

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Tonia Bandrawicz 9/24/13
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number CWA-01-2013-0054

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Giroux Energy Solutions, Inc.
343 Warren Avenue
Portland, Maine

Total Dollar Amount of Receivable \$ 1500 Due Date: 10/24/13

SEP due? Yes No Date Due _____

Installment Method (if applicable)

- INSTALLMENTS OF:
- 1st \$ _____ on _____
 - 2nd \$ _____ on _____
 - 3rd \$ _____ on _____
 - 4th \$ _____ on _____
 - 5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

RECEIVED

2013 SEP 24 P 4: 30

EPA ORC
OFFICE OF
REGIONAL HEARING CLERK

BY HAND

September 24, 2013

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency - Region I
1 Congress Street
Suite 1100, Mail Code RAA
Boston, MA 02114-2023

Re: In the Matter of Giroux Energy Solutions, Inc., Portland, ME 04103 Docket No. CWA-01-2013-0054

Dear Ms. Santiago,

Enclosed for filing, please find a Consent Agreement and Final Order (CAFO) settling the matter referenced above.

Pursuant to EPA Order Classification No.: 2551.1A dated June 7, 2006, the Regional Hearing Clerk (RHC) shall send a copy of the CAFO in any Clean Water Act (CWA) case assessing a penalty under the authority of Section 311 of the CWA to:

U.S EPA
Cincinnati Finance Center
26 W. Martin Luther King Drive (MS-002)
Cincinnati, OH 45268

In addition, the RHC must pass along the name and address of the regional attorney responsible for any collection recommendation if the civil debt becomes delinquent. For this case, the responsible attorney is:

Tonia Bandrowicz
Senior Enforcement Counsel
EPA Region 1
1 Congress St., Suite 1100 (SEL)
Boston, MA 02114-2023
Tel: 617-918-1734

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Diane Boisclair". The signature is written in a cursive style with a large initial "D".

Diane Boisclair
Water Technical Unit

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1, 5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109-3912

EXPEDITED SPCC SETTLEMENT AGREEMENT

Docket No. CWA-01-2013- 0054

On April 16, 2013 at Giroux Energy Solutions, Inc. ("Respondent") a truck washing and automotive service facility, located at 343 Warren Avenue, Portland, Maine, an authorized representative of the United States Environmental Protection Agency ("EPA") conducted an inspection to determine compliance with the Oil Pollution Prevention regulations promulgated at 40 CFR part 112 under Section 311(j) of the Clean Water Act (the "Act"), 33 U.S.C. § 1321(j). EPA determined that Respondent, as owner or operator of the facility, violated regulations implementing Section 311(j) of the Act by failing to comply with the Oil Pollution Prevention regulations as noted on the attached Spill Prevention Control and Countermeasure Plan ("SPCC") Inspection Findings and Violations Form ("Violations Form") which is hereby incorporated by reference. By its first signature below, EPA ratifies the Inspection Findings and Violations set forth in the Violations Form.

The parties enter into this Expedited Settlement in order to settle the civil violations described in the Violations Form for a penalty of \$1,500. The parties are authorized to enter into this Expedited Settlement under the authority of Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), and by 40 CFR § 22.13(b).

This settlement is subject to the following terms and conditions:

EPA finds the Respondent is subject to the Oil Pollution Prevention regulations, and has violated the regulations as further described in the Violations Form. Respondent admits it is subject to the Oil Pollution Prevention regulations and that EPA has jurisdiction over Respondent and Respondent's conduct as described in the Violations Form. Respondent admits to the facts in the first paragraph of this Settlement Agreement, and waives any objections it may have to EPA's jurisdiction. Respondent consents to the assessment of the penalty stated above.

Respondent further certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the violations identified in the Violations Form have been corrected and the facility is now in full compliance with the Oil Pollution Prevention regulations (or that the violations will be corrected and the facility brought in full compliance with the Oil Pollution Prevention regulations within an alternative time frame agreed to by EPA in writing). Respondent has sent a certified check in the amount of \$1,500, payable to the Environmental Protection Agency, to: U.S. Environmental Protection Agency, Fines and Penalties, P.O. Box 979077, St. Louis, MO 63197-9000. This check shall reference the docket number of the case and the "Oil Spill Liability Trust Fund - 311." Respondent shall send a copy of the check to Diane Boisclair, Environmental Protection Agency, Region 1, 5 Post Office Square (OES04-3), Boston, Massachusetts 02109-3912, and to the Regional Hearing Clerk, Environmental Protection Agency, Region 1, 5 Post

Office Square (ORC-18), Boston, Massachusetts 02109-3912.

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.

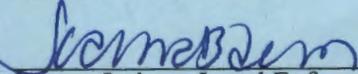
This Expedited Settlement is binding on the parties signing below, and is effective upon filing with the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b).

Once the Expedited Settlement is signed by the Regional Judicial Officer, the original Expedited Settlement will be filed with the Regional Hearing Clerk and a copy will be mailed to: U.S. EPA Cincinnati Finance Office, 26 W. Martin Luther King Drive (MS-002), Cincinnati, OH 45268. A copy of the Expedited Settlement will also be mailed to the Respondent.

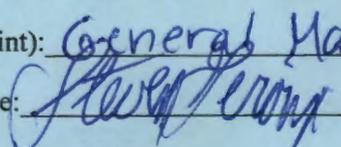
If Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Violations Form.

After this Expedited Settlement becomes effective, EPA will take no further civil penalty action against Respondent for the violations of the Oil Pollution Prevention regulations described in the Violations Form through the order date of this Expedited Agreement. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by Respondent of the Oil Pollution Prevention regulations or of any other federal statute or regulations.

APPROVED BY EPA:

 Date: 8/13/13
Joanna Jerison, Legal Enforcement Manager
Office of Environmental Stewardship

APPROVED BY RESPONDENT:

Name (print): Steven Giroux
Title (print): General Manager
Signature:  Date: 8/13/13

IT IS SO ORDERED:

 Date: 9/17/13
LeAnn Jensen
Acting Regional Judicial Officer

EPA ORC
OFFICE OF
REGIONAL HEARING CLERK
2013 SEP 24 P 4: 31
RECEIVED