

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM

TO BE FILLED OUT BY ORIGINATING OFFICE:

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: Andrew Ma
Name of Contact person

September 15, 2010
Date

in the Office of Land Enforcement (3LC70)
Office at

215-814-3429
Phone number

Non-SF Jud. Order/Consent
Decree. DOJ COLLECTS

Administrative Order/ Consent Agreement.
FMD COLLECTS PAYMENT

SF Jud. Order/Consent
Decree. FMD COLLECTS

This is an original debt

This is a modification

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

Milton Hershey School

The Total Dollar Amount of Receivable \$210.00

(if in installments, attach schedule of amounts and respective due dates)

The Case Docket Number RCRA-03-2010-0386FC

The Site-Specific Superfund Acct. Number N/A

The Designated Regional/HQ Program Office Region 3 / Office of Land Enforcement (3LC70)

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

The IFMS Accounts Receivable Control Number _____

If you have any questions call: _____

Name of Contact

Date

in the Financial Management Office, phone number: _____

JUDICIAL ORDERS: Copies of this form with an attached copy of the front page of the final judicial order should be mailed to:

1. Lori Weidner
U.S. EPA
MS-NWD
26 W ML King Drive
Cincinnati, OH 45268-0001

2. Originating Office (ORC)
3. Designated Program Office

ADMINISTRATIVE ORDERS: Copies of this form with an attached copy of the front page of the administrative order should be sent to:

1. Originating Office
3. Regional Hearing Clerk

2. Designated Program Office
3. Regional Counsel

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 3
1650 Arch Street, Philadelphia, PA 19103-2029 Mail Code 3LC70

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. RCRA-03-2010-0388FC

PART I: INSPECTION SUMMARY

On: September 9-10, 2010 Time: _____

At: Milton Hershey School (22-27112)

Address: Animal Center and Agricultural Operations Complex
631 Crest Lane
Hershey, PA 17033

Name and address of the UST Owner or Operator.

Name: Milton Hershey School

Address: 1201 Homestead Lane
Hershey, PA 17033

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 test the cathodic protection system every three years.

Cite: PA Code Title 25 § 245.432, 40 C.F.R. § 280.31(b)(1)

Proposed Penalty: \$210.00

PROPOSED PENALTY TOTAL: \$210.00

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

Abraham Fendus Date: 8/25/10
(Signature of Authorized Officer or Employee of EPA)

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 ~~\$ 210.00~~ 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 III, 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): J. Rick Becker

Title (print): Manager

Signature: J. Rick Becker Date: 9-3-10

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.

SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (print): Abraham Fendus

Title (print): Dir. Land & Chemicals Div.

Signature: Abraham Fendus Date: 9/16/10

Notes:

Milton Hershey School P.O. Box 830, HERSHEY, PA 17033-0830

Check No. - 102161
 Check Date - 09/02/10
 Stub 1 of 1

INVOICE NO	DATE	DESCRIPTION	GROSS AMOUNT	DEDUCTIONS	AMOUNT PAID
RCRA-03-210-0386 F	08/31/10	RCRA-03-210-0386 FC	210.00		210.00

DETACH VOUCHER BEFORE DEPOSITING CHECK

Milton Hershey School
 P.O. BOX 830
 HERSHEY, PA 17033-0830

CHECK NO. 00102161

DATE	AMOUNT
09/02/10	\$*****210.00

596371

PAY TO THE ORDER OF

TWO HUNDRED TEN AND 00/100*****

TREASURY OF THE UNITED STATES
 US EPA, FINES AND PENALTIES
 CINCINNATI FINANCE CTR, PO BOX 979077
 ST LOUIS MO 63197-9000

PNC BANK, NATIONAL ASSOCIATION
 JEANNETTE, PA

VOID AFTER 90 DAYS
 FOR MILTON HERSHEY SCHOOL

By *Alphonse Carbonara*

By *Milton SDC*

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