



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

SEP 30 2009

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LR-8J

Mr. Michael Usher
President
Usher Enterprises
9000 Roselawn Avenue
Detroit, Michigan 48204

Re: Consent Agreement and Final Order

Usher Oil Company, Inc.
9000 Roselawn Avenue
Detroit, Michigan 48204
ID No.: MID016985814

Usher Oil Company, Inc.
10585 Grand River Avenue
Detroit, Michigan 48204
ID No.: MIK678128570

Usher Transportation, Inc.
8900 Roselawn Avenue
Detroit, Michigan 48204
ID No.: MIK949844534

Docket No.: RCRA RCRA-05-2009-0023

Dear Mr. Usher:

Enclosed, please find an original signed and fully-executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The originals were filed on SEP 30 2009 with the Regional Hearing Clerk (RHC).

Please pay the civil penalty in the amount of \$19,700 in the manner prescribed in paragraphs 44-48 of the CAFO, and reference all checks with the number BD 2750959R015 and docket number RCRA RCRA-05-2009-0023. Your first payment is due within 30 calendar days of the effective date of the CAFO. Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*. Thank you for your cooperation in resolving this matter.

Sincerely,

Willie H. Harris, P.E.
Chief, RCRA Branch
Land and Chemicals Division

Enclosures

cc: Mark Daniels, MDEQ (w/CAFO)