paragraphs 1 through 26 of his Consent Agreement are incorporated herein by reference.
28. Pursuant to 25 Pa. Code § 245.445(1), owners and operators of petroleum underground storage tank systems with pressurized piping equipped with automatic line leak detectors are required to conduct an annual test of the operation of the leak detectors in accordance with manufacturer’s requirements.
29. At the time of the 2019 inspection conducted by EPA, and at all times relevant to the applicable violations alleged herein, the piping associated with the following UST systems conveyed regulated substances under pressure, and were equipped with automatic line leak detectors:
- a. UST #2, annual test due on 6/19/2018, tested on 3/21/2019 (275 days overdue); and
  - b. UST #3, annual test due on 6/19/2018, tested on 3/21/2019 (275 days overdue).
30. No evidence was provided to demonstrate that required annual operational testing was conducted of the automatic line leak detectors on pressurized piping associated with UST #2 and UST #3 identified in Paragraph 29 from June 19, 2018 until March 21, 2019.
31. Respondent’s role as owner in the acts or omission as alleged in Paragraphs 29 and 30 constitute violations by Respondent of 25 Pa. Code § 245.445(1).
32. In failing to comply with 25 Pa. Code § 245.445(1), Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

### **Count III - Failure to Conduct Secondary Piping Release Detection**

33. The allegations of Paragraphs 1 through 32 of his Consent Agreement are incorporated herein by reference.
34. Pursuant to 25 Pa. Code § 245.442(2)(i)(B), owners and operators of petroleum USTs with pressurized piping that routinely contains regulated substances must either have an annual line tightness test conducted in accordance with 25 Pa. Code § 245.445(2) or conduct monthly monitoring conducted in accordance with 25 Pa. Code § 245.445(3).
35. Upon request on the day of the Inspection and after multiple informal email requests after the Inspection, Respondent provided no evidence to demonstrate that either an annual line tightness test was conducted in accordance with 25 Pa. Code § 245.445(2) or monthly monitoring was conducted in accordance with 25 Pa. Code § 245.445(3) on the pressurized piping associated with the UST #2 and UST #3 systems at the facility from June 19, 2018 through March 20, 2019. The UST #2 and UST #3 systems were due for the line tightness test on June 19, 2018. The test was conducted on March 21, 2019, which is 275 days late.
36. Respondent's role as owner in the acts or omission as alleged in Paragraph 35 constitute violations by Respondent of 25 Pa. Code § 245.442(2)(i)(B).
37. In failing to comply with 25 Pa. Code § 245.442(2)(i)(B), Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

#### **CIVIL PENALTY**

38. In settlement of EPA's claim for civil penalties for the violation alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of TWENTY-FIVE THOUSAND dollars (\$25,000.00), which Respondent shall be liable to pay in accordance with the terms set forth below.
39. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c), which requires EPA to take into account, including, the following: the seriousness of the violation and any good faith efforts to comply with the applicable requirement. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's October 5, 2018 *Interim Consolidated Enforcement Penalty Policy for Underground Storage Tank (UST) Regulations and Revised Field Citation Program and ESA Pilot* and November 1990 *U.S. EPA Penalty Guidance for Violations of UST Regulations* which reflects the statutory penalty criteria and factors set forth at Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c), the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
40. The civil penalty is also based upon an analysis of Respondent's ability to pay a civil penalty. This analysis was based upon information submitted to EPA by Respondent.
41. Based upon this analysis EPA has determined that the Respondent is unable to pay a civil

penalty in excess of the dollar amount set forth in Paragraph 38, above, in settlement of the above-captioned action. Complainant has relied upon the financial information provided by Respondent and, based upon that information, it is Complainant’s conclusion that the Respondent has established that it is unable to pay the full amount of the civil penalty identified and set forth in Paragraph 38, above, within thirty (30) days of the effective date of this Consent Agreement and that a payment plan of the nature and duration set forth below is necessary and appropriate.

42. Pursuant to the provisions of this Consent Agreement, Respondent will remit a total civil penalty (principal) of **\$ 25,000.00** and interest (calculated at the rate of 2% per annum on the outstanding principal balance) in the amount of **\$ 114.58**, in accordance with the installment payment schedule set forth in the chart, immediately below:

Payment No.	Principal Amount	Interest	Date Payment Due (From Effective Date of CAFO)	Payment Amount Due
1	\$ 2,092.88	\$ -	Within 30 Days	\$ 2,092.88
2	\$ 2,073.78	\$ 19.10	Within 60 Days	\$ 2,092.88
3	\$ 2,075.52	\$ 17.36	Within 90 Days	\$ 2,092.88
4	\$ 2,077.26	\$ 15.63	Within 120 Days	\$ 2,092.88
5	\$ 2,078.99	\$ 13.89	Within 150 Days	\$ 2,092.88
6	\$ 2,080.73	\$ 12.15	Within 180 Days	\$ 2,092.88
7	\$ 2,082.47	\$ 10.42	Within 210 Days	\$ 2,092.88
8	\$ 2,084.20	\$ 8.68	Within 240 Days	\$ 2,092.88
9	\$ 2,085.94	\$ 6.94	Within 270 Days	\$ 2,092.88
10	\$ 2,087.67	\$ 5.21	Within 300 Days	\$ 2,092.88
11	\$ 2,089.41	\$ 3.47	Within 330 Days	\$ 2,092.88
12	\$ 2,091.15	\$ 1.74	Within 360 Days	\$ 2,092.88
	\$ 25,000.00	\$ 114.58		\$ 25,114.58

43. If Respondent fails to make timely payment of any one of the required installment payments in accordance with the installment payment schedule set forth in Paragraph 42, immediately 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, applicable interest, administrative handling charges and late payment penalty charges as described in Paragraphs 46 through 50, below, in the event of any such failure or default.

44. Respondent may, at any time after commencement of payments under the installment payment schedule, elect to pay the entire principal balance, together with accrued interest to the date of such full payment.

45. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier’s check, certified check or

electronic wire transfer, in the following manner:

- a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, *i.e.*, Docket No.: RCRA-03-2022-0045;
- b. All checks shall be made payable to the "United States Treasury";
- c. All payments made by check and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

- d. For additional information concerning other acceptable methods of payment of the civil penalty amount see:

<https://www.epa.gov/financial/makepayment>

- e. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously via email to:

Jeffrey S. Nast  
Senior Assistant Regional Counsel  
U.S. EPA, Region III (3RC40)  
[Nast.Jeffrey@epa.gov](mailto:Nast.Jeffrey@epa.gov)

and

U.S. EPA Region III Regional Hearing Clerk  
[R3\\_Hearing\\_Clerk@epa.gov](mailto:R3_Hearing_Clerk@epa.gov).

46. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest 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. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties and/or administrative costs of handling delinquent debts.
47. Payment of the civil penalty, in accordance with the above terms and provisions, is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement Final Order, with a date stamp indicating the date on which the Consent Agreement Final

Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).

48. INTEREST: In accordance with 40 C.F.R § 13.11(a)(1), interest on the civil penalty assessed in this Consent Agreement Final Order will begin to accrue on the date Respondent is notified of its debt to the United States as established upon the ratification and filing of the fully executed Consent Agreement and Final Order with the Regional Hearing Clerk. However, EPA will not seek to recover interest on any amount of the civil penalties 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).
49. ADMINISTRATIVE COSTS: The costs of the EPA'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 – Case 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.
50. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
51. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement Final Order.
52. The parties consent to service of the Final Order by e-mail at the following valid e-mail addresses: [nast.jeffrey@epa.gov](mailto:nast.jeffrey@epa.gov) (for Complainant), and [76hanover@gmail.com](mailto:76hanover@gmail.com) (for Respondent).

#### **GENERAL SETTLEMENT CONDITIONS**

53. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement Final Order does not contain any confidential business information or personally identifiable information from Respondent.
54. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters

relevant to this Consent Agreement Final Order, including information about respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

### **CERTIFICATION OF COMPLIANCE**

55. Respondent represents to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

### **OTHER APPLICABLE LAWS**

56. Nothing in this Consent Agreement Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This Consent Agreement Final Order does not constitute a waiver, suspension or modification of the requirements of RCRA, or any regulations promulgated thereunder.

### **RESERVATION OF RIGHTS**

57. This Consent Agreement Final Order resolves only EPA's claims for civil penalties for the specific violation[s] alleged against Respondent in this Consent Agreement Final Order. 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. 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, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement Final Order after its effective date.

### **EXECUTION /PARTIES BOUND**

58. This Consent Agreement Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement Final Order.

**EFFECTIVE DATE**

59. The effective date of this Consent Agreement Final Order is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

**ENTIRE AGREEMENT**

60. This Consent Agreement Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement Final Order.

For Respondent:

Hanover 76, Inc./Hanover 76

Date: 3/9/22

By: 

Ranjit Cheema  
President/Owner

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement & Compliance Assurance Division of the United States Environmental Protection Agency, Region III, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

By: \_\_\_\_\_

*Digital Signature & Date*

Karen Melvin

Director, Enforcement & Compliance

Assurance Division

U.S. EPA – Region III

Complainant

Attorney for Complainant:

By: \_\_\_\_\_

*Digital Signature & Date*

Jeffrey S. Nast

Senior Assistant Regional Counsel

U.S. EPA – Region III

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
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**Respondent.**

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**FINAL ORDER**

Complainant, the Director of the Enforcement & Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Hanover 76, 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 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, inter alia, EPA's October 5, 2018 Interim Consolidated Enforcement Penalty Policy for Underground Storage Tank (UST) Regulations and Revised Field Citation Program and ESA Pilot and November 1990 U.S. EPA Penalty Guidance for Violations of UST Regulations; the statutory factors set forth in Section 9006(c) of RCRA, 42 U.S.C. 6991 e(c); the appropriate Adjustment of Civil Monetary Penalties for Inflation, pursuant to 40 C.F.R. Part 19; and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.

NOW, THEREFORE, PURSUANT TO Section 9006 of the Resource Conservation

and Recovery Act ("RCRA"), as amended, 42 U.S.C. 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 TWENTY-FIVE THOUSAND dollars (\$25,000.00), in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent 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 Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of RCRA I and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

Date: \_\_\_\_\_

\_\_\_\_\_  
Joseph J. Lisa  
Regional Judicial and Presiding Officer  
U.S. EPA – Region III

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<b>Respondent.</b>	:
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<b>Hannover, PA 17331</b>	:
<b>,</b>	:
	:
	:
<b>Facility</b>	:

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_, the original and one (1) copy of the foregoing *Consent Agreement and Final Order*, were filed with the EPA Region III Regional Hearing Clerk. 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:

Ranjit "Ricky" Cheema  
Owner/Operator  
Hanover 76, Inc.  
998 Carlisle Street  
Hanover, PA 17331  
76hanover@gmail.com

and

Jeffrey S. Nast  
Sr. Assistant Regional Counsel  
Mail Code 3RC40  
nast.jeffrey@epa.gov

Dated: \_\_\_\_\_

\_\_\_\_\_  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region III