

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR



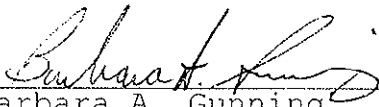
IN THE MATTER OF )  
)  
VALVO CONVENIENCE AND GAS, INC., ) DOCKET NO. RCRA-02-2011-7507  
AND STEPHEN M. VALVO, )  
INDIVIDUALLY, )  
)  
)  
RESPONDENTS )

ORDER ON MOTION FOR CHANGE IN NAME OF CORPORATE RESPONDENT

On June 3, 2011, the United States Environmental Protection Agency, Region 2 ("Complainant"), initiated this proceeding by filing a Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") against Valvo Convenience and Gas, Inc., and Stephen M. Valvo ("Respondents"). Respondents filed a joint Answer on July 12, 2011. Complainant subsequently submitted a Motion for Change in Name of Corporate Respondent ("Motion"), dated December 8, 2011, to which Complainant attached stipulations of the parties. In the Motion, Complainant relates that, "[a]fter the Answer was filed, counsel for Respondents informed counsel for Complainant that the name of the corporate Respondent was Valvo's Convenience & Gas, Inc., not Valvo Convenience & Gas, Inc." Accordingly, "the parties jointly request a slight change in the corporate Respondent's name to Valvo's Convenience & Gas, Inc."

Upon consideration, Complainant's Motion is hereby GRANTED. Although the modification requested by the parties is ministerial in nature, the filing of an amended complaint that reflects that modification is still necessary. Pursuant to 40 C.F.R. § 22.14(c), Respondents shall have 20 days from the date of service

of the amended complaint to file an amended answer, if they choose to do so.<sup>1/</sup>

  
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Barbara A. Gunning  
Administrative Law Judge

Dated: December 21, 2011  
Washington, D.C.

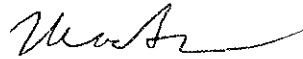
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<sup>1/</sup> In the stipulations attached to the Motion, Respondents waived their right under 40 C.F.R. § 22.14(c) to file an amended answer.

**In the Matter of Valvo's Convenience and Gas, Inc., Respondent.  
Docket No. RCRA-02-2011-7507**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Motion for Change in Name of Corporate Respondent**, issued by Barbara A. Gunning, Administrative Law Judge, in Docket No. RCRA-02-2011-7507, were sent to the following parties on this 21<sup>st</sup> day of December 2011, in the manner indicated:



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Mary Angeles  
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Karen Maples  
Regional Hearing Clerk  
US EPA, Region II  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

Copy by Pouch Mail to:

Beverly Kolenberg, Esq.  
Assistant Regional Counsel  
U.S. EPA / Region II  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

Copy by Regular Mail to:

Paul A. Chiaravalotti, Esq.  
Attorney at Law  
1967 Wehrle Drive, Suite 1  
Williamsville, NY 14221

**Dated: December 21, 2011  
Washington, DC**