



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 31 2011

**CERTIFIED MAIL #7001 0320 0006 1559 1633**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF: LR-8J

Mr. Jim Perrey  
Manager of Aircraft Maintenance  
Archer Daniels Midland Company  
1050 Airport Road  
Decatur, Illinois 62521

**Re: Notice of Violation and Compliance Order/Settlement Agreement for  
the Archer Daniels Midland Company facility, 1050 Airport Road, Decatur,  
Illinois RUST-05-2011-0010**

*504* **2751106M011**

Dear Mr. Perrey:

On January 18, 2011, the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning an UST violation (i.e., overfill protection), found at the Archer Daniels Midland Company facility, 1050 Airport Road, Decatur, Illinois. This letter is to inform you that we have received your signed copy of the Settlement Agreement, dated March 4, 2011. We also received your supporting documentation stating that the UST violation was addressed. In addition, we received your check (#108456) for a total of \$420 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. This is to inform you that 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 as part of the settlement process. If you have any further questions, please feel free to contact Arturo Cisneros, of my staff, at 312/886-7447.

Sincerely,

Gary J. Victorine  
Acting Chief, RCRA Branch  
Land and Chemicals Division

Enclosure

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 5  
77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590  
UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. R5-UST-11-003-AC

**PART I: INSPECTION SUMMARY**

On: 12/13/2010 Time: 03:34 PM

At: Archer Daniels Midland Company  
Address: 1050 Airport Road  
Decatur, IL 62521

Mr. Jim Perrey  
(Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Archer Daniels Midland Company  
Address: 1050 Airport Road  
Decatur, IL 62521

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 provide spill or overfill prevention system for an existing tank  
Cite: 40 CFR 280.21(d) Proposed Penalty: \$420

2. Violation:  
Cite: 40 CFR Proposed Penalty:

3. Violation:  
Cite: 40 CFR Proposed Penalty:

4. Violation:  
Cite: 40 CFR Proposed Penalty:

**TOTAL PROPOSED PENALTY: \$420**

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

[Signature] 12-13-10  
(Signature of EPA Inspector) (Date)

**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 **\$420** 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): JIM PERREY  
Title (Print): MANAGER OF AIRCRAFT MAINT.  
Signature: [Signature] Date: 3-4-11

**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.

Name (Print): GARY J. VICTORINE  
Title (Print): Acting Chief, RCRA Branch  
Signature: [Signature] Date: 3/28/2011

Notes:

**RECEIVED**

MAR 31 2011

REGIONAL HEARING CLERK  
USEPA  
REGION 5

RUST-05-2011-0010

BD# 2751106 M011

Bryson LORI DANA MICHELLE JOE DICK VAL PATTI ELIZBTH EVELYN CRAIG ERIC BLAKE (KIM) CAROL JESSICA

# COLLECTION INFORMATION

DEPOSIT (SCHEDULE) NUMBER 2721211 SUSPENSE  LIABILITY

CR NUMBER VST05110003 REMOVED BY \_\_\_\_\_

BILL NUMBER (IF DIFFERENT FROM CR NUMBER) \_\_\_\_\_ REMOVED DATE \_\_\_\_\_

IFMS ENTERED DATE 3.15.11

DATE ITEM REC'D (IF NOT CIRCLED ON CHECK) \_\_\_\_\_

COLLECTION ENTRY DONE BY JESS

NOT IN: ICIS, BRAINS, RHC DATABASE

IPAC TO: LV RTP HQ

## ACCOUNTING

CR Line	BFY	APPR	Bud Org	PRC	BOC	Site/Proj	AMOUNT	Ref Line	Rep Cat
001	11	1099	80				420.00	<del>998</del>	
								997	
								001	
								002	
								003	
								004	
								005	
								999	

RECEIVED

MAR 31 2011

REGIONAL HEARING CLERK  
USEPA  
REGION 5

KEY: REF LINE NO. 997=Interest LINE NO. 998=Handling LINE NO. 999=Penalty

RUST-05-2011-0010

BA# 2751106M011

QUALITY MEANS MEETING THE REQUIREMENTS BOX 979077  
SEQ# 005 \$ 000042000 BA# 61 03-14-11 20 4



HICKORY POINT BANK & TRUST  
DECATUR, IL 62523

108456

ADM ARCHER DANIELS MIDLAND COMPANY, DECATUR, ILLINOIS

DATE: 03/02/11 PAY \$ \*\*\*\*\*420.00

343921 TREASURER, UNITED STATES OF AMERICA

US EPA FINES/PENALTIES

CINCINNATI FINANCE CTR.

PO BOX 979077

ST LOUIS MO 63197-9000

[Signature]

[Signature]

THE FACE OF THIS DOCUMENT CONTAINS MICRO PRINT LINES IN THE BORDER, A COLORED BACKGROUND AND A GENUINE MILL INSTALLED WATERMARK

⑈ 108456⑈ ⑆ 071124805⑆ ⑆ 011447⑈ ⑆ 0000042000⑆