UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP - 3 2010

Sean T. Geary
Global Companies, LLC
P.O. Box 9161
Waltham, MA 02454

Subject: Notice of Determination for Self-Disclosure of Violations at the Global Chelsea Terminal in Chelsea, Massachusetts

Dear Mr. Geary:

The United States Environmental Protection Agency (EPA) has reviewed your letter dated October 12, 2007, as well as various supplemental email and letters, in which you disclosed violations of federally enforceable permitting requirements under Massachusetts' New Source Review permitting program (310 CMR 7.00, Appendix A) at the Global Chelsea Terminal in Chelsea, MA. Your submissions describe the circumstances of the discovery of the violations and the actions the company has taken to correct and prevent recurrence of such violations.

On April 11, 2000, EPA issued a revised final statement of policy, "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations," published at 65 FR 19818 ("Self-Disclosure Policy"). The policy states that EPA will not pursue gravity-based penalties for violations that are discovered through an environmental audit or compliance management system, voluntarily disclosed to EPA and promptly corrected when certain criteria are met. The Self-Disclosure Policy also states that EPA will retain its discretion to recover the economic benefit of noncompliance through the assessment of penalties in order to maintain an even playing field among the regulated community.

Violations of 310 CMR 7.00 Appendix A, such as described in your disclosure, may subject your company to enforcement action. However, based solely on the information currently known to EPA as described in your correspondence, it appears that the Self-Disclosure Policy applies to the situation you have described. Thus, EPA will not initiate an enforcement action to seek gravity-based penalties or recovery of economic benefit because your company discovered, disclosed, and corrected the violations in accordance with the Self-Disclosure Policy, and no significant economic benefit was gained by your company from these violations. This acceptance of the applicability of the Self-Disclosure Policy is conditioned on the truthfulness and accuracy of your disclosure and is limited to the specific violations which you have disclosed.

EPA appreciates the willingness of Global Companies LLC to voluntarily disclose and correct violations quickly without government intervention. If you have any questions regarding this letter, please contact Joel Blumstein at 617-918-1771.

Sincerely,

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship

cc: Joel Blumstein, EPA Region I
Tom Keefe, Global
Ed Fanueil, Global
Mark Roberts, McRoberts & Roberts