



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 19 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Edgar P. Parkin
Facility Manager
The Government Utility Services Corporation
of the City of Bessemer/Bessemer Water Filtration Facility
250 Link Road
Bessemer, Alabama 35023

Re: The Government Utility Services Corporation of the City of Bessemer/Bessemer Water
Filtration Facility
Expedited Settlement Agreement
CAA-04-2016-8008(b)

Dear Mr. Parkin:

Enclosed please find an executed copy of the Expedited Settlement Agreement (ESA) that resolves the Clean Air Act (CAA) matter, Docket No. CAA-04-2016-8008(b), involving the Government Utility Services Corporation of the City of Bessemer/Bessemer Water Filtration Facility. The Consent Agreement and Final Order was filed with the Regional Hearing Clerk, as required by 40 CFR Part 22 and became effective on the date of the filing.

As required by the ESA within fifteen days of receipt of this letter, payment to the Treasurer, United States of America in the amount of \$1,860 should be submitted as follows:

For payment sent via electronic transfer
Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, New York 10045
Beneficiary: "U. S. Environmental Protection Agency";

For payment sent via Standard Delivery
U. S. Environmental Protection Agency
Cincinnati Finance Center
PO Box 979077
St. Louis, Missouri 63197-9000; or

For payment sent for Signed Receipt Confirmation (FedEx, DSL, UPS, USPS Certified, Registered, etc.)

U. S. Environmental Protection Agency
Government Lockbox 979077
1005 Convention Plaza
SL-MO-C2GL
St. Louis, Missouri 63101
Delivery Location Phone Number: 314-425-1819.

Also, a written statement that payment has been made in accordance with the ESA should be sent to the following individuals:

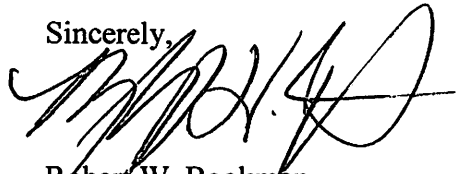
Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

Kerry Platt
Chemical Management and Emergency
Planning Section
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303; and

Saundi Wilson
Office of Regional Counsel
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303.

If you have any questions, please call Ms. Kerry Platt at (404) 562-9004.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bookman', written over a horizontal line.

Robert W. Bookman
Chief
Chemical Management and Emergency
Planning Section

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO: CAA-04-2016-8008(b)

This ESA is issued to: The Governmental Utility Service Corporation
of the City of Bessemer
1111 2nd Avenue N.
Bessemer, Alabama 35020

2016 JUL 19 AM 9:33
HEARING CLERK
OFFICE OF THE HEARING CLERK

for violating 40 CFR § 68.15, 40 CFR § 68.50, 40 CFR § 68.54, 40 CFR § 68.160, and Section 112(r)(7) of the Clean Air Act.

This Expedited Settlement Agreement (ESA) is being entered into by the United States Environmental Protection Agency (EPA), Region 4, the Director of the Air, Pesticides and Toxics Management Division (Complainant), and the Governmental Utility Service Corporation of the City of Bessemer (Respondent), pursuant to Section 113(d) of the Clean Air Act (the "Act"), 42 U.S.C. § 7413(d), and pursuant to 40 CFR § 22.13(b).

ALLEGED VIOLATIONS

Based on a compliance monitoring inspection conducted at the Respondent's facility (Bessemer Water Filtration Facility) located at 250 Link Road, Bessemer, Alabama, 35023, on March 12, 2015, the EPA alleges that the Respondent violated the Act's Chemical Accident Prevention Program, when at the time of inspection, Respondent did not provide evidence that:

The owner or operator had documentation of other persons responsible for implementing individual requirements of the risk management program and defined the lines of authority through an organization chart or similar document when responsibility for implementing individual requirements of the risk management program is assigned to persons other than the person identified pursuant to 40 CFR § 68.15(b) as required by 40 CFR § 68.15(c);

An employee had been trained in the operating procedures provided in 40 CFR § 68.52 as required by 40 CFR § 68.54(a); and

The single registration form, for the process at this facility, included the maximum quantity of each regulated substance in the process as required by 40 CFR § 68.160(b)(7).

SETTLEMENT

In consideration of Respondent's size, its full compliance history, its good faith efforts to comply, and other factors as justice may require, and upon consideration of the entire record the parties enter into the ESA in order to settle the violations cited above, for the total penalty amount of **\$1,860**.

This settlement is subject to the following terms and conditions: the Respondent by signing below admits the jurisdictional allegations contained herein, neither admits nor denies the specific factual allegations contained herein, and consents to the assessment of the penalty as stated above; Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C § 7413(d)(2)(A), and to appeal this ESA or otherwise contest the allegations contained in this ESA; and each party to this action shall bear its own costs and fees, if any.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the alleged violations listed in this ESA.

Within fifteen (15) days of receiving a copy of the fully executed ESA, Respondent shall pay a civil penalty in the amount of **\$1,860**. Respondent's payment shall be made by sending a cashier's check or certified check (payable to the "Treasurer, United States of America") in the amount of **\$1,860**, in payment of the full penalty amount to one of the following addresses:

For payment sent via Standard Delivery
U.S. Environmental Protection Agency
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000; or

For payment sent for Signed Receipt Confirmation (FedEx, DHL, UPS, USPS Certified, Registered, etc.)
U.S. Environmental Protection Agency
Government Lockbox 979077
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101
(314) 425-1819

The Respondent's name and the Docket Number of this ESA must be included on the check. The Docket Number is located at the top left corner of the first page of this ESA.

At the time of payment, Respondent shall send a separate copy of the check, and a written statement that payment has been made in accordance with this ESA to:

Saundi Wilson
U.S. EPA Region 4
Office of Regional Counsel
61 Forsyth Street S.W.
Atlanta, Georgia 30303

Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street S.W.
Atlanta, Georgia 30303

Kerry Platt
U.S. EPA Region 4
Chemical Management and Emergency
Planning Section
61 Forsyth Street S.W.
Atlanta, Georgia 30303

The penalty specified in this ESA shall represent civil penalties assessed by EPA and shall not be deductible for purposes of State or Federal taxes.

Upon Respondent's payment of the penalty, EPA will take no further civil action against Respondent for the alleged violations of the Act referenced in this ESA. EPA does not waive any other enforcement action for any other violations of the Act or any other statute.

The following individual represents EPA in this matter and is authorized to receive service for EPA in this proceeding:

Robert W. Bookman
U.S. EPA Region 4
Chemical Management and Emergency Planning Section
61 Forsyth Street S.W.
Atlanta, Georgia 30303
(404) 562-9169.

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This ESA is binding on the parties signing below. This ESA is effective upon filing with the Regional Hearing Clerk.

FOR RESPONDENT:

Edgar P. Parkin

Date: 6/22/16

Name (print): Edgar P. Parkin

Title (print): Facility Manager
The Governmental Utility Service Corporation of the City of Bessemer

FOR COMPLAINANT:

Carol L. Kemker for

Date: 7/7/16

Carol L. Kemker
Acting Director
Air, Pesticides and Toxics Management Division

I hereby ratify the ESA and incorporate it herein by reference. It is so ORDERED.

Tanya Floyd

Date: July 18, 2016

Tanya Floyd
Regional Judicial Officer

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Expedited Settlement Agreement (ESA), in the matter of The Government Utility Service Corporation of the City of Bessemer/Bessemer Water Filtration Facility, CAA-04-2016-8008(b), on the parties listed below in the manner indicated:

Robert W. Bookman
U. S. EPA, Region 4
Air, Pesticides and Toxics
Management Division
61 Forsyth Street
Atlanta, GA 30303

(Via EPA's internal mail)

Michi Kono
U. S. EPA, Region 4
Office of Regional Counsel
61 Forsyth Street
Atlanta, GA 30303

(Via EPA's internal mail)

Mr. Edgar P. Parkin
The Government Utility Services Corporation
of the City of Bessemer/Bessemer Water Filtration Facility
250 Link Road
Bessemer, Alabama 35023

(Via Certified Mail -
Return Receipt Requested)

Date:

7-19-16



Patricia A. Bullock, Regional Hearing Clerk
United States Environmental
Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303
(404) 562-9511