



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

MAY 08 2009

REPLY TO THE ATTENTION OF:
LR-8J

CERTIFIED MAIL #: 7001 0320 0006 1452 3659
RETURN RECEIPT REQUESTED

Mr. Chris McKinney
Best Oil Company
30 North 8th Street
Cloquet, Minnesota 55720

Re: Little Store #7 Field Citation RUST-05-2009-0007

Dear Mr. McKinney:

On February 25, 2009, the U.S. Environmental Protection Agency issued a Notice of Violation and Compliance Order/Settlement Agreement (Field Citation) concerning violations found at the Little Store #7, located at 3694 County Road 6 in Barnum, Minnesota.

This is to inform you that we received your signed original copy of the Settlement Agreement, dated April 22, 2009, and the check for \$600.00 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 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 "Willie H. Harris".

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

Enclosure

cc: Robert Dullinger – Minnesota Pollution Control Agency (MPCA)

United States Environmental Protection Agency
Region 5 - Underground Storage Tank Program
77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590

UI#: R5-UST-001-MR

NOTICE OF VIOLATION AND
COMPLIANCE ORDER/SETTLEMENT AGREEMENT **BD# 2750906M009**

PART I: NOTICE OF VIOLATION

On 02/24/2009 Time 01:00 PM

Facility: Little Store #7

Facility Address: 3694 County Road 6

City, State, Zipcode: Barnum, MN 55707

Facility ID:

Name of On Site Representative: Phyllis Asperheim

Address: 3694 County Road 6, Barnum; MN 55707

An authorized representative of the United States Environmental Protection Agency (EPA) inspected this facility to determine compliance with underground storage tank regulations promulgated under Subtitle I of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.). During this inspection, the following violations of the underground storage tank regulations were identified:

State Reg. No 7150.0200 Subp.1. (12/31/2001)

[40 C.F.R 280.30(a)]

Violation: Failure to take necessary precautions to prevent overflow/spillage during the transfer of product

Proposed Penalty: \$300

State Reg. No 7150.0310 item A. (12/31/2001)

[40 C.F.R 280.41(a)]

Violation: Failure to monitor tanks at least every 30 days, if appropriate

Proposed Penalty: \$300

State Reg. No

[40 C.F.R]

Violation:

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Proposed Penalty:

State Reg. No

[40 C.F.R]

Violation:

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Proposed Penalty:

TOTAL PROPOSED PENALTY: \$600

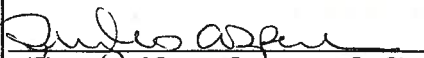
I have personally observed the above violations of the underground storage tank regulations.


(Signature of EPA Inspector)

Date: 2/25/09

Receipt:

I hereby acknowledge receipt of this Notice of Violation and the accompanying Compliance Order/Settlement Agreement and Instructions


(Signature of Owner, Operator, or On-Site Representative)

Date: 2-25-09

PART II: COMPLIANCE ORDER/SETTLEMENT AGREEMENT

Compliance Order No. **RUST-05-2009-0007**

This Compliance Order/Settlement Agreement is not effective until signed both by the owner or operator and by EPA. By signing the Settlement Agreement included herein, the owner or operator agrees not to challenge the issuance of the Compliance Order included herein and accepts the Settlement Agreement by EPA. The owner or operator shall sign the Settlement Agreement first, and return it to EPA as provided in the instructions provided with this Compliance Order/Settlement Agreement. Subsequent signature by EPA constitutes issuance of the Compliance Order and acceptance on EPA's part of the Settlement Agreement. Approval and signature by EPA is in the sole discretion

of the Regional Administrator, Region 5, or authorized delegate.

Compliance Order:

Under the authority of Subtitle I of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Sec. 6901 et seq.), EPA finds that the owner or operator signing below is in violation of the underground storage tank regulations as described in the foregoing Notice of Violation, and **ORDERS** the owner or operator signing below to correct the violations and pay penalties in the amounts described in the Notice of Violation.

Settlement Agreement:

In order to expeditiously settle violations described in the Notice of Violation found herein, **EPA AND THE OWNER OR OPERATOR SIGNING BELOW HEREBY ENTER INTO THIS SETTLEMENT AGREEMENT**, subject to the following terms and conditions:

1. This Settlement Agreement is binding on the EPA and the Owner or Operator signing below; 2. The Owner or Operator signing below certifies, under civil and criminal penalties for making a false submission to the United States Government, that the Owner or Operator has corrected the violations and has presented to EPA with this Settlement Agreement a certified check to pay the full amount of penalties, as described in the Notice of Violation, and in accordance with the instructions included with this Notice of Violation and Compliance Order/Settlement Agreement; 3. The Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to this Compliance Order/Settlement Agreement and the violations, and consents to EPA's final approval of this Settlement Agreement without further notice; 4. The Owner or Operator signing below waives the opportunity for a public hearing pursuant to Section 9006 of the Resource Conservation and Recovery Act; 5. Upon EPA final approval of this Settlement Agreement, EPA will take no further action against the Owner or Operator for the violations described in the Notice of Violation; 6. EPA does not waive any enforcement action by EPA, the State where the facility is located or any local agencies for any other past, present or future violations of the underground storage tank requirements or any other violations under any other statute not described in the Notice of Violation; 7. This Settlement Agreement is effective upon EPA's final approval below. Upon EPA final approval, EPA shall mail a copy of the approved Settlement Agreement to the Owner or Operator signing below at the address provided; and 8. Final approval of this Settlement Agreement is in the sole discretion of the Regional Administrator, EPA Region 5, or authorized delegate.

SIGNATURE BY OWNER OR OPERATOR:

Name: CHRIS MCKINNEY Title: VICE PRESIDENT
(Print) (Print)

Chris McKinney Date: 4/22/2009
(Signature)

FINAL APPROVAL BY EPA:

Name: Willie H. Harris Title: Chief, RB
(Print) (Print)

Willie H. Harris Date: 5/8/09
(Signature)

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK. THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

QUEEN CITY FEDERAL SAVINGS BANK

4214580896

Your Bridge to Financial Success for Life
501 Chestnut Street
Virginia, MN 55792
318-741-2040
2912

REMITTER
BEST OIL CO

04/22/2009

5-709/110

PAY TO THE ORDER OF TREASURER-UNITED STATES OF AMERICA

\$600.00

Six Hundred and 00/100*****

DOLLARS

CASHIER'S CHECK

Christa Petersen MP

PAYABLE THROUGH THE BANK OF NEW YORK MELLON EVERETT, MA
UI # RS-UST-001-MR

⑆011007092⑆00421 45808967⑈

RUST-05-2009-0007

BD# 2750906M009

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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY