

BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.  
MAY 19 2006

ENTR

DIRECTOR'S JOURNAL

In the Matter of:

Speedco, Inc.  
703 West Park Street  
P.O. Box 520  
Cayuga, Indiana 47928

Respondent

Director's Final Findings  
and Orders

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Speedco, Inc., ("Respondent"), pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 6111.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in the ownership or composition of Respondent or the ownership of the Facility (defined below) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 6111., and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Respondent, an Indiana for profit corporation doing business in Ohio under a foreign license, is the developer of the Speedco Truck Lube facility, ("Facility"), located on the north side of the Pilot Travel Center in the Village of Beavertown, Allen County.

I certify this to be a true and accurate copy of the  
official document as filed in the records of the Ohio  
Environmental Protection Agency

*Donna Jackson* 5-19-06

2. Respondent shall pay to the Ohio EPA the amount of one thousand dollars (\$1,000) in settlement of Ohio EPA's claim for civil penalties, which may be assessed pursuant to ORC Chapter 6111. Payment shall be made by tendering an official check made payable to "Treasurer, State of Ohio" for the full amount within thirty (30) days of the effective date of these Orders, to the following address: Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049, together with a letter identifying Respondent and the Facility (Speedco, Inc.).

A photocopy of the check shall be sent to Ohio EPA, Northwest District Office, at the address below:

Ohio Environmental Protection Agency  
Northwest District Office  
347 North Dunbridge Road  
P.O. Box 466  
Bowling Green, Ohio 43402  
Attn: Enforcement Supervisor, Division of Surface Water

#### **VI. TERMINATION**

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and Ohio EPA's Division of Surface Water acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of Respondent.

#### **VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to the operation of the Facility.

XIII. SIGNATORY AUTHORITY

Each undersigned representative or a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:  
Ohio Environmental Protection Agency

\_\_\_\_\_  
Joseph P. Koncelik  
Director

\_\_\_\_\_  
Date 5/17/06

IT IS SO AGREED:  
Speedco, Inc.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date 4-28-06

\_\_\_\_\_  
Printed or Typed Name

\_\_\_\_\_  
Vice President  
Title