



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

JAN 08 2014

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL #: 7001 0320 0005 8917 6294**  
**RETURN RECEIPT REQUESTED**

Mr. Rajvir S. Bhullar  
Tank Town  
Niles Lucky Stop  
2326 South 11<sup>th</sup> Street  
Niles, Michigan 49120

Re: Compliance Order/Settlement Agreement (Field Citation) for Niles Lucky Stop

Dear Mr. Bhullar:

**RUST-05-2014-0003**

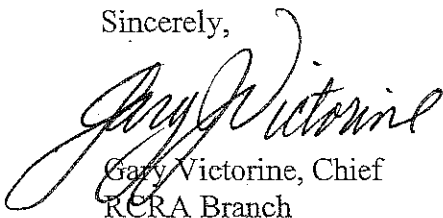
On October 28, 2013, the U.S. Environmental Protection Agency issued a Notice of Violation and Compliance Order/Settlement Agreement (Field Citation) concerning violations found during a compliance inspection conducted at the Niles Lucky Stop, located at 2326 South 11<sup>th</sup> Street, Niles, Michigan 49120.

We received your signed original copy of the Settlement Agreement, dated December 12, 2013, and the check for \$840.00 in penalties. We have reviewed the original copy of the Settlement Agreement where you have indicated that you have corrected the cited violations of the underground storage tanks regulations.

The Settlement Agreement states that it is effective upon EPA's final approval. 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 Sandy Siler, of my staff, at (312) 886-0429.

Sincerely,

  
Gary Victorine, Chief  
RCRA Branch

Enclosure

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-14-003-SS

**PART I: INSPECTION SUMMARY**

On: 10/28/2013 Time: 10:45 AM

At: Niles Lucky Stop  
Address: 2326 South 11th Street  
Niles, MI 49120  
Tank Town Inc.  
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner  
Name: Niles Lucky Stop  
Address: 2326 South 11th Street  
Niles, MI 49120

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq).

- 1. Violation: Failure to ensure proper operation of cathodic protection system  
Cite: 40 CFR 280.31(b) Proposed Penalty: \$210

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- 2. 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

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- 3. Violation: Failure to maintain copies of the financial assurance mechanism(s) used to comply with financial responsibility rule and certification that the mechanism is in compliance with the requirements of the rule at the UST site or place of business  
Cite: 40 CFR 280.107 Proposed Penalty: \$210

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- 4. Violation:  
Cite: 40 CFR Proposed Penalty:

**TOTAL PROPOSED PENALTY: \$840**

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

[Signature] (Signature of EPA Inspector) \_\_\_\_\_ (Date)

**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 **\$840** 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): RAJVIR S. BHULLAR  
Title (Print): OWNER  
Signature: [Signature] Date: 12-12-13

**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.

Name (Print): Gary S. Victorine  
Title (Print): Chief, RCRA Branch  
Signature: [Signature] Date: 1/8/14

Notes:



**RUST-05-2014-0003**



REGION: 1 2 3 4 5 6 7 8 9 10 HQ CIN TRAVEL JURYDUTY CARDFUNDS TUITION IAG PARKING  
 HEATHER BLAKE KIM LORI DICK DANA MICHELLE PATTI CRAIG KEN JESS

**COLLECTION INFORMATION**

DEPOSIT NUMBER: 2707614201481 SUSPENSE  LIABILITY

COLLECTION TYPE: CNR CFR CDV

COLLECTION NUMBER: R5-UST-14-003-SS

BILL TYPE: NN NF SN SF RJ JV MN MF TO TD RQ

BILL NUMBER: \_\_\_\_\_

COLLECTION DONE BY: KEN ENTERED DATE: 12/17/13

IPACTO: HQ IV RTP

**Accounting**

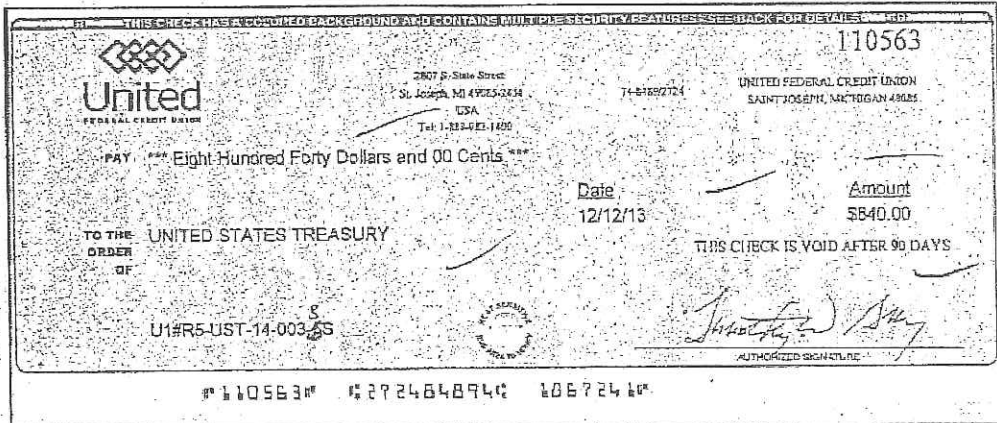
CNR/CFR	BFY	FUND	ORG	PRC	FOC	PROJECT	AMOUNT	LINE
001	14	1099	80				840.00	



RUST-05-2014-0003

U S ENVIRONMENTAL PROTECTION Lockbox: GLX-979077 Ledger Date 12/16/2013

**usbank**  
 St. Louis GA Lockbox  
 (314) 425-1818



Batch	Item	TID	Batch Total	Amount
224	17	Y-4420899	\$351,558.88	\$840.00