



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 22 2013

Mr. Brent Rankin
URS-Safety Management Solutions
105 Mitchell Road, Suite 200
Oak Ridge, Tennessee 37830-8040

Re: URS Professional Solutions LLC
Consent Agreement and Final Order
Docket No. TSCA-04-2013-2904(b)

Dear Mr. Rankin:

Enclosed please find the executed Consent Agreement and Final Order (CAFO) as filed by the Regional Hearing Clerk in the above referenced matter. The CAFO is effective on the date of filing, and the penalty due date is calculated from effective date.

Also enclosed, please find a copy of a document entitled "Notice of Security and Exchange Commission's Registrants' Duty to Disclose Environmental Legal Proceedings." This document puts URS Professional Solutions, Oak Ridge, Tennessee on notice of its potential duty to disclose to the Security and Exchange Commission any environmental actions taken by the U.S. Environmental Protection Agency.

If you have any questions or concerns feel free to contact Larry Lamberth, of my staff at (404) 562-8590.

Sincerely,

A handwritten signature in black ink, appearing to read "César A. Zapata", followed by a small mark that looks like "fvr".

César A. Zapata, Chief
RCRA and OPA Enforcement and Compliance
Branch
RCRA Division

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
ATLANTA, TENNESSEE

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2013 MAY 22 AM 7:40
HEARING CLERK

In the Matter of:)
)
URS Professional Solutions LLC)
105 Mitchell Road, Suite 200)
Oak Ridge, Tennessee 37830-8040)
)
Respondent)
_____)

Docket No. TSCA-04-2013-2904(b)

CONSENT AGREEMENT AND FINAL ORDER

I. Nature of the Action

1. This is a civil penalty proceeding pursuant to Section 16(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2615(a), and the Consolidated Rules of Practice Governing Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. Part 22. Complainant is the Director of the Resource Conservation and Recovery Act (RCRA) Division, United States Environmental Protection Agency, Region 4. Respondent is URS Professional Solutions LLC, formerly known as URS-Safety Management Solutions.
2. The authority to take action under Section 16(a) of TSCA, 15 U.S.C. § 2615(a), is vested in the Administrator of the EPA. The Administrator of the EPA has delegated this authority under TSCA to the EPA Region 4 Regional Administrator by the EPA Delegation 12-2-A, dated May 11, 1994. The Region 4 Regional Administrator has redelegated this authority to the Director of the Resource Conservation and Recovery Act (RCRA) Division by the EPA Region 4 Delegation 12-2-A, dated January 14, 2009. Pursuant to that Delegation, the Director of the RCRA Division has the authority to commence an enforcement action as the Complainant in this matter and has the authority to sign Consent Agreements memorializing settlements between the EPA and Respondent.

3. Complainant and Respondent have conferred for the purpose of settlement pursuant to 40 C.F.R. § 22.18 and desire to resolve this matter and settle the allegations described herein without a formal hearing. Therefore, without the taking of any evidence or testimony, the making of any argument, or the adjudication of any issue in this matter, and in accordance with 40 C.F.R. § 22.13(b), this Consent Agreement and Final Order (CA/FO) will simultaneously commence and conclude this matter.

II. Preliminary Statements

4. Pursuant to Section 6(e) of TSCA, 15 U.S.C. § 2605(e), the Administrator of the EPA promulgated regulations in 40 C.F.R. Part 761 pertaining to Polychlorinated Biphenyls (PCBs). Failure to comply with any such regulation constitutes a violation of Section 15 of TSCA, 15 U.S.C. § 2614. Any person who violates a provision of Section 15 of TSCA may be assessed a penalty of up to \$27,500 for each such violation occurring between January 30, 1997, and March 15, 2004, in accordance with Section 16(a) of TSCA and 40 C.F.R. Part 19, as amended. For each such violation occurring between March 15, 2004, and January 12, 2009, a penalty of up to \$32,500 may be assessed. For each such violation occurring after January 12, 2009, a penalty of up to \$37,500 may be assessed. Each day a violation continues may constitute a separate violation.
5. Pursuant to 40 C.F.R. § 22.5(c)(4), the following individual is authorized to receive service for the EPA in this proceeding:

Larry L. Lamberth
Chief, South Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960
(404) 562-8587

III. Specific Allegations

6. Respondent was the transporter of PCB Items as defined by 40 C.F.R. § 761.3, operating in the State of Tennessee and is a “person” as defined in 40 C.F.R. § 761.3.

7. On or about June 28, 2011, an inspection was conducted by representatives of the Tennessee Department of Environment and Conservation (TDEC) at the Respondent's facility located at ETPP Blair Road, Oak Ridge, Tennessee, to determine compliance with the PCB regulations. At the time of the inspection the facility was in operation.
8. Pursuant to the requirements set forth in 40 C.F.R. § 761.205(b) transporters who engage in PCB waste handling activities after February 5, 1990, must notify the EPA of their PCB waste activities by filing EPA Form 7710-53, before engaging in PCB waste handling activities. As part of a follow-up to the June 28, 2011, inspection, EPA reviewed the 2010 Annual PCB Report and Annual Document Log that had been submitted by an approved PCB disposal facility. The Annual Document Log indicated that the disposal facility had received 48 PCB containers from a transporter identified by the EPA ID Number of TNR0000021519. The manifests (EPA Manifest Number(s) 001358585FLE and 000596949FLE) indicate that a total of 48 PCB liquid containers had been received from this transporter including 40 bulk PCB liquid containers, 4 bulk containers of PCB liquid, and 4 bulk containers of PCB Articles listed as nonhazardous. The aforementioned EPA ID Number was assigned to URS-Safety Management Solutions, prior to the date that the company changed its name to URS Professional Solutions LLC. At the time of TDEC's inspection, URS-Safety Management Solutions was not listed on the EPA's PCB Activity Database (PADs) as a PCB transporter. Respondent failed to timely notify the EPA as a PCB transporter. By transporting PCB waste without first notifying EPA of its PCB waste activities by filing EPA Form 7710-53, Respondent violated 40 C.F.R § 761.205(b).

IV. Consent Agreement

9. For the purposes of this CAFO, Respondent admits the jurisdictional allegations set forth above and neither admits nor denies the factual allegations set forth above.
10. Respondent waives its right to a hearing on the allegations contained herein and its right to appeal

the proposed final order accompanying the consent agreement.

11. Pursuant to 15 U.S.C. § 2615(a), TSCA Section 16(a), and in consideration of the nature of the alleged violations and the factors set forth in section 16(a)(2)(B) of TSCA, the EPA has determined that an appropriate civil penalty to settle this action is in the amount of TWO THOUSAND, EIGHT HUNDRED FORTY DOLLARS (\$2,840).
12. Respondent consents to the assessment of the penalty proposed by the EPA and agrees to pay the civil penalty as set forth in Section V of this CAFO.
13. Respondent certifies that, as of the date of its execution of this CAFO, it is in compliance with all relevant requirements of TSCA and the PCB regulations found in 40 C.F.R. Part 761.
14. This CAFO constitutes a settlement by the EPA of all claims for civil penalties pursuant to Section 16(a) of TSCA for the specific violations alleged herein. Except as specifically provided in this CAFO, the EPA reserves all other civil and criminal enforcement authorities, including the authority to address imminent hazards. Compliance with this CAFO shall not be a defense to any other actions subsequently commenced pursuant to Federal laws and regulations administered by the EPA, and it is Respondent's responsibility to comply with said laws and regulations.
15. Complainant and Respondent agree to settle this matter by their execution of this CAFO. The parties agree that the settlement of this matter is in the public interest and that this CAFO is consistent with the applicable requirements of TSCA.

V. Final Order

16. Respondent is assessed a civil penalty of TWO THOUSAND EIGHT HUNDRED FORTY DOLLARS (\$2,840), which shall be paid within 30 days from the effective date of this CAFO.

17. Respondent shall remit the civil penalty by either a cashier's or certified check made payable to the "Treasurer, United States of America," and shall send the check to the following address by U.S.

Postal Service:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

The check shall reference on its face the name of the Respondent and Docket Number of this CAFO.

Alternatively, for payment submittal by any overnight delivery service (Fed Ex, UPS, DHL, etc.), Respondent shall send the check to the following address:

U.S. Bank
Government Lockbox 979077
US EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, Missouri 63101
(314) 418-1028

The check shall reference on its face the name of the Respondent and Docket Number of this CAFO.

At the time of payment, Respondent shall send a separate copy of the check and a written statement that the payment has been made in accordance with this CAFO, to each of the following persons at the following addresses:

Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

Larry L. Lamberth
Chief, South Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

and

Saundi Wilson
Office of Environmental Accountability
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

18. For the purposes of state and federal income taxation, Respondent shall not be entitled, and agrees not to attempt, to claim a deduction for any civil penalty payment made pursuant to this CAFO. Any attempt by Respondent to deduct any such payments shall constitute a violation of this CAFO.
19. Pursuant to 31 U.S.C. § 3717, the EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. Interest will therefore begin to accrue on the civil penalty from the date of entry of this CAFO, if the penalty is not paid by the date required. A charge will also be assessed to cover the administrative costs, both direct and indirect, of overdue debts. In addition, a late payment penalty charge shall be applied on any principal amount not paid within 90 days of the due date.
20. Complainant and Respondent shall bear their own costs and attorney fees in this matter.
21. This CAFO shall be binding upon the Respondent, its successors and assigns.
22. Each undersigned representative of the parties to this CAFO certifies that he or she is fully authorized by the party represented to enter into this CAFO and legally binds that party to this CAFO.

VI. Effective Date

23. The effective date of this CAFO shall be the date on which the CAFO is filed with the Regional Hearing Clerk.

Respondent: URS PROFESSIONAL SOLUTIONS LLC
Docket No.: TSCA-04-2013-2904(b)

By: James G. Angelos (Signature) Date: 4/4/13
Name: James G. Angelos (Typed or Printed)
Title: President (Typed or Printed)

Complainant: U.S. Environmental Protection Agency

By: Alan Farmer Date: 5/12/13
G. Alan Farmer
Director
RCRA Division
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

APPROVED AND SO ORDERED this 20 day of May.

By: Susan B. Schub
Susan B. Schub
Regional Judicial Officer

CERTIFICATE OF SERVICE

I hereby certify that on the date set out below, I filed the original and one copy of the foregoing Consent Agreement and Final Order and served a true and correct copy of the foregoing Consent Agreement and Final Order, In the Matter of URS Professional Solutions LLC, Docket Number: TSCA-04-2013-2904(b) to the addressees listed below.

via Certified Mail, Return Receipt Requested

Mr. Brent Rankin
105 Mitchell Road, Suite 200
Oak Ridge, Tennessee 37830-8040

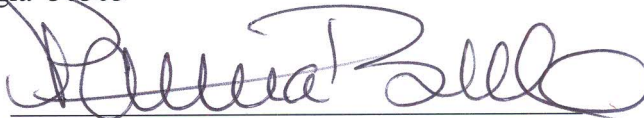
via EPA's internal mail

Robert Caplan
Senior Attorney
Office of Environmental Accountability
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303

via EPA's internal mail

Quantindra Smith
RCRA and OPA Enforcement and Compliance Branch
RCRA Division
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303

Date: 5-22-13



Patricia A. Bullock, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303