



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

AUG 05 2014

CERTIFIED MAIL # 7001 0320 0005 8913 8070
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. John Warner
SAIA Motor Freight
1081 Flightway Drive
DePere, Wisconsin 54115

Re: Notice of Violation and Compliance Order/Settlement Agreement (Field Citation) for the SAIA Motor Freight 1081, Flightway Drive, DePere, Wisconsin 54115. **RUST -05-2014-0008**

Dear Mr. Warner:

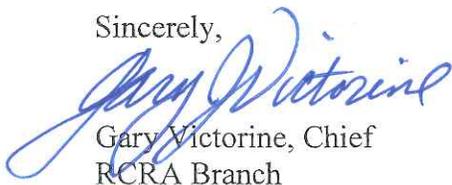
On August 20, 2013, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and Compliance Order/Settlement Agreement (Field Citation) concerning UST violations (i.e., release detection monitoring and financial responsibility) found at the SAIA Motor Freight facility located at 1081 Flightway Drive, DePere, Wisconsin.

This letter is to inform you that we have received your signed copies of the Settlement Agreement, dated June 24, 2014, and the check for \$420.00 in penalties. We also received your supporting documentation stating that the UST violations were addressed.

The Settlement Agreement states that it is effective upon EPA's final approval. I have enclosed a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in U.S. EPA files. We also have accepted and processed your check (check #1111187) as part of the settlement process.

If you have any questions or concerns regarding this matter, please contact Kevin Hill, of my staff, at (312) 886-6087

Sincerely,


Gary Victorine, Chief
RCRA Branch

Enclosure

REGION: 1 2 3 4 5 6 7 8 9 10 HQ CIN TRAVEL JURYDUTY CARDFUNDS TUITION IAG PARKING

HEATHER BLAKE KIM LORI DICK DANA MICHELLE PATTI CRAIG KEN JESS

COLLECTION INFORMATION

DEPOSIT NUMBER: 2730314201608 SUSPENSE LIABILITY

COLLECTION TYPE: CNR CFR CDV

COLLECTION NUMBER: UST-R5-13-001-KH

BILL TYPE: NN NF SN SF RJ JV MN MF TO TD RQ

BILL NUMBER: _____

COLLECTION DONE BY: -KEN- ENTERED DATE: 7/2/14

IPAC TO: HQ LV RTP

Accounting

CNR/CFR	BFY	FUND	ORG	PRC	FOC	PROJECT	AMOUNT	LINE
001	14	1099	80				420.00	

U S ENVIRONMENTAL PROTECTION Lockbox: GLX-979077 Ledger Date 06/30/2014

usbank
 SL Louis GA Lockbox
 (314) 425-1818

Bank of America Cashier's Check No. 1111187

Date: JUN 25 2014 Serial: 71X

Banking Center: VILLAGERDOK

Account: 8852134 60004 0001111187 JOHN WALKER (Register/Endorsed by)

Pay: **7026 FOURTEEN THOUSAND DOLLARS AND 00 CENTS** \$ **420.00**

To: **TREASURER OF THE USA**

Order: **TID 18047-11-001-1E**

Bank of America, N.A. See Atlanta, Texas. VOID AFTER 90 DAYS

John Walker (Signature)

① THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK ② THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK ③

Batch	Item	TID	Batch Total	Amount
357	8	Y-4801850	\$414,560.22	\$420.00

RUST -05-2014-0008



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-13-001-KH

PART I: INSPECTION SUMMARY

On: 08/20/2013 Time: 09:12 AM

At: SAIA Motor Freight
 Address: 1081 Flightway Drive
DePere, WI 54115

John Warner
 (Name of Site Representative if not the Owner or Operator)

Name and address of the UST Operator

Name: SAIA Motor
 Address: 1081 Flightway Drive
DePere, WI 54115

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).

1. Violation: Failure to maintain records of release detection monitoring
 Cite: 40 CFR 280.45 Proposed Penalty: \$210

2. Violation: Failure to maintain copies of the financial assurance mechanism(s) used to comply with financial responsibility rule and certification that the mechanism is in compliance with the requirements of the rule at the UST site or place of business
 Cite: 40 CFR 280.107 Proposed Penalty: \$210

3. Violation:
 Cite: 40 CFR Proposed Penalty:

4. Violation:
 Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$420

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

K. G. Hill 8/20/13
 (Signature of EPA Inspector) (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 \$420 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): John Warner

Title (Print): Reg. Maint. Mgr.

Signature: [Signature] Date: 6-24-14

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.

Name (Print): Gary J. Victorine

Title (Print): Chief, RCRA Branch

Signature: [Signature] Date: 8/5/14

Notes:



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