

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590 May 14, 2021

ELECTRONIC MAIL **DELIVERY RECEIPT REQUESTED**

Mr. Anthony Amadio BT America's 351 East 121st Street Chicago, Illinois 60616 anthony.amadio@bt.com

Notice of Violation and Compliance Order/Settlement Agreement for the BT America's Re: #2040779 facility, 351 East 121st Street, Chicago, Illinois 60616 ICIS #3601281892 RUST-05-2021-0007

Dear Mr. Amadio:

On March 29, 2021, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement (Field Citation) concerning an UST violation (i.e., failure to test release detection equipment annually) found at the BT America's facility located at 351 East 121st Street, Chicago, Illinois.

On April 9, 2021, we received your signed copy of the Settlement Agreement and supporting documentation. Also, on April 30, 2021 we received confirmation from our finance office that they received your check (#0092967) for a total of \$670.00 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. 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 questions, please feel free to contact Arturo Cisneros, of my staff, at (312) 886-7447.

Sincerely,

PATRICK KUEFLER Date: 2021.05.13 11:23:42 -05'00'

Patrick F. Kuefler, Chief Land Enforcement and Compliance Assurance Branch cc: Tom Kenney, ORC, <u>kenney.thomas@epa.gov</u>
James Bently, IL OSFM, <u>James.Bentley@Illinois.gov</u>
Mark Webster, <u>MarkWebster@adt.com</u>
Ferdinand Jaugan, <u>ferdinand.jaugan@bt.com</u>

Filed: May 14, 2021 RUST-05-2021-0007 U.S. EPA, Region 5 Regional Hearing Clerk

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 5

77 West Jackson Boulevard (LR-17J), Chicago, Illinois 60604-3590

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO.

R5-UST-21-016-AC

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(Date of Violation) (a.m. or p.m.) At America's (Name of Facility) Address: 351 East 21st Street Chicago, IL 60616 Anthony Amadio (Name of On site Representative if not the Owner or Operator) Name and address of the UST © Operator Name: BT America's Address: 8951 Cypress Waters Blvd. Dallas, TX 75019 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 promulgiate or approved by EPA under Subtille 1 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.). 1. Violation: Fallars to apsende amd maintain release detection multipolars. Multiplier: Subtotat: Signature By Owner, Operators, Or Perator in the owner or Operator of the Compliance Order will become effective once signate the Owner or Operator for the civil violations dand has identified the following violation(s) of the UST regulations growing the compliance of the relevant materials and has identified the following violation(s) of the UST regulations growing an authorized designation identified in Part I, subject to the Compliance or Operator of the full proposed penalty agrees to estimate the full proposed penalty is a secondary with the terms of the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement Agreement action against the Owner or Operator for the civil violations and the penalty has been timely corrected and the penalty has been of the UST requirements or other requirements. The Owner or Operator submitled fund annually leat compliance Order will become effective once signators by both parties. Final approval of the Settlement Agreement and Compliance Order will become effective once signature by both parties. Final approval of the Settlement agreement and Compliance Order will become effective once signators by
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Subtotal: \$ 670 or Operator signing below. Signature By Owner, Operator, Or Authorized
Citie: 40 CER Proposed Parallell Name (Print): FERDINAND JAUGAN
* Tanks Multiplier: YTitle (Print): IN FRASTPUCTURE DELVETY MANA
Subtotal: Signature Date: 4 21 21
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
Cite: 40 CFR Proposed Penalty: pay the total penalty amount listed in Part 1 of this Form. This
eignsture by an EDA official with the authority to sign this document
Subtotal:
SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:
Name (Print): Patrick Kuefler
Cite: 40 CFR Proposed Penalty:
x Tanks Multiplier: Title (Print): Chief LCECAB
Subtotal: Signature Digitally signed by Date:
TOTAL PROPOSED PENALTY: \$ 670 Notes: PATRICK KUEFLER Date: 2021.05.13 11:22:09 -05'00'
The Early of Owner of Owner of the characteristics of the characteri
EPA finds the Owner or Operator in violation of the above referenced UST regulation.
11,1 st un Date: 2-29-2621
/ (Signature of EPA Inspector)
PUST 05 2021 0007