



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

REGULAR MAIL

SEP -2 2010

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

Re: Accounts Receivable
In the Matter of Potomac Sunoco - MAPP

Consent Agreement and Final Order
EPA Docket No. RCRA-03-2010-0338

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 Form (EARCNF) filed with the Regional Hearing Clerk today in settlement of the above referenced subject matter.

Should you have any question or require further information, please feel free to call me at (215) 814-2474.

Sincerely,

Donzetta W. Thomas
Sr. Asst. Regional Counsel

Enclosures

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



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Customer Service Hotline: 1-800-438-2474

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: D. Thomas
Name of Contact person

9/2/10
8/24/10
Date

in the ORC
Office

at (215) 814-2474
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
Mid-Atlantic Petroleum (Potomac Service)

The Total Dollar Amount of Receivable 14,046.00

The Case Docket Number RCRA-03-2010-0338
(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:)

Mid-Atlantic Petroleum Properties, LLC)
12311 Middlebrook Road)
Germantown, MD 20874)

RESPONDENT,)

Potomac Sunoco)
11355 Seven Locks Road)
Potomac, MD)

FACILITY.)

Docket Number: RCRA-3-2010-0338

Proceeding Under Section 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C.
§ 6991e.

CONSENT AGREEMENT

This Consent Agreement ("CA") is entered into by the Director, Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("EPA" or "Complainant") and Mid-Atlantic Petroleum Properties, LLC ("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"), resolve violations of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the State of Maryland's federally authorized underground storage tank program by Respondent in connection with its underground storage tanks located at 11355 Sevens Locks Road, Potomac, Maryland (the "Facility").

Complainant and Respondent agree that settling this matter by entering into this CAFO, pursuant to Section 22.13(b) and .18(b)(2) and (3) of the Consolidated Rules is an appropriate means of resolving this case without litigation.

Effective July 30, 1992, pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, and 40 C.F.R. Part 281, Subpart A, the State of Maryland 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 Maryland UST management program, through this final authorization, are enforceable by EPA pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e. Maryland's authorized UST program regulations are administered by the Maryland Department of the Environment ("MDE") and are set forth in the Code of Maryland Regulations ("COMAR"), Title 26, Subtitle 10 *et seq.*, and will be cited as "COMAR" followed by the applicable section of the regulations.

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. This CAFO and any provision herein shall not be construed as an admission of liability on any criminal or civil action or other administrative or legal proceeding, except one to enforce the terms of this CAFO.
3. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this CA, the issuance of the attached Final Order ("FO"), or the enforcement of the CAFO, and Respondent admits the jurisdictional allegations set forth in this CAFO.
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. However, Respondent has not waived such right that may exist for any separate action that may be brought by MDE for any alleged violations described herein.
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 person signing this CA on behalf of the Respondent certifies to EPA by his/her signature herein that Respondent, as of the date of this CA, except as required by paragraphs 30 and 31 below, is in compliance with the provisions of RCRA, Subtitle I, 42 U.S.C. §§ 6991-6991m, and the State of Maryland's federally authorized underground storage tank program set forth at COMAR §§ 26.10 *et seq.* at the Facility referenced herein.

8. The provisions of this CAFO shall be binding upon Respondent, and its officers, directors, employees, successors and assigns.
9. 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.
10. Respondent agrees not to deduct, for civil taxation purposes, the civil penalty specified in this CAFO.
11. 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 this CAFO 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.
12. EPA has given the State of Maryland 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

13. 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).
14. Respondent is a "person" as defined in Section 9001(5) of RCRA, 42 U.S.C. § 6991(5), and COMAR § 26.10.02.04B.(40).
15. At all times relevant to 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 COMAR § 26.10.02.04B(37) and (39), 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 COMAR § 26.10.02.04B(64) and (66), located at the Facility.
16. On September 22, 2009, an EPA representative conducted a Compliance Evaluation Inspection ("CEI") of the Facility pursuant to Section 9005 of RCRA, 42 U.S.C. § 6991d.
17. At the time of the September 22, 2009 CEI, and at all times relevant to the applicable violation alleged herein, the following UST was located at the Facility: a ten thousand

(10,000) gallon single-walled fiberglass reinforced plastic tank that was installed in May 1977, and that, at all times relevant hereto, routinely contained and was used to store regular grade gasoline, a “regulated substance” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter “UST No. 1”).

18. At the time of the September 22, 2009 CEI, and at all times relevant to the applicable violation alleged herein, the following UST was located at the Facility: a eight thousand (8,000) gallon single-walled fiberglass reinforced plastic tank that was installed in May 1977, and that, at all times relevant hereto, routinely contained and was used to store super grade gasoline, a “regulated substance” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter “UST No. 2”).

19. At the time of the September 22, 2009 CEI, and at all times relevant to the applicable violation alleged herein, the following UST was located at the Facility: a eight thousand (8,000) gallon single-walled fiberglass reinforced plastic tank that was installed in May 1977, and that, at all times relevant hereto, routinely contained and was used to store plus grade gasoline, a “regulated substance” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter “UST No. 3”).

20. At the time of the September 22, 2009 CEI, and at all times relevant to the applicable violation alleged herein, the following UST was located at the Facility: a eight thousand (8,000) gallon single-walled fiberglass reinforced plastic tank that was installed in December 1998, and that, at all times relevant hereto, routinely contained and was used to store diesel fuel, a “regulated substance” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter “UST No. 4”).

21. At all times relevant to the applicable violation alleged herein, the USTs Nos. 1- 3 have been “petroleum UST system” and “existing tank system” as those terms are defined in COMAR, § 26.10.02.04B(43), (19) respectively.

22. At all times relevant to the applicable violation alleged herein, the UST No. 4 has been a “petroleum UST system” and “new tank system” as those terms are defined in COMAR, § 26.10.02.04B(43), (31) respectively.

COUNT 1

(Failure to provide corrosion protection on the metal/steel piping for USTs Nos. 1 through 4)

23. The allegations of Paragraphs 1 through 22 of this CAFO are incorporated herein by reference.

24. COMAR § 26.10.03.01A provides, in pertinent part, that all owners and operators of new UST systems shall meet the requirements of COMAR § 26.10.03.01 to ensure that releases due to corrosion are prevented for as long as the UST system is used to store regulated substances.
25. COMAR § 26.10.03.01C provides, inter alia, that piping that is in contact with the ground shall be properly designed, constructed and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified in COMAR § 26.10.03.01A(1)-(3).
26. The requirements set forth at COMAR § 26.10.03.01C, above, have been incorporated by reference into COMAR § 26.10.03.02C, and are therefore applicable to existing UST systems as well as new UST systems.
27. The flexible connectors associated with piping for USTs Nos. 1 through 4 is, and, at all times relevant to the violations alleged herein, was made of metal/steel in contact with the ground and used to store regulated substances.
28. From at least November 1, 2005, through date of this CA, Respondent failed to provide corrosion protection for the flexible connectors associated with UST No. 1 through 4, as required by COMAR § 26.10.03.01C(2), (3), and/or (4).
29. Respondent's act and/or omission as alleged in Paragraph 28, above, constitutes a violation by Respondent of COMAR § 26.10.03.01.A and C.

COMPLIANCE ORDER

30. Within 120 days of the effective date of this Compliance Order, complete measures to ensure that the metal/steel piping connected to USTs Nos. 1 through 3 that is in contact with the ground meets the corrosion protection requirements of COMAR § 26.10.03.02C to ensure that releases due to corrosion are prevented for as long as USTs Nos. 1 through 3 are used to store regulated substances.
31. Within 120 days of the effective date of this Compliance Order, complete measures to ensure that the metal/steel piping connected to UST No. 4 that is in contact with the ground meets the corrosion protection requirements of COMAR § 26.10.03.01 to ensure that releases due to corrosion are prevented for as long as UST No. 4 is used to store regulated substances.
32. Within 45 days of completion of the work described in Paragraphs 30 and 31 above; however, not to exceed 165 days of the effective date of this Compliance Order, submit to

EPA a report which documents and certifies Respondent's compliance with the terms of this Compliance Order.

33. Any notice, report, certification, data presentation, or other document submitted by Respondent pursuant to this Compliance Order which discusses, describes, demonstrates, supports any finding or makes any representation concerning Respondent's compliance or noncompliance with any requirement of this Compliance Order shall be certified by a responsible corporate officer of Respondent.

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: _____

34. All documents and reports to be submitted pursuant to this Compliance Order shall be sent to the following persons:

Documents to be submitted to EPA shall be sent certified mail, return receipt requested to the attention of:

Melissa Toffel
Land and Chemicals Division (3LC70)
U.S. Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, PA 19103-2029

and

Donzetta W. Thomas
Senior Assistant Regional Counsel (3RC30)
U.S. Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, PA 19103-2029

One copy of all documents submitted to EPA shall also be sent by regular mail to the attention of:

Thomas L. Walter, Chief Compliance Division
Oil Control Program
Maryland Department of the Environment
Montgomery Park Business Center
1800 Washington Blvd., Suite 645
Baltimore, MD 21230

35. If activities undertaken by the Respondent in connection with this Compliance Order or otherwise indicate that a release of a regulated substance from any UST at the Facilities may have occurred, Respondent may be required to undertake corrective action pursuant to applicable regulations in COMAR § 26.10.09.

36. Respondent is hereby notified that failure to comply with any of the terms of this Compliance Order may subject it to imposition of a civil penalty of up to \$32,500 for each day of continued noncompliance, pursuant to Section 9006(a)(3) of RCRA, 42 U.S.C. § 6991e(a)(3), the Debt Collection Improvement Act of 1996 ("DCIA"), and the subsequent Civil Monetary Penalty Inflation Adjustment Rules, 61 *Fed. Reg.* 69360 (December 31, 1996) and 69 *Fed. Reg.* 7121, 7126 (February 13, 2004), codified at 40 C.F.R. Part 19.

37. The term "days" as used herein shall mean calendar days unless specified otherwise.

CIVIL PENALTY

38. In settlement of Complainant's claims for civil penalties for the violations alleged in this CA, Respondent agrees to pay a civil penalty in the amount of **Fourteen Thousand Forty-Six Dollars (\$14,046.00)**. The civil penalty amount is due and payable immediately upon Respondent's receipt of a true and correct copy of this CA and attached FO. If Respondent pays the entire civil penalty of Fourteen Thousand Forty-Six Dollars (\$14,046.00) within thirty (30) calendar days of the date on which this CAFO is mailed or hand-delivered to Respondent, no interest will be assessed against Respondent pursuant to 40 C.F.R. § 13.11(a)(1).

39. The aforesaid settlement amount was based upon Complainant's consideration of a number of factors, including, but not limited to, the statutory factors of the seriousness of Respondent's violations and any good faith efforts by Respondent to comply with all applicable requirements as provided in RCRA Section 9006(c), 42 U.S.C. § 6991e(c), and with EPA's Penalty Guidance for Violations of UST Regulations ("UST Guidance") dated November 4, 1990.

40. Respondent shall pay the amount described in Paragraph 38 above, by sending a certified or cashier's check payable as follows:

- a. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, *i.e.*, **RCRA-03-2010-0338**;
- 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 and mailed to:

U.S. EPA - 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 and mailed to:

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

Contact: Natalie Pearson (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

41. Respondent may also pay the amount described in Paragraph 38, above, electronically or on-line as follows:

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

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT Address = FRNYUS33
Tax id. No. = 52-0852695
33 Liberty Street
New York, NY 10045
(Field Tag 4200 of the wire transfer message should read:
"D 68010727 Environmental Protection Agency")

b. 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
Environmental Protection Agency, Account No. 310006
Tax Id. No. 52-0852695
CTX Format Transaction Code 22 - checking

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

c. On-Line Payment Option:

WWW.PAY.GOV

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

d. 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:

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

Donzetta Thomas (3RC30)
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

FULL AND FINAL SATISFACTION

42. 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

43. 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

44. 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

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

ENTIRE AGREEMENT

46. This CA and the attached FO 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 CA and the attached FO.

EFFECTIVE DATE

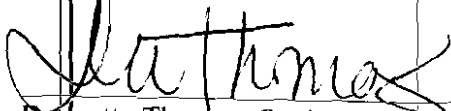
47. This CA and attached FO shall become effective upon filing with the Regional Hearing Clerk.

For Respondent:



Peter Troilo, General Manager
Mid-Atlantic Petroleum Properties, LLC

For Complainant:



Dorzetta Thomas, Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III

After reviewing the foregoing Consent Agreement (Potomac Sunoco Facility) 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.

8/25/10
Date

By: 

Abraham Ferdas, Director
Land and Chemicals Division,
U.S. EPA Region III

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

In the Matter of:)

Mid-Atlantic Petroleum Properties, LLC)
12311 Middlebrook Road)
Germantown, MD 20874)

RESPONDENT,)

Docket Number: RCRA-3-2010-0338

Proceeding Under Sections 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C.
§ 6991e.

Potomac Sunoco)
11355 Seven Locks Road)
Potomac, MD)

FACILITY.)

FINAL ORDER

Complainant, the Director of the Land and Chemicals Division, U.S. Environmental Protection Agency - Region III, and Respondent, Mid Atlantic Petroleum Properties, LLC ("Respondent"), 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.

NOW, THEREFORE, 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) of RCRA, 42 U.S.C. § 6991e(c), **IT IS HEREBY ORDERED** that Respondent pay a civil penalty of **Fourteen Thousand Forty-Six Dollars (\$14,046.00)** 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

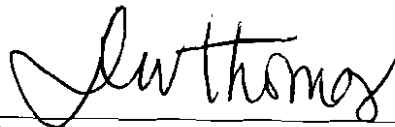
I hereby certify that, on the date listed below, the original and one copy of the foregoing Consent Agreement and Final Order, Docket No. RCRA-03-2010-0338, has been filed with the EPA Region III Regional Hearing Clerk, and that a correct copy of the same was sent in the following manner to the person listed below:

Via United Parcel Service to:

Jeff Leiter, Esq.
1707 L Street, N.W.
Suite 560
Washington, D.C. 20036

Date

9/2/10



Donzetta W. Thomas (3RC30)
Counsel for Complainant
U.S. Environmental Protection Agency, Region III
(215) 814-2474