

TRAVIS INDUSTRIES, INC.
12521 HARBOUR REACH DR
MUKILTEO, WA 98275
(425)-609-2500

U.S. BANK NATIONAL ASSOCIATION
EDMONDS, WA 98020
18-10/1250

40710

7/10/2018

PAY TO THE ORDER OF Treasurer, United States Of America

\$**5,000.00

Five Thousand Only*****

DOLLARS

PROTECTED AGAINST FRAUD

U.S. Environmental Protection Agency
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

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MEMO

DOCKET NO: EPCRA-10-2018-0289

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TRAVIS INDUSTRIES, INC.

40710

Treasurer, United States Of America
5300 Shop Supplies

7/10/2018

5,000.00

RECEIVED

18 AUG 22 PM 1:35

HEARINGS CLERK
EPA - REGION 10

Checking - Mukilteo

DOCKET NO: EPCRA-10-2018-0289

5,000.00

TRAVIS INDUSTRIES, INC.

40710

Treasurer, United States Of America
5300 Shop Supplies

7/10/2018

5,000.00

PAYMENT
RECORD

Checking - Mukilteo

DOCKET NO: EPCRA-10-2018-0289

5,000.00







UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 10
 1200 Sixth Avenue, Suite 155
 Seattle, Washington 98101-3140

RECEIVED

18 AUG 22 PM 1:35

HEARINGS CLERK
 OFFICE OF COMPLIANCE AND ENFORCEMENT
 REGION 10

EXPEDITED SETTLEMENT AGREEMENT

RECEIVED

DOCKET NO: EPCRA-10-2018-0289
This ESA is issued to: Travis Industries, Inc.
 12521 Harbour Reach Drive
 Mukilteo, Washington 98275

~~JUL 20 2018~~

~~EPA REGION 10~~
 Office of Compliance and Enforcement

This Expedited Settlement Agreement (ESA) is being entered into by the United States Environmental Protection Agency, Region 10 (EPA), by its duly delegated official, and by Travis Industries, Inc. (Respondent) pursuant to section 325 of the Emergency Planning and Community Right-To-Know Act (EPCRA), 42 U.S.C. § 11045, and 40 C.F.R. § 22.13(b).

ALLEGED VIOLATION

Section 312 of EPCRA and the regulations at 40 C.F.R. Part 370 require the owner or operator of a facility that is required to prepare or have available a material safety data sheet ("MSDS") for a hazardous chemical to prepare and submit a Tier II emergency and hazardous chemical inventory form ("Tier II Form") to the appropriate local emergency planning committee ("LEPC"), state emergency response commission ("SERC"), and local fire department by March 1, containing data with respect to the preceding calendar year. The required data includes estimates of the average and maximum quantities of each hazardous chemical stored in excess of the threshold quantity. 40 C.F.R. § 370.42.

EPA alleges that Respondent is the owner or operator of the facility at 12521 Harbour Reach Drive, Mukilteo, Washington 98072 (Facility). Respondent stores Liquefied Nitrogen and Liquefied Oxygen at the Facility. Liquefied Nitrogen and Liquefied Oxygen are "hazardous chemical," as defined by 40 C.F.R. § 370.66, each with a threshold quantity of 10,000 pounds.

During calendar year 2016, the Facility stored over 20,000 pounds of Liquefied Nitrogen and stored over 14,000 pounds of Liquefied Oxygen, amounts at or above the threshold quantity for reporting. Respondent failed to submit a Tier II Form to the LEPC, SERC, and local fire department for calendar year 2016 by March 1, 2017, in violation of EPCRA § 312 and 40 C.F.R. § 370.45(a).

SETTLEMENT

EPA and Respondent agree that settlement of this matter for a penalty of **FIVE THOUSAND DOLLARS (\$5,000)** is in the public interest. In signing this ESA, Respondent: (1) admits that Respondent is subject to the requirements of Section 312 of EPCRA; (2) admits that EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein; (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty and

PERMIT TO DISCHARGE TO RECEIVING WATER

NO. 123456789
EPA REGION 1
12345 Main Street
Boston, Massachusetts 02111

This permit is issued under the authority of the Clean Water Act, 33 U.S.C. 1362, and the National Pollutant Discharge Elimination System (NPDES) Regulations, 40 C.F.R. 122.1, et seq.

The permittee is required to maintain records of all discharges and to submit reports to the EPA Region 1 Office at the following address: EPA Region 1, 12345 Main Street, Boston, MA 02111.

The permittee shall comply with all applicable effluent limitations and standards set forth in the permit conditions.

This permit is valid for a period of five (5) years from the date of issuance.

For more information, contact the EPA Region 1 Office at (617) 552-1000.

any conditions stated in this ESA; and (5) waives any right to contest the allegations contained herein and to appeal the Final Order accompanying this agreement.

By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the alleged violations have been corrected. Each party agrees that it shall bear its own costs and fees, if any.

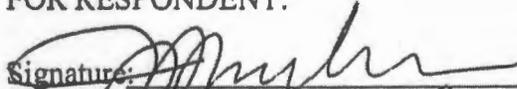
Respondent agrees to submit payment in full of the \$5,000 within 30 days of the Final Order issued by the EPA Regional Judicial Officer.

Payment instructions are included on the enclosed "Payment Instructions," which is hereby incorporated by reference.

This ESA is binding on the parties signing below.

This ESA is effective upon filing with the Regional Hearing Clerk.

FOR RESPONDENT:

Signature: 
Name (print): JERRY McCADAM
Title (print): HR Director

Date: 7-5-2018

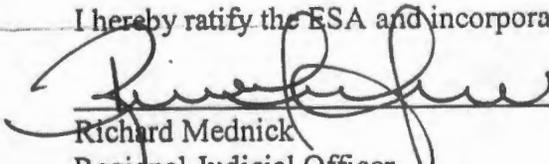
FOR COMPLAINANT:


Edward J. Kowalski
Director
Office of Compliance and Enforcement

Date: 8-8-18

FINAL ORDER

I hereby ratify the ESA and incorporate it herein by reference. It is so ORDERED. ———


Richard Mednick
Regional Judicial Officer

Date: 8/21/18

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PAYMENT INSTRUCTIONS

Respondent may pay the penalty by check (mail or overnight delivery), wire transfer, ACH or online payment. Additional payment instructions are available at:

<http://www2.epa.gov/financial/makepayment>

Payments made by a cashier's check or certified check must be payable to the order of "Treasurer, United States of America" and delivered to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

If paid by check, the docket number of the ESA must be included on the check. The docket number is located at the top of this ESA.

Concurrently with payment, Respondent must send photocopies of the check or proof of other payment method to the following addresses:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 10, Mail Stop ORC-113
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
young.teresa@epa.gov

Erin Williams
U.S. Environmental Protection Agency
Region 10, Mail Stop OCE-101
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
williams.erin@epa.gov

CONFIDENTIAL

1. The purpose of this document is to provide a comprehensive overview of the project's objectives and scope.

2. The project is designed to address the current challenges faced by the organization and to improve operational efficiency.

3. The project will be implemented in a phased manner, starting with the initial assessment and planning phase.

4. The project team consists of experienced professionals from various departments, ensuring a multidisciplinary approach.

5. The project budget is estimated to be within the allocated resources, with a focus on cost-effectiveness.

6. The project timeline is set for completion within the next six months, with regular progress reports.

Certificate of Service

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER**, In the Matter of: **Travis Industries, Inc., Mukilteo, Washington**, Docket No.: **EPCRA-10-2018-0289**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

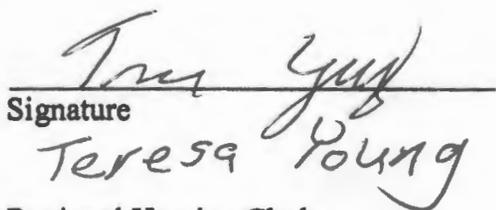
The undersigned certifies that a true and correct copy of the document was delivered to:

Erin Williams, EPCRA Coordinator
Office of Compliance and Enforcement
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 155, Mail Stop: OCE-101
Seattle, Washington 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Mr. Ken Sandness
VP Operations
Travis Industries, Inc.
12521 Harbour Reach Drive
Mukilteo, Washington 98275

DATED this 22 day of August, 2018



Signature

Teresa Young
Regional Hearing Clerk
EPA Region 10

