



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

JUN 09 2011

**CERTIFIED MAIL #7001 0320 0006 1559 1626**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF: LR-8J

Mr. Nrupesh Desai  
Butterfield Petroleum/BP, LCC  
1395 Butterfield Road  
Aurora, Illinois 60505

RUST-05-2011-0013

BH# 2751106M014

**Re: Notice of Violation and Compliance Order/Settlement Agreement for the Butterfield Petroleum/BP, LCC facility, 1395 Butterfield Road, Aurora, Illinois**

Dear Mr. Desai:

On April 4, 2011, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning an UST violation (i.e., release detection monitoring), found at the Butterfield Petroleum/BP, LCC facility, 1395 Butterfield Road, Aurora, Illinois. This letter is to inform you that we have received your signed copy of the Settlement Agreement, dated May 9, 2011. We also received your supporting documentation stating that the UST violation was addressed. In addition, we received your check (#3430) for a total of \$70 in penalties.

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 the EPA's 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 Arturo Cisneros, of my staff, at 312/886-7447.

Sincerely,

Mary S. Setnicar  
Acting Chief, RCRA Branch  
Land and Chemicals Division

Enclosure

cc: Shelly Bradley, OSFM

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-11-008-AC

PART I: INSPECTION SUMMARY

On: 04/04/2011 Time: 01:15 PM

At: Butterfield Petroleum,LLC/BP  
Address: 1395 Butterfield Road  
Aurora, IL 60505

Mr. Kran Madhu  
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Operator

Name: Butterfield Petroleum,LLC/BP  
Address: 1395 Butterfield Road  
Aurora, IL 60505

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 documentation of compliance with release detection requirements  
Cite: 40 CFR 280.34(b)(4) 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] 4-4-11  
(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 \$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): Nrupesh Desai  
Title (Print): owner  
Signature: [Signature] Date: 5/9/11

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): MARY S SENICAR  
Title (Print): ACTING CHIEF, RCRA BRANCH  
Signature: [Signature] Date: 6/6/11

Notes:

RUST-05-2011-0013

BDH 2751106M014

RECEIVED

JUN 13 2011

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

# COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 2730011 SUSPENSE  LIABILITY

CR NUMBER UST05110008 REMOVED BY \_\_\_\_\_

BILL NUMBER (IF DIFFERENT FROM CR NUMBER) \_\_\_\_\_ REMOVED DATE \_\_\_\_\_

\_\_\_\_\_ IFMS ENTERED DATE \_\_\_\_\_

DATE ITEM REC'D (IF NOT CIRCLED ON CHECK) \_\_\_\_\_ COLLECTION ENTRY DONE BY ERIC

NOT IN: ICIS, BRAINS, RHC DATABASE IPAC TO: LV RTP HQ

## ACCOUNTING

CR Line	BFY	APPR	Bud Org	PRC	BOC	Site/Proj	AMOUNT	Ref. Line	Rep Cat
								998	
								997	
								001	
								002	
								003	
								004	
								005	
								999	

RECEIVED

JUN 13 2011

REGIONAL HEARING CLERK  
 U.S. ENVIRONMENTAL  
 PROTECTION AGENCY

KEY: REF LINE NO. 997=Interest LINE NO. 998=Handling LINE NO. 999=Penalty

RUST-05-2011-0013

BA# 275 1106 M014

**QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077**  
**SEQ# 002 \$ 000007000 BA# 114 05-13-11 20 3**



BP AMPM BUTTERFIELD PETROLEUM LLC <small>1335 BUTTERFIELD RD.                  AURORA, IL 60502                  (830) 651-6885</small>	 BANK OF SHOREWOOD <small>70-2477-719</small>	3430
PAY TO THE ORDER OF <u>Treasury of United States.</u>		<u>57911</u>
<u>Sereng &amp; + 507/100</u>		\$ 70: <u>00</u> DOLLARS
MEMO <u>RS-UST-11-008-AC</u>		 _____
<small>⑈003430⑈ ⑆071924775⑆ 208511622⑈5⑈ ⑆000000⑆000⑆</small>		