



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

REPLY TO THE ATTENTION OF:

LR-8J

**CERTIFIED MAIL # 7000 0520 0020 5098 7971**  
**RETURN RECEIPT REQUESTED**

Mr. Richard Cutrell  
Corporate Environmental Health and Safety Manager  
Franklin International, Inc.  
2020 Bruck Street  
Columbus, Ohio 43207

*BH* 2751106M013

**Re: Notice of Violation and Compliance Order/Settlement Agreement for Franklin International, Inc. facility, located in Columbus, Ohio RUST-05-2011-0012**

Dear Mr. Cutrell:

On April 9, 2011, the U.S. Environmental Protection Agency, Underground Storage Tank Section issued a Notice of Violation and Settlement Agreement/Compliance Order concerning a release detection record keeping violation found at 2020 Bruck Street in Columbus, Ohio. This is to inform you that we have received your signed copy of the Settlement Agreement, dated April 26, 2011, and a copy of the check for \$210 in penalties. We have also received and reviewed your supporting documentation indicating the violation of the underground storage tank regulation has been corrected.

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 EPA files. We also have accepted and processed your payment as part of the settlement process. If you have any further questions, please feel free to contact Erin Galbraith, of my staff, at 312-886-6879.

Sincerely,

Mary S. Setnicar  
Acting Chief, RCRA Branch  
Land and Chemicals Division

Enclosure

cc: Verne Ord, Acting Chief, Ohio Bureau of Underground Storage Tank Regulations

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 5  
77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590  
UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. R5-UST-11-004-EG

**PART I: INSPECTION SUMMARY**

On: 03/25/2011 Time: 11:39 AM

At: Franklin International, Inc.  
Address: 2020 Bruck Street  
Columbus, OH 43207

Richard Cutrell  
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Franklin International, Inc.  
Address: 2020 Bruck Street  
Columbus, OH 43207

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 maintain records of release detection monitoring  
Cite: 40 CFR 280.45 Proposed Penalty: \$210

2. Violation:  
Cite: 40 CFR Proposed Penalty:

3. Violation:  
Cite: 40 CFR Proposed Penalty:

4. Violation:  
Cite: 40 CFR Proposed Penalty:

**TOTAL PROPOSED PENALTY: \$210**

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

*Evan Williams* 3/25/11  
(Signature of EPA Inspector) (Date)

**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 **\$210** 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): Evan Williams  
Title (Print): President & COO  
Signature: *Evan Williams* Date: 4/26/11

**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.

Name (Print): MARY S. SEMIAR  
Title (Print): acting chief, RCRA Branch  
Signature: *Mary Semiar* Date: 5/12/11

Notes:

**RECEIVED**

MAY 16 2011

**REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY**



Keep this receipt as a record of your purchase.

RECEIVED  
MAY 16 2011

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

RUST-05-2011-0012

*BAT# 2751106M013*

FOR YOUR PROTECTION SAVE THIS COPY  
CASHIER'S CHECK

Customer Copy

9441103390

04/15/2011

Ohio

Remitter FRANKLIN INTERNATIONAL

\$ \*\*\*\*\*210.00 \*\*\*

Pay To The  
Order Of

TREASURER OF THE UNITED STATES  
OF AMERICA

Drawer: JPMORGAN CHASE BANK, N.A.

NON NEGOTIABLE

TERMS

KEEP THIS COPY FOR YOUR RECORD OF THE TRANSACTION.  
PLEASE CONTACT CHASE TO REPORT A LOSS OR FOR ANY OTHER INFORMATION ABOUT THIS ITEM.

282111107 NEW 01/08 8810004306

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



CASHIER'S CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

9441103390 <sup>25-3</sup>/<sub>440</sub>

Date 04/15/2011

Remitter FRANKLIN INTERNATIONAL

Pay: TWO HUNDRED TEN DOLLARS AND 00 CENTS

\$ \*\*\*\*\*210.00 \*\*\*

Pay To The  
Order Of

TREASURER OF THE UNITED STATES  
OF AMERICA

Drawer: JPMORGAN CHASE BANK, N.A.

*Michael Andrews*

Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH

FIELD CITATION #

UI # R5-UST-11-004-EG



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