

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Tonia Bandrowicz
Name of Case Attorney

1/17/20
Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number CWA-01-2020-0012

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Gerald T. Lynch, President
Lawrence Lynch Corporation
396 Gifford Street
Falmouth, MA 0241

Total Dollar Amount of Receivable \$ 4,000 Due Date: 2/14/20

SEP due? Yes _____ No Date Due _____

Installment Method (if applicable)

INSTALLMENTS OF:

1st \$ _____ on _____
2nd \$ _____ on _____
3rd \$ _____ on _____
4th \$ _____ on _____
5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office

_____ Phone Number

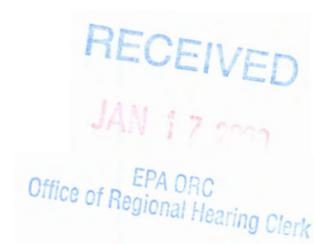


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

BY HAND

January 17, 2020

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912



Re: Lawrence Lynch Corporation
Docket No. CWA-01-FY20-0012

Dear Ms. Santiago,

Enclosed for filing, please find an Expedited Settlement Agreement (ESA) settling the matter referenced above.

The Respondent has sent a penalty payment check to EPA (Fines and Penalties) in St. Louis, MO, with copies to you and Diane Boudrot in this office.

Pursuant to EPA Order Classification No. 2551.1A, dated June 7, 2006, the Regional Hearing Clerk (RHC) shall send a copy of the ESA in any Clean Water Act (CWA) case assessing a penalty under CWA 311 to:

U.S. EPA
Cincinnati Finance Center
26 W. Martin Luther King Drive (MS-002)
Cincinnati, OH 45268

In addition, the RHC must pass along the name and address of the regional attorney responsible for any collection recommendation if the civil debt becomes delinquent. For this case, the responsible attorney is:

Tonia Bandrowicz, Senior Enforcement Counsel
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912
Tel: (617) 918-1734

Thank you for your attention to this matter.

Sincerely,


for Tonia Bandrowicz
Senior Enforcement Counsel

Enclosure

cc: Gerald T. Lynch, Lawrence Lynch Corporation



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 1
5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109-3912

EXPEDITED SETTLEMENT AGREEMENT
In the Matter of Lawrence Lynch Corporation, Falmouth, Massachusetts
Docket No. CWA-01-FY20-0012

The U.S. Environmental Protection Agency ("EPA") has determined that the Lawrence Lynch Corporation. ("Respondent") facility located at 396 Gifford Street, Falmouth, Massachusetts (the "Facility") is in noncompliance with the Oil Pollution Prevention regulations promulgated at 40 C.F.R. Part 112 under Section 311(j) of the Clean Water Act (the "Act"), 33 U.S.C. § 1321(j), for failing to have a fully compliant Spill Prevention Control and Countermeasure Plan ("SPCC") as determined by an September 10, 2019 EPA inspection of the facility.

The parties enter into this Expedited Settlement Agreement to settle the violations described above for a civil penalty of \$4,000. The parties are authorized to enter into this Expedited Settlement Agreement under the authority of Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), and in accordance with 40 C.F.R. §§ 22.13(b) and 22.18.

This settlement is subject to the following terms:

EPA finds that the Respondent is subject to the Oil Pollution Prevention regulations and has violated the regulations by failing to have a fully compliant SPCC plan for its Falmouth facility, Respondent admits it is subject to the Oil Pollution Prevention regulations and neither admits nor denies that it is in violation of the regulations. Respondent waives any objections it may have to EPA's jurisdiction and consents to the assessment of the penalty stated above.

By its signature below, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that:

(1) the violations identified above will be corrected and the facility brought into full compliance in accordance with the terms of Administrative Order for Compliance, Docket No. CWA-AO-R01-FY20-03, issued under Sections 308 and 311(c), (e) and (m) of the Act, 33 U.S.C. §§ 1318 and 1321(c), (e) and (m); and

(2) it has sent a check in the amount of \$4,000, payable to the Environmental Protection Agency, to: U.S. Environmental Protection Agency, Fines and Penalties, P.O. Box 979077, St. Louis, MO 63197-9000. This check shall reference the case name and docket number ("In the Matter of Lawrence Lynch Corporation, Docket No. CWA-01-FY20-0012") and "Oil Spill Liability Trust Fund - 311."

Respondent shall send a copy of the check to Diane Boudrot, U.S. Environmental Protection Agency, Region 1, Five Post Office Square (Mail Code 04-4), Boston, Massachusetts 02109-3912, and to Wanda Santiago, the Regional Hearing Clerk, at the same address.

Upon signing and returning this Expedited Settlement Agreement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement Agreement without further notice.

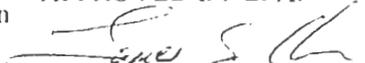
Once the Expedited Settlement Agreement is signed by the Regional Judicial Officer, the original of the document will be filed with the Regional Hearing Clerk and a copy will be mailed to: U.S. Environmental Protection Agency, Cincinnati Finance Office, 26 W. Martin Luther King Drive (MS-WG32B), Cincinnati, OH 45268. A copy of the Expedited Settlement Agreement will also be mailed to the Respondent.

This Expedited Settlement Agreement is binding on the parties signing below and is effective upon filing with the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b).

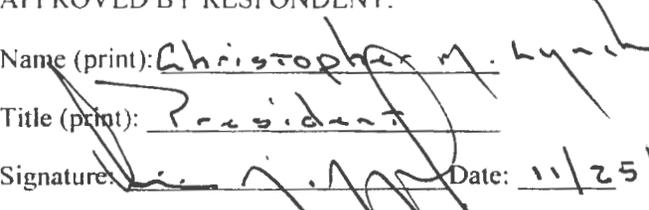
If Respondent does not sign and return this Expedited Settlement Agreement, or does not submit the penalty payment check, within 30 days of the date of its receipt of this Expedited Settlement Agreement, the proposed Expedited Settlement offer is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violation stated herein.

After this Expedited Settlement Agreement becomes effective, EPA will take no further civil penalty action against Respondent for the violations of the Oil Pollution Prevention regulations described herein through the effective date of this Expedited Settlement Agreement. EPA does not waive any rights to take enforcement action for any other past, present, or future violations by Respondent of the Oil Pollution Prevention regulations or of any other federal statute or regulations.

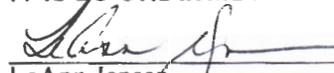
APPROVED BY EPA:

 Date: 11/20/19
Karen McGuire, Director
Enforcement and Compliance Assurance Division

APPROVED BY RESPONDENT:

Name (print): Christopher M. Lynch
Title (print): President
Signature:  Date: 11/25/19

IT IS SO ORDERED:

 Date: 1/15/20
LeAnn Jensen
Regional Judicial Officer

RECEIVED

EPA ORC
Office of Regional Hearing Clerk

CERTIFICATE OF SERVICE

I hereby certify that the foregoing letter and Expedited Settlement Agreement was sent to the following persons in the manner and on the date specified below.

Original and one copy,
hand-delivered:

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Copy, by Certified Mail,
Return Receipt Requested:

Gerald T. Lynch, President
Lawrence Lynch Corporation
396 Gifford Street
Falmouth, Massachusetts 02141

Dated:

1/17/2020



Diane Boudrot
Paralegal Specialist
U.S. EPA, Region I (04-04)
5 Post Office Square, Suite 100
Boston, MA 02109-3912