

IRN : RUSB03251679469067

ALC+2 : 6801072703

Cashflow Name : EPA FOIA and Miscellaneous Payments

Lockbox ID : 979078

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. RUST-05-2025-0036 R5-UST-24-002-AC	
Part I: INSPECTION SUMMARY	
On <u>09/20/2023</u> Time <u>1:00 pm</u> <small>(Date of Violation) (a.m. or p.m.)</small>	
At <u>Sailstar Marina</u> <small>(Name of Facility)</small>	
Address: <u>Sailstar Marina, 741 Sailstar Drive NE</u> <u>Cass Lake, MN 56633</u> <small>(Name of On site Representative if not the Owner or Operator)</small>	
Name and address of the UST <input checked="" type="checkbox"/> Owner or <input type="checkbox"/> Operator	
Name: <u>Mr. Darryl Larson</u>	
Address: <u>Sailstar Marina, 741 Sailstar Drive NE</u> <u>Cass Lake, MN 56633</u>	
<small>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.).</small>	
1. Violation: <u>Failure to ensure that cathodic protection system is tested every 3 years thereafter.</u>	
Cite: <u>40 CFR §280.31(b)(1)</u> Proposed Penalty: <u>\$ 733</u> x Tanks Multiplier: <u> </u> Subtotal: <u>\$ 733</u>	
2. Violation: <u>Failure to monitor tanks every 30 days, if appropriate.</u>	
Cite: <u>40 CFR §280.41(a)</u> Proposed Penalty: <u>\$ 733</u> x Tanks Multiplier: <u> </u> Subtotal: <u>\$ 733</u>	
3. Violation: <u>Failure to have annual line tightness test or monthly monitoring of pressurized piping.</u>	
Cite: <u>40 CFR §280.41(b)(1)(i)(B)</u> Proposed Penalty: <u>\$ 733</u> x Tanks Multiplier: <u> </u> Subtotal: <u>\$ 733</u>	
4. Violation: <u>Failure to equip piping with automatic line leak detector and annually test such leak detector.</u>	
Cite: <u>40 CFR §280.44(a)</u> Proposed Penalty: <u>\$ 733</u> x Tanks Multiplier: <u> </u> Subtotal: <u>\$ 733</u>	
TOTAL PROPOSED PENALTY: <u>\$ 2,932</u>	
EPA finds the Owner or Operator in violation of the above referenced UST regulations ARTURO CISNEROS <small>(Signature of EPA Inspector)</small>	
<small>Digitally signed by ARTURO CISNEROS Date: 2023.11.28 19:00:46 -06'00'</small> Date: <u> </u>	
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 <u>\$ 2,932</u> 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): <u>Darryl Larson</u> Title (Print): <u>OWNER</u> Signature: <u>Darryl Larson</u> Date: <u>5-15-25</u>	
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): <u>Julie Morris</u> Title (Print): <u>Branch Manager, IECAB</u> Signature: <u>Morris, Julie</u> Digitally signed by Morris, Julie Date: <u>2025.06.26 09:38:45 -05'00'</u> Notes: <u> </u>	

FILED

Jun 26, 2025

12:09 pm

**U.S. EPA REGION 5
HEARING CLERK**