



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

JUN 27 2011

**CERTIFIED MAIL #7001 0320 0006 1559 1480**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF: LR-8J

Mr. Doug Arends  
O'Hare Modernization Program  
10510 W. Zemke Road  
PO Box 66848  
Chicago, Illinois 60666

RUST-05-2011-0016

BL# 2751106M017

**Re: Notice of Violation and Compliance Order/Settlement Agreement for  
the North Airfield Lighting Control Vault facility, 11601 West Touhy,  
Building 721, Chicago, Illinois**

Dear Mr. Arends:

On April 26, 2011, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning an UST violation (i.e., release detection monitoring), found at the Airfield Lighting Control Vault facility, 11601 West Touhy, Building 721, Chicago, Illinois. This letter is to inform you that we have received your signed copy of the Settlement Agreement, dated May 10, 2011. We also received your supporting documentation stating that the UST violation was addressed. In addition, we received your check (#41511176) for a total of \$420 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,

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

Enclosure

cc: Shelly Bradley, OSFM

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-11-010-AC

**PART I: INSPECTION SUMMARY**

On: 04/26/2011 Time: 09:30 AM

At: South Airfield Lighting Control Vault  
Address: 11601 West Touhy Avenue, Bldg. 604  
Chicago, IL 60453

Mr. Doug Arends  
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: City of Chicago/O'Hare Modernization  
Address: 10510 West Zemke Road  
Chicago, IL 60666

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 provide any release detection for underground piping  
Cite: 40 CFR 280.44  
Proposed Penalty: \$420

2. Violation:  
Cite: 40 CFR  
Proposed Penalty:

3. Violation:  
Cite: 40 CFR  
Proposed Penalty:

4. Violation:  
Cite: 40 CFR  
Proposed Penalty:

**TOTAL PROPOSED PENALTY: \$420**

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

[Signature] 4-26-11  
(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 **\$420** 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): Amy Malick  
Title (Print): Deputy Commissioner  
Signature: [Signature] Date: 5/10/11

**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. Semick  
Title (Print): acting chief, RCRA Branch  
Signature: [Signature] Date: 6/22/11

Notes:

RUST-05-2011-0016

BD# 2751106M017

**RECEIVED**

**JUN 27 2011**

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

Bryson

LORI DANA MICHELLE JOE DICK VAL PATTI ELIZBTH EVELYN CRAIG ERIC BLAKE (KIM) CAROL JESSICA

# COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 1732411

SUSPENSE  LIABILITY

CR NUMBER VST0511010A

REMOVED BY \_\_\_\_\_

BILL NUMBER (IF DIFFERENT FROM CR NUMBER) \_\_\_\_\_

REMOVED DATE \_\_\_\_\_

IFMS ENTERED DATE 6.7.11

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

COLLECTION ENTRY DONE BY JESS

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
001	"	1099	80				\$420.00	999	
								997	
								001	
								002	
								003	
								004	
								005	
								999	

RECEIVED

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REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

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

South Airfield Lighting Control vault

RUST-05-2011-0016

BD# 2751106M017

**QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077**  
**SEQ# 005 \$ 000042000 BA# 137/06-06-11/20 4**



DATE: 05/31/11 TO THE TREASURER OF THE CITY OF CHICAGO 41511176

Station # PS-VST-11-010-AC VENDOR: 1002008

TO THE ORDER OF U.S. ENVIRONMENTAL PROTECTION  
77 W JACKSON BLVD  
CHICAGO, IL 60606

JP Morgan Chase Bank, N.A. *Rabin Emanuel* *Steven J. [Signature]*

#41511176# C071923226# 018232078# /0000042000/