



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

OCT 31 2011

REPLY TO THE ATTENTION OF:
LR-8J

CERTIFIED MAIL # 7009 1680 0000 7644 7942
RETURN RECEIPT REQUESTED

Mr. Robert Alexander
Old Dominion Freight Lines, Inc.
500 Old Dominion Way
Thomasville, North Carolina 27360

Re: Notice of Violation and Compliance Order/Settlement Agreement for Old Dominion Freight Lines facility, located in Columbus, Ohio **RUST-05-2012-0001** *BDF* **2751206M001**

Dear Mr. Alexander:

On August 15, 2011 the U.S. Environmental Protection Agency Underground Storage Tank Section issued a Notice of Violation and Compliance Order/Settlement Agreement concerning violations found during a compliance inspection conducted January 27, 2011 at Old Dominion Freight Lines, Inc., 2885 Alum Creek Drive in Columbus, Ohio.

We have received your signed original copy of the Settlement Agreement, dated August 22, 2011 and the check for \$420 in penalties. We have reviewed the original copy of the Settlement Agreement where you have indicated that the violations of the underground storage tanks regulations for which you were cited have been corrected.

The Settlement Agreement states that it is effective upon the 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 EPA 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 Erin Galbraith, of my staff, at 312-886-6879.

Sincerely,

Paul Little
Acting Chief, RCRA Branch
Land and Chemicals Division

Enclosure

cc: William Vedra, Chief, Ohio Bureau of Underground Storage Tank Regulations

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-EG

PART I: INSPECTION SUMMARY

On: 07/20/2011 Time: 09:30 AM

At: Old Dominion Freight Lines, Inc.
Address: 2885 Alum Creek Dr
Columbus, OH 43207

Bill Pressler
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Old Dominion Freight Lines, Inc.
Address: 2885 Alum Creek Dr
Columbus, OH 43207

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 release detection for an existing hazardous substance tank system
Cite: 40 CFR 280.42(a) Proposed Penalty: \$420

2. Violation:
Cite: 40 CFR Proposed Penalty:

3. Violation:
Cite: 40 CFR Proposed Penalty:

4. Violation:
Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$420

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

Eric Ballantyne 7/20/11
(Signature of EPA Inspector) (Date)

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 \$420 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): ROBERT ALEXANDER
Title (Print): FUEL SPECIALIST
Signature: [Signature] Date: 8/22/2011

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): Paul Little
Title (Print): Acting RCRA Branch Chief
Signature: [Signature] Date: 10/20/11

Notes:

RECEIVED
OCT 31 2011

RUST-05-2012-0001

BDF

2751206M001

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

REGN 1 2 3 4 5 6 7 8 9 10 DC CIN TRVL JURYDTY CRDRFNDS SALE/PRRPTTY 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 1744611 SUSPENSE LIABILITY
 CR NUMBER UST0511005E REMOVED BY _____
 BILL NUMBER (IF DIFFERENT FROM CR NUMBER) _____ REMOVED DATE _____
 _____ IFMS ENTERED DATE 8/31
 DATE ITEM REC'D (IF NOT CIRCLED ON CHECK) _____ COLLECTION ENTRY DONE BY JESSICA
 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
001		80					\$420.00	998	
								997	
								001	
								002	
								003	
								004	
								005	
								999	

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REGIONAL HEARING CLERK
 U.S. ENVIRONMENTAL
 PROTECTION AGENCY

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

RUST-05-2012-0001

BD# 275/206M001

QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077
SEQ# 005 \$ 000042000 BA# 215 08-30-11 20 4



usbancorp.
 The Bank of Utah

70644018

DATE 08/23/2011

AMOUNT \$*****420.00

FOUR HUNDRED TWENTY and 00/100 USD

United States Treasury
 Ogden UT 84201

[Signature]

⑆ 206440 ⑆ ⑆ 05310 ⑆ 561⑆ 2079900472806⑆ ⑆ 0000042000⑆