



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUL 31 2017

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL # 7015 1520 0002 4890 1982**  
**RETURN RECEIPT REQUESTED**

Mr. Jay Hinklemeyer  
Teal's Market  
604 Lyle Chisholm Drive NW  
Cass Lake, Minnesota 56633

Re: Compliance Order/Settlement Agreement for Teal's Market **RUST-05-2017-0010**

Dear Mr. Hinklemeyer:

On June 12, 2017 the U.S. Environmental Protection Agency, Underground Storage Tank Section sent a letter to Teal's Market, located in Cass Lake, Minnesota. The letter included a Notice of Violation and Compliance Order/Settlement Agreement, dated June 9, 2017, concerning violations found during a compliance inspection conducted at the facility.

We have received your signed original copy of the Settlement Agreement, dated July 7, 2017 and the check for \$490 in penalties. We have reviewed the original copy of the Settlement Agreement where you have indicated that the violations of the underground storage tanks regulations for which you were cited have been corrected.

The Settlement Agreement states that it is effective upon the 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 EPA 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 Mark Restaino, of my staff, at 312-886-0394.

Sincerely,

A handwritten signature in cursive script that reads "Gary J. Victorine".

Gary J. Victorine, Chief  
RCRA Branch

Enclosure

cc: Jason Helgeson, Leech Lake DRM <jasonh@lldrm.org>  
Anna Pratt, Leech Lake DRM <anna.pratt@llojibwe.org>

**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-17-003-MR**

**PART I: INSPECTION SUMMARY**

On: 05/11/2017 Time: 03:00 PM

At: Teal's Market  
 Address: 604 Lyle Chisholm Drive NW  
Cass Lake, MN 56633

Jay Hinklemeyer  
 (Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Teal's Market  
 Address: PO Bx 660  
Cass Lake, MN 56633

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 provide adequate release detection method  
 Cite: 40 CFR 280.40(a) Proposed Penalty: \$490

2. Violation:  
 Cite: 40 CFR Proposed Penalty:

3. Violation:  
 Cite: 40 CFR Proposed Penalty:

4. Violation:  
 Cite: 40 CFR Proposed Penalty:

**TOTAL PROPOSED PENALTY: \$490**

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

Mark Restain 6/9/17  
 (Signature of EPA Inspector) (Date)

**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 \$490 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): Jay Hinklemeyer  
 Title (Print): Store Manager  
 Signature: Jay Hinklemeyer Date: 7-7-17

**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: Gary J. Victorine Date: 7/28/17

Notes:



**RUST-05-2017-0010**

REGION: 1 2 3 4 (5) 6 7 8 9 10 HQ CIN TRAVEL JURYDUTY CARDFUNDS TUITION IAG PARKING  
 HEATHER (BLAKE) JESS/C LORI DANA JESS/H CRAIG KEN CINDY CINWD MICHELE

**COLLECTION INFORMATION**

DEPOSIT NUMBER: 2735917 202320 SUSPENSE  LIABILITY

COLLECTION TYPE: (CNR) CFR CDV

COLLECTION NUMBER: UST-05-2017-003-MR

BILL TYPE: (NN) NF SN SF RJ JV MN MF TO TD RQ

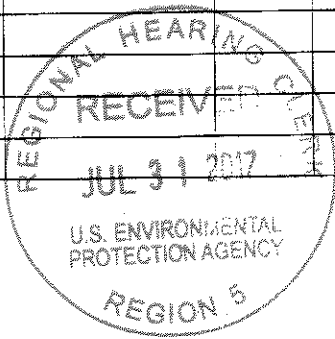
BILL NUMBER: \_\_\_\_\_

COLLECTION DONE BY: KEN ENTERED DATE: 7/21/17

IPAC TO: HQ LV RTP

**Accounting**

CNR/CFR	BFY	FUND	ORG	PRC	FOC	PROJECT	AMOUNT	LINE
001	17	1099	80				490.00	



RUST-05-2017-0010

U S ENVIRONMENTAL PROTECTION Lockbox: GLX-979077 Ledger Date 07/19/2017

**usbank.**  
 St. Louis GA Lockbox  
 (314) 425-1818

TEALS INC  
 DBA TEAL'S MARKET  
 PO BOX 660  
 CASS LAKE, MN 56633

DATE: 7-5-17 107.76  
 75-682/912

PAY TO THE ORDER OF: Treasury of the United State \$ 490.00  
four hundred Ninety + 00/100 DOLLARS

FOR: RS-05-17-003-MR

WesternBank  
 PO BOX 123 • CASS LAKE, MN 56633 • 218-306-4121

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Batch	Item	TID	Batch Total	Amount
92	1	Y-3043999	\$490.00	\$490.00