

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Tonia Bandrowicz 8/28/19  
Name of Case Attorney Date

in the ORC (RAA) at 918-1113  
Office & Mail Code Phone number

Case Docket Number CWA-01-2019-0042

Site-specific Superfund (SF) Acct. Number \_\_\_\_\_

This is an original debt  This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Tom Healey  
Nouria Energy Corporation  
71 Bay Street  
Winslow, ME

Total Dollar Amount of Receivable \$ 1,000 Due Date: 9/21/19

SEP due? Yes \_\_\_\_\_ No  Date Due \_\_\_\_\_

Installment Method (if applicable)

INSTALLMENTS OF:  
1<sup>st</sup> \$ \_\_\_\_\_ on \_\_\_\_\_  
2<sup>nd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_  
3<sup>rd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_  
4<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_  
5<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

For RHC Tracking Purposes:

Copy of Check Received by RHC \_\_\_\_\_ Notice Sent to Finance \_\_\_\_\_

**TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:**

IFMS Accounts Receivable Control Number \_\_\_\_\_

If you have any questions call: \_\_\_\_\_  
in the Financial Management Office

Phone Number \_\_\_\_\_



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

BY HAND

RECEIVED

AUG 28 2019

EPA ORC WS  
Office of Regional Hearing Clerk

August 28, 2019

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

Re: In the Matter of Nouria Energy Corporation, Worcester, Massachusetts (Winslow Facility)  
Docket No. CWA-01-2019-0042

Dear Ms. Santiago,

Enclosed for filing, please find an Expedited Settlement Agreement (ESA) settling the matter referenced above.

The Respondent has sent a penalty payment check to EPA (Fines and Penalties) in St. Louis, MO, with copies to Diane Boudrot in this office. A copy of the check will be forwarded to you once received.

Pursuant to EPA Order Classification No. 2551.1A, dated June 7, 2006, the Regional Hearing Clerk (RHC) shall send a copy of the ESA in any Clean Water Act (CWA) case assessing a penalty under CWA 311 to:

U.S. EPA  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-002)  
Cincinnati, OH 45268

In addition, the RHC must pass along the name and address of the regional attorney responsible for any collection recommendation if the civil debt becomes delinquent. For this case, the responsible attorney is:

Tonia Bandrowicz, Senior Enforcement Counsel  
U.S. Environmental Protection Agency – Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912  
Tel: (617) 918-1734

Thank you for your attention to this matter.

Sincerely,

Tonia Bandrowicz  
Senior Enforcement Counsel

Enclosure

Glenn Leger, General Counsel, Nouria Energy  
326 Clark Street.  
Worcester, MA 01606



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 1**  
**5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109-3912**  
**EXPEDITED SETTLEMENT AGREEMENT**  
**Nouria Energy Corporation, Worcester, Massachusetts (Winslow Facility)**  
**Docket No. CWA-01-2019-0042**

In the Matter of Nouria Energy Corporation, Worcester, Massachusetts (**Winslow Facility**), Docket No. CWA-01-2019-0042.

The U.S. Environmental Protection Agency ("EPA") has determined that the Nouria Energy Corporation ("Respondent") facility located at 71 Bay Street, Winslow, Maine was in noncompliance with the Oil Pollution Prevention regulations promulgated at 40 C.F.R. part 112 under Section 311(j) of the Clean Water Act (the "Act"), 33 U.S.C. § 1321 for failing to fully implement a Spill Prevention Control and Countermeasure Plan ("SPCC") by failing to maintain inspection and training documentation on file.

The parties enter into this Expedited Settlement Agreement to settle the alleged noncompliance for a penalty of \$ 1,000. The parties are authorized to enter into this Expedited Settlement Agreement under the authority of Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), and in accordance with 40 C.F.R. § 22.13(b).

This settlement is subject to the following terms:

EPA finds that the Respondent is subject to the Oil Pollution Prevention regulations and has violated the regulations as specified above. Respondent admits it is subject to the Oil Pollution Prevention regulations and neither admits nor denies the facts in the first paragraph of this Settlement Agreement. Respondent waives any objections it may have to EPA's jurisdiction and consents to the assessment of the penalty stated above.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has sent a certified check in the amount of \$ 1,000, payable to the Environmental Protection Agency, to: U.S. Environmental Protection Agency, Fines and Penalties, P.O. Box 979077, St. Louis, MO 63197-9000. This check shall reference the case name and docket number of the case and the "Oil Spill Liability Trust Fund - 311."

Respondent shall send a copy of the check to Diane Boudrot, U.S. Environmental Protection Agency, Region 1, Five Post Office Square (ECAD 04-4), Boston, Massachusetts 02109-3912.

Upon signing and returning this Expedited Settlement Agreement 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 Agreement without further notice.

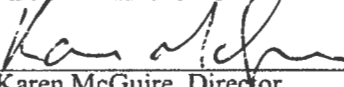
Once the Expedited Settlement Agreement is signed by the Regional Judicial Officer, the original of the document will be filed with the Regional Hearing Clerk and a copy will be mailed to: U.S. Environmental Protection Agency, Cincinnati Finance Office, 26 W. Martin Luther King Drive (MS-WG32B), Cincinnati, OH 45268. A copy of the Expedited Settlement Agreement will also be mailed to the Respondent.

This Expedited Settlement Agreement 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).


If Respondent does not sign and return this Expedited Settlement Agreement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement offer is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Violations Form.

After this Expedited Settlement Agreement becomes effective, EPA will take no further civil penalty action against Respondent for the violations of the Oil Pollution Prevention regulations described herein through the effective date of this Expedited Settlement Agreement. EPA does not waive any rights to take 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:

  
 Date: 8-27-19  
 Karen McGuire, Director  
 Enforcement and Compliance Assurance Division

APPROVED BY RESPONDENT:

Name (print): Tom Healey  
 Title (print): Vice President, Technical Services  
 Signature:  Date: 8/26/2019

IT IS SO ORDERED:

  
 Date: 8/27/19  
 LeAnn Jensen  
 Regional Judicial Officer

**RECEIVED**  
**AUG 28 2019**  
 EPA ORC   
 Office of Regional Hearing Clerk

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Expedited Settlement Agreement was sent to the following persons in the manner and on the date specified below.

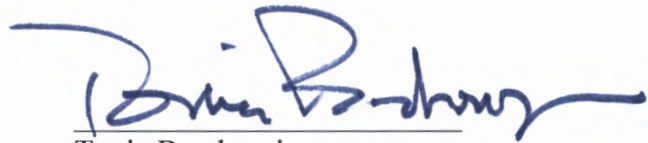
Original and one copy,  
hand-delivered:

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

Copy, by Certified Mail,  
Return Receipt Requested:

Glenn Leger, General Counsel, Nouria Energy  
326 Clark Street.  
Worcester, MA 01606

Dated: 8-28-19



Tonia Bandrowicz  
Senior Enforcement Counsel  
U.S. EPA, Region I (04-03)  
5 Post Office Square, Suite 100  
Boston, MA 02114-2023