

CASE CONCLUSION DATA SHEET

	Concurrence	
	Staff	Supervisor
CNSL	KG	D. G.
Program	mkb	

A. CASE INFORMATION:

- 1. Case name: Siemens Water Technologies Corp.
- 2. Enforcement Action ID: [redacted]
- 3. Court Docket Number: CWA-07-2008-0036
- 4. (a) EPA Lead Attorney: Gonzalez
- 4. (b) EPA Program Contact: Breglin
- 5. Federal Statute(s) violated: CWA
- 6. Filing Dates:
 - (a) Administrative action:
 - Issued/Filed: [redacted] Entry of Final Order: 2/1/08
 - (b) Civil judicial action:
 - Complaint filed: [redacted]
 - Consent Decree Lodged: [redacted]
 - Consent Decree Entered: [redacted]
 - (c) Withdrawn/Dismissed:
 - Date: [redacted]

07-2008 - 0103

- 7. Multi-media action? Yes No
 - If yes, check all that apply that make this action multi-media:
 - Inspection Complaint Settlement SEP
- 8. Environmental Justice concerns? Yes No
 - If yes, check all that apply:
 - Low Income Minority Population Other

9. National Priority?

HEADQUARTERS PRIORITIES - FY 2007

- Air Toxics
- Financial Assurance
- Mineral Processing - Mining
- Mineral Processing - Non-Phosphoric Acid
- Mineral Processing - Phosphoric Acid
- NSR / PSD - Coal Fired Power Plants
- NSR / PSD - Non-Coal Fired Power Plants
- Petroleum Refining
- Tribal
- Wet Weather - CAFO
- Wet Weather - Combined Sewer Overflow (CSO)
- Wet Weather - Sanitary Sewer Overflow (SSO)
- Wet Weather - Stormwater - MS4
- Wet Weather - Stormwater Industrial Construction
- Wet Weather - Stormwater Industrial Non-Construction

REGIONAL PRIORITIES - FY 2007

- Agriculture
- Critical Ecosystem Protection
- Sensitive Populations

B. FACILITY INFORMATION:

- 10. Facility Name: Siemens Water Technologies Corp
- Small Business Yes No
- 11. Facility Identification: [redacted]
- (a) Programmatic ID #: [redacted]
- (b) EPA-FLA #: [redacted] (if Program ID not available or applicable)

If more than one facility,

- 10. Facility Name: [redacted]
- Small Business Yes No
- 11. Facility Identification: [redacted]
- (a) Programmatic ID #: [redacted]
- (b) EPA-FLA #: [redacted] (if Program ID not available or applicable)

C. CASE CONCLUSION INFORMATION:

12. Alternative Dispute Resolution used? Yes No
 13. Was an Environmental Management System requested? Yes No

14. Action Type:

- Administrative Compliance Order
- Administrative Penalty Order (with / without injunctive relief)
- Consent Decree or Other Federal Court Order Resolving a Civil Judicial Action
- Federal Facility Compliance Agreement (not including RCRA matters)
- Notice of Determination
- Superfund Administrative Cost Recovery Agreement

D. COMPLIANCE ACTIONS: Injunctive Relief and Other Compliance Activities (Non-SEP Related)
Superfund Administrative Cost Recovery Agreements can skip this section

15. What action did violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet additional requirements (other than what has already been reported on the inspection Conclusion Data Sheet (ICDS))? This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions related to an APO which did not specify compliance requirements). Include actions completed prior to the final settlement/order and actions to be taken by violator to return to compliance or meet additional requirements. Where separate penalty and/or compliance orders are issued in connection w/same violation(s), report the following information for only one of those orders. Select response(s) from the following:

Actions with Direct Environmental Benefits and/or Direct Response/Corrective Action

- | | |
|--|---|
| <input type="checkbox"/> Containment (CERCLA) | <input type="checkbox"/> Leak Repair (CAA) |
| <input type="checkbox"/> Emissions/Discharge Change (e.g. end-of-pipe treatment) | <input type="checkbox"/> Removal of Contaminated Medium (soil, drums, etc.) |
| <input checked="" type="checkbox"/> Implement Best Management Practices (BMPs) | <input type="checkbox"/> Removal of Spill |
| <input type="checkbox"/> Import Denied (FIFRA) | <input type="checkbox"/> Source Reduction/Waste Minimization (RCRA) |
| <input type="checkbox"/> Industrial/Municipal Process Change (includes flow reduction) | <input type="checkbox"/> Waste Treatment (RCRA/TSCA) |
| <input type="checkbox"/> In-situ and Ex-situ Treatment (CERCLA/RCRA Corrective Action) | <input type="checkbox"/> Wetlands Mitigation |

Preventative Actions to Reduce Likelihood of Future Releases

- | | |
|--|---|
| <input type="checkbox"/> Asbestos Abatement | <input type="checkbox"/> Pesticide Label Revision (FIFRA) |
| <input type="checkbox"/> Asbestos Training/Certification/Accreditation | <input type="checkbox"/> Pesticide Registered (FIFRA) |
| <input type="checkbox"/> Develop/Implement Asbestos Management Plan | <input type="checkbox"/> RCRA Labeling/Manifesting |
| <input type="checkbox"/> Develop/Implement Spill Prev. Countermeasures Control (SPCC) Plan | <input type="checkbox"/> RCRA Secondary Containment |
| <input type="checkbox"/> Disposal Change | <input type="checkbox"/> RCRA Waste Identification |
| <input type="checkbox"/> Lead-Based Paint Disclosure | <input type="checkbox"/> Storage Change |
| <input type="checkbox"/> Lead-Based Paint Removal Training/Cert (TSCA 402, 1018, 206) | <input type="checkbox"/> UIC Demonstrate Mechanical Integrity |
| <input type="checkbox"/> Notification (SDWA, FIFRA) | <input type="checkbox"/> UIC Plug and Abandon |
| <input type="checkbox"/> Obtain Permit for Underground Injection (UIC) | <input type="checkbox"/> UST Corrosion or Overfill Protection |
| <input type="checkbox"/> Pesticide Certified (FIFRA) | <input type="checkbox"/> UST Secondary Containment |
| <input type="checkbox"/> Pesticide Claim Removed (FIFRA) | <input type="checkbox"/> UST Tank Closure |
| | <input type="checkbox"/> Worker Protection (FIFRA) |

Facility/Site Management and Info. Practices

- | | |
|--|--|
| <input type="checkbox"/> Asbestos Inspections | <input type="checkbox"/> Provide Site Access (CERCLA) |
| <input type="checkbox"/> Auditing | <input type="checkbox"/> Recordkeeping |
| <input type="checkbox"/> Environmental Management Review | <input type="checkbox"/> Reporting |
| <input type="checkbox"/> Financial Responsibility Requirements | <input type="checkbox"/> RI/FS or RD (CERCLA) |
| <input type="checkbox"/> Information Letter Response | <input type="checkbox"/> Site Assessment/Characterization (CERCLA) |
| <input type="checkbox"/> Labeling/Manifesting | <input type="checkbox"/> Spill Notification |
| <input type="checkbox"/> Leak Detection (CAA) | <input checked="" type="checkbox"/> Storm water Site Inspections |
| <input type="checkbox"/> Monitoring | <input type="checkbox"/> Testing/Sampling |
| <input type="checkbox"/> Notification (TSCA Section 6) | <input type="checkbox"/> Training |
| <input type="checkbox"/> Permit Application | <input type="checkbox"/> UST Release Detection |
| <input type="checkbox"/> Planning | <input type="checkbox"/> Work Practices |

16. Cost of actions described in item #15. (Actual cost data supplied by violator is preferred figure.)
 Actions with Direct Environmental Benefits and / or Direct Response/Corrective Action/Preventative Actions to Reduce Likelihood of Future Releases: \$
 Facility/Site Management and Info. Practices: \$

17. Quantitative environmental impact of physical actions described in item #16:
 (If "Units" or "Potentially Impacted Media" is not found in drop down selections, click inside the text area and type the required data)

REDUCTIONS/ELIMINATIONS/TREATMENT			
Pollutant/Chemical Waste Stream	Annual Amount	Units	Potentially Impacted Media
Stormwater	15	acres	Water (Navig./Surface)
	847,733	gallons	

PREVENTION			
Pollutant/Chemical Waste Stream	Annual Amount	Units	Potentially Impacted Media
Stormwater			

E. SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP) INFORMATION:

18. SEP Category (check all applicable)

- Assessments and Audits
- Emergency Planning and Preparedness
- Environmental Compliance Promotion
- Environmental Restoration and Protection
- Pollution Prevention / Energy Efficiency - Conservation
- Pollution Prevention / Equipment - Technology Modification
- Pollution Prevention / Improved Housekeeping / O & M, Training, Inventory Control
- Pollution Prevention / In-Process Recycling
- Pollution Prevention / Process - Procedure Modification
- Pollution Prevention / Product Reformulation / Redesign
- Pollution Prevention / Raw Materials Substitution
- Pollution Reduction
- Public Health
- Other Program Specific SEP

19. Description of project:

20. Cost of SEP. Cost calculated by the Project Model is required. \$

21. Is Environmental Justice addressed by SEP? Yes No

22. Quantitative environmental impact of SEP:

ENVIRONMENTAL BENEFIT OF SEP			
Pollutant/Chemical Waste Stream	Annual Amount	Units	Potentially Impacted Media

F. PENALTY INFORMATION: (If no penalty assesses, may skip this section)

23. Penalty

- (a) Final Assessed Penalty: \$
- (b) If shared, Federal share \$
- (c) If shared, State/Local share: \$

24. For multi-media actions, federal penalty assessed broken out by statute:

Statute	Amount
<input type="text"/>	\$ <input type="text"/>
<input type="text"/>	\$ <input type="text"/>
<input type="text"/>	\$ <input type="text"/>

G. COST RECOVERY INFORMATION: (SUPERFUND, RCRA §3013, OPA, CWA §311(b)(10))

25. Cost recovery awarded:

EPA: \$ State/Local: \$ Other: \$

H. POST ENTRY TRACKING:

26. Estimated Termination Date of Order:

27. Milestone Activities to be tracked? Yes No

If Yes, choose the type of milestone tracking from the Milestone Reference List and fill in the planned date for completion of milestone. Coordinate milestone tracking with Kathy Robinson (x7567).

MILESTONE NUMBER

<input type="text"/>

PLANNED DATE(S) OF MILESTONE COMPLETION

<input type="text"/>

Clear Form

Justification for Calculating Pollutant Reductions at Siemens Water Technologies

Parameters:

- Pollutant reductions must be entered into the ICIS Case Conclusion Data Sheet as gallons per year.

Assumptions:

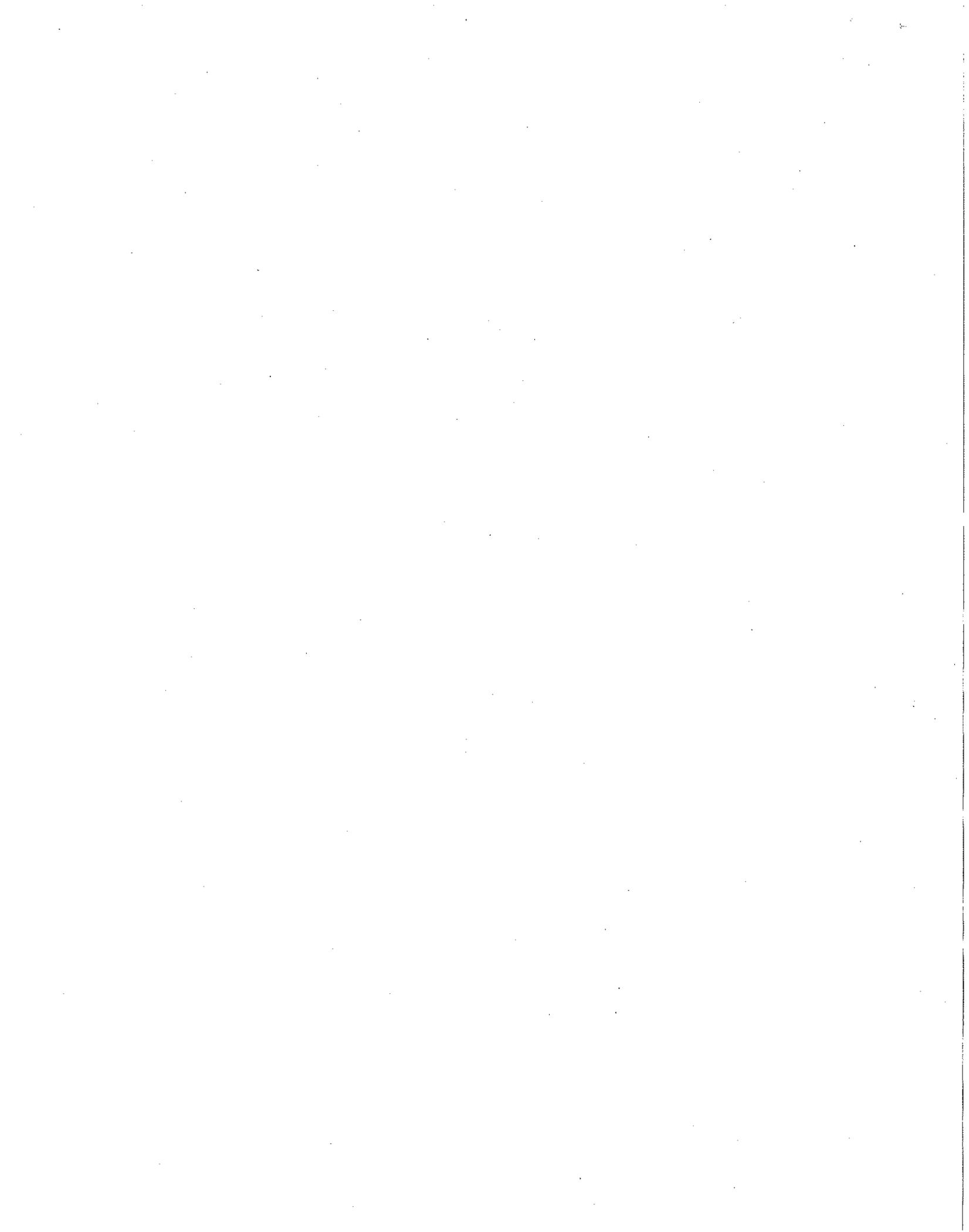
- As a result of improved stormwater management at this industrial site, pollutants are reduced from run-off originating in open-aired, impervious portions of the site where industrial activity occurs.
- We can approximate the land area of the above portions of the site. Combined with the average annual rainfall at the site and the estimated run-off coefficient for those portions, we can estimate the amount of run-off in which pollutants are reduced.

Variables:

- Impervious area with industrial activity: storage yard with multiple bins, approx. 375' x 400' = 150,000ft²
- Average annual rainfall: 34"/year
- Run-off coefficient (heavy industrial area): 0.80

Calculation:

$$34/36 \text{ (ft/year rainfall)} \times 150,000\text{ft}^2 \times 7.48\text{gal/ft}^3 \times 0.80 \\ = \mathbf{847,733 \text{ gal/year}} \text{ rainfall as run-off with reduced pollutants}$$



Ames Weather

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	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Avg. High	27°	34°	46°	62°	74°	82°	85°	82°	75°	64°	46°	31°
Avg. Low	8°	14°	26°	38°	48°	58°	64°	60°	51°	40°	28°	14°
Mean	18°	24°	36°	50°	62°	70°	74°	72°	64°	54°	38°	24°
Avg. Precip.	0.7 in	0.8 in	2.1 in	3.4 in	4.3 in	5.3 in	3.7 in	3.9 in	3.5 in	2.6 in	1.6 in	1.1 in

Degrees in Fahrenheit

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