



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

10 AUG 2009

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL #7001 0320 0006 1452 3222
RETURN RECEIPT REQUESTED

Mr. Robert Thull
Vandalia Correctional Center
Route 51 North, Post Office Box 500
Vandalia, Illinois 62471

RUST-05-2009-0011

Re: Notice of Violation and Compliance Order/Settlement Agreement for the Vandalia Correctional Center facility, Route 51 North, Post Office Box 500, Vandalia, Illinois.

Dear Mr. Thull:

On May 14, 2009, the U.S. Environmental Protection Agency, RCRA Programs Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning underground storage tank (UST) violations (i.e., release detection), found at the Vandalia Correctional Center facility, Route 51 North, Post Office Box 500, Vandalia, Illinois. This letter is to inform you that we have received your signed copy of the Settlement Agreement, dated June 2, 2009, and your supporting documentation stating that the UST violation was addressed. In addition, we received your checks (#AH3355017 and #AH3675850) for a total of \$600.00 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. This is to inform you that I have enclosed a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in the EPA's files. We also have accepted and processed your check as part of the settlement process. If you have any further questions, please feel free to contact Arturo Cisneros, of my staff, at 312/886-7447.

Sincerely,

A handwritten signature in black ink that reads "Willie H. Harris".

Willie H. Harris, P.E.
Chief, RCRA Branch
Land and Chemicals Division

Enclosure

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 5 UIC#
77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. R-5-UST-09-00967

Part I: INSPECTION SUMMARY

On 5-14-09 Time 1:15
(Date of Violation) (a.m. or p.m.)

At Vandalia Corrections Ctr.
(Name of Facility)

Address: Rt 51 North Vandalia
Illinois, 62471

(Name of On site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator (circle which applies)

Name: Mr. Bob Thull

Address: (same as above)

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).

1. Violation: Failure to monitor tanks at least every 30 days

Cite: 40 CFR 280.41 Proposed Penalty: \$ 300

2. Violation: Failure to provide any release detection for piping

Cite: 40 CFR 280.44 Proposed Penalty: \$ 300

3. Violation: _____

Cite: 40 CFR Proposed Penalty: \$ _____

4. Violation: _____

Cite: 40 CFR Proposed Penalty: \$ _____

5. Violation: _____

Cite: 40 CFR Proposed Penalty: \$ _____

TOTAL PROPOSED PENALTY: \$ 600

EPA finds the Owner or Operator in violation of the above referenced UST regulations.

[Signature]
(Signature of EPA Inspector)

Date: 5-14-09

Part II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER

A. Settlement Agreement: The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$ _____ in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 5, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:

Name (Print): ROBERT J. THULL

Title (Print): STATIONARY ENGINEER-CHIEF

Signature: [Signature] Date: 6-2-09

B. Compliance Order: This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (Print): Willie H. HARRIS

Title (Print): Chief, RB, LCD

Signature: [Signature] Date: 8/6/09

Notes:

RECEIVED
AUG 10 2009

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

REGN 1 2 3 4 5 6 7 8 9 10 DC CIN TRVL JURYDTY CRDRFNDS SALE/PRPRTY TUITION IAG-RFNDS PAR
 CONTACT: LORI DANA MICHELLE JOE DICK VAL PATTI ELIZBTH EVELYN CRAIG ERIC BLAKE KIM OWENS (PCS TDY)

RUST-05-2009-0011

COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 2740409

SUSPENSE

LIABILITY

CR NUMBER UST 050908AC

REMOVED BY _____

BILL NUMBER (IF DIFFERENT FROM CR NUMBER)

REMOVED DATE _____

BD#2750906M013

IFMS ENTERED DATE 06/19/09

DATE ITEM REC'D (IF NOT CIRCLED ON CHECK)

COLLECTION ENTRY DONE BY ALEX

NOT IN: ICIS, BRAINS, RHC DATABASE

IPAC TO: LV RTP HQ

ACCOUNTING

CR Line	BFY	APPR	Bud Org	PRC	BOC	Site/Proj	AMOUNT	Ref. Line	Rep Cat
								998	
								997	
<u>80</u>	<u>09</u>	<u>1099</u>					<u>300.00</u>	<u>001</u>	
								002	

ENVIRONMENTAL PROTECTION AGENCY

P O BOX 979077
 SAINT LOUIS MO 63197-9000

Vendor Number ***** G

Agency * **CORRECTIONS**
 Warrant Number **AH3355017**
 Warrant Amount **\$300.00**
 Warrant Date **06-11-2009**
 Voucher Number **PV428900070017**

Payment Description: 09 0301 98 0000078735 05/14/2009 05/27/2009 5-14-2009
 FAILURE TO COMPLY WITH E.P.A. REGULATIONS. U.I.#R5-UST-09-00
 8-AC; FORWARD PAYMENT TO: UNITED STATES ENVIRONMENTAL
 PROTECTION AGENCY; FINES AND PENALTIES; CINCINNATI FINANCE
 CENTER; P.O. BOX 979077; ST. LOUIS, MISSOURI 63197-9000

QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077
SEQ# 008 \$ 0000030000 BA# 156 06-16-09 20 3



usbancorp

AH3355017
 REFER TO THE NUMBER

DRAWN BY **DANIEL W. HYNES**
 ON THE TREASURER OF THE STATE OF ILLINOIS

DATE ISSUED: **06-11-2009**

PAY THIS AMOUNT: *Three Hundred* **00/100** \$ **300.00**

TO THE ORDER OF: **ENVIRONMENTAL PROTECTION AGENCY**
 P O BOX 979077
 SAINT LOUIS MO 63197-9000

DATE DEPOSITED AND RECEIVED
Daniel W. Hynes

#018#0071121888# #3355017# #0000030000#

RUST-05-2009-0011

COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 455 SUSPENSE LIABILITY

CR NUMBER VST 05 09 0008 REMOVED BY _____

BILL NUMBER (IF DIFFERENT FROM CR NUMBER) BA# 2750906M013 REMOVED DATE _____

IFMS ENTERED DATE _____

DATE ITEM REC'D (IF NOT CIRCLED ON CHECK) _____ COLLECTION ENTRY DONE BY ERIC

NOT IN: ICIS, BRAINS, RHC DATABASE IPAC TO: LV RTP HQ

ACCOUNTING

CR Line	BFY	APPR	Bud Org	PRC	BOC	Site/Proj	AMOUNT	Ref. Line	Rep Ca
								998	
								997	
								001	
								002	
								003	
								004	
								005	
								999	

KEY: REF LINE NO. 997=Interest LINE NO. 998=Handling LINE NO. 999=Penalty

ILLINOIS

QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077
 SEQ# 002 \$ 000030000 BA# 186 07-16-09 20 4



usbancorp.

AH3675850
 DANIEL W. HYNES
 ON THE TREASURER OF THE STATE OF ILLINOIS
 PAY THIS AMOUNT: Three Hundred \$ 300.00
 DATE ISSUED: 07-10-2009
 TO THE ORDER OF: ENVIRONMENTAL PROTECTION AGENCY
 P O BOX 979077
 SAINT LOUIS MO 63197-9000
 AH3675850
 *018#1071121866# #3675850# #000030000#