

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 N. 5TH STREET
KANSAS CITY, KANSAS 66101

NOTICE OF VIOLATION AND
COMPLIANCE ORDER/SETTLEMENT AGREEMENT

PART I
NOTICE OF VIOLATION

On this 17 day of June, 2006 at 3:00 p.m.,
at the Facility Moorings Yacht Club,
located at: Lake Road 54-49, Osage Beach, MO 64055,
permit/license number ST0020536,
in the presence of the Owner/Operator/On-site
Representative Bob Osborne,

an authorized representative of the United States Environmental Protection Agency (EPA) inspected this facility to determine compliance with underground storage tank regulations promulgated under Subtitle I of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6912 et seq.). During this inspection, the following violations of the underground storage tank regulations were found:

10 CSR 20-10.044.1.B Proposed Penalty: \$150
Nature of violation: Failure to provide adequate testing for piping system:

10 CSR 20-10.044.1 Proposed Penalty: \$150
Nature of violation: Failure to provide adequate testing for piping system:
line leak detector function test

10 CSR 20-10.031.1.B Proposed Penalty: \$150
Nature of violation: Failure to inspect corrosion protection system:
three year test

10 CSR 20-10.041.1 Proposed Penalty: \$300
Nature of violation: Failure to conduct required testing:
five year tank tightness test

Total Proposed Penalty: \$750

I have reviewed the inspection results and found the above violations of the underground storage tank regulations.


(Signature of EPA Inspector)

Date: 3/5/06

Receipt:

I hereby acknowledge receipt of this Notice of Violation and the accompanying Compliance Order/Settlement Agreement and Instructions.

ISSUED FROM OFFICE Date: 3/10/06
(Signature of Owner, Operator, or On-site Representative)

White - Signature Copy - Return to EPA
Yellow - Facility Copy - Retain for your file
Pink - EPA File Copy

DOCKET NUMBER RCRA-07-2006-0227

PART II
COMPLIANCE ORDER/SETTLEMENT AGREEMENT

This Compliance Order/Settlement Agreement is not effective until signed both by the owner or operator and by EPA. By signing the Settlement Agreement included herein, the owner or operator agrees not to challenge the issuance of the Compliance Order included herein and accepts the Settlement Agreement by EPA. The owner or operator shall sign the Settlement Agreement first, and return it to EPA as provided in the instructions provided with this Compliance Order/Settlement Agreement. Subsequent signature by EPA constitutes issuance of the Compliance Order and acceptance on EPA's part of the Settlement Agreement. Approval and signature by EPA is in the sole discretion of the Regional Administrator, Region VII, or authorized delegate.

Compliance Order:

Under the authority of Subtitle I of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6912 et seq.), EPA FINDS that the owner or operator signing below is in violation of the underground storage tank regulations as described in the foregoing Notice of Violation, and ORDERS the owner or operator signing below to correct the violations and pay penalties in the amounts described in the Notice of Violation.

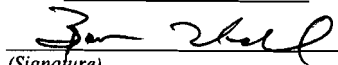
Settlement Agreement:

In order to expeditiously settle violations described in the Notice of Violation found herein, EPA AND THE OWNER AND OPERATOR SIGNING BELOW HEREBY ENTER INTO THIS SETTLEMENT AGREEMENT, subject to the following terms and conditions:

1. This Settlement Agreement is binding on the EPA and the Owner or Operator signing below.
2. The Owner or Operator signing below certifies, under threat of civil and criminal penalties for making a false submission to the United States Government, that the Owner or Operator has corrected the violations and has presented to EPA with this Settlement Agreement a certified check to pay the full amount of penalties, as described in the Notice of Violation, and in accordance with the instructions included with this Notice of Violation and Compliance Order/Settlement Agreement.
3. The Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to this Compliance Order/Settlement Agreement and the violations, and consents to EPA's final approval of this Settlement Agreement without further notice.
4. The Owner or Operator signing below waives the opportunity for a public hearing pursuant to Section 9006 of the Resource Conservation and Recovery Act.
5. Upon EPA final approval of this Settlement Agreement, EPA will take no further action against the Owner or Operator for the violations described in the Notice of Violation.
6. EPA does not waive any enforcement action by EPA, the State where the facility is located or any local agencies for any other past, present or future violations of the underground storage tank requirements or any other violations under any other statute not described in the Notice of Violation.
7. This Settlement Agreement is effective upon EPA's final approval below. Upon EPA final approval, EPA shall mail a copy of the approved Settlement Agreement to the Owner or Operator signing below at the address provided.
8. Final approval of this Settlement Agreement is in the sole discretion of the Regional Administrator, Region VII, EPA, or authorized delegate.

SIGNATURE BY OWNER OR OPERATOR:

Name: BARRET WEPER Title: PRESIDENT Date: 11-3-06


(Signature)

Address: PO Box 1631 / LAKE OSAGE, MO 68049

FINAL APPROVAL BY EPA:

Name: Stanley Walker Title: BRANCH CHIEF Date: 12/18/06


(Signature)