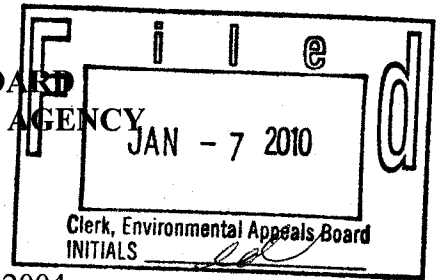


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In the Matter of:)
)
HSBC USA Inc., and)
HSBC Finance Corporation,)
)
Respondents.)

Docket No. CAA-HQ-2008-2004
Docket No. CWA-HQ-2008-2004
Docket No. EPCRA-HQ-2008-2004

FINAL ORDER

Pursuant to 40 C.F.R. § 22.18(c) of EPA's Consolidated Rules of Practice, the attached Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby approved.

The Respondents are ORDERED to comply with all terms of the Consent Agreement, effective immediately.

So Ordered.

Anna L. Holgest
Judge, Environmental Appeals Board
January 7, 2010
Date

CERTIFICATE OF SERVICE

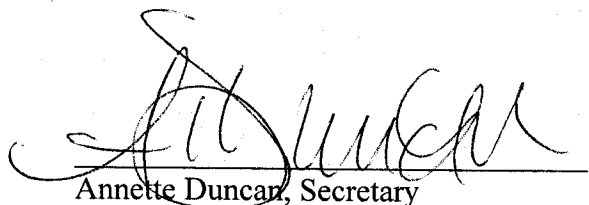
I certify that the foregoing "Consent Agreement" and "Final Order," in the Matter of HSBC USA Inc. and HSBC Finance Corporation (Docket Nos. CAA-HQ-2008-8004, CWA-HQ-2008-8004, and EPCRA-HQ-2008-8004), were filed and copies of the same were mailed to the parties as indicated below:

Via Interoffice Mail:

Bernadette M. Rappold
Elizabeth A. Cavalier
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW (Mail Code 2248A)
Washington, DC 20460

Via Certified U.S. Mail:

Gabriel M. Rodriguez
Schiff Hardin LLP
6600 Sears Tower
Chicago, IL 60606



Annette Duncan, Secretary
U.S. Environmental Protection Agency
Environmental Appeals Board

Dated: JAN - 7 2010

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ENVIRONMENTAL APPEALS BOARD

IN THE MATTER OF)	
)	
HSBC USA Inc. and)	
HSBC Finance Corporation)	
)	
Respondents)	

Docket No. CAA-HQ-2008-8004
Docket No. CWA-HQ-2008-8004
Docket No. EPCRA-HQ-2008-8004

CONSENT AGREEMENT

I. Preliminary Statement

A. Complainant, the United States Environmental Protection Agency (EPA), and HSBC USA Inc. and HSBC Finance Corporation (together, HSBC or Respondent), having consented to the terms of this Consent Agreement (Agreement), and before the taking of any testimony and without the adjudication of issues of law or fact herein, agree to comply with the terms of this Agreement and attached proposed Final Order, hereby incorporated by reference.

B. By letter dated August 14, 2007, Respondent notified EPA that violations of certain environmental statutes and regulations applicable to emergency power installations were discovered during an audit of a data center in Amherst, New York. In the August 14 letter, HSBC proposed to audit an additional 43 facilities. On September 26, 2007, EPA accepted HSBC's proposal and entered into an Audit Agreement under EPA's policy entitled *Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations (Audit Policy)*, 65 Fed. Reg. 19,618 (April 11, 2000).

C. On November 29, 2007, pursuant to EPA's Audit Policy, HSBC submitted voluntary disclosures to EPA regarding potential violations of:

1. Requirements adopted as part of a state implementation plan (SIP) pursuant to Clean Air Act (CAA) § 110, 42 U.S.C. § 7410;
2. CAA § 608, 42 U.S.C. § 7671g;
3. Clean Water Act (CWA) § 311(j), 33 U.S.C. § 1321(j);
4. Emergency Planning and Community Right-to-Know Act (EPCRA) § 302, 42 U.S.C. § 11002;

5. EPCRA § 303, 42 U.S.C. § 11003;
6. EPCRA § 311, 42 U.S.C. § 11021; and
7. EPCRA § 312, 42 U.S.C. § 11022.

D. Respondent submitted a final audit report to EPA on February 28, 2008, and an addendum to the final audit report to EPA on May 1, 2008, which summarizes steps taken to prevent recurrence of any violations after they have been disclosed. HSBC's disclosures have resulted in a final list of disclosed violations found in Attachment A, hereby incorporated by reference, which are the subject of this Agreement.

E. The disclosures listed in Attachment A, hereby incorporated by reference, have been determined by EPA to satisfy all the conditions set forth in the Audit Policy. These violations therefore qualify for a 100% reduction of the civil penalty's gravity component, described further in Sections III-IV of this Agreement.

II. Jurisdiction

A. The parties agree to the commencement and conclusion of this cause of action by issuance of this Agreement, as prescribed by EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. Part 22, and more specifically by 40 C.F.R. § 22.13 and § 22.18(b), and CAA § 113(a).

B. Respondent agrees that Complainant has the jurisdiction to bring an administrative action, based upon the facts that Respondent voluntarily disclosed concerning these violations, to compel compliance, and to assess civil penalties pursuant to CAA § 113(a)(1)(A) and § 113(d)(4), CWA § 311(b)(6)(B), and EPCRA § 325(c).

C. Respondent hereby waives its right to request a judicial or administrative hearing on any issue of law or fact set forth in this Agreement and its right to seek judicial review of the proposed Final Order accompanying this Agreement.

D. For purposes of this proceeding only, Respondent admits that EPA has jurisdiction over the subject matter which is the basis of this Agreement.

E. Section 113(d)(1) of the CAA limits the Administrator's authority to matters where the first alleged date of violation occurred no more than twelve (12) months prior to initiation of the administrative action, except where the Administrator and Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

F. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that this matter involving violations that are older than twelve (12) months is appropriate for an administrative penalty action. Such determination was made on February 9, 2009.

III. Statements of Fact

A. Respondent includes HSBC Finance Corporation, a financial services organization, located at 26525 N. Riverwoods Blvd., Mettawa, IL 60045 and incorporated in the state of Delaware. Respondent also includes HSBC USA Inc., a banking business located at 452 Fifth Street, New York City, NY 10018, and incorporated in the state of Maryland. Accordingly, the HSBC facilities that underwent audits included office buildings and data processing centers.

B. Pursuant to EPA's Audit Policy, Respondent hereby certifies as to the accuracy of the following facts upon which this Agreement is based:

1. the violations were discovered through an audit or through a compliance management system reflecting due diligence;
2. the violations were discovered voluntarily;
3. the violations were promptly disclosed to EPA in writing;
4. the violations were disclosed prior to commencement of an Agency inspection or investigation, notice of a citizen suit, filing of a complaint by a third party, reporting of the violations by a "whistle blower" employee, or imminent discovery by a regulatory agency;
5. the violations have been corrected and Respondent is, to the best of its knowledge and belief, in full compliance with CAA § 110, 42 U.S.C. § 7410, CAA § 608, 42 U.S.C. § 7671g, CWA § 311(j)(1)(C), 33 U.S.C. § 1321(j)(1)(C), EPCRA § 302, 42 U.S.C. § 11002, EPCRA § 303, 42 U.S.C. § 11003, EPCRA § 311, 42 U.S.C. § 11021, and EPCRA § 312, 42 U.S.C. § 11022, and the implementing regulations with respect to such Acts, as set forth in Attachment A, hereby incorporated by reference;
6. appropriate steps have been taken to prevent a recurrence of the violations;
7. the specific violations (or closely related violations), identified in Attachment A, hereby incorporated by reference, have not occurred within three (3) years of the date of disclosure identified in Section I, Paragraphs B, C, and D above, at the same facilities that are the subject of this Agreement, and have not occurred within five (5) years of the date of disclosure identified in Section I, Paragraphs

B, C, and D above, as part of a pattern at multiple facilities owned or operated by the Respondent. For the purposes of subparagraph 7, a violation is:

- (i) any violation of federal, state, or local environmental law identified in a judicial or administrative order, consent agreement or order, complaint, or notice of violation, conviction or plea agreement; or
 - (ii) any act or omission for which the regulated entity has previously received penalty mitigation from EPA or a state or local agency;
8. the violations have not resulted in serious actual harm nor presented an imminent and substantial endangerment to human health or the environment and they did not violate the specific terms of any judicial or administrative Final Order or Agreement; and
9. Respondent has cooperated as requested by EPA.

IV. Conclusions of Law

CAA Operating Permit at the Elmhurst, Illinois Facility, the Prospect Heights, Illinois Facility, and the Wood Dale, Illinois Facility

- A. For purposes of this Agreement, Respondent is a person within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and operates stationary sources within the meaning of Section 302(z) of the CAA, 42 U.S.C. § 7602(z).
- B. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires a state to adopt a SIP to implement, maintain, and enforce ambient air quality standards.
- C. EPA approved the Illinois operating permit requirement as part of the SIP on May 31, 1972, which approval became effective on May 31, 1972. Upon approval by EPA of the Illinois SIP, the state's requirements became federally enforceable. (See 37 Fed. Reg. 10,862)
- D. Respondent operated an emergency generator at facilities located in Elmhurst, Prospect Heights, and Wood Dale, Illinois.
- E. Respondent was required to apply for and obtain a permit to operate emergency generators in accordance with 20 Illinois Administrative Code (IAC) §§ 201-144 and 35 IAC § 201.146(i).
- F. Respondent violated the federally approved Illinois SIP requirements by failing to apply for and obtain the required permit for an emergency generator at its Elmhurst, Illinois facility, Prospect Heights, Illinois facility, and Wood Dale, Illinois facility in accordance with 20 IAC §§ 201-144 and 35 IAC § 201.

CAA Registration at the Hanover, Maryland Facility

- A. For purposes of this Agreement, Respondent is a person within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and operates stationary sources within the meaning of Section 302(z) of the CAA, 42 U.S.C. § 7602(z).
- B. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires a state to adopt a SIP to implement, maintain, and enforce ambient air quality standards.
- C. EPA approved the Maryland operating permit requirements as part of the SIP on February 27, 2003, which approval became effective on April 28, 2003. Upon approval by EPA of the Maryland SIP, the state's requirements became federally enforceable. (See 68 Fed. Reg. 9,012)
- D. Respondent operated an emergency generator at its facility located in Hanover, Maryland.
- E. Respondent was required to apply for and obtain an emergency generator registration in accordance with the Code of Maryland Regulations (COMAR) § 26.11.02.02A.
- F. Respondent violated the federally approved Maryland SIP requirements by failing to apply for and obtain the required registration for an emergency generator at its Hanover, Maryland facility in accordance with COMAR § 26.11.02.02A.

CAA Permit by Rule at the Lewisville, Texas Facility

- A. For purposes of this Agreement, Respondent is a person within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and operates stationary sources within the meaning of Section 302(z) of the CAA, 42 U.S.C. § 7602(z).
-
- B. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires a state to adopt a SIP to implement, maintain, and enforce ambient air quality standards.
- C. EPA approved the Texas construction, modification, and operating permit requirements as part of the SIP on September 27, 1995, which approval became effective on November 27, 1995. (See 60 Fed. Reg. 49,781) EPA also approved the Texas Permit by Rule requirements as part of the SIP on November 14, 2003, which approval became effective on December 15, 2003. (See 68 Fed. Reg. 64,543) Upon approval by EPA of the Texas SIP, the state's requirements became federally enforceable.

- D. Respondent operated an emergency generator at its facility located in Lewisville, Texas.
- E. Respondent was required to obtain an operating permit or meet the conditions required to obtain authorization under the Permit by Rule in accordance with 30 Texas Administrative Code (TAC) § 116.110.
- F. To qualify for a Permit by Rule, a facility must comply with all of the requirements of 30 TAC Chapter 106, including the general conditions stated in 30 TAC § 106.4, recordkeeping requirements stated in 30 TAC § 106.8, and authorization for loading, unloading, and storing diesel fuel for the emergency generator stated in 30 TAC § 106.472.
- G. Respondent did not obtain an operating permit nor did it meet the conditions required to obtain authorization under the Permit by Rule at its Lewisville, Texas facility in accordance with 30 TAC § 116.110.
- H. Respondent violated the federally approved Texas SIP requirements by failing to meet the conditions required to obtain authorization under the Permit by Rule at its Lewisville, Texas facility in accordance with 30 TAC § 116.110.

CAA Operating Permit at the Salinas, California Facility

- A. For purposes of this Agreement, Respondent is a person within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and operates stationary sources within the meaning of Section 302(z) of the CAA, 42 U.S.C. § 7602(z).
- B. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires a state to adopt a SIP to implement, maintain, and enforce ambient air quality standards.
- C. EPA approved the California Monterey Bay Unified Air Pollution Control District (MBUAPCD) operating permit requirements as part of the SIP on July 1, 1999, which approval became effective on August 2, 1999. Upon approval by EPA of the California SIP, the state's requirements became federally enforceable. (See 64 Fed. Reg. 35,577)
- D. Respondent operated one boiler using natural gas with aggregated heat input of more than 2MBtu at its facility located in Salinas, California.
- E. Respondent was required to apply for and obtain a permit to operate the boiler at its Salinas, California facility in accordance with MBUAPCD Regulation II, Rule 200.2.
- F. Respondent violated the federally approved California SIP requirements by failing to apply for and obtain the required permit at its Salinas, California facility in accordance with MBUAPCD Regulation II, Rule 200.2.

CAA Operating Permit at the Chesapeake, Virginia Facility

- A. For purposes of this Agreement, Respondent is a person within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and operates stationary sources within the meaning of Section 302(z) of the CAA, 42 U.S.C. § 7602(z).
- B. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires a state to adopt a SIP to implement, maintain, and enforce ambient air quality standards.
- C. EPA approved the Virginia operating permit requirements as part of the SIP on April 21, 2000, which approval became effective on June 20, 2000. Upon approval by EPA of the Virginia SIP, the state's requirements became federally enforceable. (See 65 Fed. Reg. 21,315)
- D. Respondent operated an emergency generator above the exempt level for the size of the generator at its facility located in Chesapeake, Virginia.
- E. Respondent was required to apply for and obtain an operating permit to operate the emergency generator at its Chesapeake, Virginia facility in accordance with 9 Virginia Administrative Code (VAC) § 5-80-1320(b)(2).
- F. Respondent violated the federally approved Virginia SIP requirements by failing to apply for and obtain the required permit at its Chesapeake, Virginia facility in accordance with VAC § 5-80-1320(b)(2).

CAA General Permit Registration at the Rockaway, New Jersey Facility

- A. For purposes of this Agreement, Respondent is a person within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and operates stationary sources within the meaning of Section 302(z) of the CAA, 42 U.S.C. § 7602(z).
- B. Section 110(a) of the CAA, 42 U.S.C. § 7410(a), requires a state to adopt a SIP to implement, maintain, and enforce ambient air quality standards.
- C. EPA approved the New Jersey operating permit requirements as part of the SIP on May 1, 1996, which approval became effective on June 17, 1996. Upon approval by EPA of the New Jersey SIP, the state's requirements became federally enforceable. (See 61 Fed. Reg. 24,715)
- D. Respondent operated an emergency generator at its facility located in Rockaway, New Jersey.
- E. Respondent was required to apply for and obtain a general permit registration for an emergency generator in accordance with New Jersey Administrative Code (NJAC) 7:27 § 8.8(a) and NJAC 7:27 § 8.8(c)(4)(i).

F. Respondent violated the federally approved New Jersey SIP requirements by failing to apply for and obtain the required general permit registration at its Rockaway, New Jersey facility in accordance with NJAC 7:27 § 8.8(a) and NJAC 7:27 § 8.8(c)(4)(i).

CAA: CFC Refrigerant Requirements

A. Sections 608(a)(1) and (2) of the CAA, 42 U.S.C. §§ 7671g(a)(1) and (2), require the Administrator to promulgate regulations establishing standards and requirements regarding the use and disposal of class I and class II substances during the service, repair, or disposal of appliances and industrial process refrigeration.

B. The Administrator promulgated requirements regulating the use and disposal of class I and class II substances during the service, repair, or disposal of appliances and industrial process refrigeration. These requirements are found at 40 C.F.R. Part 82, Subpart F.

C. 40 C.F.R. § 82.166(k) requires owners and operators of appliances normally containing fifty (50) or more pounds of refrigerant to keep servicing records documenting the date and type of service, as well as the quantity of refrigerant added. The owner and operator must keep records of refrigerant purchased and added to such appliances in cases where owners add their own refrigerant. Such records should indicate the date(s) the refrigerant is added.

D. 40 C.F.R. § 82.166(m) requires that all records required to be maintained pursuant to 40 C.F.R. § 82.166 be kept for a minimum of three (3) years unless otherwise indicated. Entities that dispose of appliances must keep such records on site.

E. Respondent is the owner and operator of appliances containing greater than fifty (50) pounds of refrigerant at the four (4) facilities listed in Attachment A, hereby incorporated by reference.

F. Respondent failed to keep servicing records documenting the date and type of service, as well as the quantity of refrigerant purchased and added, for the appliances containing greater than fifty (50) pounds of refrigerant located at the (4) four facilities listed in Attachment A, hereby incorporated by reference. Respondent is therefore subject to federal enforcement under CAA §§ 608(a)(1) and (2), 42 U.S.C. §§ 7671g (a)(1) and (2), and 40 C.F.R. § 82.166(k).

CWA: Spill Prevention, Control, and Countermeasure (SPCC) Plan Requirements

A. Respondent is a person within the meaning of CWA § 311(a)(7), 33 U.S.C. § 1321(a)(7), and 40 C.F.R. § 112.2, and is the owner or operator, as defined by CWA § 311(a)(6), 33 U.S.C. § 1321(a)(6), and 40 C.F.R. § 112.2, of its offices or facilities.

B. The regulations at 40 C.F.R. §§ 112.3 through 112.7, which implement CWA § 311(j)(1)(C), 33 U.S.C. § 1321(j)(1)(C), set forth procedures, methods, and requirements to prevent the discharge of oil from non-transportation-related facilities into or upon the

navigable waters of the United States or adjoining shorelines in such quantities that by regulation have been determined may be harmful to the public health or welfare or environment of the United States by owners or operators who are engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing or consuming oil and oil products.

C. 40 C.F.R. § 112.3(a) requires owners and operators of onshore and offshore facilities that have discharged or, due to their location, could reasonably be expected to discharge oil in harmful quantities into or upon the navigable waters of the United States or adjoining shorelines, to prepare an SPCC Plan.

D. Respondent is engaged in storing or consuming oil or oil products located at its offices or facilities in quantities such that discharges may be harmful, as defined by 40 C.F.R. § 110.3.

E. Respondent's facilities are onshore facilities within the meaning of CWA § 311(a)(10), 33 U.S.C. § 1321(a)(10), and 40 C.F.R. § 112.2, which, due to their location, could reasonably be expected to discharge oil to a navigable water of the United States (as defined by CWA § 502(7), 33 U.S.C. § 1362(7), and 40 C.F.R. § 110.1) or its adjoining shorelines that may either (1) violate applicable water quality standards, or (2) cause a film or sheen or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

F. Based on the above, and pursuant to CWA § 311(j)(1)(C), 33 U.S.C. § 1321(j)(1)(C), and its implementing regulations, Respondent is subject to the requirements of 40 C.F.R. §§ 112.3 through 112.7, at certain facilities listed in Attachment A, hereby incorporated by reference.

G. Respondent violated the CWA at eighteen (18) facilities identified in Attachment A, hereby incorporated by reference, by failing to prepare and implement an SPCC Plan, as required by CWA § 311(j)(1)(C), 33 U.S.C. § 1321 (j)(1)(C), and the requirements of 40 C.F.R. §§ 112.3 through 112.7.

EPCRA Requirements

A. Respondent is a person as defined in EPCRA § 329(7), 42 U.S.C. § 11049(7), and is the owner or operator of facilities listed in Attachment A, hereby incorporated by reference, as defined in EPCRA § 329(4), 42 U.S.C. § 11049(4).

B. Section 302(c) of EPCRA, 42 U.S.C. § 11002(c), and the regulations found at 40 C.F.R. Part 355, require the owner or operator of a facility at which an extremely hazardous substance is present, at or above stated designated threshold quantities, to notify the State Emergency Response Commission (SERC) that the facility is subject to the requirements of EPCRA § 302(c).

C. Section 303(d) of EPCRA, 42 U.S.C. § 11003(d), and the regulations found at 40 C.F.R. Part 355, require the owner or operator of a facility at which an extremely hazardous substance is present, at or above stated designated threshold quantities, to notify the Local Emergency Planning Committee (LEPC) of the facility representative who will participate in the emergency planning process as a facility emergency coordinator.

D. Section 311(a) of EPCRA, 42 U.S.C. § 11021(a), and the regulations found at 40 C.F.R. Part 370, require the owner or operator of a facility, which is required to prepare or have available a material safety data sheet (MSDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C.A. §§ 651-678) and regulations promulgated under the OSH Act, to submit the MSDS or, in the alternative, a list of chemicals to the LEPC, the SERC, and to the fire department with jurisdiction over the facility by October 1987, or within three (3) months of first becoming subject to the requirements of EPCRA § 311.

E. Section 312(a) of EPCRA, 42 U.S.C. § 11022(a), and the regulations found at 40 C.F.R. Part 370, require the owner or operator of a facility, which is required to have an MSDS for a hazardous chemical under the OSH Act, and regulations promulgated under the OSH Act, to prepare and submit an emergency and hazardous chemical inventory form (Tier I or Tier II as described in 40 C.F.R. Part 370) containing the information required by those sections to the LEPC, SERC, and to the fire department with jurisdiction over the facility by March 1, 1988 or March 1 of the first year after the facility becomes subject to the requirements of EPCRA § 312, and annually thereafter.

F. Sulfuric acid is an extremely hazardous substance, as defined under EPCRA § 302 and listed in Appendix A of 40 C.F.R. Part 355; and diesel fuel, lead, and #2 fuel oil are hazardous chemicals, as defined under EPCRA § 312 and 40 C.F.R. § 370.2.

G. As set forth in 40 C.F.R. § 370.20, for extremely hazardous substances present at the facility, the reporting threshold is five hundred (500) pounds or the threshold planning quantity (TPQ) as defined in 40 C.F.R. Part 355, whichever is lower. The TPQ for sulfuric acid is one thousand (1,000) lbs. Here, where the reporting threshold is lower than the TPQ, the reporting threshold for sulfuric acid is five hundred (500) pounds. The reporting threshold amount for hazardous chemicals present at a facility at any one time during the preceding calendar year is ten thousand (10,000) pounds. The reporting threshold, therefore, for diesel fuel, lead, and #2 fuel oil is ten thousand (10,000) pounds.

H. The information supplied by Respondent indicates that, for varying lengths of time from 2001 through 2007, sulfuric acid, and/or diesel fuel, lead, or #2 fuel oil in excess of the threshold amounts, were present at the facilities listed in Attachment A, hereby incorporated by reference.

I. Respondent has violated the following requirements:

1. EPCRA § 302(c), 42 U.S.C. § 11002(c), and its implementing regulations at

40 C.F.R. § 355.30(b), at 28 facilities, by failing to prepare and submit emergency and chemical inventory forms to the LEPC and the SERC with jurisdiction over these facilities, identified in Attachment A, hereby incorporated by reference.

2. EPCRA § 303(d), 42 U.S.C. § 11003(d), and its implementing regulations at 40 C.F.R. § 355.30(c), at 28 facilities, by failing to designate a facility emergency coordinator and notify the LEPC with jurisdiction over these facilities, identified in Attachment A, hereby incorporated by reference.
3. EPCRA § 311(a), 42 U.S.C. § 11021(a), and its implementing regulations at 40 C.F.R. Part 370, at 31 facilities, by failing to prepare and submit an MSDS for a hazardous chemical(s) and extremely hazardous chemical(s) containing the information required by those sections to the LEPC, SERC, and to the fire department with jurisdiction over these facilities, identified in Attachment A, hereby incorporated by reference.
4. EPCRA § 312(a), 42 U.S.C. § 11022(a), and its implementing regulations at 40 C.F.R. Part 370, at 32 facilities, by failing to prepare and submit emergency and chemical inventory forms to the LEPC, SERC, and the fire department with jurisdiction over these facilities, identified in Attachment A, hereby incorporated by reference.

V. Civil Penalty

A. EPA agrees, based upon the facts and information submitted by Respondent and upon Respondent's certification herein to the veracity of this information, that Respondent has satisfied all of the conditions set forth in the Audit Policy for those violations described in Attachment A, hereby incorporated by reference, and thereby qualifies for a 100% reduction of the gravity component of the civil penalty that otherwise would apply to these violations. EPA alleges that the gravity component of the civil penalty for violations described in Attachment A, hereby incorporated by reference, would ordinarily be \$1,569,051. Of that potential penalty, \$439,800 is attributable to CAA violations, \$144,686 is attributable to CWA violations, and \$984,565 is attributable to EPCRA violations. EPA alleges that this gravity component is potentially assessable against Respondent for the violations described in Attachment A, hereby incorporated by reference. Pursuant to the Audit Policy, however, EPA will waive 100% of the gravity-based penalties assessed for violations in Section IV.

B. Under the Audit Policy, EPA has discretion to assess a penalty equivalent to the economic benefit Respondent gained as a result of its noncompliance. Based on information provided by Respondent and use of the Economic Benefit (BEN) computer model, for the violations described in Attachment A, hereby incorporated by reference, EPA has determined that Respondent obtained an economic benefit of \$36,083 as a result of its noncompliance in this matter. Of this amount, \$2,893 is attributable to CAA violations, \$15,506 is attributable to CWA violations, and \$17,684 is attributable to EPCRA violations. Pursuant to the Audit Policy, EPA

will assess a penalty equivalent to the economic benefit for violations listed in Attachment A, hereby incorporated by reference.

C. Accordingly, the civil penalty agreed upon by the parties for settlement purposes is \$36,083.

VI. Terms of Settlement

A. Respondent agrees to pay a civil penalty in the total sum of THIRTY-SIX THOUSAND, AND EIGHTY-THREE dollars (\$36,083), in the manner set forth in following paragraphs, for the violations alleged herein within thirty (30) calendar days of issuance of the Final Order (i.e., the effective date of this Consent Agreement and attached Final Order). See 40 C.F.R. § 22.31(c).

B. For payment of the civil penalty related to the CAA and EPCRA violations, Respondent shall pay the amount of TWENTY THOUSAND, FIVE HUNDRED AND SEVENTY-SEVEN dollars (\$20,577) using one of the following instructions:

Via U.S Postal Service regular mail of a certified or cashier's check, made payable to the "United States Treasury," sent to the following address:

US Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
Post Office Box 979077
St. Louis, MO 63197-9000

The Cincinnati Finance Center customer service contacts for regular mail delivery are Craig Steffen, who may be reached at (513) 487-2091, and Eric Volck, who may be reached at (513) 487-2105.

Via overnight delivery of a certified or cashier's check, made payable to the "United States Treasury," sent to the following address:

U.S. Bank Government Lockbox 979077
US EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101

The U.S. Bank customer service contact for overnight delivery is Natalie Pearson, who may be reached at (314) 418-4087.

Via electronic funds transfer (EFT) to the following account:

Federal Reserve Bank of New York
ABA Number: 021030004

Account Number: 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency - HSBC USA Inc. and
HSBC Finance Corporation, Docket No. CAA-HQ-2008-8004 and
EPCRA-HQ-2008-8004."

The Federal Reserve customer service contact may be reached at 212-720-5000.

Via automatic clearinghouse (ACH), also known as Remittance Express (REX), to the following account:

US Treasury REX/Cashlink ACH Receiver
ABA No. 051036706
Account Number 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking

Physical location of US Treasury facility:
5700 Rivertech Court
Riverdale MD 20737

The ACH customer service contact is Jesse White, who may be reached at (301) 887-6548.

Via on-line payment (from bank account, credit card, debit card):

Website: www.pay.gov
Enter "SFO 1.1" in the search field.

Open the form and complete the required fields (marked with an asterisk). Under "Type of Payment," choose "Civil Penalty." Under "Invoice#" type "HSBC USA Inc. and HSBC Finance Corporation, Docket No. HQ-2008-8004" into the "Court # or Bill #" subfield. Leave the other subfields blank. Under "Installments?" choose "No." Under "Region," type "HQ."

C. In payment of the civil penalty related to the CWA SPCC violations, Respondent shall, within thirty (30) days of issuance of the Final Order, forward a cashier's or certified check, in the amount of FIFTEEN THOUSAND, FIVE HUNDRED AND SIX dollars (\$15,506) made payable to the "Environmental Protection Agency," and bearing the notation "OSLTF – 311" to:

U.S. Environmental Protection Agency
Fines and Penalties, Cincinnati Finance Center

PO Box 979077
St. Louis, MO 63197-9000

The check shall indicate that it is for In the Matter of HSBC USA Inc. and HSBC Finance Corporation, Docket No. CWA-HQ-2008-8004. Alternatively, Respondent shall pay FIFTEEN THOUSAND, FIVE HUNDRED AND SIX dollars (\$15,506) by wire transfer with a notation of "In the Matter of HSBC USA Inc. and HSBC Finance Corporation, Docket No. CWA-HQ-2008-8004" to the Federal Reserve Bank of New York using the following instructions:

Federal Reserve Bank of New York
ABA Routing Number: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency - HSBC USA Inc. and
HSBC Finance Corporation, Docket No. CWA-HQ-2008-8004."

The check or wire transfer shall bear the case docket number CWA-HQ-2008-8004.

D. Respondent shall forward evidence of the checks, wire transfers, and/or internet-based payments to EPA, within five (5) days of payment, to the attention of:

Clerk, Environmental Appeals Board
U.S. Environmental Protection Agency
MC 1103B
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Beth Cavalier
Special Litigation and Projects Division (2248-A)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Ariel Rios Building, Room 3119
Washington, DC 20460

E. Respondent's obligations under this Agreement shall end when it has paid the civil penalties as required by this Agreement and the Final Order, and complied with its obligations under Section VI, Paragraphs B-D of this Agreement.

F. For the purpose of state and federal income taxation, Respondent shall not be entitled, and agrees not to attempt, to claim a deduction for any civil penalty payment made pursuant to the Final Order. Any attempt by Respondent to deduct any such payments shall constitute a violation of this Agreement.

G. 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. Interest will therefore begin to accrue on the civil penalty from the date of entry of the Final Order, if the penalty is not paid by the date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11. A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorney fees. In addition, a penalty charge of twelve percent (12%) per year compounded annually will be assessed on any portion of the debt that remains delinquent more than ninety (90) days after payment is due.

VII. Severability

A. As part of this Agreement, and in satisfaction of the requirements of the Audit Policy, Respondent has certified to certain facts. The parties agree that, should EPA receive information that proves or demonstrates that these facts are other than as certified by Respondent, the portion of this Agreement pertaining to the affected facilities, including mitigation of the proposed penalty, may be voided or this entire Agreement may be declared null and void at EPA's election, and EPA may proceed with an enforcement action.

B. The parties agree that Respondent reserves all of its rights should this Agreement be voided in whole or in part. The parties further agree that Respondent's obligations under this Agreement will cease should this Agreement be rejected by the Agency Environmental Appeals Board (EAB); provided, however, that in the event that the EAB expresses any objections to, or its intent to reject, this Agreement, the parties agree that they shall exercise their mutual best efforts to address and resolve the EAB's objections.

VIII. State and Public Notice

A. The parties acknowledge that the settlement portions of this Agreement which pertain to the CWA violations are, pursuant to CWA § 311(b)(6)(C)(i), 33 U.S.C. § 1321(b)(6)(C)(i), subject to public notice and comment requirements. Furthermore, the parties acknowledge and agree that, at that time, EPA will also provide notice of the CAA and EPCRA portions of this Agreement. Should EPA receive comments regarding the issuance of the Final Order assessing the civil penalty agreed to in Section VI, Paragraph A, EPA shall forward all such comments to Respondent within ten (10) days of the receipt of the public comments.

B. This Agreement serves as the Notice of Violation required by CAA § 113(a)(1), 42 U.S.C. § 7413(a)(1). EPA will also notify the states of California, Illinois, Maryland, New Jersey, Texas, and Virginia, as required by CAA § 113(a)(1), 42 U.S.C. § 7413(a)(1).

C. Respondent has been afforded the opportunity to confer with EPA as provided for by CAA § 113(a)(4), 42 U.S.C. § 7413(a)(4).

IX. Reservation of Rights

A. This Agreement and the Final Order, when issued by the EAB, and upon payment by Respondent of civil penalties in accordance with Section VI, shall resolve only the federal civil and administrative claims specified in Section IV, and found in Attachment A, hereby incorporated by reference. Nothing in this Agreement and the Final Order shall be construed to limit the authority of EPA and/or the United States to undertake any action against Respondent, in response to any condition which EPA or the United States determines may present an imminent and substantial endangerment to the public health, welfare, or the environment. Furthermore, issuance of the Final Order does not constitute a waiver by EPA and/or the United States of its right to bring an enforcement action, either civil or criminal, against Respondent for any violation of any federal or state statute, regulation, order or permit.

X. Other Matters

A. Each party shall bear its own costs and attorney fees in this matter.

B. The provisions of this Agreement and the proposed Final Order, when issued by the EAB, shall apply to and be binding on EPA and the Respondent, as well as Respondent's officers, agents, successors and assigns. Any change in ownership or corporate status of the Respondent including, but not limited to, any transfer of assets or real or personal property shall not alter Respondent's responsibilities under this Agreement, including the obligation to pay the civil penalty referred to in Section VI.

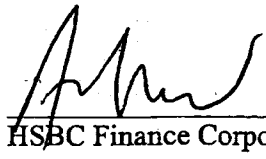
~~C. Nothing in this Agreement shall relieve Respondent of the duty to comply with all applicable provisions of the CAA, CWA, EPCRA, or other federal, state, or local laws or regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws, nor shall it be construed to be a ruling on, or a determination of, any issue related to any federal, state, or local permit.~~

D. Except as provided in Section VII(B), Respondent waives any rights it may have to contest the allegations contained herein and its right to seek judicial review of the Final Order accompanying this Agreement.

E. The undersigned representatives of each party to this Agreement certify that each is duly authorized by the party whom s/he represents to enter into these terms and bind that party to it.

FOR RESPONDENT:

 _____, 8/17/09
HSBC USA Inc. Date

 _____, 8/17/09
HSBC Finance Corporation Date

FOR COMPLAINANT:



Date 8/27/2009

Bernadette M. Rappold

Director

Special Litigation and Projects Division

Office of Civil Enforcement

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

HSBC North America -- Summary of Disclosed Violations							Attachment A			
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action
Clean Air Act										
Elmhurst Call Center	691 Walnut Drive	Elmhurst	IL	60126	Emergency generator did not have an operating permit from State of Illinois.	CAA § 110	37 Fed. Reg. 10862	20 IL admin. Code § 201-144 & 55 Ill Code R. & 201.146(i)	1988 to December 14, 2007	ERM prepared a Permit by Rule authorization package for the emergency generator.
Hanover Processing and Distribution Center	1352 Charwood Rd., Suite A	Hanover	MID	21706	Failure to obtain a construction permit for air emission source with Maryland Department of the Environment.	CAA § 110	68 Fed. Reg. 9012	COMAR § 26.11.03.07 and § 26.11.02.10E	1997 to January 16, 2008	ERM assisted HSBC with acquiring the proper permits.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Emergency generator was not authorized under a Permit by Rule.	CAA § 110	60 Fed. Reg. 49781 and 68 Fed. Reg. 64543	30 TAC § 116.110	2001 to January 17, 2008	ERM prepared a Permit by Rule authorization package for the emergency generator.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Qualifications for a Permit by Rule had not been demonstrated.	CAA § 110	60 Fed. Reg. 49781 and 68 Fed. Reg. 64543	30 TAC § 106.4	2001 to January 17, 2008	ERM prepared a Permit by Rule authorization package to demonstrate applicability.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Permit by Rule records had not been maintained on site.	CAA § 110	60 Fed. Reg. 49781 and 68 Fed. Reg. 64543	30 TAC § 106.8	2001 to January 17, 2008	ERM prepared a Permit by Rule authorization package to provide Permit by Rule records.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	The loading, unloading, and storage of diesel fuel for the emergency generator was not authorized under a Permit by Rule.	CAA § 110	60 Fed. Reg. 49781 and 68 Fed. Reg. 64543	30 TAC § 106.472	2001 to January 17, 2008	ERM prepared a Permit by Rule authorization package for the loading, unloading, and storage of diesel fuel.
Prospect Heights Corporate Offices	2700 & 2600 Sanders Road	Prospect Heights	IL	60174	Emergency generators did not have an operating permit from State of Illinois.	CAA § 110	37 Fed. Reg. 10862	20 Ill. admin. Code § 201-144 & 55 Ill Code R. & 201.146(i)	1988 (G-1), 1998 (G-2) and 2004 (G3) to December 14, 2007	ERM assisted HSBC with acquiring the proper permits from the Illinois EPA.
Salinas Data Center	1441 & 1488 Schilling Place	Salinas	CA	93901	Failure to have permit for 3 boilers using natural gas with aggregated heat input more than 2 MBtu (generally calculated for 3 sources).	CAA § 110	64 Fed. Reg. 35577	CA SIP	1988 to February 12, 2008	ERM assisted with acquiring proper permits from California's Monterey Bay Unified Air Pollution Control District.
Chesapeake Call Center	1421 Kristina Way	Chesapeake	VA	23320	Facility exceeded exempt level for the size of its emergency generator.	CAA § 110	65 Fed. Reg. 21315	9 VAC 5-80-1320(d)(2)	1988 to January 9, 2008	ERM assisted HSBC with acquiring the proper permits from the Commonwealth of Virginia Department of Environmental Control.
Rockaway Statement Processing Center	200 Forge Way	Rockaway	NJ	07866	Failure to obtain an operating permit from the State of New Jersey for emergency generator.	CAA § 110	61 Fed. Reg. 24715	NJAC 7:27 § 8.6(a) & NJAC 7:27 § 8.5(c)(4)(v)	1987 to December 20, 2007	ERM prepared and submitted a FR-405 EC-A1 general permit registration to New Jersey Department of Environmental Protection.

HSBC North America – Summary of Disclosed Violations											Attachment A
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action	
Wood Dale Call Center	770 Wood Dale Road and 775 Pond Drive	Wood Dale	IL	60191	Two generators using #2 fuel-oil did not have operating permits from the State of Illinois.	CAA § 110	37 Fed. Reg. 10862	20 Ill. Adm. Code § 201-144 & 35 Ill Code R. & 201.1460	1990 to December 20, 2007	ERM assisted HSBC with acquiring the proper permits from the Illinois EPA.	
HSBC Tower	452 Fifth Ave. and 1 West 39th St.	New York	NY	14203	ERM observed 15 chillers that list refrigerant charge capacity of 50 lbs or greater. Out of 15 chillers, there was only one notation for one chiller (model CV7E-080F) on repair and refrigerant addition. No leak rate calculation was noted. For the other 14 chillers, there were no records of refrigerant additions, leak rate calculations, or required repair tests.	CAA § 608	40 C.F.R. § 82.166(k)	n/a	1983 to November 7, 2007	ERM provided HSBC a log to record the information required.	
Prospect Heights Corporate Offices	2700 & 2600 Sanders Road	Prospect Heights	IL	60174	Failure to keep systematic records of refrigerant servicing and leak rates.	CAA § 608	40 C.F.R. § 82.166(k)	n/a	1991 to October 18, 2007	ERM provided HSBC with log to record date/type of service, quantity of refrigerant added, and leak rate.	
Sallinas Data Center	1441 & 1488 Schilling Place	Sallinas	CA	95901	Failure to keep servicing records and refrigerant purchase records for 6 chillers with capacity of 50 lbs or greater (approx 2,760 lbs refrigerant used), failure to calculate leak rate.	CAA § 608	40 C.F.R. § 82.166(k)	n/a	1988 to November 7, 2007	ERM provided HSBC with log to record date/type of service, quantity of refrigerant added, and leak rate.	
Vernon Hills Data Center	475 Corporate Woods Parkway	Vernon Hills	IL	60061	No service records documenting date and type of service, quantity of refrigerant added. Owner operator did not keep records of refrigerant purchased and added to appliances.	CAA § 608	40 C.F.R. § 82.166(k)	n/a	2000 to October 24, 2007	ERM provided HSBC with log to record date/type of service, quantity of refrigerant added, and leak rate.	

HSBC North America – Summary of Disclosed Violations										Attachment A
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action
Clean Water Act - Spill Prevention, Control, and Countermeasure										
Amherst Data Center	191 Park Club Lane	Amherst	NY	14221	Facility did not have finalized, professional engineer-certified SPCC Plan. Storage tank capacity of 48,100 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	2001 to present	ERM assisted HSBC with the self certification and HSBC implemented a SPCC plan for the facility.
Brandon Mortgage Center	636 Grand Regency Blvd.	Brandon	FL	33510	Facility did not have finalized SPCC Plan. Storage tank capacity of 2,000 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	2001 to October 25, 2007	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.
Copley/San Diego HQ	5655 Copley Drive	San Diego	CA	92111	Facility did not have finalized SPCC Plan. Storage tank capacity of 2,000 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	2001 to January 24, 2008	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.
Fort Mill Mortgage Center	3023 HSBC Way	Fort Mill	SC	29707	Facility did not have finalized SPCC Plan. Storage tank capacity of 4,450 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	1994 to January 23, 2008	ERM assisted HSBC with the self certification and HSBC implemented a SPCC plan for the facility.
HSBC Tower	452 Fifth Ave. and 1 West 39th St.	New York	NY	14203	Facility did not have finalized SPCC Plan. Storage tank capacity of 10,550 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	2000 to January 7, 2008	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.
Jacksonville Call Center	1460 Vantage Way	Jacksonville	FL	32218	Facility did not have finalized SPCC Plan. Storage tank capacity of 2,000 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	1992 to October 25, 2007	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.
Las Vegas Data Center	1111 Town Center	Las Vegas	NV	89144	Facility did not have finalized SPCC Plan. The facility has one 3,000 gallon aboveground storage tank that contains #2 fuel-oil. In addition, the facility has three (3) hydraulic elevators, two with 100 gallon reservoirs and one with a 150 gallon reservoir and a 55 gallon barrel of used kitchen oil. Together, the oil storage capacity exceeds the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (d)	40 C.F.R. § 112.3	n/a	1994 to January 18, 2008	ERM finalized and HSBC implemented a SPCC Plan for the facility.

HSBC North America -- Summary of Disclosed Violations											Attachment A
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action	
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Facility did not have finalized SPCC Plan. Storage tank capacity of 2,500 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2001 to January 18, 2008	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.	
London Call Center	725 Industrial Blvd.	London	KY	40741	Facility did not have finalized SPCC Plan. Storage tank capacity of 2,500 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2001 to December 4, 2007	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.	
NePark Call Center	5701 East Hillsborough Avenue, Ste 2200	Tampa	FL	33510	Facility did not have finalized SPCC Plan. Storage tank capacity of 2,000 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2001 to October 25, 2007	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.	
New Castle Call Center	90 Christiana Road	New Castle	DE	19720	ERM observed that the facility did not have a finalized SPCC Plan. The facility has an aboveground storage tank capacity of 1,855 gallons, which exceeds the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2003 to January 11, 2008	ERM finalized a SPCC Plan for the facility.	
Pomona Collections Center	931 Corporate Woods Parkway	Pomona	CA	91768	Facility did not have finalized SPCC Plan. Storage tank capacity of 4,170 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2003 to January 24, 2008	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.	
Prospect Heights Corporate Offices	2700 & 2600 Sanders Road	Prospect Heights	IL	60174	Facility did not have finalized SPCC Plan. Storage tank capacity of 1,500 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	1978 to December 12, 2007	ERM assisted HSBC with the self certification and HSBC implemented a SPCC plan for the facility.	
Rockaway Statement Processing Center	200 Forge Way	Rockaway	NJ	07866	Facility did not have finalized SPCC Plan. Storage tank capacity of 1,500 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	1997 to February 26, 2008	ERM assisted HSBC with the self certification and HSBC implemented a SPCC plan for the facility.	
Salinas Data Center	1441 & 1488 Scolling Place	Salinas	CA	93901	Failure to have and implement a finalized SPCC Plan. Aboveground storage tank capacity of 6,200 gallons, which exceeds SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	1991 to January 11, 2008	ERM finalized SPCC Plan for facility. Facility received and implemented plan.	

HSBC North America – Summary of Disclosed Violations											Attachment A
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action	
Schaumburg Check Processing Center	1301 East Tower Road	Schaumburg	IL	60173	Facility did not have finalized SPCC Plan. Storage tank capacity of 1,400 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	1992 to December 5, 2007	ERM finalized a SPCC Plan for the facility. The facility received and implemented the plan.	
Tampa Call Center	10210 Windhorst Pinebrooke Commerce Center V	Tampa	FL	33519	Facility did not have finalized SPCC Plan. Storage tank capacity of 1,500 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2001 to October 25, 2007	ERM finalized a SPCC plan for the facility. The facility implemented the plan.	
Tigard Call Center	12447 SW 69th St.	Tigard	OR	97223	Facility did not have finalized SPCC Plan. Storage tank capacity of 48,100 gallons, which exceed the SPCC threshold of 1,320 gallons facility-wide.	CWA § 311 (b)	40 C.F.R. § 112.3	n/a	2000 to January 24, 2008	ERM assisted HSBC with the self certification and HSBC implemented a SPCC plan for the facility.	

HSBC North America -- Summary of Disclosed Violations										Attachment A
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action
Emergency Planning and Community Right-to-Know Section 302										
Amherst Data Center	191 Park Club Lane	Amherst	NY	14221	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	2001 to September 21, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Brandon Mortgage Center	636 Grand Regency Blvd.	Brandon	FL	33510	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	2001 to October 23, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Bridgewater Data Center	200 Somerset, #100	Bridgewater	NJ	08807	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	1999 to January 31, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Carnell Call Center	111 Congressional Blvd., suite 500	Carnell	IN	46032	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	December 21, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Chesapeake Call Center	1421 Kristina Way	Chesapeake	VA	23320	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	1999 to January 25, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Conroy/San Diego Service Center	6602 Conroy Court	San Diego	CA	92111	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	2003 to January 24, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Copley/San Diego HQ	5855 Copley Drive	San Diego	CA	92111	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	2003 to January 24, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Emhurst Call Center	961 Weigel Drive	Emhurst	IL	60128	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	1989 to December 13, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Fort Mill Mortgage Center	3023 HSBC Way	Fort Mill	SC	29707	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	2006 to January 23, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Jacksonville Call Center	1460 Vantage Way	Jacksonville	FL	32218	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	1992 to October 23, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.

HSBC North America -- Summary of Disclosed Violations										Attachment A
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action
Las Vegas Data Center	1111 Town Center	Las Vegas	NV	89144	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	1994 to February 6, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2001 to January 25, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2001 to January 25, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
MFP1	1501 Faehamville Drive	Mr. Prospect	IL	60056	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2000 to December 13, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Midpark Call Center	5701 East Hillsborough Avenue, Ste 2200	Tampa	FL	33510	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2001 to October 23, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
New Castle Call Center	90 Christiansa Road	New Castle	DE	19720	Failure to provide notification to the commission that the facility is subject to emergency planning requirements.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2003 to January 11, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
New York City	417 Fifth Avenue, 2nd floor	New York	NY	14203	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2005 to February 28, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
One HSBC	1 HSBC Center	Buffalo	NY	14203	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	1987 to February 20, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Pomona Collections Center	931 Corporate Woods Parkway	Pomona	CA	91768	ERM observed racks of lead-acid batteries containing a reportable level of sulfuric acid. Emergency planning notification.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2003 to January 25, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.
Prospect Heights Corporate Offices	2700 & 2690 Sanders Road	Prospect Heights	IL	60174	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	1987 to December 13, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.

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Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action	
Rockaway Statement Processing Center	200 Forge Way	Rockaway	NJ	07866	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	1997 to December 2, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Salinas Data Center	1441 & 1408 Schilling Place	Salinas	CA	93901	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	1991 to January 12, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of amount of sulfuric acid at the facility.	
Schaumburg Check Processing Center	1301 East Tower Road	Schaumburg	IL	60173	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	1992 to December 13, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Sioux Falls Data Center	2200 East Benson Road	Sioux Falls	SD	57104	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2000 to December 21, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Tampa Call Center	10210 Windhorst, Pinebrook Commerce Center V	Tampa	FL	33519	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2001 to October 23, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Tigard Call Center	12447 SW 69th St.	Tigard	OR	97223	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302 40 C.F.R. § 355.30(b)		n/a	2000 to January 24, 2008	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Tigard Call Center	12447 SW 69th St.	Tigard	OR	97223	Failure to comply with hazardous substance information reporting requirements for #2 fuel oil and racks of closed-cell, lead acid batteries, both for UPS system, and hydraulic fluid for elevators.	EPCRA § 302 40 C.F.R. § 355.30(b)		OAR 837-085-0030	2000 to January 24, 2008	ERM submitted the necessary Request Form for Unreported Sites to the Office of the State Fire Marshal.	
Tigard Call Center	12447 SW 69th St.	Tigard	OR	97223	Failure to report #2 fuel oil and racks of closed-cell, lead acid batteries, both for UPS system, and hydraulic fluid for elevators to state Fire Marshal.	EPCRA § 302 40 C.F.R. § 355.30(b)		OAR 837-085-0050	2000 - Have not received response from the Office of State Fire Marshal.	Once a request for unreported sites is sent to the Office of the State Fire Marshal, the Fire Marshal will assign a facility number to the facility and send it an HSIS form to complete and submit. This form must be submitted by the due date set by the Fire Marshal.	

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Vernon Hills Data Center	475 Corporate Woods Parkway	Vernon Hills	IL	60061	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	13-Dec-07	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Virginia Beach Call Center	841 Seahawk Circle	Virginia Beach	VA	23452	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	1994 to January 25, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	
Wood Dale Call Center	770 Wood Dale Road and 775 Pond Drive	Wood Dale	IL	60191	Failure to notify SERC that facility is subject to Subtitle A because of amount of sulfuric acid at facility.	EPCRA § 302	40 C.F.R. § 355.300(b)	n/a	1997 to December 13, 2007	ERM notified the SERC that HSBC's facility is subject to Subtitle A because of the amount of sulfuric acid at the facility.	

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Emergency Planning and Community Right-to-Know Section 311										
Amherst Data Center	191 Park Club Lane	Amherst	NY	14221	Failure to submit MSDS for lead acid batteries and #2 fuel oil used for UPS system, and ethylene glycol, used in the closed loop heat exchangers.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	2001 to September 21, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Atrium Office Building	95 Washington St.	Buffalo	NY	14203	Failure to submit MSDS for #2 fuel oil batteries used for UPS system.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	2006 to January 4, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Brandon Mortgage Center	636 Grand Regency Bldg.	Brandon	FL	33510	Failure to submit MSDS for lead acid and #2 fuel oil batteries used for UPS system. Facility also had lead acid batteries supporting its generator, phone switch, back-ups, fire panels, and emergency lights.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	2001 to October 23, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Bridgewater Data Center	200 Somerset, #100	Bridgewater	NJ	08807	Failure to submit MSDS of lead acid batteries used for UPS system.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	1999 to January 31, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Carnell Call Center	111 Congressional Bldg, suite 500	Carnell	IN	46032	Failure to submit MSDS for racks of lead acid batteries for UPS system, fire panels, and emergency lighting.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	21-Dec-07	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Chesapeake Call Center	1421 Krishna Way	Chesapeake	VA	23320	Failure to submit MSDS of lead acid batteries and diesel fuel, both used to support the UPS system.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	1989 to January 25, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Conroy/San Diego Service Center	6602 Conroy Court	San Diego	CA	92111	Failure to submit MSDS of lead acid batteries for UPS system and #2 fuel oil to support emergency generators.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	2003 to January 24, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Copley/San Diego HQ	5655 Copley Drive	San Diego	CA	92111	Failure to submit MSDS of lead acid batteries for UPS system and #2 fuel oil to support emergency generators.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	2003 to January 24, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Depew Mortgage Center	2929 Walden Ave	Depew	NY	14203	Failure to submit MSDS for #2 fuel oil in aboveground storage tanks to support three emergency generators.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	2005 to January 4, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Emhurst Call Center	961 Weigel Drive	Emhurst	IL	60126	Failure to submit MSDS for racks of lead acid batteries and #2 fuel oil, both used for UPS system. Lead acid batteries are also used in onsite generator, and phone backup switch.	EPGRA, § 311	40 C.F.R. § 370.21	n/a	1986 to December 13, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.

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Fort Mill Mortgage Center	3023 HSBC Way	Fort Mill	SC	29707	Failure to submit MSDS of lead acid batteries and #2 fuel oil to support UPS system.	EPCRA § 311 40 C.F.R. § 370.21		n/a	2006 to January 23, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Jacksonville Call Center	1460 Vantage Way	Jacksonville	FL	32218	Failure to submit MSDS of lead acid batteries and #2 fuel oil to support UPS system. Failure to report lead acid batteries supporting its generator, phone switch backups, fire panels and emergency lights.	EPCRA § 311 40 C.F.R. § 370.21		n/a	1997 to October 23, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
Las Vegas Data Center	111 Town Center	Las Vegas	NV	89144	Failure to submit MSDS for racks of lead acid batteries for UPS system, generator, forklift, and phone switch back-up. #2 fuel oil that supports emergency generator. Lead acid batteries (42,888 lbs), lead (32,453 lbs), sulfuric acid (8,523 lbs), and #2 fuel oil (21,000 lbs).	EPCRA § 311 40 C.F.R. § 370.21		n/a	1994 to February 8, 2008	ERM submitted MSDS and site map illustrating the location of the #2 fuel oil to SERC, LEPC, and local fire department.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Failure to submit MSDS report for racks of lead acid batteries and #2 fuel oil for UPS system.	EPCRA § 311 40 C.F.R. § 370.21		n/a	2001 to January 25, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
London Call Center	725 Industrial Blvd.	London	KY	40341	Failure to submit MSDS for #2 fuel oil used to support the uninterrupted power supply system.	EPCRA § 311 40 C.F.R. § 370.21		n/a	2001 to February 5, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
MP1	1501 Fashanville Drive	Mt. Prospect	IL	60056	Failure to submit MSDS for racks of lead acid batteries for UPS system, fire panels, and emergency lighting.	EPCRA § 311 40 C.F.R. § 370.21		n/a	2000 to December 13, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
NePark Call Center	5701 East Hillsborough Avenue, Ste 2200	Tampa	FL	33510	Failure to submit MSDS for lead acid batteries and #2 fuel oil used to support facility's UPS system and its emergency generator.	EPCRA § 311 40 C.F.R. § 370.21		n/a	2001 to October 23, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
New Castle Call Center	90 Christiansa Road	New Castle	DE	19720	Failure to submit MSDS for racks of lead acid batteries for UPS system, batteries in facility's emergency generator, and #2 fuel oil.	EPCRA § 311 40 C.F.R. § 370.21		n/a	2003 to January 11, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.
New York City	417 Fifth Avenue, 2nd floor	New York	NY	14203	Failure to submit MSDS for lead acid batteries used for UPS system.	EPCRA § 311 40 C.F.R. § 370.21		NY City Community Right to Know 26 § 247-06(b)	2005 to February 28, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.

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One HSBC	1 HSBC Center	Buffalo	NY	14203	Failure to submit MSDS for lead acid batteries used for UPS system.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1987 to February 20, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Pomona Collections Center	931 Corporate Woods Parkway	Pomona	CA	91768	Failure to submit MSDS for racks of lead acid batteries for UPS system and diesel fuel used to support the facility's emergency generator to SERC, LEPC, and the department.	EPCRA § 311	40 C.F.R. § 370.21	n/a	2003 to January 25, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Prospect Heights Corporate Offices	2700 & 2800 Sanders Road	Prospect Heights	IL	60174	Failure to submit MSDS for racks of lead acid batteries and #2 fuel oil to support UPS system. Lead acid batteries are also used to support facility's generators.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1987 to December 13, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Rockaway Statement Processing Center	200 Forge Way	Rockaway	NJ	07866	Failure to submit MSDS for racks of lead acid batteries to support UPS system.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1987 to December 2, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Salinas Data Center	1441 & 1488 Schilling Place	Salinas	CA	93901	Failure to submit MSDS for racks of lead acid batteries for UPS system and diesel fuel for emergency generators to SERC, LEPC, and fire department. Lead acid batteries (65 400 lbs), lead (48.615 lbs), sulfuric acid (5 069 lbs), #2 fuel oil (44.296lbs). Date of installation and operation start date was 2003.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1991 to January 12, 2008	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Schaumburg Check Processing Center	1301 East Tower Road	Schaumburg	IL	60173	Failure to submit MSDS for racks of lead acid batteries to support UPS system, fire panels, emergency exits, emergency lights, and emergency generator.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1992 to December 13, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Sioux Falls Data Center	2200 East Benson Road	Sioux Falls	SD	57104	Failure to submit MSDS for racks of lead acid batteries and #2 fuel oil to support UPS system.	EPCRA § 311	40 C.F.R. § 370.21	n/a	2006 to December 21, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Tampa Call Center	10210 Windhorst Pinebrooke Commerce Center V	Tampa	FL	33519	Failure to submit MSDS for racks of lead acid batteries and #2 fuel oil to support UPS system. Lead acid batteries also support emergency generators.	EPCRA § 311	40 C.F.R. § 370.21	n/a	2001 to October 23, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Vernon Hills Data Center	475 Corporate Woods Parkway	Vernon Hills	IL	60061	Failed to submit MSDS for racks of lead acid batteries and #2 fuel oil, both used for UPS system. Lead acid batteries are also used in facility's generators, forklift, and phone switch backups.	EPCRA § 311	40 C.F.R. § 370.21	n/a	2000 to December 13, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	
Virginia Beach Call Center	841 Sealhawk Circle	Virginia Beach	VA	23462	Failure to submit MSDS for racks of lead acid batteries to support UPS system and telephone switch system.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1994 to January 25, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.	

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Wood Dale Call Center	770 Wood Dale Road and 775 Pond Drive	Wood Dale	IL	60191	Failure to submit MSDS for lead acid batteries and #2 fuel oil for UPS system. Facility also uses lead acid batteries for emergency generators, fire panels, emergency exit signs, and emergency lights.	EPCRA § 311	40 C.F.R. § 370.21	n/a	1997 to December 13, 2007	ERM submitted MSDS and site map to SERC, LEPC, and local fire department.

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Emergency Planning and Community Right-to-Know Section 312										
Amherst Data Center	191 Park Club Lane	Amherst	NY	14221	Failure to submit a Tier II report for racks of lead acid batteries and #2 fuel oil for UPS system, and ethylene glycol used in the closed loop heat exchangers. Ethylene glycol (19,380 lbs), lead acid batteries (514,184 lbs), lead (378,985 lbs), sulfuric acid (90,174 lbs), and #2 fuel oil (180,295 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2001 to September 21, 2007	ERM submitted a backlog of Tier II reporting forms.
Atrium Office Building	95 Washington St.	Buffalo	NY	14203	Failure to submit a Tier II report for diesel fuel, #2 fuel oil (80,882 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2006 to January 4, 2008	ERM submitted a backlog of Tier II reporting forms.
Brandon Mortgage Center	636 Grand Regency Bkld.	Brandon	FL	33510	Failure to submit a Tier II report for racks of lead acid batteries and #2 fuel-oil for UPS system. Facility also had lead acid batteries supporting its generator, phone switch, back-ups, fire panels, and emergency lights. Sulfuric acid (1,282 lbs) and #2 fuel oil (28,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2001 to October 23, 2007	ERM submitted a backlog of Tier II reporting forms.
Bridgewater Data Center	200 Somerset, #100	Bridgewater	NJ	08807	Failure to submit a Tier II report for racks of lead acid batteries for UPS system, sulfuric acid (903 lbs), sulfuric acid (2004-present) (651 lbs), lead (1999-2004) (1,480 lbs), and lead (2004-present) (2,052 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1999 to January 31, 2008	ERM submitted a backlog of Tier II reporting forms.
Carnell Call Center	111 Congressional Bkld, suite 500	Carnell	IN	46032	Failure to submit a Tier II report for racks of lead acid batteries for UPS system, fire panels, and emergency lighting. Sulfuric acid (861 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1998 to December 21, 2007	ERM submitted a backlog of Tier II reporting forms.
Chesapeake Call Center	1421 Krishna Way	Chesapeake	VA	23320	Failure to submit a Tier II report for racks of lead acid batteries and diesel fuel, both for the UPS system. Lead acid batteries (14,295 lbs), lead (10,085 lbs), sulfuric acid (1,566 lbs), and diesel (74,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1999 to January 25, 2008	ERM submitted a backlog of Tier II reporting forms.
Convoys/San Diego Service Center	6602 Convoys Court	San Diego	CA	92111	Failure to submit a Tier II report for racks of lead acid batteries used for UPS system and #2 fuel oil to support the emergency generators. Lead acid batteries (14,285 lbs), lead (10,085 lbs), sulfuric acid (1,566 lbs), and #2 diesel (74,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2003 to January 24, 2008	ERM submitted a backlog Hazardous Inventory Forms and a Hazardous Material Business Plan.

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Copley/San Diego HQ	5855 Copley Drive	San Diego	CA	92111	Failure to submit a Tier II report for racks of lead acid batteries used for UPS system and #2 fuel oil to support the emergency generators. Lead acid batteries (20,531 lbs), lead (1,786 lbs), sulfuric acid (63 gallons), and #2 fuel oil (2,000 gallons).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2003 to January 24, 2008	ERM submitted a backlog Hazardous Inventory Forms and a Hazardous Material Business Plan.
Depaw Mortgage Center	2828 Walden Ave	Depaw	NY	14203	Failure to submit a Tier II report for #2 fuel oil (58,177 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2005 to January 4, 2008	ERM submitted a backlog of Tier II reporting forms.
Elmhurst Call Center	981 Weigel Drive	Elmhurst	IL	60128	Failure to submit a Tier II chemical inventory report for lead acid batteries and #2 fuel oil, both used for UPS system. Lead acid batteries are also used in onsite generator and phone backup switch. Lead acid batteries (22,995 lbs), lead (17,484 lbs), sulfuric acid (3,949 gallons), and #2 fuel oil (34,814 gallons).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1999 to December 13, 2007	ERM submitted a backlog of facility inventory forms.
Fort Mill Mortgage Center	3023 HSBC Way	Fort Mill	SC	29707	Failure to submit a Tier II report for racks of lead acid batteries and #2 fuel oil used for UPS system. Lead acid batteries (4,368 lbs), lead (3,452 lbs), sulfuric acid (612 lbs), and #2 fuel oil (31,548 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2006 to January 25, 2008	ERM submitted a backlog of Tier II reporting forms.
HSBC Tower	452 Fifth Ave. and 1 West 39th St.	New York	NY	14203	Under-reported on the NYC facility inventory form the racks of lead acid batteries used, and the lead and sulfuric acid contained in the batteries. Lead acid batteries (123,947 lbs), sulfuric acid (9,280 lbs), lead (91,240 lbs).	EPCRA § 312	40 C.F.R. § 370.25	New York City Community Right to Know 26 § 24-106(a)	2000 to February 28, 2008	ERM submitted a backlog of facility inventory forms that had the correct amounts of lead, sulfuric acid and lead acid batteries recorded on the forms.
Jacksonville Call Center	1460 Vantage Way	Jacksonville	FL	32218	Failure to submit a Tier II report for racks of lead acid batteries used for UPS system, generator, phone switch back-ups, fire panels and emergency lights. Sulfuric acid (4,000 lbs) and #2 fuel oil (14,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1992 to October 23, 2007	ERM submitted a backlog of Tier II reporting forms.
Las Vegas Data Center	1111 Town Center	Las Vegas	NV	89144	Failure to submit a Tier II report for racks of lead acid batteries used for UPS system, generator, forklift and phone switch back-up. Also, there is a reportable amount of #2 fuel oil that supports the emergency generator. Lead acid batteries (42,888 lbs), lead (32,453 lbs), sulfuric acid (6,523 lbs), and #2 fuel oil (21,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1994 to February 8, 2008	ERM submitted a backlog of Tier II reporting forms.

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Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Failure to submit Tier II report for racks of lead acid batteries and #2 fuel oil for UPS system. Sulfuric acid (917 lbs) and #2 fuel oil (13,400 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2001 to January 25, 2008	ERM submitted a backlog of Tier II reporting forms.	
London Call Center	725 Industrial Blvd.	London	KY	40741	Failure to submit Tier II report for #2 fuel oil (17,700 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2001 to February 5, 2008	ERM submitted a backlog of Tier II reporting forms.	
MP1	1501 Feehanville Drive	Mt. Prospect	IL	60056	Failure to submit Tier II report for racks of lead acid batteries for UPS system, fire panels, and emergency lighting. Sulfuric acid (1,767 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2000 to December 13, 2007	ERM submitted a backlog of Tier II reporting forms.	
Netpark Call Center	5701 East Hillsborough Avenue, Ste 2200	Tampa	FL	33510	Failure to report on a Tier II report racks of lead acid batteries, #2 fuel oil for UPS system, and lead acid batteries in emergency generators. Sulfuric acid (734 lbs) and #2 fuel oil (14,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2001 to October 23, 2007	ERM submitted a backlog of Tier II reporting forms.	
New Castle Call Center	90 Christiana Road	New Castle	DE	19720	Failure to submit and annual Tier II report for racks of lead acid batteries for UPS system, the facility's emergency generator, and #2 fuel oil. Lead acid (1,040 lbs), sulfuric acid (964 lbs), lead (1,472 lbs), and #2 fuel oil (13,090 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2003 to January 11, 2008	ERM submitted a backlog of Tier II reporting forms.	
New York City	417 Fifth Avenue, 2nd floor	New York	NY	14203	Failure to submit a Tier II report for racks of lead acid batteries for UPS system. Sulfuric acid (624 lbs).	EPCRA § 312	40 C.F.R. § 370.25	NY City Community Right to Know 26 § 24-706(a)	2005 to February 28, 2008	ERM submitted a backlog of facility inventory forms.	
One HSBC	1 HSBC Center	Buffalo	NY	14203	Failure to submit a Tier II report for racks of lead acid batteries for UPS system. Sulfuric acid (10,344 lbs), lead acid batteries (157,400 lbs), and lead (112,752 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1997 to February 20, 2008	ERM submitted a backlog of facility inventory forms.	
Pomona Collections Center	931 Corporate Woods Parkway	Pomona	CA	91768	Failure to report on a Tier II report racks of lead acid batteries for UPS system and diesel fuel used to support the facility's emergency generators. Lead acid batteries (20,531 lbs), lead (13,763 lbs), sulfuric acid (397 gallons), and #2 fuel oil (5,050 gallons).	EPCRA § 312	40 C.F.R. § 370.25	HSC 25503.5	2003 to January 25, 2008	ERM submitted a backlog of Hazardous Inventory Forms and a Hazardous Material Business Plan.	

HSBC North America – Summary of Disclosed Violations							Attachment A			
Facility Name	Address	City	State	Zip	Nature of Violation	Statutory Citation	Federal Citation	State Citation	Period of Non-Compliance	Complying Action
Prospect Heights Corporate Offices	2700 & 2800 Sanders Road	Prospect Heights	IL	60174	Failure to submit Tier II inventory report for racks of lead acid batteries and #2 fuel oil to support UPS system. Lead acid batteries are also used to support facility's generators. Sulfuric acid (45,532 lbs), lead acid batteries (272,581 lbs), lead (152,878 lbs), #2 fuel oil (40,294 lbs), and hydraulic oil (14,939 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1987 to December 13, 2007	ERM submitted a backlog of Tier Two reporting forms.
Rockaway Statement Processing Center	200 Forge Way	Rockaway	NJ	07866	Failure to submit Tier II inventory report for racks of lead acid batteries to support UPS system. Sulfuric acid 1997-2004 (894 lbs), sulfuric acid 2004-present (1,554 lbs), lead 1997-2004 (2,052 lbs), and lead 2004-present (3,532 lbs).	EPCRA § 312	370.25	n/a	1997 to January 31, 2008	ERM submitted a backlog of Tier Two reporting forms.
Salinas Data Center	1441 & 1488 Schilling Place	Salinas	CA	93801	Failure to annually report on Tier II chemical inventory report lead acid batteries for UPS system and diesel fuel for emergency generators. Lead acid batteries (65,400 lbs), lead (46,613 lbs), sulfuric acid (6,069 lbs), and #2 fuel oil (4,288 lbs). Date of installation and operation start date was 2003.	EPCRA § 312	40 C.F.R. § 370.25 and HSC 25503.5	n/a	1981 to January 12, 2008	Submitted backlog Hazardous Inventory Forms and Hazardous Material Business Plan.
Schaumburg Check Processing Center	1301 East Tower Road	Schaumburg	IL	60173	Failure to submit Tier II inventory report for racks of lead acid batteries to support UPS system, fire panels, emergency exits, emergency lights, and emergency generator. Sulfuric acid (894 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1992 to December 13, 2007	ERM submitted a backlog of Tier Two reporting forms.
Sioux Falls Data Center	2200 East Benson Road	Sioux Falls	SD	57104	Failure to submit Tier II inventory report for #2 fuel oil and racks of lead acid batteries to support UPS system. Sulfuric acid (4,239 lbs), #2 fuel oil (69,629 lbs), lead (20,809 lbs), lead acid batteries (28,177 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2000 to December 21, 2007	ERM submitted a backlog of Tier Two reporting forms.
Tampa Call Center	10210 Windhorst, Pinebrooke Commerce Center V	Tampa	FL	33519	Failure to submit Tier II inventory report for #2 fuel oil and racks of lead acid batteries to support UPS system. Lead acid batteries also support emergency generators and work stations. Sulfuric acid (1,704 lbs) and #2 fuel oil (4,000 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2001 to October 23, 2007	ERM submitted a backlog of Tier Two reporting forms.

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Vernon Hills Data Center	475 Corporate Woods Parkway	Vernon Hills	IL	60061	Failure to submit Tier II chemical inventory report for lead acid batteries and #2 fuel oil, both used for UPS system. Lead acid batteries are also used in facility's generators, forklift, and phone switch backups. Lead acid batteries (214,220 lbs), lead (155,248 lbs), sulfuric acid (17,233 lbs), and #2 fuel oil (423,576 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	2000 to December 13, 2007	ERM submitted a backlog of facility inventory forms.
Virginia Beach Call Center	841 Seahawk Circle	Virginia Beach	VA	23452	Failure to submit Tier II inventory report for racks of lead acid batteries to support UPS system and telephone switch system. Lead acid batteries (5,525 lbs), lead (3,987 lbs), and sulfuric acid (5,532 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1994 to January 25, 2007	ERM submitted a backlog of Tier Two reporting forms.
Wood Dale Call Center	770 Wood Dale Road and 775 Pond Drive	Wood Dale	IL	60191	Failure to submit a Tier II report for racks of lead acid batteries and #2 fuel oil for UPS system. Facility also uses lead acid batteries for emergency generators, fire panels, emergency exit signs, and emergency lights. Lead acid batteries (20,000 lbs), lead (14,780 lbs), sulfuric acid (3,532 lbs), and #2 fuel oil (53,280 lbs).	EPCRA § 312	40 C.F.R. § 370.25	n/a	1987 to December 13, 2007	ERM submitted a backlog of Tier II reporting forms.

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Emergency Planning and Community Right-to-Know Section 303										
Amerbest Data Center	191 Park Club Lane	Amerbest	NY	14221	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to September 21, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Brandon Mortgage Center	636 Grand Regency Blvd.	Brandon	FL	33510	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to October 23, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Bridgewater Data Center	200 Somerset, #100	Bridgewater	NJ	08807	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1999 to January 31, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Carnel Call Center	111 Congressional Blvd, suite 500	Carnel	IN	46032	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	December 21, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Cheesapeake Call Center	1421 Krishna Way	Cheesapeake	VA	23320	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1999 to January 25, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Conroy/San Diego Service Center	6602 Conroy Court	San Diego	CA	92111	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to January 24, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Copley/San Diego HQ	5655 Copley Drive	San Diego	CA	92111	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to January 24, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Emhurst Call Center	981 Weigel Drive	Emhurst	IL	60126	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1999 to December 13, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.

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Fort Mill Mortgage Center	3023 HSBC Way	Fort Mill	SC	29707	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2006 to January 25, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Jacksonville Call Center	1460 Vantage Way	Jacksonville	FL	32218	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1992 to October 23, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Las Vegas Data Center	1111 Town Center	Las Vegas	NV	89144	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1994 to February 8, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Lewisville Auto Finance Center	2701 Highpoint Oaks Drive #210	Lewisville	TX	75067	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to January 25, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
MP1	1501 Fearlville Drive	Mt. Prospect	IL	60056	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2000 to December 13, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Nasparc Call Center	5701 East Hillsborough Avenue, Site 2200	Tampa	FL	33510	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to October 23, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
New Castle Call Center	90 Christiana Road	New Castle	DE	19720	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2003 to January 11, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
New York City	417 Fifth Avenue, 2nd floor	New York	NY	14203	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2005 to February 28, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
One HSBC	1 HSBC Center	Buffalo	NY	14203	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1987 to February 20, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.
Prospect Heights Corporate Offices	2700 & 2600 Sanders Road	Prospect Heights	IL	60174	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1987 to December 13, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.

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Rockaway Statement Processing Center	200 Forge Way	Rockaway	NJ	07866	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1997 to December 2, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Salinus Data Center	1441 & 1488 Scilling Place	Salinas	CA	93901	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process. Lead acid batteries (65,400 lbs), lead (48,615 lbs), sulfuric acid (5,069 lbs), and #2 fuel oil (44,268lbs). Date of installation and operation start date was 2003.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1991 to January 12, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Schaumburg Check Processing Center	1301 East Tower Road	Schaumburg	IL	60173	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1992 to December 13, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Sioux Falls Data Center	2200 East Benson Road	Sioux Falls	SD	57104	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2000 to December 21, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Tampa Call Center	10210 Windhurst, Pinebrooke Commerce Center V	Tampa	FL	33519	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2001 to October 23, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Tigard Call Center	12447 SW 69th St.	Tigard	OR	97223	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2000 to January 24, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Vernon Hills Data Center	475 Corporate Woods Parkway	Vernon Hills	IL	60061	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	13-Dec-07	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Virginia Beach Call Center	641 Seahawk Circle	Virginia Beach	VA	23452	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1994 to January 25, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	
Wood Dale Call Center	770 Wood Dale Road and 775 Pond Drive	Wood Dale	IL	60191	Failure to designate facility emergency coordinator (FEC) who will participate in LEPC planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	1998 to December 13, 2007	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.	

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Pomona Collections Center	931 Corporate Woods Parkway	Pomona	CA	91768	ERM observed racks of lead acid batteries containing a reportable level of sulfuric acid. There was no facility representative to participate in emergency planning process.	EPCRA § 303	40 C.F.R. § 355.30(c)	n/a	2003 to January 25, 2008	HSBC designated a facility emergency coordinator (FEC) who will participate in the LEPC's planning process.