

BEFORE THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

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HEARINGS CLERK  
EPA REGION 10

IN THE MATTER OF: )  
)  
Production Plating Inc. )  
Mukilteo, Washington )  
)  
EPA ID Number WAD 00926 7337 )  
)  
Respondent )  
\_\_\_\_\_ )

Docket No. RCRA-10-2015-0055  
EXPEDITED SETTLEMENT  
AGREEMENT AND  
FINAL ORDER

Received  
FEB 18 2015  
Office of Air, Waste & Toxics

**EXPEDITED SETTLEMENT AGREEMENT**

1. The U.S. Environmental Protection Agency ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA") and 40 C.F.R. § 22.13(b).
2. Production Plating Inc., ("Respondent") is the owner and/or operator of a facility at 4412 Russell Road, Mukilteo, Washington 98275 ("Facility"). The EPA inspected the Facility on July 30, 2014. The EPA alleges Respondent violated the following requirements of RCRA:
  - a. WAC 173-303-200(1)(b)(i) includes as a condition compliance with WAC 173-303-630(5)(a) which requires that containers used to accumulate dangerous waste be kept closed except when adding or removing waste. A container that was used to collect sludge from the filter press was not closed, and waste was not being added or removed, in violation of a condition set forth in WAC 173-303-630 (5)(a).
  - b. WAC 173-303-573(9)(c)(ii) requires that containers of universal waste lamps be kept closed. A container of universal waste lamps in the maintenance shop was not closed in violation of WAC 173-303-573(9)(c)(ii).
  - c. WAC 173-303-220(2)(b) requires that an exception report be submitted when a signed copy of the manifest is not returned within 45 days of shipment. No exception report was submitted for manifest number 000076750 DAT, which was not returned within 45 days of shipment in violation of WAC 173-303-220(2)(b).
  - d. WAC 173-303-200(1)(b)(i) includes as a condition compliance with WAC 173-303-630(6) which requires that areas where containers of dangerous waste are stored be inspected at least weekly and that the inspections are recorded in a log. No inspections were recorded for the months of June 2014 and July 2014 and the weeks of October 1, 2013 and November 26, 2013 in violation of a condition set forth in WAC 173-303-630(6).

3. The EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of four thousand dollars (\$4,000.00) is in the public interest. The attached Penalty Calculation Worksheet is incorporated by reference.
4. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
5. Each party shall bear its own costs and fees, if any.
6. In signing this Agreement, Respondent: (1) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual allegations contained herein, (3) consents to the assessment of this civil penalty, and (4) waives any right to contest the allegations contained herein in a hearing or appeal pursuant to Section 3008(b) of RCRA.
7. In signing this Agreement, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) the civil penalty has been paid. Respondent is submitting proof of payment of the civil penalty with this Agreement.
8. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
9. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

IT IS SO AGREED,

**RESPONDENT:**

Name (print): MARC WISLEN

Title (print): CO-PRESIDENT

Signature: 

Date: 02/13/15

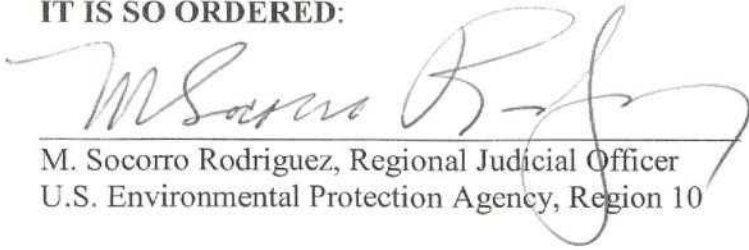
**EPA REGION 10:**



Edward J. Kowalski, Director  
Office of Compliance and Enforcement  
U.S. Environmental Protection Agency, Region 10

Date: 2/20/2015

**IT IS SO ORDERED:**



M. Socorro Rodriguez, Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 10

Date: 2/24/15



Certificate of Service

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT, In the Matter of: Production Plating, Inc. Docket No.: RCRA-10-2015-0055** was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

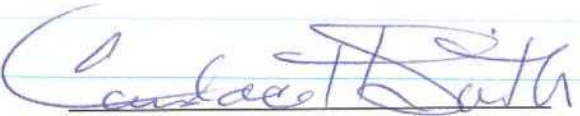
The undersigned certifies that a true and correct copy of the document was delivered to:

Shirin Gallagher  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, ORC-158, Suite 900  
Seattle, WA 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Mr. Marc Wislen  
Production Plating Inc.  
4412 Russell Road, Unit A  
Mukilteo, WA 98275

DATED this 25<sup>th</sup> day of February, 2015

  
Signature

Candace H. Smith  
Regional Hearing Clerk  
EPA Region 10

