

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION III
1650 Arch Street, Philadelphia PA 19103

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UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. RCRA-03-2011-0106FC

PART I: INSPECTION SUMMARY

On: August 17, 2010 Time: _____
(Date of Inspection) (a.m. or p.m.)

At: Exxon Gas Station 25036 Facility ID 2000356
(Facility Name and Identification Number)

Address: 2708 Virginia Ave. N.W.
Washington DC 20037

Mo Haidery, Station Manager
(Name of On-site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator (circle which applies).

Name: Anacostia Petroleum Realty, LLC

Address: 5820-B Commercial Drive
Springfield, VA 22151

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. § 5991 et seq.).

1. Violation: Failure to provide overfill protection equipment for the regular tank and the mid-grade tank.

Cite: DCMR Title 20 Chapter 5705.2 and [40 C.F.R. § 280.20(c)(1)(ii)]

Proposed Penalty: \$ 210 x 2 = \$420

2. Violation: _____

Cite: _____

Proposed Penalty: \$ _____

PROPOSED PENALTY TOTAL: \$ 420

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

Abraham Ferdas Date: 3/28/11
Abraham Ferdas, (Signature of Authorized Officer or Employee of EPA)

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 \$ 420 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 III, 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): TAUWRIGHT

Title (print): ENVIRONMENTAL MNGR

Signature: _____ Date: 4/7/11

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): Abraham Ferdas

Title (print): Director, Land and Chemical Division

Signature: Abraham Ferdas Date: 4/21/11

Notes:

GL: 665400
DATE: 3-21-11
APPROVED: Z.

Invoice	Reference
Date	
03/31/11	Inspection @2708

Invoice	Deduction	Balance
Amount		
420.00	.00	420.00



THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS AS REPORTED TO THE STATE AND FEDERAL GOVERNMENT PLEASE RETAIN FOR YOUR RECORD.

ORIGINAL CHECK IS PRINTED ON CHEMICAL REACTIVE PAPER AND HAS MICRO PRINTING IN THE SIGNATURE LINE

ANACOSTIA REALTY, LLC

6820-B COMMERCIAL DR.
SPRINGFIELD, VA 22151
703-750-6810

TD BANK
AMERICA'S MOST CONVENIENT BANK

No. 001252

15-172/540
214

	Date	Check No.	Amount
	03/31/2011	1252	*****420.00
Four Hundred Twenty and 00/100 Dollars			

Pay To The Order Of:
US EPA Reg 111 Debra Moody EPA
1650 Arch St., (3LC70)
PHILADELPHIA, PA 19103

VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MP

⑈001252⑈ ⑆054001725⑆ 3990925814⑈

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: Debra Moody 04/18/11
Name of Contact person *Date*

in the RCRA Compliance & Enforcement Branch (3WC31) at 215-814-3294
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
Anacostia Realty, LLC

The Total Dollar Amount of Receivable \$420.00
(If in installments, attach schedule of amounts and respective due dates)

The Case Docket Number RCRA-03-2011-0106FC

The Site-Specific Superfund Acct. Number N/A

The Designated Regional/HQ Program Office Office of Land Enforcement (3LC70)

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. Lori Weidner
U.S. EPA
MS-NWD
26 W ML King Drive
Cincinnati, OH 45268-0001 | 2. Originating Office (ORC)
3. Designated Program Office |
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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 |