



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
March 21, 2022

**ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED**

Mr. Khalid Ahmad, Owner
A and A Petroleum
2200 N Prospect
Milwaukee, Wisconsin 53092
ka454casul@yahoo.com

Re: Compliance Order/Settlement Agreement for Clark Oil #897, Milwaukee, Wisconsin, R5-UST-22-002KH. **RUST-05-2022-0009**

Dear Mr. Ahmad:

On April 6, 2021, the U.S. Environmental Protection Agency conducted an RCRA off site compliance evaluation of the Clark Oil #897 facility located in Milwaukee, Wisconsin. On January 28, 2022, EPA sent you a letter concerning this compliance inspection. That letter included a Field Citation Form for Expedited Settlement, dated May 10, 2021, concerning an alleged violation found during the compliance evaluation.

We have received your signed copy of the Settlement Agreement on February 28, 2021, and a copy of the payment dated February 2, 2022, for \$670 in penalties. At the time we received your signed copy of the Settlement Agreement, the alleged violation of the underground storage tanks regulations for which you were cited for had 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 (see email attachment). 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 Kevin Hill, of my staff, at (312) 886-6087 or hill.kevin@epa.gov.

Sincerely,

Julie Morris Digitally signed by Julie Morris
Date: 2022.03.21 12:15:39
-05'00'

Julie Morris, Branch Manager
Land Enforcement and Compliance Assurance Branch

Enclosure

cc: Greg Baretta, WDATCP, Greg.Baretta@wisconsin.gov
Thomas Kenney, EPA, kenney.thomas@epa.gov

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-22-002-KH

Part I: INSPECTION SUMMARY

On 05/10/2021 Time 11:30 am
 (Date of Violation) (a.m. or p.m.)

At Clark Oil #897
 (Name of Facility)

Address: 2200 N Prospect
Milwaukee, WI 53092 WI
 (Name of On site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator
Name: Khalid Ahmed
Address: A and A Petroleum
2200 N Prospect
Milwaukee, WI 53202 WI

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.).

§280.35(a)(1) - Failure to Meet Periodic Testing/Monitoring of Spill - \$670

1. **Violation:** Failure to meet the requirements for periodic testing and monitoring of spill prevention equipment.
Cite: 40 CFR §280.35(a)(1) **Proposed Penalty:** \$ 670
Multiplier: _____
Subtotal: \$ 670

2. **Violation:** _____
Cite: 40 CFR **Proposed Penalty:** _____
Multiplier: _____
Subtotal: _____

3. **Violation:** _____
Cite: 40 CFR **Proposed Penalty:** _____
Multiplier: _____
Subtotal: _____

4. **Violation:** _____
Cite: 40 CFR **Proposed Penalty:** _____
Multiplier: _____
Subtotal: _____

TOTAL PROPOSED PENALTY: \$ 670

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

KEVIN HILL Digitally signed by KEVIN HILL
 Date: 2021.12.08 16:21:00
 (Signature of EPA Inspector) -06'00' 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 \$ 670 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): Jawad Ahmad
 Title (Print): Manager
 Signature: _____ Date: 1/31/22

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): Julie Morris
 Title (Print): Branch Manger, LECAB
 Signature: Julie Morris Digitally signed by Julie Morris
 Date: 2022.03.21 12:15:30
 -05'00' Date: _____

Notes: