



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

JUN 20 2019

CERTIFIED MAIL #7014 2870 0001 9577 3502
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF

Mr. David Szaflarski
PACE Suburban Bus
550 West Algonquin
Arlington Heights, Illinois 60005

Re: Notice of Violation and Compliance Order/Settlement Agreement for the PACE West
Division, 3500 West Lake Street, Melrose Park, Illinois 60160 **RUST-05-2019-0009**

Dear Mr. Szaflarski:

On March 7, 2019, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) program issued a Notice of Violation and a Compliance Order/Settlement Agreement (Field Citation) concerning UST violations (i.e., failure to conduct UST spill & overfill protection and containment testing) found at the PACE West Division, facility, 3500 West Lake Street, Melrose Park, Illinois.

We have received your signed copy of the Settlement Agreement, dated May 16, 2019 and the check for a total of \$2,010 in penalties. On May 15, 2019, we received the final supporting documentation on recent tank tests, addressing the UST triennial testing violations.

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 (#2125237) 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,

A handwritten signature in blue ink that reads "Mardi Klevs".

Mardi Klevs
Chief, Land and Chemicals Enforcement and Compliance Assurance Branch

cc: Fred Schneller, Illinois OSFM

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 5
77 West Jackson Boulevard (LR-17J), Chicago, Illinois 60604-3590 RS-UST-19-001-AC
UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. _____

Part I: INSPECTION SUMMARY

On 2-25-2019 Time 9:00
 (Date of Violation) (a.m. or p.m.)

At PACE - West Div
 (Name of Facility)

Address: 3500 W. Lake, Melrose Park, IL 60160

Andre Boykin
 (Name of On site Representative if not the Owner or Operator)

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

Name: David Szaflarski

Address: 550 West Algouquin Arlington Heights, IL 60005

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 conduct tank containment testing

Cite: 40 CFR 35(a)(1) Proposed Penalty: \$ 670

2. Violation: Failure to test overflow prevention equipment

Cite: 40 CFR 35(a)(2) Proposed Penalty: \$ 670

3. Violation: Failure to test spill buckets / containment

Cite: 40 CFR 35(a)(1) Proposed Penalty: \$ 670

4. Violation: _____

Cite: 40 CFR Proposed Penalty: \$ _____

5. Violation: _____

Cite: 40 CFR Proposed Penalty: \$ _____

TOTAL PROPOSED PENALTY: \$ 2,010.⁰⁰

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

[Signature]

Date: 3-7-19

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): DAVID SZAFIARSKI

Title (Print): Devil Szaflarski

Signature: *[Signature]* Date: 5-16-19
ENVIRONMENTAL AFFAIRS COORDINATOR

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): Mardi Kleus

Title (Print): Chief LCECAB

Signature: *[Signature]* Date: 6-11-19

Notes: _____



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U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Office of Small and Disadvantaged Business Utilization (OSDBU)

www.epa.gov/aboutepa/about-office-small-and-disadvantaged-business-utilization-osdbu

EPA's OSDBU advocates and advances business, regulatory, and environmental compliance concerns of small and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman (ASBO)

www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman or 1-800-368-5888

The EPA ASBO serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

Small Business Environmental Assistance Program

<https://nationalsbeap.org>

This program provides a "one-stop shop" for small businesses and assistance providers seeking information on a wide range of environmental topics and state-specific environmental compliance assistance resources.

EPA's Compliance Assistance Homepage

www.epa.gov/compliance

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

Compliance Assistance Centers

www.complianceassistance.net

EPA sponsored Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Surface Finishing

<http://www.sterc.org>

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines and Clearinghouses

www.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Examples include:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP, and Oil Information Center

1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or

1-734-214-4100

National Pesticide Information Center

www.npic.orst.edu or 1-800-858-7378

National Response Center Hotline to report oil and hazardous substance spills -

<http://nrc.uscg.mil> or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/p2/pollution-prevention-resources#ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/ground-water-and-drinking-water/safe-drinking-water-hotline or 1-800-426-4791

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 1-202-554-1404

REGION: 1(2)3 4 5 6 7 8 9 10 HQ CIN TRAVEL JURYDUTY CARDFUNDS TUITION IAG

PETER JESS/C (LORI) DANA JESS/H CRAIG KEN CINDY CINWD MARK RELO JOANN

COLLECTION INFORMATION

DEPOSIT NUMBER: 2724619202718

SUSPENSE

LIABILITY

COLLECTION TYPE: (CNR) CFR CDV HNR

COLLECTION NUMBER: UST-02-2019-001-AC

BILL TYPE: (NN) NF SN SF RJ JV MN MF TO TD RQ HP

BILL NUMBER: _____

COLLECTION DONE BY: KEN

ENTERED DATE: 5/28/19

IPACTO: HQ LV RTP

Accounting

CNR/CFR	BFY	FUND	ORG	PRC	FOC	PROJECT	AMOUNT	LINE
001	19	1099	80				2010.00	

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SENSITIVE BUT UNCLASSIFIED

U S ENVIRONMENTAL PROTECTION

Lockbox: GLX-979077 Ledger Date 05/24/2019