



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-8590

MAY 13 2019

CERTIFIED MAIL #7014 2870 0001 9577 3427  
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF

Mr. Michael O'Hara  
Village of Elk Grove Village  
1635 Biesterfield Road  
Elk Grove Village, Illinois 60007

**RUST-05-2019-0004**

Re: Notice of Violation and Compliance Order/Settlement Agreement for the Village of Elk Grove Village facility, 1635 Biesterfield Road, Elk Grove Village, Illinois

Dear Mr. O'Hara:

On March 11, 2019, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) program issued a Notice of Violation and a Compliance Order/Settlement Agreement (Field Citation) concerning an UST violation (i.e., failure to conduct UST spill and overflow protection testing) found at the Village of Elk Grove Village facility located at 1635 Biesterfield Road, Elk Grove Village, Illinois.

We have received your signed copy of the Settlement Agreement, dated April 25, 2019 and the check for a total of \$1,340 in penalties. On April 19, 2019, we received the final supporting documentation on recent tests records for the tanks, addressing the UST violations.

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 (#00214917) as part of the settlement process. Enclosed is a copy of the March 11, 2019 inspection report.

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

Sincerely,

A handwritten signature in cursive script that reads "Mardi Klevs".

Mardi Klevs  
Chief, Land and Chemicals Enforcement and Compliance Assurance Branch

cc: Fred Schneller, Illinois OSFM

**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. R5-UST-19-005-AC**

**Part I: INSPECTION SUMMARY**

On 03/11/2019 Time 11:00 am  
 (Date of Violation) (a.m. or p.m.)

At Village of Elk Grove  
 (Name of Facility)

Address: 1635 Biesterfield  
Elk Grove Village, IL 60007

John Zaba  
 (Name of On site Representative if not the Owner or Operator)

Name and address of the UST  Owner or  Operator

Name: Village of Elk Grove

Address: 901 Wellington Avenue  
Elk Grove Village, IL 60007

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 meet the requirements for periodic testing and monitoring of spill prevention equipment.  
 Cite: 40 CFR §280.35(a)(1) Proposed Penalty: \$ 670  
 x Tanks Multiplier: \_\_\_\_\_  
 Subtotal: \$ 670

2. Violation: Failure to properly and periodically inspect overflow prevention equipment.  
 Cite: 40 CFR §280.35(a)(2) Proposed Penalty: \$ 670  
 x Tanks Multiplier: \_\_\_\_\_  
 Subtotal: \$ 670

3. Violation: \_\_\_\_\_  
 Cite: 40 CFR Proposed Penalty: \_\_\_\_\_  
 x Tanks Multiplier: \_\_\_\_\_  
 Subtotal: \_\_\_\_\_

4. Violation: \_\_\_\_\_  
 Cite: 40 CFR Proposed Penalty: \_\_\_\_\_  
 x Tanks Multiplier: \_\_\_\_\_  
 Subtotal: \_\_\_\_\_

TOTAL PROPOSED PENALTY: \$ 1,340

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

[Signature] Date: 3-21-19  
 (Signature of EPA Inspector)

**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 \$ 1,340 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): MICHAEL O'HARA  
 Title (Print): FLEET SERVICES ADMINISTRATOR  
 Signature: [Signature] Date: 4/25/19

**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): Mardi Kleus  
 Title (Print): Chief, LCECAB  
 Signature: [Signature] Date: 5-13-19

Notes:



REGION: 1 2 3 4 5 6 7 8 9 10 HQ CIN TRAV JURY CARDFUNDS TUITION IAG PARKING PAYROLL  
 LORI DANA MICHELE CINDY CRAIG KEN JESS H DEBBIE D JESSICA C PETER MARK C MILTON W

**COLLECTION INFORMATION**

DEPOSIT NUMBER: 2722019202703      SUSPENSE       LIABILITY

COLLECTION TYPE: CNR CFR CDV HNR

COLLECTION NUMBER: R5-UST-19-005-4C

BILL TYPE: NN NF SN SF RJ JV MN MF TO TD RQ HP

BILL NUMBER: \_\_\_\_\_

COLLECTION DONE BY: \_\_\_\_\_ CRS      **RUST-05-2019-0004**      ENTERED DATE: 5-1-19

IPAC TO: HQ LV RTP

**Accounting**

CNR/CFR	BFY	FUND	ORG	PRC	FOC	PROJECT	AMOUNT	LINE
001	19	1099	80				1340.00	



Elk Grove Village      Page 1 of 1      Check Number: 00214917

Invoice Date	Invoice Number	Description	Invoice Amount
03/11/2019	R5-UST-19-005-AC	Compliance Settlement PO# 19004084	\$1,340.00

U S ENVIRONMENTAL PROTECTION      Lockbox: GLX-979077      Ledger Date 04/29/2019

**usbank.**  
 St. Louis GA Lockbox  
 (314) 425-1818

THIS CHECK IS VOID WITHOUT A BLUE MICR BACKGROUND AND AN AUTHORIZED SIGNATURE ON THE CHECK FRONT AND REVERSE.

**Elk Grove Village**  
 901 Wellington Ave  
 Elk Grove Village, IL 60007-0484  
 (847) 357-4081

Check Date: 04/25/2019      Check Number: 00214917

\$1,340.00

Pay: One Thousand Three Hundred Forty Dollars and 00 cents \*\*\*\*\*

To The Order Of: **TREASURY OF THE UNITED STATES  
 U.S. ENVIRONMENTAL PROTECTION AGENCY  
 BOX 979077  
 ST. LOUIS, MO 63197-9000**

*Raymond R. Kummel*  
 Authorized Signature

*Christine Lopez*  
 Authorized Signature

R5-UST-19-005-AC

\*00214917\* ⑆07⑆000013⑆ 5330265106⑆

Batch	Item	TID	Batch Total	Amount
823	1	Y-3792056	\$2,680.00	\$1,340.00