



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

REPLY TO THE ATTENTION OF:

LR-8J

JUL 06 2012

Mr. Sam Hamade
5757 15 Mile Road
Sterling Heights, Michigan 48310

Dear Mr. Hamade:

RUST-05-2012-0010

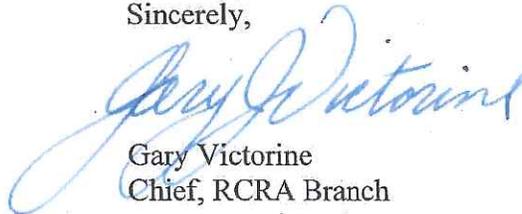
BS#2751206M010

On April 5, 2012, the Underground Storage Tanks Section issued a Notice of Violation (NOV) and Compliance Order/Settlement Agreement concerning violations found at your Zazz gas station, Sterling Heights, Michigan 48310.

This is to inform you that we received your signed original copy of the Settlement Agreement, dated May 29, 2012, and the check for \$70 in penalties. We have reviewed the original copy of the Settlement Agreement where you have indicated that the violations of the underground storage tank regulations for which you were cited have been corrected.

The Settlement Agreement states that it is effective upon EPA's final approval. This is to inform you that I have enclosed a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in U.S. Environmental Protection Agency 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 Sandra Siler, Enforcement Officer, 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-12-002-SS

PART I: INSPECTION SUMMARY

Part II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER

On: 04/05/2012 Time: 07:29 AM

At: Zazz
 Address: 5757 15 Mile Road
Sterling Heights, MI 48310

Sam Hamade
 (Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Sam Hamade
 Address: 5757 15 Mile Road
Sterling Heights, MI 48310

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 maintain results of sampling, testing or monitoring for release detection for at least 1 year or failure to retain results of tightness testing until next test is conducted

Cite: 40 CFR 280.45(b) Proposed Penalty: \$70

2. Violation:

Cite: 40 CFR Proposed Penalty:

3. Violation:

Cite: 40 CFR Proposed Penalty:

4. Violation:

Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$70

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

[Signature] 5-11-12
 (Signature of EPA Inspector) (Date)

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 **\$70** 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): Sam Hamade

Title (Print): Owner

Signature: [Signature] Date: 5/29/12

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 J. Victorine

Title (Print): Chief, RCRA Branch

Signature: [Signature] Date: 7/2/12

Notes:



REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

RUST-05-2012-0010

BD# 2751206M010

R5-VST-12-002-SS



VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT.

CASHIER'S CHECK

CHECK BACKGROUND CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

NOTICE TO CUSTOMERS: The purchase of an indemnity bond will be required before any cashier's check issued by this bank will be replaced or refunded in the event it is lost, stolen, or destroyed.

*****70 DOLLARS AND 00 CENTS

DATE 5/29/12

000502790

\$ *****70.00

Dollars

PAY TO THE ORDER OF
TREASURER OF THE UNITED STATES OF AMERICA

00035/15804 000502790

REMITTER MAR FILL UP ZAZZ

Authorized Signature

[Signature]
Drawer: Comerica Bank

⑈000502790⑈ ⑆07200009E⑆ ⑈85253844⑈

RUST-05-2012-0010

BS# 2751206M010

RECEIVED
JUL 26 2012

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY