



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

CERTIFIED MAIL NO. 7008 1830 0002 6279 4038
RETURN RECEIPT REQUESTED

In Reply Refer to: Four Star Chemical, Vernon, CA

AUG 26 2011

Mr. Jerry Ulrich, President
Starco Enterprises, Inc.
3137 E. 26th St.
Los Angeles, CA 90058

Re: Four Star Chemical, Vernon, CA
EPCRA §312 Expedited Settlement Agreement

Dear Mr. Ulrich:

This letter transmits copies of the fully executed Expedited Settlement Agreement that resolves the alleged violation of the Emergency Planning and Community Right to Know Act Section 312 by the Four Star Chemical facility located at 3137 E. 26th St. in Vernon, CA. The violation involves Four Star Chemical's failure to accurately report its hazardous chemical inventory information to the City of Vernon Fire Dept. (CUPA) as required by 40 CFR Part 370.

Thank you for your prompt attention to this matter. If you have any questions or need additional information about the EPCRA Section 312 requirements, please feel free to contact Jeremy Johnstone of my staff at (415) 972-3499.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Diamond".

Jane Diamond
Director, Superfund Division

Enclosures

cc (w/ enclosures):

W. Edwards, Four Star Chemical
J. Johnstone, EPA Region IX
L. Moore, EPA Region IX



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

FILED

2011 AUG 26 AM 11:5

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGIONAL HEARING CLERK

DOCKET NO: EPCRA-09-2011-0510
This ESA is issued to: Starco Enterprises, Inc.
3137 E. 26th St., Vernon, CA 90058-8006
For: Violation of Section 312 of the Emergency Planning and Community Right-To-Know Act.
At: Four Star Chemical, 3137 E. 26th St., Vernon, CA 90058

This Expedited Settlement Agreement (ESA) is being entered into by the United States Environmental Protection Agency (EPA), Region IX, by its duly delegated official, Jane Diamond, Superfund Director, and by Starco Enterprises, Inc., (Respondent) pursuant to Section 325 of the Emergency Planning and Community Right-To-Know Act (EPCRA), 42 U.S.C. § 11045, and by 40 CFR 22.13(b).

ALLEGED VIOLATIONS

- Respondent failed to timely submit a complete and accurate emergency and hazardous chemical inventory form (Tier I or Tier II form as described in 40 CFR 370.25 and 40 CFR Part 370, Subpart D, or the state equivalent), for the year 2009, as required by Section 312 of EPCRA, 42 U.S.C. § 11022, and the regulations set forth at 40 CFR Part 370. Under Section 312 of EPCRA, 42 U.S.C. § 11022, and the regulations set forth at 40 CFR Part 370, Respondent was required to submit a complete and accurate Tier I or Tier II form for the year 2009 on or before March 1 of 2010. However, the submitted form did not accurately indicate the amounts of propane and butane stored onsite.

SETTLEMENT

EPA and Respondent agree that settlement of this matter for a penalty of **\$ 2,000.00** is in the public interest. In signing this Agreement, 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 (5) waives any right to contest the allegations or appeal the final order contained herein.

Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that (1) the Respondent has corrected the violations listed above, and (2) Respondent has either a) sent an **Online Payment through the Department of Treasury: WWW.PAY.GOV** (Enter SFO 1.1 in search field, open form and complete required fields) **or b) sent a cashier's check or certified check** payable to the Treasurer, United States of America, in the amount of **\$2000.00** in payment of the full penalty amount to the following address:

U.S. Environmental Protection Agency
Region 9
P.O. Box 371099M
Pittsburgh, PA 15251

The check or online payment should reference Respondent's name and a copy of this ESA must be included with the check/online payment going to the Cincinnati Finance Center. This original ESA and a copy of the check or online receipt must also be sent by certified mail to:

Jeremy Johnstone
U.S. Environmental Protection Agency
Region IX (SFD-9-3)
75 Hawthorne Street
San Francisco, CA 94105

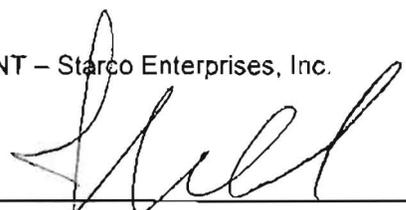
Upon Respondent's submission of the original signed ESA, EPA will take no further civil penalty action against Respondent for the alleged violations of EPCRA identified in the ESA. This ESA shall not be construed as a covenant not to sue, a release, waiver, or limitation of any rights, remedies, powers, or authorities, civil or criminal that EPA has under the Act or any other statutory, regulatory, or common law enforcement authority of the United States, except as stated above.

If the signed original ESA with an attached copy of the check is not returned to the EPA Region IX office at the above address in correct form by the Respondent within **45 days** of the date of Respondent's receipt of this proposed ESA, the ESA is withdrawn, without prejudice to EPA's ability to file an enforcement action for the violations identified herein.

This ESA is binding on the parties signing below.

In accordance with 40 CFR 22.31(b), this ESA is effective upon filing with the Regional Hearing Clerk.

FOR RESPONDENT – Starco Enterprises, Inc.

Signature:  _____

Date: 8-15-2011

Name (print): TERRY WILGIG

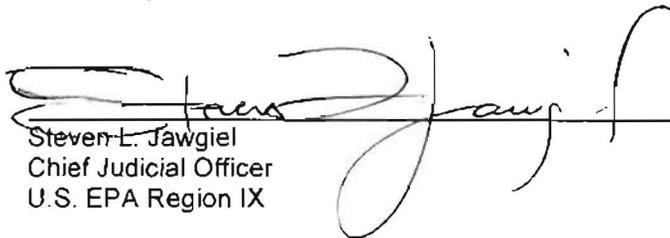
Title (print): President

FOR COMPLAINANT:


for Jane Diamond
Superfund Director
U.S. EPA Region IX

Date: 8-22-11

It is hereby ORDERED that this ESA be entered and Respondent pay the above penalty.


Steven L. Jawgiel
Chief Judicial Officer
U.S. EPA Region IX

Date: 08/25/11

CERTIFICATE OF SERVICE

Docket No. EPCRA-09-2011-

I hereby certify that the original copy of the foregoing CAFO with the Docket number referenced above, has been filed with the Region 9 Hearing Clerk and that a true and correct copy of the same was sent to the following parties:

Jerry Ulrich, Pres.
Starco Enterprises, Inc.
3137 E. 26th St.
Los Angeles, CA 90058

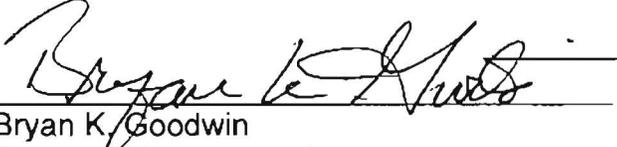
CERTIFIED MAIL NUMBER: 7008 1830 0002 6279 4038

An additional copy was hand-delivered to the following U.S. EPA case attorney:

Letitia Moore, Esq.
Office of Regional Counsel
U.S. EPA, Region IX
75 Hawthorne St.
San Francisco, CA 94105

Date

8/26/11


Bryan K. Goodwin
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region

IX

75 Hawthorne Street
San Francisco, CA 94105