



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
January 26, 2022

**ELECTRONIC MAIL
DELIVERY RECEIPT REQUESTED**

Mr. Daniel Landuyt
Schwab Rehabilitation Hospital
1444 South Fairfield
Chicago, Illinois 60608
daniel.landuyt@sinai.org

RUST-05-2022-0008

Re: Notice of Violation and Compliance Order/Settlement Agreement for the Schwab Rehabilitation Hospital facility, 1444 South Fairfield, Chicago, Illinois 60608 ICIS# 3601282286

Dear Mr. Landuyt,

On March 26, 2021, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement (Field Citation) concerning UST violations (i.e., failure to conduct release detection monitoring, operator training, release detection equipment and failure to conduct monthly walkthrough inspections) found at the Schwab Rehabilitation Hospital facility located at 1444 South Fairfield, Chicago, Illinois.

On May 24, 2021, EPA received your signed copy of the Settlement Agreement and supporting documentation. On January 25, 2022, the EPA finance office confirmed receipt of your payment (check #275033) for a total of \$2,680.00 in penalties.

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 the EPA's files. We also have accepted and processed your check as part of the settlement process.

If you have any questions, please feel free to contact Arturo Cisneros, of my staff, at (312) 886-7447.

Sincerely,

Julie Morris

Digitally signed by Julie
Morris
Date: 2022.01.26
08:23:31 -06'00'

Julie Morris, Branch Manager
Land Enforcement and Compliance Assurance Branch

cc: Tom Kenney, ORC, kenney.thomas@epa.gov
James Bentley, IL OSFM, James.Bentley@Illinois.gov
Michael McConnell, Schwab Hospital, michael.mcconnell@sinai.org

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 5
77 West Jackson Boulevard (LR-17J), Chicago, Illinois 60604-3590
UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. RS-UST 21 015 AC

Part I: INSPECTION SUMMARY

On 03/26/2021 Time 10:00 am
(Date of Violation) (a.m. or p.m.)

At Schwab Rehabilitation Hospital
(Name of Facility)

Address 1444 South Fairfield
Chicago, IL 60608

Daniel Landuyt
(Name of On site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator

Name: Schwab Rehabilitation Hospital

Address: 1401 South California
Chicago, IL 60608

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 conduct periodic walkthrough inspection every thirty days

Cite: 40 CFR §280.36(a) Proposed Penalty: \$ 670
x Tanks Multiplier: _____
Subtotal: \$ 670

2. Violation: Failure to operate and maintain release detection method and annually test components in accordance with manufacturer instructions, acceptable code of practice or other requirements

Cite: 40 CFR §280.40(a)(3) Proposed Penalty: \$ 670
x Tanks Multiplier: _____
Subtotal: \$ 670

3. Violation: Failure to monitor tanks every 30 days, if appropriate.

Cite: 40 CFR §280.41(a) Proposed Penalty: \$ 670
x Tanks Multiplier: _____
Subtotal: \$ 670

4. Violation: Failure to designate at least one Class A operator.

Cite: 40 CFR §280.241(a) Proposed Penalty: \$ 670
x Tanks Multiplier: _____
Subtotal: \$ 670

TOTAL PROPOSED PENALTY: \$ 2,680

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

[Signature]
(Signature of EPA Inspector) Date: 3-26-2021

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 \$ 2,680 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): Daniel Landuyt
Title (Print): System EG/Life Safety Officer
Signature: [Signature] Date: 3/24/21

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): Patrick Kuefler
Title (Print): Chief, LCECAB
Signature: [Signature] Digitally signed by Julie Morris Date: 2022.01.26 08:21:47 -06'00'

Notes: