



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

SEP 01 2011

CERTIFIED MAIL #7009 1680 0000 7673 0563
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:
LR-8J

Mr. John Glusak
Customs House (IL0032)
610 South Canal
Chicago, Illinois 60607

BA#2751106M024

**Re: Notice of Violation and Compliance Order/Settlement Agreement for the
Customs House (IL0032) facility, 610 South Canal, Chicago, Illinois** RUST-05-2011-0021

Dear Mr. Glusak:

On May 31, 2011 the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning UST violations (i.e., piping corrosion testing, and UST installation), found at the Customs House (IL0032) facility, 610 South Canal, Chicago, Illinois. This letter is to inform you that we have received your signed copies of the Settlement Agreement, dated August 8, 2011. We also received your supporting documentation stating that the UST violations were addressed. In addition, we received your check (#4597) from Accurate Tank Construction for a total of \$420 in penalties.

The Settlement Agreement states that it is effective upon 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 the EPA's 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 Arturo Cisneros, of my staff, at 312/886-7447.

Sincerely,

Mary S. Setnicar
Acting Chief, RCRA Branch
Land and Chemicals Division

Enclosure

cc: Shelly Bradley, OSFM

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-11-011-AC

PART I: INSPECTION SUMMARY

On: 05/31/2011 Time: 03:00 PM

At: Customs House
Address: 610 South Canal St.
Chicago, IL 60607-4523

Mr. John Glusak
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: U.S. General Services Administration
Address: 230 S. Dearborn
Chicago, IL 60604

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 install tank in accordance with accepted codes and standards
Cite: 40 CFR 280.20(d) Proposed Penalty: \$210

2. Violation: Failure to ensure proper operation of cathodic protection system
Cite: 40 CFR 280.31(b) Proposed Penalty: \$210

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.

[Signature] 5-31-11
(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): JOHN GLUSAK
Title (Print): PROPERTY MANAGER
Signature: [Signature] Date: 08-08-11

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): MARY S. SETNICAR
Title (Print): ACTING CHIEF, RCRA BRANCH
Signature: [Signature] Date: 8/30/11

Notes:

RECEIVED
SEP - 1 2011

RUST-05-2011-0021

2751106M024

**REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY,**

