

RECEIVED

12 MAR 13 AM 6:45

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

HEARINGS CLERK
EPA -- REGION 10

IN THE MATTER OF:)	Docket No. RCRA-10-2012-0053
)	
Cal Worthington Ford)	EXPEDITED SETTLEMENT
Anchorage, Alaska)	AGREEMENT AND
EPA ID Number AKD 98265 8411)	FINAL ORDER
)	
Respondent)	
_____)	

EXPEDITED SETTLEMENT AGREEMENT

1. The U.S. Environmental Protection Agency ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA") and 40 C.F.R. § 22.13(b).
2. Cal Worthington Ford ("Respondent") is the owner or operator of a facility at 1950 Gambell Street, Anchorage, Alaska ("Facility"). The EPA inspected the Facility on July 6, 2011. The EPA alleges Respondent violated the following requirement of RCRA:
 - a. 40 C.F.R § 279.22(c)(1) requires that containers and tanks used to store used oil be labeled or marked clearly with the words "Used Oil." On July 6, 2011, 22 containers of used oil were not labeled with the words "Used Oil" in violation of 40 C.F.R. § 279.22(c)(1).
3. The EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of seven hundred fifty dollars (\$750.00) is in the public interest. The attached Penalty Calculation Worksheet is incorporated by reference.
4. Payment under this Agreement must be made by cashier's check or certified check payable to the order of "Treasurer, United States of America" and delivered via United States mail to the following address:

U.S. Environmental Protection Agency
 Fines and Penalties
 Cincinnati Finance Center
 P.O. Box 979077
 St. Louis, MO 63197-9000

Respondent must note on the check the title and docket number of this action.

5. Respondent must send this document with original signatures and a photocopy of the check described in Paragraph 4 to the Regional Hearing Clerk at the following address:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 10, ORC-158
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Photocopies of this signed document and the check described in Paragraph 4 must also be sent to EPA Region 10 at the following address:

Jack Boller, RCRA Compliance Officer
U.S. Environmental Protection Agency
Region 10, OCE-127
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

6. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
7. Each party shall bear its own costs and fees, if any.
8. In signing this Agreement, Respondent: (1) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual allegations contained herein, (3) consents to the assessment of this civil penalty, and (4) waives any right to contest the allegations contained herein in a hearing or appeal pursuant to Section 3008(b) of RCRA.
9. In signing this Agreement, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violation has been corrected, and (2) the civil penalty has been paid. Respondent is submitting proof of payment of the civil penalty with this Agreement.
10. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
11. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

IT IS SO AGREED,

RESPONDENT:

Name (print): Calvin Worthington

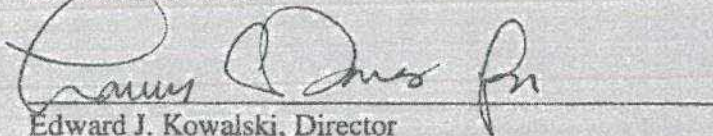
Title (print): President

Signature: _____



Date: 1/25/12

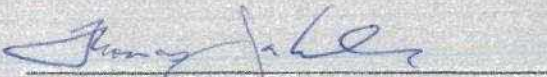
EPA REGION 10:



Edward J. Kowalski, Director
Office of Compliance and Enforcement
U.S. Environmental Protection Agency, Region 10

Date: January 13, 2012

IT IS SO ORDERED:



Thomas Jahnke, Regional Judicial Officer
U.S. Environmental Protection Agency, Region 10

Date: 3/13/12

**U. S. EPA REGION 10
RCRA Expedited Settlement Agreement
Penalty Calculation Worksheet**

Respondent:

Cal Worthington Ford
1950 Gambell Street
Anchorage, Alaska 99501
EPA ID Number: AKD 98265 8411
Docket Number: RCRA-10-2012-0053

Penalty Calculation:

Size of Business:

Respondent is not a "small business" based on the Small Business Administration (SBA) size standards (13 C.F.R. Part 121).

Penalty Amount for a Non-Small Business:

\$750 per violation

Violations	Number of Violations	Penalty
40 C.F.R § 279.22(c)(1): Used oil container labeling	1	\$750
TOTAL	1	\$750

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER** in **IN THE MATTER OF: Cal Worthington Ford, Docket No. RCRA-10-2012-0053** was filed with the Regional Hearing Clerk on March 13, 2012.


On March 13, 2012, the undersigned certifies that a true and correct copy of the document was delivered to:

Jack Boller, RCRA Compliance Officer
U.S. Environmental Protection Agency
Region 10, OCE-127
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt on March 13, 2012, to:

Calvin Worthington
Cal Worthington Ford
1950 Gambell Street
Anchorage, AK 99501

DATED this 13th day of March 2012.



Candace H. Smith
Acting Regional Hearing Clerk
EPA Region 10