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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94105

US EPA - REGION IX
HEARING CLERK

In the Matter of:)	U.S. EPA Docket No.
)	
)	TSCA-09-2013- <u>0011</u>
Asarco LLC,)	CONSENT AGREEMENT
)	AND FINAL ORDER PURSUANT
)	TO 40 C.F.R. SECTIONS 22.13 and 22.18
)	
)	
Respondent.)	

CONSENT AGREEMENT

The United States Environmental Protection Agency, Region IX ("EPA") and Asarco LLC ("Asarco" or "Respondent") agree to settle this matter and consent to the entry of this Consent Agreement and Final Order ("CAFO"), which simultaneously commences and concludes this matter in accordance with Sections 22.13(b) and 22.18(b) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits at 40 C.F.R. Part 22.

A. AUTHORITY AND PARTIES

1. This is a civil administrative penalty action instituted against Respondent pursuant to Section 16(a) of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2615(a), for violation of Section 15 of TSCA, 15 U.S.C. § 2614, by failing to comply with implementing regulations governing polychlorinated biphenyls ("PCBs") at 40 C.F.R. Part 761.

2. Complainant is the Director of the Enforcement Division, EPA Region IX, who has been duly delegated the authority to bring this action and to sign a consent agreement settling this action.

3. Respondent owns and operates a copper ore processing and smelting facility located in Hayden, Arizona (the "Facility").

B. APPLICABLE STATUTORY AND REGULATORY SECTIONS

4. Pursuant to Section 6(e) of TSCA, 15 U.S.C. § 2605(e), EPA promulgated regulations governing PCBs at 40 C.F.R. Part 761.

5. "PCB" and "PCBs" means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contains such substances. 40 C.F.R. § 761.3.

6. "PCB Item" means any PCB Article, PCB Article Container, PCB Container, PCB Equipment, or anything that deliberately or unintentionally contains or has as a part of it any PCB or PCBs. 40 C.F.R. § 761.3.

7. "PCB Container" means any package, can, bottle, bag, barrel, drum, tank, or other device that contains PCBs or PCB articles and whose surface(s) has been in direct contact with PCBs.

8. "PCB Transformer," in pertinent part, means any transformer that contains PCBs in concentrations of ≥ 500 ppm.

9. Most provisions in 40 C.F.R. Part 761 apply only if PCBs are present in concentrations above a specified level. Provisions of Part 761 that apply to PCBs at concentrations of ≥ 50 ppm to ≤ 500 ppm apply also to contaminated surfaces at PCB concentrations of $10 \mu\text{g}/100 \text{ cm}^2$ to $\leq 100 \mu\text{g}/100 \text{ cm}^2$. 40 C.F.R. § 761.1(b)(3).

10. "Person" means any individual, corporation, partnership, or association; any State, or political subdivision thereof; any interstate body; and any department, agency, or instrumentality of the Federal Government. 40 C.F.R. § 761.3.

11. It is unlawful for any person to fail or refuse to comply with any rule promulgated or order issued under TSCA Section 6, 15 U.S.C. § 2605. TSCA Section 15(1)(C), 15 U.S.C. § 2614(1)(C).

12. Section 16(a) of TSCA, 15 U.S.C. § 2615(a), authorized the EPA Administrator to assess a civil penalty not to exceed \$25,000 per day for each violation of Section 15 of TSCA, 15 U.S.C. § 2614. This statutory maximum civil penalty has been raised to \$32,500 per day for each violation that occurred after March 15, 2004 but on or before January 12, 2009 and to \$37,500 per day for each violation that occurred after January 12, 2009, pursuant to Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended, and its implementing regulation, the Civil Monetary Penalty Inflation Adjustment Rule codified at 40 C.F.R. Part 19.

C. ALLEGATIONS

13. Respondent is a "person," as that term is defined at 40 C.F.R. § 761.3.

14. At all time relevant to this CAFO, Respondent managed and stored PCBs at concentrations ≥ 50 ppm at the Facility.

15. At all times relevant to this CAFO, Respondent used PCBs Transformers, as that term is defined at 40 C.F.R. § 761.3, in the Tailings Pump House Substation and Mill Section 5 Load Center Substation at the Facility.

COUNT I
Continued Use Violation

16. Paragraphs 1 through 15 above are incorporated herein.

17. Unless authorized under 40 C.F.R. § 761.30 or excepted under 40 C.F.R. § 761.20(a), no person may use any PCB or PCB Item, regardless of concentration, in any manner other than in a totally enclosed manner within the United States. 40 C.F.R. § 761.20(a); See also TSCA Section 6(e)(2), 15 U.S.C. § 2605(e)(2).

18. "Totally enclosed manner" means any manner that will ensure no exposure of human beings or the environment to any concentrations of PCBs. 40 C.F.R. § 761.3.

19. Pursuant to Section 6(e)(2), 15 U.S.C. § 2605(e)(2), 40 C.F.R. § 761.30 authorizes certain non-totally enclosed PCB activities. 40 C.F.R. § 761.30.

20. On or about October 11, 2011, an EPA Inspector collected one wipe sample from the floor directly below the drain valve for one of the Respondent's PCB Transformers in Tailings Pump House Substation at the Facility.

21. Sample results for the wipe sample showed PCB concentrations of 33 $\mu\text{g}/100 \text{ cm}^2$.

22. From November 29, 2011 to December 16, 2011, Respondent's use of the Tailings Pump House Substation at the Facility was not authorized under 40 C.F.R. § 761.30 nor excepted under 40 C.F.R. § 761.20(a)(1).

23. Respondent's use of Tailings Pump House Substation at the Facility from November 29, 2011 to December 16, 2011 constitutes a violation of 40 C.F.R. § 761.20(a) and Section 15(1)(C) of TSCA, 15 U.S.C. § 2614(1)(C) that lasted 16 days.

COUNT II
Continued Use Violation

24. Paragraphs 1 through 23 above are incorporated herein by reference.

25. On or about October 11, 2011, an EPA Inspector collected two wipe samples from the floor directly below the drain valves for two of the Respondent's PCB Transformers in Mill Section 5 - Load Center Substation at the Facility.

26. Samples results for the wipe samples showed PCB concentrations of 270 and 12 $\mu\text{g}/100 \text{ cm}^2$.

27. From November 29, 2011 to December 16, 2011, Respondent's use of the Mill Section 5 - Load Center Substation at the Facility was not authorized under 40 C.F.R. § 761.30 nor excepted under 40 C.F.R. § 761.20(a)(1).

28. Respondent's use of Mill Section 5 - Load Center Substation at the Facility from November 29, 2011 to December 16, 2011 constitutes a violation of 40 C.F.R. § 761.20(a) and Section 15(1)(C) of TSCA, 15 U.S.C. § 2614(1)(C) that lasted 16 days.

COUNT III
Failure to Mark PCB Containers

29. Paragraphs 1 through 28 above are incorporated herein by reference.

30. 40 C.F.R. §§ 761.40(a)(1) and (e) require that each PCB Container at concentrations of 50 to 500 ppm shall be marked with the M_L mark as described in 40 C.F.R. § 761.45(a).

31. On or about October 11, 2011, Respondent stored at its Facility two containers of PCB waste at concentrations of greater than 50 ppm for disposal.

32. These two containers of PCB waste are "PCB Containers," as that term is defined at 40 C.F.R. § 761.3.

33. On or about October 11, 2011, the two containers of PCB waste were not marked with the M_L mark as described in 40 C.F.R. § 761.45(a).

34. Respondent's failure to mark these two containers with the M_L mark as described in 40 C.F.R. § 761.45(a) constitutes a violation of 40 C.F.R. §§ 761.40(a)(1) and (e) and Section 15(1)(C) of TSCA, 15 U.S.C. § 2614(1)(C).

D. SUPPLEMENTAL ENVIRONMENTAL PROJECT

35. Within two hundred and seventy (270) calendar days of the effective date of this CAFO, Respondent shall perform a supplemental environmental project (SEP) by using a qualified third-party contractor to replace three 1500 kva PCB Transformers at its Facility, specifically the I.T.E. Imperial transformer located in Mill Section 5, Load Center (serial number 7187-59) and the two Westinghouse transformers located in Dust Collector MCC (serial numbers YCR94471 and YCR94472), with three non-PCB containing transformers. Respondent shall ensure that all PCB-containing oil removed from the PCB Transformers be incinerated within the timeframe provided by 40 C.F.R. § 761.65 by shipping the PCBs to an approved TSCA incinerator within 270 days of removal from service of each PCB Transformer. Respondent

shall also ensure compliance with all requirements of local, state and federal law, including but not limited to the requirements contained in 40 C.F.R. Part 761, when replacing the transformers. EPA and Respondent intend that the SEP secure environmental and/or public health protection and improvements.

36. If Respondent fails to meet, or has reason to believe that it will fail to meet, any requirement of Section D of this CAFO, Respondent shall notify EPA of such failure and its likely duration in writing within ten (10) business days of the day Respondent first becomes aware of the failure, with an explanation of the failure's likely cause and of the remedial steps taken, or to be taken, to prevent or minimize such failure. If the cause of a failure cannot be fully explained at the time the report is due, Respondent shall so state in the status report. Respondent shall investigate the cause of the failure and shall then submit a report that includes a full explanation of the cause of the failure, within thirty (30) calendar days of the day Respondent becomes aware of the cause of the failure.

37. Not later than thirty (30) calendar days after the completion of the SEP, Respondent shall submit to EPA a SEP Completion Report. The SEP Completion Report shall contain:

- a. a detailed description of the SEP as implemented;
- b. a detailed description of how Respondent complied with all regulatory requirements in completing the SEP, including the requirements of 40 C.F.R. Part 761; and
- c. an itemized list of all SEP costs and supporting documentation verifying Respondent's expenditures for the SEP (including copies of receipts, invoices, purchase orders and/or contracts).

38. Within thirty (30) calendar days after receiving a SEP Completion Report, EPA shall notify Respondent regarding its determination of whether Respondent has satisfactorily completed the SEP.

39. Any report submitted to EPA under Section D of this CAFO shall be signed by a responsible official of the Respondent, as defined below, and shall include the following certification:

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that this document and its attachments were prepared under my direction in a manner designed to ensure that qualified and knowledgeable personnel properly gather and present the information contained therein. I further certify, based on my personal knowledge or on my inquiry of those individuals immediately responsible for obtaining the information, that to the best of my knowledge the

information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly and willfully submitting a material false statement.

40. A responsible official is defined, in pertinent part, as:

for a corporation, a president, secretary, treasurer or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$35 million (in 1987 dollars when the Consumer Price Index was 345.3), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

41. In executing the SEP, Respondent certifies that, as of the date of executing this CAFO:

- a. Respondent is not required to perform or develop the SEP by any federal, state, international or local law or regulation and is not required to perform or develop the SEP by agreement, grant, or as injunctive relief awarded in any other action in any forum;
- b. Respondent has not received, and is not presently negotiating to receive, credit in any other enforcement action for the SEP; and
- c. the SEP is not a project that Respondent was planning or intending to perform or implement other than in settlement of the claims resolved in this CAFO.

42. Any submission required under Section D of this CAFO shall be sent to:

Christopher Rollins (ENF-2-2)
Enforcement Division
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
Phone: (415) 947-4166
Fax: (415) 947-3530
Email: rollins.christopher@epa.gov

With a copy to:

Ivan Lieben (ORC-2)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
Phone: (415) 972-3914
Email: lieben.ivan@epa.gov

43. Any public statement, oral or written, in print, film, or other media, made by Respondent making reference to the SEP under this CAFO shall include the following language: "This project was undertaken in connection with the settlement of an enforcement action taken by the United States Environmental Protection Agency under the Toxic Substance Control Act."

E. RESPONDENT'S ADMISSIONS

44. In accordance with 40 C.F.R. § 22.18(b)(2), for the purposes of this proceeding, Respondent (i) admits that EPA has jurisdiction over the subject matter of this CAFO and over Respondent; (ii) neither admits nor denies the specific factual allegations contained in Section C of this CAFO; (iii) consents to any and all conditions specified in this CAFO and to the assessment of the civil administrative penalty under Section F of this CAFO; (iv) waives any right to contest the allegations in this CAFO; and (v) waives the right to appeal the proposed final order contained in this CAFO.

F. PAYMENT OF CIVIL PENALTY

45. Respondent hereby consents to the assessment of a civil penalty in the amount of THIRTY THOUSAND NINE HUNDRED DOLLARS (\$30,900) as full, final, and complete settlement of the allegations contained in Section C of the CAFO. Respondent shall pay the civil penalty within thirty (30) days of the effective date of this CAFO and according to the terms of the CAFO. The assessed penalty shall be paid by **certified or cashier's check**, payable to "Treasurer, United States of America," or paid by one of the other methods listed below and sent as follows:

Regular Mail:

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

Wire Transfers:

Wire transfers must be sent directly to the Federal Reserve Bank in New York City with the following information:

Federal Reserve Bank of New York

ABA = 021030004

Account = 68010727

SWIFT address = FRNYUS33

33 Liberty Street

New York, NY 10045

Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency"

Overnight Mail:

U.S. Bank

1005 Convention Plaza

Mail Station SL-MO-C2GL

ATTN Box 979077

St. Louis, MO 63101

ACH (also known as REX or remittance express):

Automated Clearinghouse (ACH) for receiving US currency

PNC Bank

808 17th Street, NW

Washington, DC 20074

ABA = 051036706

Transaction Code 22 – checking

Environmental Protection Agency

Account 31006

CTX Format

On Line Payment:

This payment option can be accessed from the information below:

www.pay.gov

Enter "sfo1.1" in the search field

Open form and complete required fields

If clarification regarding a particular method of payment remittance is needed, contact the EPA Cincinnati Finance Center at 513-487-2091.

Concurrently, a copy of the check or notification that the payment has been made by one of the other methods listed above, including proof of the date payment was made, shall be sent with a transmittal letter indicating Respondent's name, the case title, and the docket number to:

a) Regional Hearing Clerk (ORC-1)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105

b) Manager (ENF-2-2)
Waste Enforcement Office
Enforcement Division
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

46. In accordance with the Debt Collection Improvement Act of 1982 and U.S. Treasury directive (TFRM 6-8000), the penalty payment must be received within thirty (30) calendar days of the Effective Date of this CAFO to avoid additional charges. If payment is not received within thirty (30) calendar days, interest will accrue from the Effective Date of this CAFO at the current rate published by the United States Treasury as described in 40 C.F.R. § 13.11(a). A late penalty charge will be imposed after thirty (30) calendar days with an additional charge for each subsequent 30-day period, in accordance with 40 C.F.R. § 13.11(b). A 6% per annum penalty will further apply on any principal amount not paid within ninety (90) calendar days of the due date, as described at 40 C.F.R. § 13.11(c). Respondent further will be liable for stipulated penalties, as described in Section G of this CAFO, for any payment not received by its due date.

47. In addition, failure to pay the civil administrative penalty may lead to any or all of the following actions:

- a. The debt being referred to a credit reporting agency, a collection agency, or to the Department of Justice for filing of a collection action in the appropriate United States District Court. 40 C.F.R. §§ 13.13, 13.14, and 13.33. In any such collection action, the validity, amount, and appropriateness of the assessed penalty and of this CAFO shall not be subject to review.
- b. The debt being collected by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not

limited to, referral to the Internal Revenue Service for offset against income tax refunds. 40 C.F.R. Part 13, Subparts C and H.

- c. EPA may (i) suspend or revoke Respondent's licenses or other privileges; or (ii) suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds. 40 C.F.R. § 13.17.
- d. Payment of stipulated penalties pursuant to Section G of this CAFO.

48. The penalties specified in this CAFO shall represent civil penalties assessed by EPA and shall not be deducted by the Respondent or any other person or entity for federal, state or local taxation purposes.

G. STIPULATED PENALTIES

49. In addition to the interest and per annum penalties described in Paragraphs 46 and 47, above, in the event that Respondent fails to pay the full amount of the penalty within the time specified in Paragraph 45, Respondent agrees to pay Complainant a stipulated penalty in the amount of ONE THOUSAND DOLLARS (\$1,000.00) for each day the default continues.

50. In the event that Respondent fails to satisfactorily complete the SEP within two hundred seventy (270) days of the effective date of this CAFO, or otherwise fails to comply with any requirement of the SEP, Respondent agrees to pay Complainant a stipulated penalty in the following amounts for each day the default continues, up to but not to exceed ONE HUNDRED FIFTEEN THOUSAND SEVEN HUNDRED DOLLARS (\$115,700):

VIOLATION	STIPULATED PENALTY
a. Failure to timely remove and properly dispose of the three PCB Transformers identified for replacement	\$1,000 per calendar day after 270 days from the effective date for this CAFO
b. Failure to timely submit a complete and adequate report, such as the SEP Completion Report or a failure report required by Paragraph 36	\$500 per day during the first thirty (30) calendar days that it is late, then \$1,000 per day thereafter

51. All penalties shall begin to accrue on the date that performance is due or a violation of this CAFO occurs, and shall continue to accrue through the final day of correction of the noncompliance. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations.

52. All penalties owed to EPA under this Section shall be due within thirty (30) days of Respondent's receipt of a notification of noncompliance and request for payment from EPA. Such notification shall describe the noncompliance and shall indicate the amount of penalties

due. Interest at the current rate published by the United States Treasury, as described at 40 C.F.R. § 13.11, shall begin to accrue on the unpaid balance at the end of the thirty-day period.

53. Payment of stipulated penalties shall be made in accordance with the procedure set forth for payment of the penalty in Section F of this CAFO.

54. All payments shall indicate the name of the Facility, Respondent's name and address, and the EPA docket number assigned to this action.

55. The payment of stipulated penalties shall not alter in any way Respondent's obligation to complete the performance required by this CAFO.

56. The stipulated penalties set forth in this Section do not preclude EPA from pursuing any other remedies or sanctions which may be available to EPA by reason of Respondent's failure to comply with any of the requirements of this CAFO.

57. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of stipulated penalties that have accrued pursuant to this CAFO.

58. The payment of stipulated penalties specified in this Section shall not be deducted by Respondent or any other person or entity for federal, state or local taxation purposes.

H. CERTIFICATION OF COMPLIANCE

59. By signing this CAFO, Respondent certifies that (i) it is managing the PCB contamination that formed the basis for the continued use violations alleged in Counts I and II of this CAFO consistent with the "continued use" requirements set forth in 40 C.F.R. § 761.30 and (ii) that it is in compliance with all of the marking requirements for PCB Containers set forth in 40 C.F.R. §§ 761.40 and 761.45.

60. By signing this CAFO, Respondent certifies that it is in full compliance with all TSCA requirements set forth at 40 C.F.R. Part 761 for all PCB Transformers at the Facility, and for all floor areas within buildings housing all PCB Transformers.

I. RETENTION OF RIGHTS

61. In accordance with 40 C.F.R. § 22.18(c), this CAFO only resolves Respondent's liability for federal civil penalties for the violations and facts specifically alleged in this CAFO. Nothing in this CAFO is intended to or shall be construed to resolve (i) any civil liability for violations of any provision of any federal, state, or local law, statute, regulation, rule, ordinance, or permit not specifically alleged in Section C of the CAFO; or (ii) any criminal liability. EPA specifically reserves any and all authorities, rights, and remedies available to it (including, but not limited to, injunctive or other equitable relief or criminal sanctions) to address any violation of this CAFO or any violation not specifically alleged in the CAFO.

62. This CAFO does not exempt, relieve, modify, or affect in any way Respondent's duty to comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and permits.

J. ATTORNEYS' FEES AND COSTS

63. Each party shall bear its own attorneys' fees, costs, and disbursements incurred in this proceeding.

K. EFFECTIVE DATE

64. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.13(b), this CAFO shall be effective on the date that the Final Order contained in this CAFO, having been approved and issued by the Regional Judicial Officer, is filed.

L. BINDING EFFECT


65. The undersigned representative of Complainant and the undersigned representative of Respondent each certifies that he or she is fully authorized to enter into the terms and conditions of this CAFO and to bind the party he or she represents to this CAFO.

66. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

FOR ASARCO LLC

JUNE 18 / 2013

Date

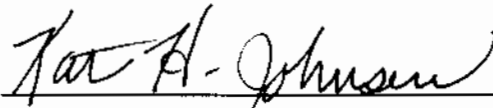


Manuel E. Ramos
Chief Operating Officer and President
Asarco LLC

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION IX

Sept 5, 2013

Date



Kathleen Johnson
Director, Enforcement Division
United States Environmental Protection Agency,
Region IX

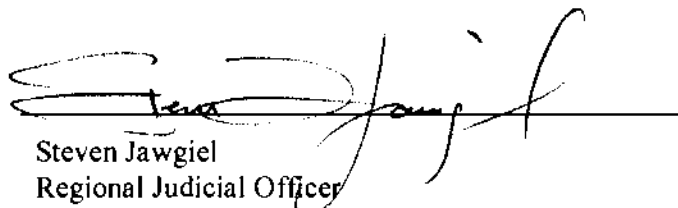
FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order (Docket No. TSCA-09-2013-~~0011~~) be entered and that Respondent pay a civil penalty of THIRTY THOUSAND NINE HUNDRED DOLLARS (\$30,900) within thirty (30) days after the Effective Date of this CAFO, perform the SEP, as set forth in Section D of this CAFO, and otherwise comply with the terms set forth in the CAFO.

This Consent Agreement and Final Order shall be effective upon filing by the Regional Hearing Clerk.

09/10/13

Date



Steven Jawgiel
Regional Judicial Officer
United States Environmental Protection Agency,
Region IX

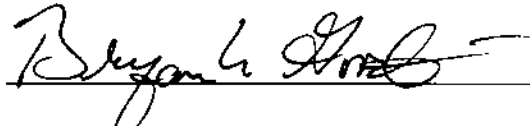
CERTIFICATE OF SERVICE

I hereby certify that on the date below, the original and one copy of the foregoing Consent Agreement and Final Order was filed with the Regional Hearing Clerk, Region IX, and that copies were sent by certified mail, return receipt requested, to:

Jack Garrity
Technical Services Manager, Hayden Operations
Asarco LLC
100 Hayden Ave
Hayden, AZ 85235

9/19/2013

Date



Bryan K. Goodwin
Regional Hearing Clerk
Office of Regional Counsel, Region IX



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105**

Certified Mail No. 7000 0520 0021 6109 1529
Return Receipt Requested

SEP 19 2013

Jack Garrity
Technical Services Manager, Hayden Operations
ASARCO, LLC
100 Hayden Ave
Hayden, AZ 85235

Re: Consent Agreement and Final Order
In the Matter of ASARCO, LLC

Dear Mr. Garrity:

Please find enclosed the final executed Consent Agreement and Final Order (CA/FO) negotiated between the United States Environmental Protection Agency, Region IX (EPA), and ASARCO, LLC (ASARCO).

This CA/FO sets out the terms for resolution of the Toxic Substances Control Act (TSCA) administrative civil penalty action against ASARCO for alleged violations of the polychlorinated biphenyls (PCBs) requirements at the ASARCO facility located in Hayden, Arizona.

ASARCO's full compliance with the payment terms of this CA/FO and completion of all tasks in accordance with the terms of this CA/FO will close this case. If you have any questions regarding the PCB regulations governing your operations or the rules which govern the proceedings terminated by the enclosed document, please contact Christopher Rollins of my staff at (415) 947-4166, or Ivan Lieben, in the Office of Regional Counsel, at (415) 972-3914.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen H. Johnson".

Kathleen H. Johnson, Director
Enforcement Division

Enclosure