

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: Gary Morton 2/12/09
Name of Contact person *Date*

in the Land & Chemicals Division (3LC70) at 215-814-3159
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

Lyons Management Limited Partnership - Freedom Citgo

The Total Dollar Amount of Receivable \$150.00
(If in installments, attach schedule of amounts and respective due dates)

The Case Docket Number RCRA-03-2009-0073FC

The Site-Specific Superfund Acct. Number _____

The Designated Regional/HQ Program Office Land & Chemicals Division (3LC70) EPA Region 3

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
EXPEDITED ENFORCEMENT
COMPLIANCE ORDER AND SETTLEMENT AGREEMENT**

PART I: ENFORCEMENT COMPLIANCE ORDER

ENFORCEMENT COMPLIANCE ORDER NO. RCRA-03-2009-0073FC

On June 19, 2008
(Violation date) (a.m./p.m.)

Freedom Citgo
(Name of Facility)

1905 9th Street, NE, Washington, DC 20018
(Address of Facility)

Facility Identification Number 5003006

Name of Owner, Operator or On Site Representative :
Lyons Management Limited Partnership
Thomas L. Harmon, Property Manager
2903 Kirtland Avenue
Forrestville, MD 20747
(Address of Owner, Operator, or On-Site Representative)

An authorized representative of the United States Environmental Protection Agency (EPA) inspected this facility to determine compliance with underground storage tank (UST) regulations promulgated under Subtitle I of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. § 6991 et seq.), and codified at 40 C.F.R. Part 280, a copy of which can be found at <http://www.epa.gov/swrust/fedlaws/cfr.htm#40CFR280>. During this inspection, the following civil violation(s) of underground storage tank regulations were found, with corresponding penalty amounts:

DCDOH Title 20 UST Chapter 60 § 6001

Nature of Violation: The violation is failure to maintain documentation of compliance with release detection requirements.

Civil Penalty Total \$150.00

The Owner or Operator of the above facility may resolve the above-cited violation(s) without further civil enforcement action by EPA for said violation(s) by complying with the terms and conditions specified in the Settlement Agreement.

This Enforcement Compliance Order is not an adjudicatory proceeding under 40 C.F.R. Part 22, the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, but is issued solely with reference to the Settlement Agreement in Part II of this form. If the Settlement Agreement in Part II is not returned in correct form by the Owner or Operator within 30 calendar days of receipt, this Enforcement Compliance Order is hereby withdrawn, without prejudice to EPA's ability to file additional enforcement actions for the above or any other violation(s).

I find Lyons Management Limited Partnership, owner, in violation of the above-referenced UST regulations.

Abraham Ferdas Date: 1/9/09
(Signature of Authorized Representative of EPA)

I hereby acknowledge receipt of this Enforcement Compliance Order and Settlement Agreement.

Thomas L. Harmon Date: 1/15/09
(Signature of Owner, Operator, or On-Site Representative)

Part II: SETTLEMENT AGREEMENT

The United States Environmental Protection Agency (EPA) offers this Settlement Agreement in order to settle expeditiously the violations found in the Enforcement Compliance Order in Part I of this form subject to the following terms and conditions:

The Owner or Operator signing below certifies, under civil and criminal penalties for making a false submission to the United States Government, that Owner or Operator has corrected the violation(s) and enclosed a certified check for \$ 150.00 in payment of the full civil penalty amount, as described in the Enforcement Compliance Order.

Upon EPA final approval of this Settlement Agreement, EPA will take no further civil action against the Owner or Operator for the violations described in the Enforcement Compliance Order. EPA does not waive the authority to pursue any enforcement action by EPA, the State, or Indian tribe or authorized tribal organization where the facility is located or any local agencies for any other past, present or future violation(s) of the underground storage tank requirements or any other violation(s) under any other statute not described in the Enforcement Compliance Order.

Also, upon final approval by EPA of this Settlement Agreement, the Owner or Operator waives its right to a public hearing provided by Section 9006 of the Resource Conservation and Recovery Act, as amended.

This Settlement Agreement is binding on the EPA and the Owner or Operator signing below. The Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Enforcement Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. This Settlement Agreement is effective upon EPA's final approval below. Upon final approval, EPA shall mail a copy of the approved Settlement Agreement to the Owner or Operator signing below. The original fully-executed Settlement Agreement will be filed with the Land & Chemicals Division (3LC70), EPA Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.

Final approval of the Settlement Agreement is in the sole discretion of the Regional Administrator, Region III, EPA or his or her authorized delegate.

SIGNATURE BY OWNER OR OPERATOR:

Name:(print) MUHAMMAD BOSHIR
Title:(print) Operator
Signature [Signature] Date: 01/29/09

FINAL APPROVAL BY EPA:

Name:(print) Abraham Ferdas
Title:(print) Dir. LCD EPA Region 3
Signature [Signature] Date: 2/18/09

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2009 FEB 19 PM 1:03

[Signature]
2009 FEB 19 PM 3:45

Bank of America

Cashier's Check

No. 3997776

Notice to Purchaser: In the event this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to its placement. This check should be negotiated within 90 days.

Date **JANUARY 22, 2009**

30-171140
NTX

Banking Center **ARLINGTON**

ORDER NO RCRA-03-2009-0073 FC

1011614 00013 003997776

FREEDOM CITIZEN
Remitter (Purchased By)

Pay ****ONE HUNDRED FIFTY DOLLARS AND 00 CENTS****

\$ ****150.00****

To The Order Of ****TREASURES UNITED STATE OF AMERICA****

Authorized Signature

Bank of America, N.A.
San Antonio, Texas

VOID AFTER 90 DAYS

⑈ 3997776 ⑆ ⑆ 14000019 ⑆ 001641001536 ⑆

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AMERICAN BANK NOTE COMPANY, NEW YORK, NY 10038-0001