

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM

TO BE FILLED OUT BY ORIGINATING OFFICE:

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: C. W. W. 3/22/12
Name of Contact person Date

in the ORC at x2618
Office Phone number

Non-SF Jud. Order/Consent Decree. DOJ COLLECTS

Administrative Order/Consent Agreement FMD COLLECTS PAYMENT

SF Jud. Order/Consent Decree. FMD COLLECTS

This is an original debt This is a modification

Name of Person and/or Company/Municipality making the payment
RN GOLF MANAGEMENT LLC OR BILLY CASIER GOLF LLC

The Total Dollar Amount of Receivable 6797.55

The Case Docket Number RCHA-03-2012-0053
(If in installments, attach schedule of amounts and respective due dates)

The Site-Specific Superfund Acct. Number _____

The Designated Regional/HQ Program Office _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

The IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
Name of Contact Date

in the Financial Management Office, phone number: _____

JUDICIAL ORDERS: Copies of this form with an attached copy of the front page of the final **judicial** order should be mailed to:

- | | |
|--|------------------------------|
| 1. Rosemarie Pacheco
Environmental Enforcement Section
Lands Division, Room 130044
1425 New York Avenue, N.W.
Washington, D.C. 20005 | 2. Originating Office (ORC) |
| | 3. Designated Program Office |

ADMINISTRATIVE ORDERS: Copies of this form with an attached copy of the front page of the **administrative** order should be sent to:

- | | |
|---------------------------|------------------------------|
| 1. Originating Office | 2. Designated Program Office |
| 3. Regional Hearing Clerk | 3. Regional Counsel |



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

RECEIVED

2012 MAR 29 AM 7:28

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In Reply Refer To Mail Code: 3LC62

BY: UPS OVERNIGHT MAIL

Andrew Daniels, Esq.
LECLAIRRYAN
One International Place, Eleventh fl.
Boston, Massachusetts 02110

MAR 29 2012

Re: Consent Agreement and Final Order
EPA Docket No. RCRA-03-2012-0053

Dear Mr. Daniels:

Enclosed is a true and correct copy of the CONSENT AGREEMENT AND FINAL ORDER filed today with the Regional Hearing Clerk settling the matter referenced above with respect to your client(s). For your file, I am also enclosing a copy of the supporting memorandum from Environmental Protection Agency management to the Regional Judicial Officer. It is my understanding that your client has already mailed their civil penalty monies as indicated in the CAFO, and that these monies are in a "suspense account" pending receipt of a filed, fully executed copy of the agreement. Should you have any questions or concerns, please feel free to contact me at (215) 814-2618.

Sincerely,


Benjamin M. Cohan
Senior Assistant Regional Counsel

Enclosures

cc: Marie Owens, EPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SUBJECT: Transmittal Memorandum
Consent Agreement and Final Order
In the Matter of RN Golf Management, LLC
Docket No. RCRA-03-2012-0053

MAR 28 2014

FROM: Marcia E. Mulkey
Regional Counsel (3RC00)

Abraham Ferdas, Director
Land and Chemicals Division (3LC00)

TO: Renée Sarajian
Regional Judicial Officer (3RC00)

The attached Consent Agreement and Final Order ("CAFO") have been negotiated pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6991e, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. Part 22, including, specifically 40 C.F.R. §§ 22.13(b) and 18(b)(2) and (3).

The CAFO resolve violations of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the and the Commonwealth of Virginia's underground storage tank regulations by RN Golf Management, LLC ("Respondent") in connection with its underground storage tanks at Respondent's facility located at Reston National Golf Course, 11875 Sunrise Valley Dr., Reston, VA 20191 (the "Facility"). Please refer to the CAFO for further details concerning the violations at this Facility.

Under the terms of the settlement, Respondent will pay a civil penalty in the amount of \$6,797.00. This settlement was determined after consideration of the statutory factors set forth in Section 9006(c)-(e) of RCRA, 42 U.S.C. § 6991e(c)-(e), and other settlement adjustment factors set forth in the "U.S. Penalty Guidance for Violation of UST Regulations" dated November, 1990 ("UST Penalty Policy").

We concur with the terms of the enclosed Consent Agreement and Final Order. Accordingly, we recommend that you sign the Final Order and return it to the Office of Regional Counsel for further processing.

cc: Andrew Daniels, Esq.
Counsel for Respondent
Ben Cohan, Esq.
U.S. EPA, Region III

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

RECEIVED

MAR 29 AM 7:28

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In the Matter of:)
)
RN Golf Management, LLC)
8300 Boone Blvd. Ste. 350)
Vienna, VA 22182)
)
RESPONDENT,)
)
Reston National Golf Course)
11875 Sunrise Valley Dr.)
Reston, VA 20191)
)
FACILITY.)
)
)
)

U.S. EPA Docket Number
RCRA-03-2012-0053

Proceeding Under Section 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C. Section 6991e

CONSENT AGREEMENT

This Consent Agreement ("CA") is entered into by the Director, Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("Complainant") and RN Golf Management, LLC ("Respondent"), pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. §§ 6991e, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. Part 22, including, specifically 40 C.F.R. §§ 22.13(b) and .18(b)(2) and (3).

This CA and the Final Order (collectively "CAFO"), resolve alleged violations of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the Commonwealth of Virginia's federally authorized underground storage tank ("UST") program by Respondent in connection with its underground storage tanks at Respondent's facility located at 11875 Sunrise Valley Drive, Reston, VA 20191 (the "Facility").

Effective October 28, 1998, pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, and 40 C.F.R. Part 281, Subpart A, the Commonwealth of Virginia was granted final authorization to administer a state UST management program *in lieu* of the Federal underground storage tank management program established under Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991i. The

provisions of the Virginia UST management program, through these final authorizations, have become requirements of Subtitle I of RCRA and are, accordingly, enforceable by EPA pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e. Virginia's authorized UST program regulations are set forth in the Virginia Administrative Code as Underground Storage Tanks: Technical Standards and Corrective Action Requirements ("VAC UST Regulations"), 9 VAC § 25-580-10 *et seq.*

GENERAL PROVISIONS

1. For purposes of this proceeding only, Respondent admits to the jurisdictional allegations set forth in this CAFO.
2. Respondent neither admits nor denies the specific factual allegations and conclusions of law set forth in this CAFO, except as provided in Paragraph 1, above.
3. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this Consent Agreement ("CA"), the issuance of the attached Final Order ("FO"), or the enforcement thereof.
4. For the purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact set forth in this CA and any right to appeal the accompanying FO.
5. Respondent consents to the issuance of this CAFO, and agrees to comply with its terms and conditions.
6. Respondent shall bear its own costs and attorney's fees.
7. As to RCRA, Subtitle I, 42 U.S.C. §§ 6991-6991m, and the Commonwealth of Virginia's federally authorized underground storage tank program set forth at 9 VAC § 25-580-10 *et seq.* allegedly violated as set forth in the following Factual Allegations and Conclusions of Law, Respondent certifies to EPA that, upon appropriate investigation, to the best of Respondent's knowledge and belief, Respondent is presently in compliance with all such relevant provisions and regulations.
8. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit, nor does this CAFO constitute a waiver, suspension or modification of the requirements of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, or any regulations promulgated thereunder.
9. Complainant shall have the right to institute further actions to recover appropriate relief if Complainant obtains evidence that the information provided and/or representations made

by Respondent to EPA regarding matters at issue in the CAFO are false or, in any material respect, inaccurate. Respondent is aware that the submission of false or misleading information to the United States government may subject Respondent to separate civil and/or criminal liability.

10. EPA has given the Commonwealth of Virginia prior notice of the issuance of this CAFO in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

FACTUAL ALLEGATIONS AND CONCLUSIONS OF LAW

The United States Environmental Protection Agency - Region III ("EPA" or the "Region") and EPA's Office of Administrative Law Judges have jurisdiction over this matter pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e, 40 C.F.R. Part 280 and 40 C.F.R. § 22.1(a)(4) and .4(c).

11. At all times relevant to this CAFO, Respondent has been the "owner" and/or "operator," respectively, as those terms are defined in Section 9001(3) and (4) of RCRA, 42 U.S.C. § 6991(3) and (4), and 9 VAC § 25-580-10, of the "underground storage tanks" ("USTs") and "UST systems" as those terms are defined in Section 9001(10) of RCRA, 42 U.S.C. § 6991(10), and 9 VAC § 25-580-10, located at the Facility.
12. On May 3, 2011, EPA performed a Compliance Evaluation Inspection ("CEI") at the Facility. At the time of the May 3, 2011 CEI, and at all times relevant to the violations alleged herein, one (1) UST was located at the Facility as described in the following subparagraph:

A one thousand (1,000) gallon composite underground storage tank that was installed in or about 1999, and that, at all times relevant hereto, routinely contained and was used to store gasoline fuel, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 9 VAC § 25-580-10 (hereinafter "UST No. 1");
13. At all times relevant to the applicable violations alleged in this CAFO, the above listed UST No.1 was and has been a "petroleum UST system" and a "**new tank system**" as these terms are defined in 9 VAC § 25-580-10.
14. UST No. 1 is and was, at all times relevant to the applicable violations alleged in this CAFO, used to store "regulated substance(s)" at Respondent's Facility, as defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 9 VAC § 25-580-10, and have not been "empty" as that term is defined at 9 VAC § 25-580-310.1.

COUNT 1

(Failure to provide corrosion protection on the metal/steel piping components for UST No. 1)

15. The allegations of Paragraphs 1 through 14 of this CA are incorporated herein by reference.
16. 9 VAC § 25-580-50 provides, in pertinent part, that all owners and operators of new UST systems shall meet certain requirements in order to prevent releases due to structural failure, corrosion, or spills and overfills for as long as the UST system is used to store regulated substances.
17. 9 VAC § 25-580-50.2 provides, inter alia, that piping that routinely contains regulated substance and is in contact with the ground must be properly designed, constructed and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified in 9 VAC § 25-580-50.2.a-c.
18. The requirements set forth at 9 VAC § 25-580-50.2, above, have been incorporated by reference into 9 VAC § 25-580-60.3., and are therefore applicable to existing UST systems as well as new UST systems.
19. The piping components for the UST No. 1 are, and at all times relevant to the violations alleged herein, made of metal in contact with the ground and used to store regulated substances.
20. From May 3, 2011 through July 25, 2011, Respondent failed to provide corrosion protection for the metal piping components associated with UST No. 1 as required by 9 VAC § 25-580-50.2.a-c.
21. Respondent's acts and/or omissions as alleged in Paragraph 20, above, constitute violations by Respondent of 9 VAC § 25-580-50.2.

COUNT 2

(Failure to perform release detection on UST No. 1)

22. The allegations of Paragraphs 1 through 21 of this CA are incorporated herein by reference.
23. Pursuant to 9 VAC § 25-580-130.A. and C., owners and operators of new and existing UST systems must provide a method or combination of methods of release detection

monitoring that meets the requirements described therein.

24. 9 VAC § 25-580-140.1. provides, in pertinent part, that USTs shall be monitored at least every 30 days for releases using one of the methods listed in 9 VAC § 25-580-160.4.-8., except that:
- (a) UST systems that meet the performance standards in subsections 1 through 5 of 9 VAC § 25-580-50 (Performance Standards for New UST Systems) or subsections 1 through 4 of 9 VAC § 25-580-60 (Upgrading of Existing UST Systems), and the monthly inventory control requirements in subsections 1 or 2 of 9 VAC § 25-580-160 (Inventory Control or Manual Tank Gauging), and tank tightness testing, conducted in accordance with subsection 3 of 9 VAC § 25-580-160 (Tank Tightness Test), at least every 5 years until December 22, 1998, or until 10 years after the UST is installed or upgraded under subsection 2 of 9 VAC § 25-580-60 (Tank Upgrading Requirements); and
 - (b) UST systems that do not meet the performance standards in 9 VAC § 25-580-50 (Performance Standards for New UST Systems) or 9 VAC § 25-580-60 (Upgrading of Existing UST Systems), may use monthly inventory controls, conducted in accordance with subsections 1 or 2 of 9 VAC § 25-580-160 (Inventory Control or Manual Tank Gauging) and annual tank tightness testing, conducted in accordance with subsection 3 of 9 VAC § 25-580-160 (Tank Tightness Test) until December 22, 1998, when the tank must be upgraded under 9 VAC § 25-580-60 (Tank Upgrading Requirements) or permanently closed under 9 VAC § 25-580-320; and
 - (c) Tanks with a capacity of 550 gallons or less and not metered may use weekly tank gauging, conducted in accordance with subsection 2 of 9 VAC § 25-580-160.
25. During all times relevant to the alleged violations set forth herein, the method of release detection selected by Respondent for the UST No. 1 was automatic tank gauging (ATG) in accordance with 9 VAC § 25-580-160.4.
26. From November 12, 2009 until March 15, 2010, and from November 18, 2010 until February 20, 2011, Respondent failed to perform automatic tank gauging (ATG) for the UST No. 1 in accordance with 9 VAC § 25-580-160.4.
27. {OMITTED}
28. During the periods of time indicated in Paragraphs 25 through 26, above, Respondent did not use any of the other release detection methods specified in 9 VAC § 25-580-140.1.a.-c. and/or 9 VAC § 25-580-160.4.-8. on UST No. 1 located at the Facility.

29. Respondents' acts and/or omissions as alleged in Paragraphs 25 through 26, above, constitute violations by Respondent pursuant to 9 VAC § 25-580-130.A. and C. and 9 VAC § 25-580-140.1.

COUNT 3

(Failure to investigate and report a suspected release of a regulated substance)

30. The allegations in Paragraphs 1 through 29, above, are incorporated herein by reference as though fully set forth at length herein
31. 9 VAC § 25-580-210 provides, in pertinent part, that owners and operators of petroleum UST systems must immediately investigate and confirm all *suspected* releases of regulated substances requiring reporting under 9 VAC § 25-580-190 within 7 days.
32. 9 VAC § 25-580-190 provides, in pertinent part, that owners and operators of UST systems must report to the board within 24 hours and follow the procedures in 9 VAC § 25-580-210 if, among other things, "monitoring results from a release detection method required under 9 VAC 25-580-140 and 9 VAC 25-580-150...indicate that a release may have occurred."
33. On July 7, 2010, Respondent received a "fail" ATG monitoring result and did not investigate, confirm and notify the board of a suspected release.
34. Respondent's acts and/or omissions as alleged in Paragraph 33, above, constitute a violation by Respondent of 9 VAC § 25-580-210 and 9 VAC § 25-580-190.

CIVIL PENALTY

35. In settlement of EPA's claims for civil monetary penalties assessable for the violations alleged in this CA, Respondent consents to the assessment of a civil penalty of Six Thousand Seven Hundred Ninety-Seven Dollars (\$6,797.00), which Respondent agrees to pay in accordance with the terms set forth below. Such civil penalty amount shall become due and payable immediately upon Respondent's receipt of a true and correct copy of this CAFO fully executed by all parties. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with such civil penalty as described in this CAFO, Respondent must pay the civil penalty no later than thirty (30) calendar days after the date on which a copy of this CAFO is mailed or hand-delivered to Respondent.

36. Having determined that this CA is in accordance with law and that the civil penalty amount was determined after consideration of the statutory factors set forth in Section 9006(c)-

(e) of RCRA, 42 U.S.C. § 6991e(c)-(e), which include the seriousness of the violation, any good faith efforts to comply with the applicable requirements, the compliance history of the owner and operator, and any other appropriate factors, EPA hereby agrees and acknowledges that payment of the civil penalty shall be in full and final satisfaction of all civil claims for penalties which Complainant may have under Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), for the violations alleged in this Consent Agreement and Final Order.

37. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below.

- a. Interest on the civil penalty assessed in this CA and FO will begin to accrue on the date that a copy of this CA and FO is mailed or hand-delivered to Respondent. EPA will not seek to recover interest on any amount of the civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest on the portion of the civil penalty not paid within 30 calendar days will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
- b. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives - Cash Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
- c. A penalty charge of six percent per year will be assessed monthly on any portion of the civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).

38. Respondent shall remit the full penalty, and/or any interest, administrative fees and late payment penalties, in accordance with this Section IV, via one of the following methods:

- a. All payments made by check and sent by regular mail (except as noted in Paragraph 38.c., below) shall be addressed to:

US Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

The customer service contact for this address is Eric Volck, who may be reached at 513-487-2105.

- b. All payments made by check and sent by overnight delivery service (except as noted in Paragraph 38.c, below) shall be addressed to:

U.S. Bank
Government Lockbox 979077
U.S. EPA, Fines & Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101

The U.S. Bank customer service contact for overnight delivery is 314-418-1028.

- c. All payments made by check in any currency drawn on banks with no branches in the United States shall be addressed for delivery to the following address:

Cincinnati Finance
US EPA, MS-NWD
26 W. M.L. King Drive
Cincinnati, OH 45268-0001

- d. All payments made by electronic funds transfer ("EFT") shall be directed to:

Federal Reserve Bank of New York
ABA No. 021030004
Account No. 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York NY 10045

Field Tag 4200 of the Fedwire message should read "D 68010727
Environmental Protection Agency"

The Federal Reserve customer service contact may be reached at 212-720-5000.

- e. All electronic payments made through the Automated Clearinghouse (“ACH”), also known as Remittance Express (“REX”), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737

Customer service contact: Jesse White, at 301-887-6548, or REX, 1-866-234-5681.

- f. On-line payment option:

WWW.PAY.GOV

Enter “sfo 1.1” in the search field. Open and complete the form.

- g. Additional payment guidance is available at:

http://www.epa.gov/ocfo/finservices/make_a_payment.htm

39. All payments by Respondent shall include Respondent’s full name and address and the EPA Docket Number of this Consent Agreement (RCRA-03-2012-0053).

40. At the time of payment, Respondent shall send a notice of such payment, including a copy of the check, EFT authorization or ACH authorization, as appropriate to:

Lydia Guy
Regional Hearing Clerk
U.S. Environmental Protection Agency
Region III (Mail Code 3RC00)
1650 Arch Street
Philadelphia, PA 19103-2029

and

Benjamin M. Cohan
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency
Region III (Mail Code 3RC50)
1650 Arch Street
Philadelphia, PA 19103-2029

41. Respondent agrees not to deduct for civil taxation purposes the civil penalty specified in this CA and the attached FO.

RESERVATION OF RIGHTS

42. Nothing herein shall be construed to limit the authority of the Complainant to undertake action against any person, including the Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, public welfare or the environment, nor shall anything in this CA and the attached FO be construed to limit the United States' authority to pursue criminal sanctions against any person or entity. In addition, Complainant reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which Complainant has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk. This Consent Agreement and the accompanying Final Order shall apply to and be binding upon the EPA, Respondent, Respondent's officers and directors (in their official capacities) and Respondent's successors and assigns. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent acknowledges that he or she is fully authorized to enter into this Consent Agreement and to bind Respondent to the terms and conditions of this Consent Agreement and the accompanying Final Order.

FULL AND FINAL SATISFACTION

44. EPA hereby agrees and acknowledges that the settlement of the proposed penalty as set

forth above shall be in full and final satisfaction of all civil claims for penalties which EPA may have under Sections 9006(a) of RCRA for the violations alleged herein.

EFFECTIVE DATE

44. The effective date of this CAFO is the date on which the FO, signed by the Regional Administrator or the Regional Judicial Officer, is filed with the Regional Hearing Clerk.

For Respondent:

RN Golf Management, LLC

By: Reston Oaks, LLC, Managing Member

Date: MAR 22 2012



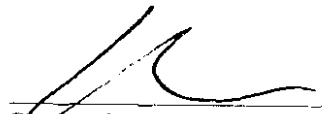
Wesley D. Minami, on behalf of the Managing Member
Of Reston Oaks, LLC and not as an individual

For Complainant:

United States Environmental Protection Agency, Region III

Date: MAR 22 2012

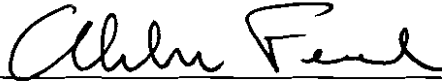
By:



Benjamin M. Cohan
Sr. Assistant Regional Counsel

After reviewing the foregoing Consent Agreement and other pertinent information, the Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or the Regional Judicial Officer issue the Final Order attached hereto.

Date: 3/22/12



Abraham Ferdas, Director
Land and Chemicals Division
EPA Region III

RECEIVED

2012 MAR 29 AM 7: 28

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

In the Matter of: :

RN Golf Management, LLC :
8300 Boone Blvd. Ste. 350 :
Vienna, VA 22182 :

U.S. EPA Docket Number
RCRA-03-2011-0053

RESPONDENT :

Reston National Golf Course :
11875 Sunrise Valley Dr. :
Reston, VA 20191 :

FINAL ORDER

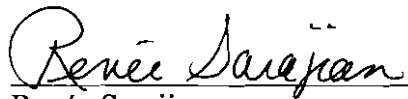
Complainant, the Director, Land and Chemicals Division, U.S. Environmental Protection Agency - Region III, and Respondent, RN Golf Management, LLC ("Respondent"), have executed a document entitled "Consent Agreement" which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated herein as if set forth at length.

NOW, THEREFORE, PURSUANT TO Section 22.18(b)(3) of the *Consolidated Rules of Practice* and Section 9006(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6991e(a) ("RCRA"), and having determined, based on the representations of the parties in the attached Consent Agreement, that the civil penalty agreed to therein was based upon a

consideration of the factors set forth in Section 9006(c)-(e) of RCRA, 42 U.S.C. § 6991e(c)-(e), **IT IS HEREBY ORDERED** that Respondent pay a civil penalty of Six Thousand Seven Hundred Ninety-Seven Dollars (\$6,797.00) in accordance with the terms and conditions of the Consent Agreement.

The effective date of this Final Order and the accompanying Consent Agreement is the date on which the Final Order, signed by the Regional Administrator of U.S. EPA Region III or the Regional Judicial Officer, is filed with the Regional Hearing Clerk of U.S. EPA - Region III.

Date: 3/28/12


Renée Sarajian
Regional Judicial Officer
U.S. EPA, Region III

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

RECEIVED

1650 Arch Street

Philadelphia, Pennsylvania 19103-0029 2012 MAR 29 AM 7:28

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

In the Matter of:)

RN Golf Management, LLC)

8300 Boone Blvd. Ste. 350)

Vienna, VA 22182)

U.S. EPA Docket Number
RCRA-03-2012-0053

RESPONDENT,)

Reston National Golf Course)

11875 Sunrise Valley Dr.)

Reston, VA 20191)

FACILITY.)

Proceeding Under Section 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C. Section 6991e

CERTIFICATE OF SERVICE

I hereby certify that the foregoing CONSENT AGREEMENT AND FINAL ORDER in the above referenced matter was sent this day in the following manner to the below addressees.

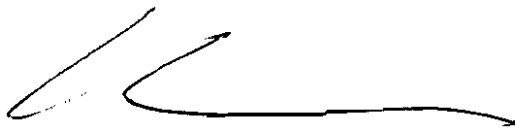
Original and one certified copy by hand-delivery:

Lydia Guy, Regional Hearing Clerk

Copy by UPS Overnight Mail:

Andrew Daniels, Esq.
LECLAIRRYAN
One International Place, Eleventh fl.
Boston, Massachusetts 02110

3/29/12
Date


Benjamin M. Cohan (3RC50)
Senior Assistant Regional Counsel
U.S. EPA, Region III

