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U.S. EPA REGION 1 HEARING CLERK

EXPEDITED SPILL SETTLEMENT AGREEMENT

In the matter of Meineke Car Care Center, Inc. Docket No. CWA-01-2025-0029

On or around July 9, 2024, Meineke Car Care Center, Inc. "Meineke" ("Respondent"), the owner or operator of a facility located at 1022 Union Avenue, Laconia, New Hampshire discharged oil, as defined in 40 CFR §110.1, from a waste oil tank onto the floor of a vehicle maintenance service garage. The spilled oil flowed via pipe into a small stream that flows to Lake Winnepesaukee. Lake Winnepesaukee is a "navigable water" as defined in Section 502(7) of the Clean Water Act (the "Act") 33 U.S.C. 1362(7) and 40 CFR § 110.1. The discharge of oil was in such quantities as "may be harmful," as defined in 40 CFR § 110.3, and was in violation of Section 311(b)(3) of the Act 33 U.S.C. § 1321(b)(3).

EPA finds, and Respondent admits, that EPA has jurisdiction over this matter pursuant to section 311(b)(6) of the Act, 33 U.S.C. § 1321(b)(6), and 40 C.F.R. part 22. Respondent neither admits nor denies the specific factual allegations in the first paragraph of this Expedited Settlement Agreement ("Agreement").

EPA is authorized to enter into this Agreement under the authority vested in EPA by Section 311(b)(6)(B)(i) of the Act, 33 U.S.C. § 1321(b)(6)(B)(i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Agreement in order to settle the civil violations described in this Agreement for a penalty of \$2,500. Respondent consents to the assessment of this penalty.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated the cause of the spill, has cleaned up the spill pursuant to federal requirements and has taken corrective actions that will prevent future spills.

Respondent further agrees that within 10 days of the effective date of this ESA Respondent will make an electronic payment or will send a bank, cashier's, or certified check in the amount of \$2,500, payable to the United States Treasury to: Environmental Protection Agency, Fines and Penalties, P.O. Box 979078, St. Louis, MO 63197-9000. This check shall reference the case name and docket number ("In the Matter of Meineke Car Care Centers, Inc., Docket No. CWA-01-2025-0029") and "Oil Spill Liability Trust Fund - 311." If making an electronic payment Respondent shall follow the instructions available for making payments to EPA available at https://www.epa.gov/financial/makepayment.

Respondent shall send an electronic copy of the check, or electronic proof of payment, to Diane Boudrot, at: Boudrot.diane@epa.gov and to Wanda Santiago, Regional Hearing Clerk at: RI_Hearing_Clerk_Filings@epa.gov.

The payment made pursuant to this Consent Agreement is a penalty within the meaning of Section 162(f) of the Internal Revenue Code, 26 U.S.C. §162(f), and, therefore, Respondent shall not claim it as a tax deductible expenditure for purposes of federal, state or local law.

Upon signing and returning this Expedited Settlement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement without further notice. Moreover, in entering into this Consent Agreement, the Respondent agrees to bear its own costs and attorney's fees related to this Consent Agreement.

This Expedited Settlement is binding on the parties signing below and is effective upon filing with the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b). Respondent agrees to acceptance of the Complainant's: i. digital or an original signature on this Agreement; ii. service of the fully executed Agreement on the Respondent by mail or electronically by e-mail at the email address provided below. Respondent understands that the mailing or e-mail address may be made public when the Agreement and Certificate of Service are filed and uploaded to a searchable database. Complainant agrees to acceptance of the Respondent's digital or an original signature on this Agreement.

After this Expedited Settlement becomes effective, EPA will take no further civil penalty action against Respondent for the alleged violations of the Oil Pollution Prevention regulations described in the Violations Form through the order date of this Expedited Agreement. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by Respondent of the Oil Pollution Prevention regulations or of any other federal statute or regulations.

APPROVED BY EPA:

James Chow, Director Enforcement and Compliance Assurance Division Dated via electronic signature

APPROVED BY RESPONDENT:

Name (print): Gregory Masewic Title (print): Member

Email address for electronic service: mandg@meineke.com

Signature Date: July 23, 2025

IT IS SO ORDERED:

LeAnn Jensen, Regional Judicial Officer Dated via electronic signature