



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

Orlando W. Ortiz, Colonel  
Commanding  
Department of the Army  
US Army Installation Management Command  
US Army Garrison Aberdeen Proving Ground  
2201 Aberdeen Boulevard  
Aberdeen Proving Ground, Maryland 21005-5001

JUL 14 2010

Re: **Letter of Remittance**  
*In the Matter of: U.S. Department of the Army, Aberdeen Proving Ground*  
Docket No. RCRA-03-2009-0054

Dear Colonel Ortiz:

On March 23, 2009, the Regional Judicial Officer issued a Final Order ratifying the Consent Agreement entered into by the Director of the Land and Chemicals Division of the U.S. Environmental Protection Agency - Region III ("EPA"), and the Commanding Colonel of the U.S. Army Garrison, Aberdeen Proving Ground ("APG"). That agreement included conditions requiring implementation of a Supplemental Environmental Project ("SEP") as a condition of settlement of the above-referenced matter, and as part of the settlement, APG agreed to pay a penalty of \$29,928.00 and to complete the implementation of the SEP at a minimum cost of \$209,432.00. In addition, APG agreed to provide reports, documentation, and a certification to demonstrate the implementation of those tasks.

EPA has determined that APG has paid the \$29,928.00 penalty and satisfactorily completed the SEP set forth in the Consent Agreement, thereby satisfying APG's obligations to pay the assessed penalty and to perform the SEP pursuant to the Consent Agreement and Final Order in this matter. Therefore, in accordance with its agreement as expressed in the Consent Agreement, EPA hereby issues this Letter of Remittance.

Sincerely,

A handwritten signature in cursive script that reads "Renée Sarajian".

Renée Sarajian  
Regional Judicial Officer

cc: Lydia Guy, Regional Hearing Clerk (3RC00)

Dan Drazan, Esq.  
EPA HQ – Federal Facilities Enforcement Office


Jeanna Henry (3LC70)

Richard B. Issac, Chief  
Environmental Compliance Division  
US Army Garrison Aberdeen Proving Ground



Richard Wakeling, Esq.  
Office of the Staff Judge Advocate  
US Army Garrison Aberdeen Proving Ground

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**SUBJECT:** Remittance Letter Upon Satisfaction of Settlement  
Conditions  
*In the Matter of: U.S. Department of the Army, Aberdeen  
Proving Ground.*  
Docket No. RCRA-03-2009-0054

**FROM:** Abraham Ferdas  2/12/10  
Director  
Land and Chemicals Division  
*by* Marcia E. Mulkey  
*for* Regional Counsel

**TO:** Renée Sarajian  
Regional Judicial Officer

**THRU:** Carol Amend   
Associate Director, Office of Land Enforcement  
Land and Chemicals Division  
  
Mary Coe   
Chief, Waste and Chemical Branch  
Office of Regional Counsel

The subject proceeding was both commenced and concluded on March 23, 2009 by a Consent Agreement and Final Order pursuant Section 9006 and Section 9007 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6991e and § 6991f, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22, including, specifically, 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).

On March 23, 2009, the Regional Judicial Officer of EPA Region III issued a Final Order which ratified the Consent Agreement in which Respondent agreed to pay a \$29,928 civil penalty and to perform a Supplemental Environmental Project ("SEP") at a minimum cost of \$209,432. The SEP required Respondent to remove and replace three 20,000 gallon heating oil underground storage tanks with two 8,000 gallon aboveground storage tanks at its facility.

Paragraph 87 of the Consent Agreement provides: "[i]f EPA determines that Respondents have complied fully with the conditions set forth herein, EPA, through the Regional Administrator of U.S. EPA - Region III, or his designee, shall promptly issue a Letter of Remittance Upon Satisfaction of Settlement Conditions, which shall state Respondent has performed fully the conditions set forth in this CAFO and paid all the penalty amounts due pursuant to the terms of this CAFO."