



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

FEB 08 2010

**CERTIFIED MAIL #7001 0320 0006 1559 1855**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

LR-8J

Mr. Richard Harper, Fire Chief  
City of Burbank Fire Department  
6530 West 79<sup>th</sup> Street  
Burbank, Illinois 60459

*BA#* 2751006M007

Re: Notice of Violation and Compliance Order/Settlement Agreement for the  
City of Burbank Fire Department, 6530 West 79<sup>th</sup> Street, Burbank, Illinois.

Dear Chief Harper:

**RUST-05-2010-0007**

On October 26, 2009, the U.S. Environmental Protection Agency, RCRA Programs Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning underground storage tank (UST) violation (i.e., release detection), found at the City of Burbank Fire Department, 6530 West 79<sup>th</sup> Street, Burbank, Illinois. This letter is to inform you that we have received your signed copy of the Settlement Agreement, which we received on December 17, 2009. We also received your supporting documentation stating that the UST violation was addressed. In addition, we received your check (#018322) for a total of \$300.00 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,

Willie H. Harris, P.E.  
Chief, RCRA Branch  
Land and Chemicals Division

Enclosure

**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.**

**Part I: INSPECTION SUMMARY**

On 10-26-09 Time 2:45  
 (Date of Violation) (a.m. or p.m.)

At Burbank Fire Dept Sta #1  
 (Name of Facility)

Address: 8455 S. Mayfield  
Burbank IL 60459  
Mr. R. Harper - Fire Chief  
 (Name of On site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator (circle which applies)

Name: City of Burbank

Address: 6530 W. 79th St  
Burbank, IL 60459

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 monitor tanks at least every 30 days

Cite: 40 CFR 280.4(a) Proposed Penalty: \$ 300<sup>00</sup>

2. Violation: \_\_\_\_\_

Cite: 40 CFR Proposed Penalty: \$ \_\_\_\_\_

3. Violation: \_\_\_\_\_

Cite: 40 CFR Proposed Penalty: \$ \_\_\_\_\_

4. Violation: \_\_\_\_\_

Cite: 40 CFR Proposed Penalty: \$ \_\_\_\_\_

5. Violation: \_\_\_\_\_

Cite: 40 CFR Proposed Penalty: \$ \_\_\_\_\_

TOTAL PROPOSED PENALTY: \$ 300<sup>00</sup>

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

[Signature]  
 (Signature of EPA Inspector)

Date: 10-26-09

**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 \$ \_\_\_\_\_ 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): RICHARD HARPER

Title (Print): FIRE CHIEF

Signature [Signature] Date: \_\_\_\_\_

**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.

**SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:**

Name (Print): Willie H. Harris

Title (Print): Chief

Signature [Signature] Date: 2/08/10

Notes:

FEB 09 2010

REGIONAL HEARING CLERK  
 USEPA  
 REGION 5

NUMBER  
PO 57361

DATE ITEM DESCRIPTION  
01/14/10 R5-UST-10-001-AC

INVOICE TOTAL:  
CHECK TOTAL:

AMOUNT  
300.00  
300.00  
300.00  
\*\*

RUST-05-2010-0007

BA# 27510064007

RECEIVED  
FEB 09 2010  
REGIONAL HEARING CLERK  
USEPA  
REGION 5



CITY OF BURBANK  
6530 WEST 79TH STREET  
BURBANK, ILLINOIS 60459  
TELEPHONE: 599-5500

C  
COLE TAYLOR BANK  
BURBANK,  
ILLINOIS

2-347710

18322

018322

THREE HUNDRED DOLLARS AND 00 CENTS

PAY  
TO THE  
ORDER  
OF

U.S. ENVIR PROTECTION AGENCY  
RCRA PROGRAMS, SECTION LR-8J  
77 W. JACKSON BLVD.  
ATTN: CHIEF, UST SECTION  
CHICAGO IL 60604-3590

DATE AMOUNT  
01/08/10 \$300.00

CORPORATE FUND ACCOUNT

*[Signature]*  
*[Signature]*  
*[Signature]*

WARNING: ORIGINAL DOCUMENT CONTAINS BLEED-THROUGH NUMBERING AND THE FACE HAS A COLORED BACKGROUND.  
⑈018322⑈ ⑈071000343⑈ 1567 00800⑈





# CITY OF BURBANK

6530 WEST 79th STREET • BURBANK, ILLINOIS 60459

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

DATE January 6, 2010 CHICAGO, IL 60604-3590

SHIP TO: Burbank Fire Department

6530 W. 79th. Street

Burbank, Illinois 60459

U.S. Environmental Protection Agency

RCRA Programs, Section (LR-8J)

ATTN: Chief, UST Section

77 W. Jackson Blvd.

Chicago, Illinois 60604-3590

PURCHASE ORDER

No. 57361

## INSTRUCTIONS FOR VENDOR

SHOW PURCHASE ORDER NUMBER AND ACCOUNT NUMBERS, LISTED BELOW, ON ALL INVOICES, PACKAGES, AND SHIPPING PAPERS. MUNICIPALITIES ARE EXEMPT FROM STATE SALES TAX.

FEDERAL EXEMPTION NUMBER IS: 36-2698031

ILLINOIS STATE SALES TAX EXEMPT NUMBER IS: E9998-1157-05

F.O.B. BURBANK, IL - CHARGES MUST BE PREPAID

REPLY TO THE ATTENTION OF

SUBJECT TO EQUAL OPPORTUNITY EMPLOYMENT CLAUSE AS SET FORTH IN ORDINANCE NO. 8-3-77.

QUANTITY	DESCRIPTION	ACCOUNT NUMBER	UNIT PRICE	TOTAL PRICE
	EPA Fine R5-UST-10-001-AC			\$ 300.00
	RUST-05-2010-0007			
	BD # 2751006M007			
	RECEIVED			
	FEB 09 2010			
	REGIONAL HEARING CLERK			
	USEPA			
	REGION 5			

REQUISITIONED BY:

*[Signature]*

DEPARTMENT HEAD

1/6/10

DATE

APPROVED BY:

PURCHASING AGENT

DATE

VENDOR