

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for _____

Steven Schlang
Name of Case Attorney

4/1/16
Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number EPCRA-01-2016-0012

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Irving Oil Terminals, Inc.
190 Commerce Way
Portsmouth, NH 03801

Total Dollar Amount of Receivable \$ 2,000

Due Date: 5/1/16

SEP due? Yes _____ No Date Due _____

Installment Method (if applicable)

INSTALLMENTS OF:

1ST \$ _____ on _____

2nd \$ _____ on _____

3rd \$ _____ on _____

4th \$ _____ on _____

5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office

_____ Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

BY HAND

April 1, 2016

Wanda I. Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency-Region 1
5 Post Office Square, Suite 100
Mail Code ORA18-1
Boston, MA 02109-3912



Re: In the Matter of Irving Oil Terminals, Inc.
Docket No. EPCRA-01-2016-0012

Dear Ms. Santiago:

Enclosed are the original and one copy of a Expedited Settlement Agreement and Final Order for filing in the above-referenced matter.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Schlang".

Steven Schlang
Senior Enforcement Counsel

Enclosures

cc: Attorney John S. Upton

In Re: Irving Oil., Docket No. EPCRA-01-2016-0012

5 Post Office Square
Mail Code OES-04-4
Boston, MA 02109-3912

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. In the event that any partial payment of the civil penalty, plus interest thereon is not paid when due without demand, the penalty plus accrued interest shall be payable with additional interest from the original due date of payment at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2). In addition, a penalty charge of six percent per year will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. However, should assessment of the penalty charge on the debt be required, it will be assessed as the first day payment is due under 31 C.F.R. § 901.9(d).

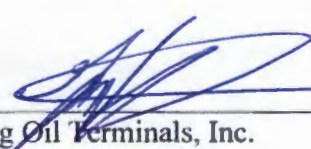
Upon Irving's submission of the original signed ESA and payment of the penalty as set forth in this ESA, EPA will take no further civil action against Irving for the alleged violations of EPCRA identified in this ESA. EPA does not waive any right to issue an enforcement action for any other past, present or future violations by Irving of EPCRA or any other federal statute or regulation.

This ESA shall not be construed as a covenant not sue, release waiver, or limitation of any rights, remedies, powers, or authorities, civil or criminal, that EPA has under EPCRA or any other statutory, regulatory, or common law enforcement authority of the United States, except as stated above.

The terms of this ESA may not be modified or amended except upon agreement of both parties and approval of the Regional Judicial Officer. This ESA is binding on the parties signing below.

In accordance with 40 CFR 22.31(b), this ESA is effective upon filing with the Region 1 Hearing Clerk.

IT IS SO AGREED,

By: 
Irving Oil Terminals, Inc.
190 Commerce Way
Portsmouth, NH 03801
Attn: U.S. General Counsel

Date: 3/17/2016

Gregory B. Poltras
Secretary

In Re: Irving Oil.. Docket No. EPCRA-01-2016-0012

APPROVED BY EPA

By: Joanna Jerison

Date: 3/30/14

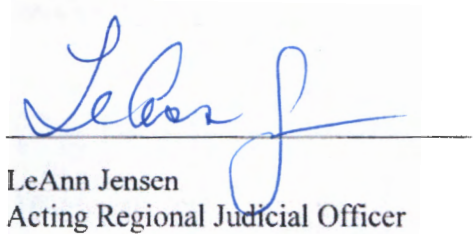
Joanna Jerison, Legal Enforcement Manager
Office of Environmental Stewardship
U.S. EPA Region 1

FINAL ORDER

Pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)-(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 ratified.

The Respondents, as specified in the Consent Agreement, are hereby ordered to comply with the terms of the Consent Agreement, effective on the date on which it is filed with the Regional Hearing Clerk.

IT IS SO ORDERED:



LeAnn Jensen
Acting Regional Judicial Officer

Date: 3/30/16

In the Matter of: Irving Oil Terminals, Inc.
Docket No. EPCRA-01-2016-0012

CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing Expedited Settlement Agreement and Final Order to be sent to the following person(s), in the manner stated, on the date below:

Original and one copy,
By Hand Delivery:

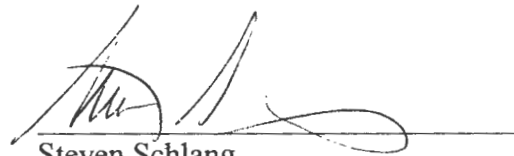
Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA, Region 1
5 Post Office Square – Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

One copy, By Certified Mail,
Return Receipt Requested:

Attorney John S. Upton
Perkins/Thompson Attorneys at Law
One Canal Plaza
P.O. Box 426
Portland, ME 04112

Dated: _____

April 1, 2016



Steven Schlang
Senior Enforcement Counsel
U.S. EPA, Region 1
5 Post Office Square – Suite 100
Mail Code: OES04-4
Boston, MA 02109-3912