



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

MAY 13 2019

**CERTIFIED MAIL #7014 2870 0001 9577 3441**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

Mr. Phil Perna, P.E.  
Director of Public Works  
Village of Glenview Public Works Department  
2498 East Lake Avenue  
Glenview, Illinois 60026

**RUST-05-2019-0005**

Re: Notice of Violation and Compliance Order/Settlement Agreement for the Glenview Public Works facility, 2498 East Lake, Glenview, Illinois 60026

Dear Mr. Perna:

On March 25, 2019, 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 UST violations (i.e., failure to meet periodic testing requirement for Spill buckets, tank containment sumps and overflow protection) found at the Village of Glenview Public Works facility located at 2498 East Lake Avenue, Glenview, Illinois.

We have received your signed copy of the Settlement Agreement, dated May 1, 2019 and the check for a total of \$2,010 in penalties. On April 29, 2019, we received the final supporting documentation on recent tests records for the tanks, addressing the UST 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 (#736313) as part of the settlement process. Enclosed is a copy of the March 13, 2019 inspection report.

If you have any questions, please feel free to contact me at (312) 886-8121, or your staff may contact Arturo Cisneros at (312) 886-7447.

Sincerely,

A handwritten signature in cursive script 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**  
**UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO.                      R5-UST-19-007-AC**

**Part I: INSPECTION SUMMARY**

On 03/13/2019 Time 9:00 am  
 (Date of Violation) (a.m. or p.m.)

At Glenview Public Works  
 (Name of Facility)

Address: 2498 East Lake  
Glenview, IL 60026  
Dave Dykas  
 (Name of On site Representative if not the Owner or Operator)

Name and address of the UST  Owner or  Operator  
**Name:** Village of Glenview  
**Address:** 2500 East Lake  
Glenview, IL 60026

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 meet the requirements for periodic testing and monitoring of spill prevention equipment.  
**Cite:** 40 CFR §280.35(a)(1) **Proposed Penalty:** \$ 670  
 x Tanks **Multiplier:** \_\_\_\_\_  
**Subtotal:** \$ 670

2. **Violation:** Failure to properly and periodically inspect overflow prevention equipment.  
**Cite:** 40 CFR §280.35(a)(2) **Proposed Penalty:** \$ 670  
 x Tanks **Multiplier:** \_\_\_\_\_  
**Subtotal:** \$ 670

3. **Violation:** Failure to meet the requirements for periodic testing and monitoring of containment sumps.  
**Cite:** 40 CFR §280.35(a)(1) **Proposed Penalty:** \$ 670  
 x Tanks **Multiplier:** \_\_\_\_\_  
**Subtotal:** \$ 670

4. **Violation:** \_\_\_\_\_  
**Cite:** 40 CFR **Proposed Penalty:** \_\_\_\_\_  
 x Tanks **Multiplier:** \_\_\_\_\_  
**Subtotal:** \_\_\_\_\_

**TOTAL PROPOSED PENALTY:** \$ 2,010

EPA finds the Owner or Operator in violation of the above referenced UST regulations.  
 \_\_\_\_\_ Date: 3-25-19  
 (Signature of EPA Inspector)

**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 \$ 2,010 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): Phil Perna  
 Title (Print): Director of Public Works  
 Signature: Phil M. Perna Date: 5/1/19

**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: Mardi Kleus Date: \_\_\_\_\_

Notes:

