



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

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Filed January 8, 2021@ 2:32 pm
USEPA – Region II
Regional Hearing Clerk

Sent Via Email to: DMullen@mcguirewoods.com

Dale G. Mullen
Partner
McGuireWoods LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219-3916

Re: Underground Storage Tank (UST) Compliance Inspection of:

Facility:
Digital Realty Trust
2 Peekay Drive
Clifton, NJ
NJ PID#: 604763

Final Expedited Settlement
Telx-Clifton, LLC
Docket No. RCRA-02-2020-7707

Dear Mr. Mullen:

The U.S. Environmental Protection Agency (EPA) Region 2 is in receipt of your penalty payment of \$9,060, the signed Expedited Settlement Agreement, and the documentation that the USTs at the above referenced facilities are now in compliance. By signing the Expedited Settlement Agreement, Telx-Clifton, LLC has agreed to the terms of the Expedited Settlement Agreement and Final Order and has certified that all violations cited in the proposed Expedited Settlement Agreement were corrected.

Enclosed you will find a copy of the Expedited Settlement Agreement and Final Order issued by EPA. EPA has approved the Expedited Settlement Agreement based on Telx-Clifton, LLC's signed certification and supporting compliance documentation.

Note, EPA may choose to re-inspect the USTs at the facility listed above and if EPA identifies any violations of federal UST regulations during the re-inspection or from any other information obtained by EPA, such findings would be Telx-Clifton, LLC's second violation of federal underground storage tank (UST) regulations. A second offense may result in a civil or judicial action which can include seeking penalties of up to \$24,730 per UST system per day of violation.

If you have any questions regarding this letter or any other related matter, please contact me at (212) 637-5036 or by e-mail at Gutierrez.claudia@epa.gov. Thank you for your cooperation.

Sincerely,

Claudia Gutierrez, Team Leader
UST Compliance Team
Enforcement and Compliance Assurance Division

Enclosures

Expedited Settlement Agreement and Final Order

cc: Kevin Hale, Chief
Spill Prevention and Response Section
NYSDEC
625 Broadway 11th Floor
Albany, NY 12233-7020

Telx-Clifton, LLC
Docket No, RCRA-02-2020-7707

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing fully executed Expedited Settlement Agreement and Final Order bearing docket number RCRA-02-2020-7707, in the following manner to the respective addressees listed below:

Original and Copy

By Electronic Service: Office of the Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy by E-mail to: DMullen@mcguirewoods.com
Dale G. Mullen
Partner
McGuireWoods LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219-3916

Dated: _____, 2021 _____