

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Toni Bandrowicz 3/29/18
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number CWA-01-2018-0023

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Joe Salvador
Alves Fuels, Inc.
1020 East Street
Ludlow, MA 01056

Total Dollar Amount of Receivable \$ 2,200 Due Date: 4/28/18

SEP due? Yes No Date Due _____

Installment Method (if applicable)

- INSTALLMENTS OF:
- 1st \$ _____ on _____
 - 2nd \$ _____ on _____
 - 3rd \$ _____ on _____
 - 4th \$ _____ on _____
 - 5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

BY HAND

March 28, 2018

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100
Mail Code ORA18-1
Boston, MA 02109-3912

RECEIVED

MAR 28 2018

EPA ORC WS
Office of Regional Hearing Clerk

Re: In the Matter of Alves Fuels, Inc.; CWA-01-2018-0023

Dear Ms. Santiago,

Enclosed for filing, please find an Expedited Settlement Agreement (ESA) settling the matter referenced above.

Pursuant to EPA Order Classification No. 2551.1A, dated June 7, 2006, the Regional Hearing Clerk (RHC) shall send a copy of the ESA in any Clean Water Act (CWA) case assessing a penalty under the authority of Section 311 of the CWA to:

U.S. EPA
Cincinnati Finance Center
26 W. Martin Luther King Drive (MS-002)
Cincinnati, OH 45268

In addition, the RHC must pass along the name and address of the regional attorney responsible for any collection recommendation if the civil debt becomes delinquent. For this case, the responsible attorney is:

Tonia Bandrowicz, Senior Enforcement Counsel
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100
Mail Code OES04-3
Boston, MA 02109-3912
Tel: (617) 918-1734

Thank you for your attention to this matter.

Sincerely,

Heather L. Thompson
OES Legal Office

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

5 POST OFFICE SQUARE SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

EXPEDITED SPILL SETTLEMENT AGREEMENT

In the matter of Alves Fuels, Inc.
Docket No. CWA-01-2018-0023

On or around June 27, 2017, Alves Fuels, Inc. ("Respondent"), located at 1020 East Street, Ludlow, Massachusetts, discharged oil, as defined in 40 CFR §110.1, to Cady Brook, a navigable water of the United States as defined in Section 502(7) of the Act, and 40 CFR § 110.1, and its adjoining shorelines, in violation of Section 311(b)(3) of the Clean Water Act (the "Act"). The spill occurred at 1374 and 1365 Washington Road (Route 8) in Hinsdale, Massachusetts when the driver of a tanker truck operated by Alves Fuels, Inc. lost control of the truck and it rolled on its side.

EPA finds that Respondent is subject to the Act and has violated the Act by discharging a harmful quantity of oil, as defined in 40 CFR § 110.3, into navigable waters of the United States or adjoining shorelines. Respondent admits to being subject to the Act and that EPA has jurisdiction over Respondent and Respondent's conduct as described in this Expedited Settlement. Respondent admits the facts in the first paragraph of this Settlement Agreement, and waives any objections Respondent may have to EPA's jurisdiction.

EPA is authorized to enter into this Expedited Settlement under the authority vested in EPA by Section 311(b)(6)(B)(i) of the Act, 33 U.S.C. § 1321(b)(6)(B)(i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement in order to settle the civil violations described in this Expedited Settlement for a penalty of \$2,200. Respondent consents to the assessment of this penalty.

This Expedited Settlement also is subject to the following terms and conditions: Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated the cause of the spill, has cleaned up the spill pursuant to federal requirements, has taken corrective actions that will prevent future spills, and has sent a certified check in the amount of \$2,200, payable to the Environmental Protection Agency to: U.S. Environmental Protection Agency, Fines and Penalties, P.O. Box 979077, St. Louis, MO 63197-9000. This check shall reference the docket number of the case and the "Oil Spill Liability Trust Fund - 311." Respondent shall send a copy of the check to Heather Thompson, U.S. Environmental Protection Agency, Region 1, 5 Post Office Square Suite 100, Mail Code OES04-4, Boston, Massachusetts 02109-3912, and to the Regional Hearing Clerk, Environmental Protection Agency, Region 1, 5 Post Office Square (ORC-18), Boston, Massachusetts 02109-3912.

Upon signing and returning this Expedited Settlement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement without further notice.

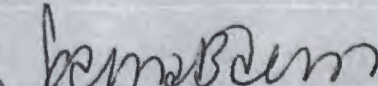
This Expedited Settlement is binding on the parties signing below, and will become effective upon filing with the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b).

Once the Expedited Settlement is signed by the Regional Judicial Officer, the original Expedited Settlement will be filed with the Regional Hearing Clerk and a copy will be mailed to: U.S. EPA Cincinnati Finance Office, 26 W. Martin Luther King Drive (MS-002), Cincinnati, Ohio 45268. A copy of the Expedited Settlement will also be mailed to the Respondent.

If Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the noncompliance identified in this document.

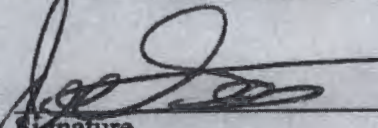
After this Expedited Settlement becomes effective, EPA will take no further civil penalty action against Respondent for the violations of the Act described in this Expedited Settlement. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by Respondent of the Act or of any other federal statute or regulations.

APPROVED BY EPA:

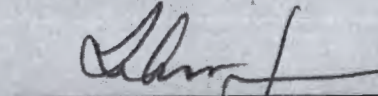
 Date: 2/14/18
Joanna Jerison, Legal Enforcement Manager
Office of Environmental Stewardship

APPROVED BY RESPONDENT:

Name (print): JOE SALVADOR
Title (print): VP Res

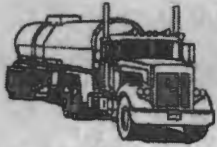
 Date: 3-8-18
Signature

IT IS SO ORDERED:

 Date: 3/27/18
LeAnn Jensen
Acting Regional Judicial Officer

RECEIVED

MAR 28 2018



ALVES FUELS, INC.
 1020 EAST STREET
 LUDLOW, MA 01068-1517

WESTFIELD BANK
 WESTFIELD, MA 01099

16827

63-718Q/2118

60/55X/1000

3/12/2018

PAY TO THE ORDER OF Department of Environmental Protection

\$ **2,200.00

Two Thousand Two Hundred and 00/100

DOLLARS

Department of Environmental Protection
 Fines and Penalties
 P.O.Box 979077
 St.Louis, MO 63197-9000



MEMO

Docket No. CWA-01-2018-0023 "Oil Spill Liability Tr

AUTHORIZED SIGNATURE

⑆016827⑆ ⑆211871604⑆ 6990015122⑆

ALVES FUELS, INC.

16827

Department of Environmental Protection

Date	Type	Reference	Original Amt.	Balance Due	3/12/2018 Discount	Payment
3/12/2018	Bill	CWA-01-2018-0023	2,200.00	2,200.00		2,200.00
					Check Amount	2,200.00

Chicopee Savings - C Docket No. CWA-01-2018-0023 "Oil Spill Liablit

2,200.00

In the Matter of Alves Fuels, Inc.
EPA Docket No. CWA-01-2018-0023

CERTIFICATE OF SERVICE

I certify that the foregoing Expedited Settlement Agreement was transmitted to the following persons, in the manner specified, on the date below:

Original and one copy
hand-delivered:

Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912


Copy by certified mail,
return receipt requested:

Elizabeth Salvador, President
Alves Fuels, Inc.
1020 East Street
Ludlow, MA 01056

Copy (via email)

Joe Salvador
Alves Fuels, Inc.

Dated: 3/28/18


Heather Thompson
Office of Environmental Stewardship
U.S. Environmental Protection Agency,
Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912
Phone: (617) 918-1320
Fax: (617) 918-0320