



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

JUL 29 2013

Ref: 8P-R

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Mykel Stockton
Stockton Oil Company, Inc.
1607 4th Avenue North
Billings, Montana 59101-1522

Re: Expedited Enforcement Compliance Order
& Settlement Agreement
Battlefield Express Center Facility
EPA Facility ID Number 2020002

Dear Mr. Stockton:

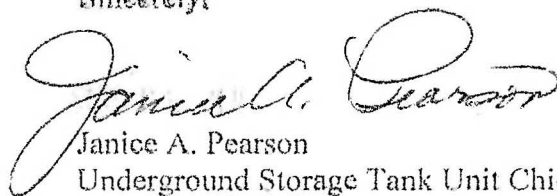
On June 6, 2013, the U.S. Environmental Protection Agency Region 8 (EPA) sent you an Expedited Enforcement Compliance Order & Settlement Agreement (field citation). The field citation was issued for violations found at the Battlefield Express Facility in Crow Agency, Montana, on April 10, 2013. On July 9, 2013, we attempted to call you. We left a voice mail message for you to contact us. Since we have not received a reply to the field citation or our telephone message, we are withdrawing the field citation.

The purpose of the EPA's Underground Storage Tank Expedited Enforcement Program is to resolve quickly and efficiently clear-cut violations by first-time violators that are relatively easy to correct. In issuing the field citation, **the violation needed to be resolved expeditiously.** Specifically, you had 30 days from the receipt of the letter dated July 9, 2013, to return your facility to compliance. In limited circumstances, a 30-day extension may have been granted.

In lieu of the field citation, the EPA will proceed with initiating a formal enforcement action. Formal enforcement typically refers to issuing administrative complaints/compliance orders (including those assessing civil penalties) and conducting the administrative enforcement process governed by 40 CFR Part 22, the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties. The EPA is amenable to negotiating with you any penalty proposed in the administrative complaint upon issuance.

In the meantime, the EPA encourages you to continue the efforts to correct the violations and return the facility to compliance. If you have any questions, please contact Francisca Chambus of my staff at (800) 227-8917, extension 312-6782.

Sincerely,

A handwritten signature in cursive script that reads "Janice A. Pearson". The signature is written in black ink and is positioned above the printed name and title.

Janice A. Pearson
Underground Storage Tank Unit Chief
Resource Conservation and Recovery Program

cc: Connie Howe, Environmental Director
Environmental Protection Department
P.O. Box 159
Crow Agency, MT 59022-0400