



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
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Sept. 20, 2022

LeAnn Jensen
Acting Regional Judicial Officer
U.S. Environmental Protection Agency-Region 1
5 Post Office Square, Suite 100 (Mail Code 04-6)
Boston, MA 02109-3912
Jensen.Leann@epa.gov

BY EMAIL

Re: *In the Matter of Nantucket Ice Company, Inc.*; Docket No. EPCRA-01-2022-0069

Dear Ms. Jensen:

Attached is as Emergency Planning and Community Right-to-Know Act (“EPCRA”) Section 312 Expedited Settlement Agreement (“ESA”) that has been signed by both parties and is now being submitted to you for approval in accordance with 40 C.F.R. § 22.18(b). The ESA addresses Nantucket Ice’s alleged failure to submit an emergency and hazardous chemical inventory form for anhydrous ammonia used at its ice-skating complex in Nantucket, Massachusetts. Please note that, consistent with 40 C.F.R. §§ 22.13(b) and 22.18(b), this ESA both commences and concludes the matter referenced above.

EPA’s February 10, 2016, memo “*Changes to the Final Policy for Expedited Settlements Addressing Violations of Section 312 of the Emergency Planning and Community Right-to-Know Act*” expands on the Agency’s approval of the use of ESAs for violations of Section 312 of EPCRA that meet certain criteria. As provided for under that authorization, the ESA requires payment of a \$5,000 penalty within thirty (30) days of its filing and includes a certification that it has corrected the violations. The ESA also includes a certification that Nantucket Ice has put procedures in place to ensure its compliance with EPCRA in the future.

Once the Final Order has been signed, I will file the fully executed ESA with the Regional Hearing Clerk, thereby resolving this matter. The Parties’ consent to the use of digital signatures (as well as Respondent’s consent to electronic service of the ESA, once filed) is included in the ESA. This settlement does not have any public notice requirements.

Respectfully submitted,

Christine Foot
Enforcement Counsel, EPA Region 1

Enclosure

cc: Devin Remick, President, Nantucket Ice Company, Inc. (via email)