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EPA -- REGION 10

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Date 9/16/19

REMITTER: MARINE VACUUM SERVICE, INC  
DOCKET NUMBER (CWA-10-2019-0109)

PAY TO THE ORDER OF OIL SPILL LIABILITIES TRUST FUND WITH EPA

\$ \*\*\*\*\*4,925.00

EXACTLY \*\*4,925 AND 00/100 DOLLARS

### CASHIER'S CHECK

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE  
EVENT IT IS LOST, MISPLACED, OR STOLEN.

AUTHORIZED SIGNATURE

⑈912918⑈ ⑆323371076⑆ 0100450021⑈

912918



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DOCKET NUMBER (CWA-10-2019-0109)

Date 9/16/19

OIL SPILL LIABILITIES TRUST FUND WITH EPA

\$ \*\*\*\*\*4,925.00

EXACTLY \*\*4,925 AND 00/100 DOLLARS

CUSTOMER - FILE COPY

### CASHIER'S CHECK

BANNER BANK

AUTHORIZED SIGNATURE

NOT NEGOTIABLE





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10, 1200 6th Avenue, Suite 900, Seattle, Washington, 98101

EXPEDITED SPCC SETTLEMENT AGREEMENT

DOCKET NO. CWA-10-2019-0109

On: December 12, 2018
At: Marine Vacuum Service, Inc., Facility & CWT Plant
Owned or operated: Marine Vacuum Service, Inc. (Respondent)

An authorized representative of the United States Environmental Protection Agency (EPA) conducted a Spill Prevention, Control, and Countermeasures (SPCC) inspection on the above referenced date. Later, an EPA authorized representative used the inspection report to determine compliance with the Oil Pollution Prevention regulations promulgated at 40 CFR Part 112 under Section 311(j) of the Clean Water Act (33 U.S.C. § 1321(j)) (the Act), and found that Respondent had violated regulations implementing Section 311(j) of the Act by failing to comply with the regulations as noted on the attached SPCC INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY FORM (Form), which is hereby incorporated by reference.

The parties are authorized to enter into this Expedited Settlement under the authority vested in the Administrator of EPA by Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement in order to settle the civil violations described in the Form for a penalty of \$4,925.

This settlement is subject to the following terms and conditions:

EPA finds the Respondent is subject to the SPCC regulations, which are published at 40 CFR Part 112, and has violated the regulations as further described in the Form. The Respondent admits he/she is subject to 40 CFR Part 112 and that EPA has jurisdiction over the Respondent and the Respondent's conduct as described in the Form. Respondent does not contest the Inspection Findings, and waives any objections it may have to EPA's jurisdiction. The Respondent consents to the assessment of the penalty stated above. Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the violations have been corrected and Respondent has sent a certified check in the amount of \$4,925, payable to the "Oil Spill Liability Trust Fund" to: "U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000". Respondent has noted on the penalty payment check "EPA" and the docket number of this case, "CWA-10-2019-0109."

Upon signing and returning this Expedited Settlement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement without further notice.

If the Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn

without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Form.

After this Expedited Settlement becomes effective, EPA will take no further action against the Respondent for the violations of the SPCC regulations described in the Form. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by the Respondent of the SPCC regulations or of any other federal statute or regulations. By its first signature, EPA ratifies the Inspection Findings and Alleged Violations set forth in the Form.

This Expedited Settlement is binding on the parties signing below, and is effective upon EPA's filing of the document with the Regional Hearing Clerk.

APPROVED BY EPA:
[Signature] Date: 8/22/2019
Edward J. Kowalski, Director
Enforcement & Compliance Assurance Division

APPROVED BY RESPONDENT:
Name (print): Tom Myler
Title (print): President
[Signature] Date 8/29/2019
Signature

Estimated cost for correcting the violation(s) is \$

IT IS SO ORDERED:
[Signature] Date 9/26/19
Richard Mednick
Regional Judicial Officer
EPA Region 10

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**Certificate of Service**

The undersigned certifies that the original signed by the Regional Judicial Officer of the attached **EXPEDITED SPCC SETTLEMENT AGREEMENT, In the Matter of: Marine Vacuum Service, Inc., Docket No.: CWA-10-2019-0109**, was filed with the Regional Hearing Clerk, and that true and correct copies of the original were served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Chris Gebhardt, Compliance Officer  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, Suite 155  
Mail Stop 20 - C04  
Seattle, Washington 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 to:

Mr. Fred Schirmer  
Operations Manager  
Marine Vacuum Service, Inc.  
1516 South Graham Street  
Seattle, Washington 98108

DATED this 26 day of Sept., 2019

  
\_\_\_\_\_  
Signature

Teresa Young  
Regional Hearing Clerk  
EPA Region 10