



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUL 25 2011

CERTIFIED MAIL #7001 0320 0006 1559 1473

RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

LR-8J

Mr. Egzabia Bennett
City of E. St. Louis
Office of the City Manager
301 River Park Drive, 3rd Floor
East St. Louis, Illinois 62201

**Re: Notice of Violation and Compliance Order/Settlement Agreement for
the East St. Louis Public Works facility, 613 North 20th Street, East St. Louis,
Illinois RUST-05-2011-0017**

BDF 2751106M018

Dear Mr. Bennet:

On March 8, 2011 the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning UST violation (i.e., piping release detection), found at the East St. Louis Public Works facility, 613 North 20th Street, East St. Louis, Illinois. This letter is to inform you that we have received your signed copy of the Settlement Agreement, dated May 26, 2011. We also received your supporting documentation stating that the UST violation was addressed. In addition, we received your check transaction (#20019014) for a total of \$210 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. This is to inform you that I have enclosed a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in the EPA's files. We also have accepted and processed your check as part of the settlement process. If you have any further questions, please feel free to contact Arturo Cisneros, of my staff, at 312/886-7447.

Sincerely,

Mary S. Setnicar
Acting Chief, RCRA Branch
Land and Chemicals Division

Enclosure

cc: Shelly Bradley, OSFM

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-11-005-AC

PART I: INSPECTION SUMMARY

On: 03/08/2011 Time: 02:33 PM

At: East St. Louis Public Works
 Address: 613 N. 20th Street
East St. Louis, IL 62201

Patricia Hendricks
 (Name of Site Representative if not the Owner or Operator)

Name and address of the UST Operator

Name: East St. Louis Public Works
 Address: 613 N. 20th Street
East St. Louis, IL 62201

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 provide adequate line leak detector system for underground piping
 Cite: 40 CFR 280.44(a) Proposed Penalty: \$210

2. Violation:
 Cite: 40 CFR Proposed Penalty:

3. Violation:
 Cite: 40 CFR Proposed Penalty:

4. Violation:
 Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$210

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

[Signature] 3-6-11
 (Signature of EPA Inspector) (Date)

RUST-05-2011-0017

***BDH* 2751106M018**

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 \$210 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:

X Name (Print): Deletra Hudson
 X Title (Print): City Manager
 X Signature: [Signature] Date: 5/26/11

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): MARY S. SEANICKE
 Title (Print): acting chief, RCRA BRANCH
 Signature: [Signature] Date: 7/26/11

Notes:

REGIONAL HEARING CLERK
 U.S. EPA REGION 5
 11 JUL 26 PM 4:20

REGIONAL HEARING CLERK
 U.S. EPA REGION 5
 2011 JUL 25 PM 4:21

REGN 1 2 3 4 **5** 6 7 8 9 10 DC CIN TRVL JURYDTY CRDRFNDS SALE/PRPERTY TUITION IAG-RFNDS PARKN
 BRYSON LORI DANA MICHELLE JOE DICK VAL PATTI ELIZBTH EVELYN CRAIG ERIC BLAKE **KIM** CAROL JESSICA

COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 27-353-11 SUSPENSE LIABILITY
 CR NUMBER UST 05110005 REMOVED BY _____
 BILL NUMBER (IF DIFFERENT FROM CR NUMBER) _____ REMOVED DATE _____
 _____ IFMS ENTERED DATE _____
 DATE ITEM REC'D (IF NOT CIRCLED ON CHECK) _____ COLLECTION ENTRY DONE BY ERIC
 NOT IN: ICIS, BRAINS, RHC DATABASE IPAC TO: LV RTP HQ

ACCOUNTING

CR Line	BFY	APPR	Bud Org	PRC	BOC	Site/Proj	AMOUNT	Ref. Line	Rep Cat
								998	
								997	
								001	
								002	
								003	
								004	
								005	
								999	

KEY: REF LINE NO. 997=interest LINE NO. 998=Handling LINE NO. 999=Penalty

RUST-05-2011-0017

CITY OF EAST ST LOUIS

BA# 2751106M018

QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077
 SEQ# 005 \$ 000021000 BA# 157 06-27-11 20 9



2011 JUL 25 PM 4:20
 REGIONAL RECEIVING CLERK
 U.S. EPA REGION 5



CITY OF EAST ST LOUIS GENERAL REVENUE DISBURSEMENT ACCOUNT 301 RIVER PARK DRIVE EAST ST. LOUIS, IL 62201				20019014
		CHECK DATE	CHECK NO.	
		06/14/11	20019014	
		AMOUNT	\$*****210.00*	
PAY THE SUM OF TWO HUNDRED TEN DOLLARS & ZERO CENTS				
TO THE ORDER OF	U.S. ENVIRONMENTAL PROTECTION AGENCY FINES AND PENALTIES P.O. BOX 979077 ST. LOUIS MO 63197-9000			
	VOID AFTER 90 DAYS AUTHORIZING SIGNATURE			
⑆ 000021000 ⑆				