



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10, 1200 6TH AVENUE, SUITE 900, SEATTLE, WASHINGTON
98101

RECEIVED

EXPEDITED SPILL SETTLEMENT AGREEMENT JUNE 21 10 31 PM '09

HEARINGS CLERK
EPA -- REGION 10

DOCKET NO. CWA-10-2009-0164

On February 4, 2009 Time 1800 hours PST

At: Steamboat Slough in Everett, Washington

Mr. Ron Barber (Respondent) discharged 50 gallons of oil in violation of Section 311(b)(3) of the Clean Water Act (the Act), as noted on the attached FINDINGS and ALLEGED VIOLATIONS FORM (Form), which is hereby incorporated by reference.

If the Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Form.

The parties are authorized to enter into this Expedited Settlement under the authority vested in the Administrator of EPA by Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement in order to settle the civil violations described in the Form for a penalty of \$ 500.00. This settlement is subject to the following terms and conditions:

EPA finds the Respondent's conduct is subject to the discharge prohibition of Section 311(b)(3) of the Act, as described in that statute and further described by 40 CFR § 110.3. The Respondent admits he/she is subject to Section 311(b)(3) and that EPA has jurisdiction over the Respondent and the Respondent's conduct as described in the Form. Respondent does not contest the Findings, and waives any objections it may have to EPA's jurisdiction. Respondent consents to the assessment of the penalty stated above. Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated the cause of the spill, it has cleaned up the spill pursuant to the federal requirements, and it has taken corrective actions that will prevent future spills. The Respondent also verifies that it has sent a certified check for \$ 500.00 payable to the "Oil Spill Liability Trust Fund" to: "US Environmental Protection Agency, 1200 Sixth Avenue, Suite 900, ORC-158, Seattle, WA 98101, Attn: Carol Kennedy, Regional Hearing Clerk". Respondent has noted on the penalty payment check "EPA" and the docket number of this case, "CWA-10-2009-0164."

After this Expedited Settlement becomes effective, EPA will take no further action against the Respondent for the violations of Section 311(b)(3) of the Act described in the Form. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by the Respondent of Section 311(b)(3) of the Act or of any other federal statute or regulation. By its first signature, EPA ratifies the Findings and Alleged Violations

set forth in the Form.

Upon signing and returning this Expedited Settlement 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 without further notice.

This Expedited Settlement is binding on the parties signing below, and is effective upon the Regional Judicial Officer's signature.

APPROVED BY EPA:

Kimberly A. Ogle Date: 6/9/09
Kimberly A. Ogle, Manager
NPDES Compliance Unit
Office of Compliance and Enforcement

APPROVED BY RESPONDENT:

Name (print): RON BARBER
Title (print): RESPONDENT

Ron Barber Date 6/25/09
Signature

IT IS SO ORDERED:

Socorro Rodriguez Date: 7/7/09
Socorro Rodriguez
Regional Judicial Officer
EPA Region 10

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **EXPEDITED SPILL SETTLEMENT AGREEMENT** in **In the Matter of: Steamboat Slough, DOCKET NO.: CWA-10-2009-0164** was filed with the Regional Hearing Clerk on July 31, 2009.

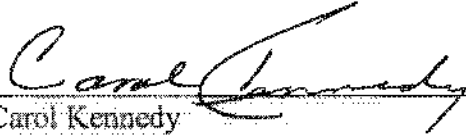
On July 31, 2009, the undersigned certifies that a true and correct copy of the document was delivered to:

Stephanie Mairs, Esquire
US Environmental Protection Agency
1200 Sixth Avenue, ORC-158
Seattle, WA 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 on July 31, 2009, to:

Mr. Ron Barber
Steamboat Slough
11105 18th Street NE
Lake Stevens, WA 98258

DATED this 31st day of July 2009.



Carol Kennedy
Regional Hearing Clerk
EPA Region 10