



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

SEP 02 2009

REPLY TO THE ATTENTION OF:
LR-8J

CERTIFIED MAIL #: 7001 0320 0006 1452 3451
RETURN RECEIPT REQUESTED

Mr. Keith Yokom
Maintenance Support Manager
Holiday Stationstores, Inc.
Post Office Box 1224
Minneapolis, Minnesota 55440

Re: Holiday Stationstore #226 Field Citation RUST-05-2010-0002

Dear Mr. Yokom:

BA# 2751006M002

On August 17, 2009, the U.S. Environmental Protection Agency issued a Notice of Violation and Compliance Order/Settlement Agreement (Field Citation) concerning violations found at the Holiday Stationstore #226, located at 401 Fire Monument Road in Hinckley, Minnesota.

This is to inform you that we received your signed original copy of the Settlement Agreement, dated October 21, 2009, and the check for \$300.00 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,

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

Enclosure

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

Part I: INSPECTION SUMMARY

On 8/17/09 Time 10:30 am
(Date of Violation) (a.m. or p.m.)

At Holiday Store #226
(Name of Facility)

Address: 401 Fire Monument Rd
Hickley, MN 55037

Ken Higgins
(Name of On site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator (circle which applies)

Name: Holiday Corp

Address: _____

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: Flare To Monitor Tanks
at least every 30 days

Cite: State Reg. No 7150.0310 ITMA (12/31/01)
[40 CFR 41(a)] Proposed Penalty: \$ 300⁰⁰

2. Violation: _____

Cite: State Reg. No
[40 CFR] Proposed Penalty: \$

3. Violation: _____

Cite: State Reg. No
[40 CFR] Proposed Penalty: \$

4. Violation: _____

Cite: State Reg. No
[40 CFR] Proposed Penalty: \$

5. Violation: _____

Cite: State Reg. No
[40 CFR] Proposed Penalty: \$

TOTAL PROPOSED PENALTY: \$ 300⁰⁰

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

Maul Restain Date: 8/19/09
(Signature of EPA Inspector)

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 \$ 300⁰⁰ 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): KEITH C. YOLOM
 Title (Print): MAINT SPT MGR
 Signature: [Signature] Date: 10-21-09

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.

SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (Print): Willie H. Harris
 Title (Print): Chief, RB
 Signature: Willie H. Harris Date: 12/1/09

Notes:

RECEIVED
 DEC 02 2009

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL PROTECTION AGENCY

REGN 1 2 3 4 **5** 6 7 8 9 10 DC CIN TRVL JURYDTY CRDRFNDS SALE/PRPRTY TUITION IAG
 CONTACT: LORI DANA MICHELLE JOE DICK VAL PATTI ELIZBTH EVELYN CRAIG ERIC **BLAKE** KIM OWEN!

COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 2706910
 CR NUMBER U~~ST~~ 05100004
BD# 2751006M002
 BILL NUMBER (IF DIFFERENT FROM CR NUMBER)
 SUSPENSE LIABILITY
 REMOVED BY _____
 REMOVED DATE _____
 IFMS ENTERED DATE 11/10/09
 COLLECTION ENTRY DONE BY **ALEX**
 IPAC TO: LV RTP HQ

RUST-05-2010-0002

DATE ITEM REC'D (IF NOT CIRCLED ON CHECK)

NOT IN: ICIS, BRAINS, RHC DATABASE

ACCOUNTING

CR Line	BFY	APPR	Bud Org	PRC	BOC	Site/Proj	AMOUNT	Ref. Line	Ret
								998	
								997	
<u>80</u>	<u>10</u>	<u>1099</u>					<u>300.00</u>	<u>001</u>	
								002	

PAYEE NAME
US TREASURY

CHECK DATE
10/20/2009

CHECK NUMBER
0000656960

DOCUMENT NUMBER	DOC DATE	GROSS PAYMENT	DISCOUNT	NET PAYMENT
R5-U ST -09-004-ML R/CK JOAN	10/20/09	\$300.00	\$0.00	\$300.00

QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077
 SEQ# 007 \$ 0000030000 BA# 311 **11-09-09** 20 4



Holiday Companies
 DISBURSING AGENT FOR:
 HOLIDAY STATIONSTORES, INC.
 ERICSSON PETROLEUM CORPORATION,
 INDEPENDENT DIVERSIFIED TRANSPORTATION, INC.,
 WORLD WIDE, INC., LYNDALE TERMINAL CO.,
 HOLIDAY DIVERSIFIED SERVICES, INC.,
 P.O. BOX 1224 - MINNEAPOLIS, MN 55440

US Bank
 East Grand Forks, MN 56721
 24-Hour Banking 1-800-673-3666
 75-1682912

Check No. 0000656960

Check Date: 10/20/2009 / Check Amount: \$ 300.00

PAY *Three Hundred AND 00/100*

TO THE ORDER OF: US TREASURY ROUTE MAIN OFFICE ***EFT DEFAULT***

Ronald A. Erickson

⑆656960⑆ ⑆091215927⑆ 152100012292⑆ ⑆0000030000⑆

ISSUE NAME
US TREASURY

CHECK DATE
10/20/2009

CHECK NUMBER
0000656960

DOCUMENT NUMBER	DOC DATE	GROSS PAYMENT	DISCOUNT	NET PAYMENT
R5-UST-09-004-ML R/CK JOAN	10/20/09	\$300.00	\$0.00	\$300.00
RUST-05-2010-0002 <i>BA# 27510061002</i>				
VENDOR NO.	GROSS PAYMENT	DISCOUNT	NET PAYMENT	
75301	\$300.00	\$0.00	\$300.00	

Page 1 of 1

Holiday Companies • 4567 American Blvd West • Minneapolis, MN 55437 • (952) 830-8076

DISBURSING AGENT FOR: HOLIDAY STATIONSTORES, INC., ERICKSON PETROLEUM CORPORATION, INDEPENDENT DIVERSIFIED TRANSPORTATION, INC., WORLD WIDE, INC., LYNDALE TERMINAL CO., HOLIDAY DIVERSIFIED SERVICES, INC.

THE FACE OF THIS DOCUMENT HAS A MULTI-COLORED BACKGROUND ON WHITE PAPER, A VOID PANTOGRAPH AND MICROPRINTING. THE BACK OF THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK.

Holiday Companies

DISBURSING AGENT FOR:
HOLIDAY STATIONSTORES, INC.,
ERICKSON PETROLEUM CORPORATION,
INDEPENDENT DIVERSIFIED TRANSPORTATION, INC.,
WORLD WIDE, INC., LYNDALE TERMINAL CO.,
HOLIDAY DIVERSIFIED SERVICES, INC.
P.O. BOX 1224 - MINNEAPOLIS, MN 55440

US Bank
East Grand Forks, MN 56721
24-Hour Banking 1-800-673-3555
75-1592/912

Check No. 0000656960

PAY *Three Hundred AND 00/100*

Check Date	Check Amount
10/20/2009	\$ *****300.00

TO THE ORDER OF
US TREASURY
ROUTE MAIN OFFICE
EFT DEFAULT

Ronald A. Erickson
Authorized Signature

⑈656960⑈ ⑆091215927⑆ 152100012292⑈