

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for

Steven Schlang  
Name of Case Attorney

8/13/15  
Date

in the ORC (RAA) at 918-1113  
Office & Mail Code Phone number

Case Docket Number EPCRA-01-2015-0038

Site-specific Superfund (SF) Acct. Number \_\_\_\_\_

This is an original debt  This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Brian Hurley  
Hospital Marketing Services Co., Inc.  
162 Great Hill Road  
Naugatuck, CT 06770

Total Dollar Amount of Receivable \$ 2,000 Due Date: \_\_\_\_\_

SEP due? Yes  No  Date Due \_\_\_\_\_

Installment Method (if applicable)

INSTALLMENTS OF:

1<sup>st</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

2<sup>nd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

3<sup>rd</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

4<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

5<sup>th</sup> \$ \_\_\_\_\_ on \_\_\_\_\_

For RHC Tracking Purposes:

Copy of Check Received by RHC \_\_\_\_\_ Notice Sent to Finance \_\_\_\_\_

**TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:**

IFMS Accounts Receivable Control Number \_\_\_\_\_

If you have any questions call: \_\_\_\_\_  
in the Financial Management Office

Phone Number \_\_\_\_\_



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

RECEIVED

AUG 13 2015

EPA ORC *AJS*  
Office of Regional Hearing Clerk

**BY HAND**

August 13, 2015

Wanda I. Santiago, Regional Hearing Clerk  
U.S. Environmental Protection Agency-Region 1  
5 Post Office Square, Suite 100  
Mail Code ORA18-1  
Boston, MA 02109-3912

Re: Hospital Marketing Services Co., Inc.  
Docket No. EPCRA-01-2015-0038

Dear Ms. Santiago:

Enclosed are the original and one copy of an Expedited Settlement Agreement and Final Order for filing in the above-referenced matter.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Schlang".

Steven Schlang  
Senior Enforcement Counsel

Enclosures

cc: Mr. Brian Hurley, President – Hospital Marketing Services Co., Inc.

Hospital Marketing Services, Co., Inc.  
Docket No. EPCRA-01-2015-0038

**CERTIFICATE OF SERVICE**

I hereby certify that I caused the foregoing Consent Agreement and Final Order to be sent to the following person(s), in the manner stated, on the date below:

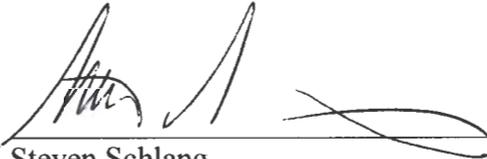
Original and one copy,  
By Hand Delivery:

Wanda I. Santiago  
Regional Hearing Clerk  
U.S. EPA, Region 1  
5 Post Office Square – Suite 100  
Mail Code: ORA18-1  
Boston, MA 02109-3912

One copy, By Certified Mail,  
Return Receipt Requested:

Brian Hurley  
President  
Hospital Marketing Services, Co., Inc.  
Naugatuck, CT 06770

Dated: 8/13/15



Steven Schlang  
Enforcement Counsel  
U.S. EPA, Region 1  
5 Post Office Square – Suite 100  
Mail Code: OES04-4  
Boston, MA 02109-3912



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

RECEIVED

AUG 13 2015

EPA ORC *WS*  
Office of Regional Hearing Clerk

**EXPEDITED SETTLEMENT AGREEMENT**  
**DOCKET NO: EPCRA-01-2015-0038**

**This Expedited Settlement Agreement is issued to:**

Hospital Marketing Services Co., Inc., 162 Great Hill Road, Naugatuck CT 06770 for alleged violations of Section 312 of the Emergency Planning and Community Right-To-Know Act.

This Expedited Settlement Agreement ("ESA") is being entered into by the United States Environmental Protection Agency ("EPA"), Region 1, by its duly delegated official, Joanna Jerison, Legal Enforcement Manager, Office of Environmental Stewardship, and by Respondent, Hospital Marketing Services Co., Inc. (Hospital Marketing or Respondent) pursuant to Section 325 of the Emergency and Community Right-to-Know Act (EPCRA), 42 U.S.C. § 11045, and 40 C.F.R. § 22.13(b).

**ALLEGED VIOLATIONS**

EPA alleges that Hospital Marketing, operator of a facility located at 162 Great Hill Road, Naugatuck, CT, failed to timely submit completed emergency and hazardous chemical inventory forms (Tier II forms) for the calendar years 2011, 2012 and 2013 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 at 40 C.F.R. Part 370, Respondent was required to submit its Tier II form for each calendar year on or before March 1 of the subsequent year.

**SETTLEMENT**

EPA and Hospital Marketing agree that settlement of this matter for a penalty of TWO THOUSAND DOLLARS (\$2,000) is fair, appropriate and in the public interest. In signing this agreement, Hospital Marketing (1) admits that it is subject to the requirements of Section 312 of EPCRA; (2) admits that EPA has jurisdiction over Hospital Marketing and its conduct as alleged in this ESA; (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; and (5) waives its rights to: (a) a judicial or administrative hearing on any issue of law or fact set forth in this ESA; and (b) appeal this ESA. Each party to this action agrees to bear its own costs and fees, if any.

By its signature below, Hospital Marketing certifies that the alleged violation have been corrected and agrees to pay the penalty in accordance with the terms of this ESA.

If the signed original ESA is not returned to the EPA Region 1 office at the address above in correct form within 30 days of Respondent's receipt of the proposed ESA, the proposed ESA

will be withdrawn, without prejudice to EPA's ability to file an enforcement action for the violations identified herein.

Hospital Marketing agrees to submit payment of the penalty within 30 days of the date on which this ESA is filed with the Regional Hearing Clerk. EPA will forward a copy of the fully executed ESA to Hospital Marketing as soon as it is filed with the Regional Hearing Clerk. The civil penalty of TWO THOUSAND DOLLARS (\$2,000) shall be made by remitting a check or making an electronic payment, as described below. The check or other payment shall designate the name and docket number of this case, be in the amount of \$2,000 and be payable to "Treasurer, United States of America." The payment shall be remitted as follows:

**If remitted by regular U.S. mail:**

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

**If remitted by any overnight commercial carrier:**

U.S. Bank  
1005 Convention Plaza  
Mail Station SL-MO-C2GL  
St. Louis, Missouri 63101

**If remitted by wire transfer:** Any wire transfer must be sent directly to the Federal Reserve Bank in New York City using the following information:

Federal Reserve Bank of New York  
ABA = 021030004  
Account = 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street  
New York, New York 10045  
Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency"

Respondent must also send a copy of the payment to:

Steven Schlang, Senior Enforcement Counsel  
Legal Regulatory Office  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square  
Mail Code OES-04-4  
Boston, MA 02109-3912

Pursuant to 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. In the event that any partial payment of the civil penalty, plus interest thereon is not paid when due without demand, the penalty plus accrued interest shall be pay able with additional interest from the original due date of payment at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2). In addition, a penalty charge of six percent per year will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. However, should assessment of the penalty charge on the debt be required, it will be assessed as the first day payment is due under 31 C.F.R. § 901.9(d).

Upon Hospital Marketing's submission of the original signed ESA and payment of the penalty as set forth in this ESA, EPA will take no further civil action against Hospital Marketing for the alleged violations of EPCRA identified in this ESA. EPA does not waive any right to issue an enforcement action for any other past, present or future violations by Hospital Marketing of EPCRA or any other federal statute or regulation.

This ESA shall not be construed as a covenant not sue, release waiver, or limitation of any rights, remedies, powers, or authorities, civil or criminal, that EPA has under EPCRA or any other statutory, regulatory, or common law enforcement authority of the United States, except as stated above.

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.

IT IS SO AGREED,

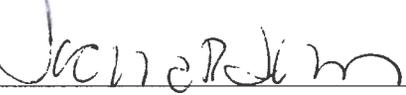
Hospital Marketing Services, Co.

By: 

Date: 7-10-15

Brian Hurley, President  
Hospital Marketing Services, Co.  
162 Great Hill Road  
Naugatuck, CT

APPROVED BY EPA

By: 

Date: 8/11/15

Joanna Jerison, Legal Enforcement Manager  
Office of Environmental Stewardship  
U.S. EPA Region 1