

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION III
1650 Arch Street, Philadelphia PA 19103

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. RCRA-03-2011-0013FC

PART I: INSPECTION SUMMARY

On: June 7, 2010 Time: _____
(Date of Inspection) (a.m. or p.m.)

At: 1615 L Street LLC # 2000089
(Facility Name and Identification Number)

Address: 1615 L Street, NW
Washington, DC 20036

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

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

Name: 1615 L Street, LLC
Address: 1615 L Street, NW
Washington, DC 20036

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 have financial responsibility for UST from March 2009 until August 2010

Cite: DCMR Title 20 Chapter 67(40) C.F.R. Part 280 Subpart 11

Proposed Penalty \$ 210.

2. Violation: _____

Cite: _____

Proposed Penalty \$ _____

PROPOSED PENALTY TOTAL \$ 210.

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

Abraham Ferdas Date: 10/8/10
(Signature of Authorized Officer or Employee of EPA)

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 \$ 210. 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 III, 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): Charlotte Wilson
Title (print): Sr. Property Manager/Agent
Signature: [Signature] Date: 10/28/2010

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): Abraham Ferdas
Title (print): Dir., Land & Chemicals Division
Signature: [Signature] Date: 11/10/10

Notes:

Matter involves claims by other regions (NO)

ENFORCEMENT ACTION NAME: 1615 L Street LLC
(Primary Respondent's Name)

REGIONAL HEARING CLERK'S DOCKET NUMBER: RCRA-03-2011-0013FC
REGIONAL TECHNICAL CONTACT: S. Forostiak REGIONAL ATTORNEY: N/A
Phone: 4-2136 Mail Code: 3LC70 Phone: 4- Mail Code:

RESPONDENT(s): 1615 L Street LLC Defendant Small Business (<100 employees)? No

FACILITY NAME (if different than Enforcement Action Name):
Street: 1615 L Street NW City: Washington State: DC Zip Code: 20036
FACILITY ADDRESS (Pls. use the location of the facility where the violation(s) occurred, not a P.O. Box Number)

FACILITY 4-DIGIT SIC Code(s): 7521 Federal Facility? NO

Facility Small Business (<100 employees)? No

ENFORCEMENT ACTION TYPE (section of statute that authorizes pursuit of penalty and/ or injunctive relief):
RCRA 9006 ; ; ;

LAW(s), Section(s) and Subsection(s) violated RCRA 9003 ; ;

DATE OF *COMPLAINT/SCAFO**AO/**NOTICE OF DETERMINATION FILED: 11/16/2010
(*Clocked in with Regional Hearing Clerk) (**- Division Director's signature)

PROPOSED PENALTY: \$ 210 (Penalty in Complaint or 1 day maximum statutory amount for a Notice Pleading Case)
(Is this an amended complaint?) NO Notice Pleading Case? NO

Multi-Media Action? NO If yes, T all that apply(s):

- CAA Air Stationary Source (other than Title II)
CAA Air Mobile Source (Title II)
CAA Prevention of Accidental Releases (§112r)
CERCLA Hazardous Site Response (CERCLA Superfund other than §103 and/or RCRA §3013 or §7003)
CWA NPDES (other than §311 and §404)
CWA Oil Pollution (§311)
CWA Wetlands (§404)
EPCRA Community Right-to-know (§313)
EPCRA Releases Notification/Emergency Preparedness (non-§313 and/or CERCLA §103)
EPCRA Pesticides
MFRSA Ocean Dumping
RCRA Hazardous Waste Management (Subtitle C)
RCRA Solid Waste Management (Subtitle D)
RCRA Underground Storage Tanks (Subtitle I)
SDWA Public Water Supply (§1414 et seq.)
SDWA Underground Injection Control (§1421 et seq.)
TSCA Asbestos Hazardous Emergency Response Act (§201)
TSCA Lead Exposure Reduction (§409)
TSCA Polychlorinated Biphenyls (§1414 et seq.)
TSCA Toxic Substances (other than Lead or PCBs)

Environmental Justice? NO If yes, Toption(s):

- Low Income
Minority Population & Low Income
Minority Population
Other

Audit Policy Applied? NO If Yes, Disclosure Date: / / (Date of the disclosure letter)

VIOLATION TYPE(S): UST
(See attached listing)

POLLUTANT(S): petroleum
(Add additional pollutants on blank sheet)