



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

NOV 01 2013

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL # 7009 1680 0000 7663 5400
RETURN RECEIPT REQUESTED

Mr. Toby Rickabaugh
Environmental Compliance Manager
Speedway LLC
500 Speedway Drive
Enon, Ohio 45323

RUST-05-2014-0001

Re: Compliance Order/Settlement Agreement for Speedway #9084 in New Olmsted, Ohio

Dear Mr. Rickabaugh:

On September 4, 2013, the U.S. Environmental Protection Agency Underground Storage Tank Section sent a letter to the attention of Mr. Andrew Rice of Speedway, LLC in Enon, Ohio. The letter included a Notice of Violation and Compliance Order/Settlement Agreement, dated August 19, 2013, concerning violations found during a compliance inspection conducted at Speedway #9084 in New Olmsted, Ohio.

We have received your signed original copy of the Settlement Agreement, dated September 25, 2013 and the check for \$210 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 Erin Galbraith, of my staff, at 312-886-6879.

Sincerely,

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

Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: William Hills, Chief, Ohio Bureau of Underground Storage Tank Regulations

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-13-005-EG

PART I: INSPECTION SUMMARY

On: 08/19/2013 Time: 08:52 AM

At: Speedway #9084
 Address: 24046 Lorain Road
New Olmsted, OH 44070

Andrew Rice
 (Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Speedway, LLC
 Address: 500 Speedway Drive
Eron, OH 45323

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 inspect impressed current systems every 60 days

Cite: 40 CFR 280.31(c) Proposed Penalty: \$210

2. Violation:

Cite: 40 CFR Proposed Penalty:

3. Violation:

Cite: 40 CFR Proposed Penalty:

4. Violation:

Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$210

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

Eric Gallant 8/19/13
 (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 \$210 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): TOBY A. RICKABAUGH

Title (Print): MGR, ENVIRONMENTAL COMPLIANCE

Signature: [Signature] Date: 9/25/13

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

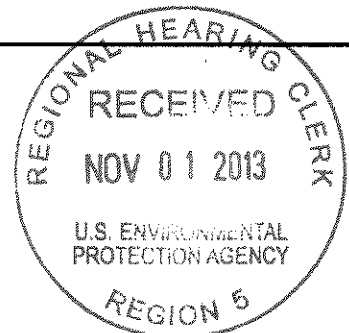
Title (Print): CHIEF, RCRA BRANCH

Signature: [Signature] Date: 10/31/13

Notes:

Docket #

RUST-05-2014-0001



Check No	Check Date	Bank No	Vendor No	Speedway LLC P.O. Box 1500 Springfield, Ohio 45501		Direct Inquiries to: Accounts Payable Department Susan Stratton PHONE: 937-863-7208
214010	2013/09/19	4941	T23825			
Cost Center	Reference Number	P.O. Number	Invoice Number	Invoice Date	Remit Comment	Invoice/Pay Amt
1614	8066132		ER20130917105055FLT	2013/09/17	Field Citation No. UI# R5-UST-13-005-EG Total Remittance: U.S. Dollars	210.00 210.00
<p><i>10/21/13</i></p> <p><i>Sent Certified mail</i></p> <p><i>7009 1680 0000 7463 5394</i></p> <p><i>to Cincinnati Finance Office</i></p> <p><i>Received by CFO 10/23/13</i></p> <p><i>witness: <u>Sherry G. Kank</u> 10/21/13</i></p> <p>Docket # RUST-05-2014-0001</p>						



(FOLD ON PERFORATION BELOW AND DETACH CHECK STUB BEFORE DEPOSITING)

DO NOT CASH UNLESS WARNING BAND AND THE CHECK BACKGROUND ARE IN VIOLET. THE LINE BELOW CONTAINS MICROPRINTING.

FORM 2501 REV. 5/00

4941
ACCOUNTS PAYABLE CHECK

Speedway LLC
P.O. Box 1500
Springfield, Ohio 45501

CHECK DATE: 2013/09/19
CHECK NUMBER: 214010

56-389/412

PAY TO THE ORDER OF:

TREASURER
UNITED STATES OF AMERICA
R5-UST-13-005-EG
R5
CHICAGO IL 60604

U.S. Funds

\$210.00
TWO ONE ZERO ZERO ZERO

Two Hundred Ten and 00/100 U.S. Dollars

MATCH AMOUNT IN WORDS WITH NUMBERS

By: *R.D. Emerton*
Authorized Representative

PNC Bank, N.A. 070
Ashland, OH

VOID AFTER 180 DAYS

DO NOT CASH UNLESS THIS CHECK IS ON WATERMARKED PAPER. HOLD TO LIGHT TO VIEW. THE LINE ABOVE CONTAINS MICROPRINTING.

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