

CONTACT: LOR DANA MICHELLE JOE DICK VAL PATTI ELIZBTH EVLYN CRAIG ERIC BLAKE CAROLO KIM CONNIE
DEPOSIT NUMBER 2700110 Fedwire Message Detail Report SUSPENSE LIABILITY
CR NUMBER 2730945 P252 BILL NMBR (IF NOT CR NMBR)

FWF_ID 2476959
Message Number 20090930000147
ALC 68010727
Processed Date 2009-09-30 00:00:00.0
Voucher Audit Number 2009093006458
FRISC TRANCODE FTR811
Process Status
Amount 10400
Confirmed Date 2009-09-30 00:00:00.0
Original ALC 68010727
Created By User
Created By Terminal
Corrected By User
Corrected By Terminal
Voucher Number 290765
Reversal Number

IOP Flag
Reverse Cancellation Code
IMAD 20090930B1QGC04C001135
OMAD 20090930D3B74V1C000139
NONPROC Reason
Type/Subtype 1000
Money Transfer Code Y
Reject Reference Number
Time Stamp
DER Process Date
Receiving ABA 021030004
Sending ABA 021000021
Cashlink Status R
Settlement Date 2009-09-30 00:00:00.0
Voucher ID 2009093006458
Time 08:05:53

line 001
09 1099
CR II
10,400.00
Stepan Co

Message Detail

1100 Format Version 02
1100 Duplication Code
1110 Acceptance Date 0930
1110 Acceptance ID FT01
1120 Destination ID D3B74V1C
1120 Date 0930
1120 Appl ID FT01
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2000 Sign +
2000 Period
3100 Sender ID 021000021
3320 Sender Reference 0556000272ZO
3400 Receiver DFI Number 021030004
3600 Business Function CTR
4200 Beneficiary ID Code D
4200 Beneficiary Name ENVIRONMENTAL PROTECTION AGENCY
4320 Beneficiary Reference GFT OF 09/09/29
5000 Originator Code D
5000 Originator Name STEPANCOMPANY

1100 Production Code P
1100 Status Indicator N
1110 Acceptance Time 0803
1120 Cycle Date 20090930
1120 Sequence Number 000139
1120 Time 0803
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1510 Type Code 10
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3400 Receiver Short Name TREAS NYC
3600 Transaction Type Code
4200 Beneficiary Identifier 68010727
4200 Beneficiary Address Line 1
5000 Originator Identifier 05156998
5000 Address Line 1 22 W FRONTAGERD

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Subject: In the Matter of Stepan Company
Docket No. FIFRA-03-2009-0257

From: Abraham Ferdas, Director *Abraham Ferdas*
Land and Chemicals Division (3LC00)

Judith Katz *Judith Katz*
Acting Regional Counsel (3RC00)

To: Renée Sarajian
Regional Judicial Officer (3RC00)

We recommend that you sign the attached Consent Agreement and Final Order ("CAFO") issued pursuant to Section 14(a) of the Federal Insecticide, Rodenticide and Fungicide Act ("FIFRA"), as amended, 7 U.S.C. § 136l(a), and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. Part 22. The CAFO resolves violations of Sections 12(a)(1)(C) and 12(a)(1)(E) of FIFRA, 7 U.S.C. §§ 136j(a)(1)(C) and 136j(a)(1)(E), respectively, by Stepan Company ("Respondent"). Specifically, the CAFO addresses the sale or distribution of the pesticide, Daycon KBQ-128 Disinfectant Deodorizer, the composition of which differed at the time of its distribution or sale by Respondent's distributor, Daycon Products Company, Inc. ("Daycon"), and which was adulterated or misbranded at the time of its sale or distribution by Respondent's distributor.

For the reasons set forth below, we recommend that the Region accept Respondent's offer to pay a civil penalty in the amount of \$10,400.00. The proposed settlement is in accordance with EPA's "Enforcement Response Policy for the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)", dated July 2, 1990 ("FIFRA ERP"), with specific reference to the statutory factors set forth in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4): the size of Respondent's business, the effect of the penalty on Respondent's ability to continue in business, and the gravity of Respondent's violations.

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We concur with the terms of the enclosed CAFO. Accordingly, we recommend that you sign the Final Order and return it to the Office of Regional Counsel for further processing.

cc: Russell Garrison, Esq.
Corporate Counsel

Louis F. Ramalho, Esq.
Counsel for Complainant

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

IN RE:)
)
Stepan Company)
22 West Frontage Road)
Northfield, Illinois 60093)
)
Respondent.)

DOCKET NO: FIFRA-03-2009-0257

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CONSENT AGREEMENT

Preliminary Statement

This Consent Agreement ("CA") is entered into by the Director of the Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("EPA" or "Complainant"), and Stepan Company ("Respondent" or "Stepan") pursuant to Section 14(a) of the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), as amended, 7 U.S.C. § 136l(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R Part 22, with specific reference to the Consolidated Rules set forth at 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).

This CA and the accompanying Final Order ("FO"; collectively "CA/FO") address the alleged sale or distribution of a misbranded pesticide in violation of Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), and the alleged sale or distribution of a registered pesticide the composition of which differed at the time of its distribution or sale from its composition as described in the statement required in connection with its registration under Section 3 of FIFRA, 7 U.S.C. § 136a, in violation of Section 12(a)(1)(C) of FIFRA, 7 U.S.C. § 136j(a)(1)(C).

General Provisions

1. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CA/FO.
2. For purposes of this proceeding, Respondent neither admits nor denies the specific factual allegations and conclusions of law set forth in this CA/FO, except as provided in Paragraph 1, above.

3. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this CA, the issuance of the attached Final Order, or the enforcement of the CA/FO.
4. For the purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact set forth in this CA and any right to appeal the accompanying Final Order.
5. Respondent consents to the issuance of this CA/FO and agrees to comply with its terms.
6. The settlement agreed to by the parties in this Consent Agreement reflects the desire of the parties to resolve this matter without continued litigation.
7. Respondent is aware that the submission of false or misleading information to the United States government may subject it to separate civil and/or criminal liability. Complainant reserves the right to seek and obtain appropriate relief if Complainant obtains evidence that the information provided and/or representations made by Respondent to Complainant regarding the matters at issue in the Findings of Fact and Conclusions of Law are false or, in any material respect, inaccurate.
8. Respondent shall not deduct for civil taxation purposes the civil penalty specified in this CA/FO.
9. Respondent shall bear its own costs and attorney's fees.
10. Respondent certifies to EPA by its signature herein that it is presently in compliance with the provisions of FIFRA referenced herein.

EPA's Findings of Fact and Conclusions of Law

11. In accordance with 40 C.F.R. § 22.18(b)(2) of the Consolidated Rules, Complainant adopts the following findings of fact and conclusions of law.
12. Respondent is a Delaware corporation, and is and was, at all times relevant to the violations set forth herein, a "person" doing business in the State of Illinois within the meaning of 2(s) of FIFRA, 7 U.S.C. § 136(s).
13. Section 2(w) of FIFRA, 7 U.S.C. §136(w), provides, with an exception not relevant to this matter, that the term "producer" means the person who manufactures, prepares, compounds, propagates, or processes any pesticide or device or active ingredient used in producing a pesticide. Section 2(w) of FIFRA, 7 U.S.C. §136(w), further provides that the term "produce" means to manufacture, prepare, compound, propagate, or process any pesticide or device or active ingredient used in producing a pesticide.

14. Pursuant to Section 2(u) of FIFRA, 7 U.S.C. § 136(u), the term "pesticide" includes "any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest." Pursuant to Section 2(t) of FIFRA, 7 U.S.C. § 136(t), the term "pest" includes fungus, bacteria and "other microorganisms." The regulations implementing FIFRA give further guidance on what constitutes a pesticidal purpose, stating that a substance is considered to be intended for a pesticidal purpose, and thus to be a pesticide requiring registration, if the person who distributes or sells the substance "claims, states or implies (by labeling or otherwise)" that the substance can or should be used as a pesticide, or that the substance consists of or contains an active ingredient and that it can be used to manufacture a pesticide. 40 C.F.R. § 152.15(a).
15. Pursuant to Section 2(dd) of FIFRA, 7 U.S.C. § 136(dd), the term "establishment" means any place where a pesticide or device or active ingredient used in producing a pesticide is produced, or held, for distribution or sale.
16. Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), provides, in pertinent part, that the term "to distribute or sell" means to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver. Likewise, 40 C.F.R. § 152.3(j) defines such term and other grammatical variations of such term to mean the acts of distributing, selling, offering for sale, holding for sale, shipping, holding for shipment, delivering for shipment, or receiving and (having so received) delivering or offering to deliver, or releasing for shipment to any person in any State.
17. Respondent owns and operates an active pesticide-producing "establishment" located at 22500 Millsdale Road, Elwood, Illinois (the "Facility"), which is registered with EPA under Establishment No. 1839-IL-01, as that term is defined in Section 2(dd) of FIFRA, 7 U.S.C. § 136(dd).
18. Respondent is a "producer" of BTC 885 Neutral Disinfectant Cleaner - 128, a "pesticide," as these terms are defined in Section 2(u) and (w) of FIFRA, 7 U.S.C. § 136(u) and (w).
19. Section 3 of FIFRA, 7 U.S.C. § 136a, provides that no person in any State may distribute or sell to any person any pesticide that is not registered under Section 3 of FIFRA.
20. 40 C.F.R. § 152.132 states, in pertinent part, that a pesticide registrant may distribute and sell his/her/its registered product under another person's name and address (the "distributor") instead of (or in addition to) such registrant's own. Such distribution and sale is termed "supplemental distribution" and the product is referred to as a "distributor product." The distributor is considered an agent of the registrant for all intents and purposes under FIFRA, and both the registrant and the distributor may be held liable for violations pertaining the distributor's product.

21. Respondent "distributes or sells" "pesticides", including BTC 885 Neutral Disinfectant Cleaner – 128, from this Facility as part of its wholesale, retail and/or distribution business, as these terms are defined in Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg).
22. BTC 885 Neutral Disinfectant Cleaner – 128 is a registered pesticide, EPA Registration No. 1839-166, for which the Respondent is the registrant. Daycon Products Company, Inc. ("Daycon") is a "supplemental distributor" of Respondent's BTC 885 Neutral Disinfectant Cleaner – 128 pesticide under the brand name, Daycon KBQ-128 Disinfectant Deodorizer, which has been assigned EPA Registration No. 1839-166-12228.
23. The statement filed by Respondent in connection with the registration of BTC 885 Neutral Disinfectant Cleaner – 128 states, in pertinent part, that "tests confirm that (this product or product name) when diluted in hard water up to 400 ppm...remains effective against *Pseudomonas aeruginosa*, *Staphylococcus aureus*, and *Salmonella*."
24. On April 16, 2008, the Maryland Department of Agriculture ("MDA") collected a sample of Respondent's supplemental distributor's pesticide product, Daycon KBQ-128 Disinfectant Deodorizer (Sample No. 7675, Lot No. D1475), from Daycon's Upper Marlboro, Maryland facility, as part of the Antimicrobial Testing Program to determine the effectiveness of the product against *Staphylococcus aureus* and *Pseudomonas aeruginosa*.
25. The test method used by the North Carolina Department of Agriculture ("NCDA") on behalf of EPA to analyze the sample of Respondent's supplemental distributor's pesticide product, Daycon KBQ-128 Disinfectant Deodorizer, was that required by EPA guidelines: AOAC Use-Dilution Test (Reference: Official Methods of Analysis, 1990, 15th Ed., Association of Official Analytical Chemists, Arlington, VA, Methods, (955.15 and 964.02)) at a dilution rate of 1:128 in 400 ppm hard water and 5% serum for a contact time of 10 minutes in accordance with the pesticide registration directions and label instructions.
26. Pursuant to Section 2(q)(1)(A) of FIFRA, 7 U.S.C. § 136(q)(1)(A), a pesticide is "misbranded" if "its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular."
27. Pursuant to Section 2(c)(1) of FIFRA, 7 U.S.C. § 136(c)(1), a pesticide is "adulterated" if "its strength or purity falls below the professed standard of quality as expressed on its labeling under which it is sold."

COUNT I
SALE/DISTRIBUTION OF A MISBRANDED PESTICIDE

28. Paragraphs 1 through 27 of this CA/FO are incorporated herein by reference.
29. Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), provides that it shall be unlawful for any person in any State to distribute or sell to any person any pesticide that is adulterated or misbranded.
30. Respondent's supplemental distributor, Daycon, sold and/or distributed its pesticide product, Daycon KBQ-128 Disinfectant Deodorizer, to a person at its Maryland facility on April 16, 2008.
31. The sample collected by MDA on April 16, 2008 (Sample No. 7675, Lot No. D1475) of Respondent's supplemental distributor's pesticide product, Daycon KBQ-128 Disinfectant Deodorizer, did not support the claimed effectiveness of its product as a hospital disinfectant against *Staphylococcus aureus* (ATCC 6538) and *Pseudomonas aeruginosa* (ATCC 15542), as tested by the NCDA on behalf of EPA, in accordance with Respondent's pesticide registration statement and label instructions when diluted 1:128 in 400 ppm hard water and 5% serum for a contact time of 10 minutes.
32. Respondent's supplemental distributor's pesticide product, Daycon KBQ-128 Disinfectant Deodorizer, as tested by the NCDA on behalf of EPA, was "adulterated" and/or "misbranded" as these terms are defined in Sections 2(c)(1) and 2(q)(1)(A) of FIFRA, 7 U.S.C. §§ 136(c)(1), and 136(q)(1)(A), respectively, at the time of its sale and/or distribution on April 16, 2008, because the product strength or purity falls below the professed standard of quality as expressed on its label and/or the label bears a statement as to the product's effectiveness as a disinfectant against *Staphylococcus aureus* (ATCC 6538) and *Pseudomonas aeruginosa* which is false or misleading.
33. Respondent's supplemental distributor's sale or distribution of its Daycon KBQ-128 Disinfectant Deodorizer pesticide product at Daycon's Maryland facility on April 16, 2008, as described in Paragraphs 30 through 32, above, constitutes a sale and/or distribution of an adulterated and/or misbranded pesticide to a person and therefore an unlawful act under Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), for which penalties may be assessed against Respondent pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136l(a).

COUNT II**SALE/DISTRIBUTION OF A PESTICIDE THE COMPOSITION OF WHICH DIFFERS FROM THE REGISTRATION STATEMENT**

34. The allegations in Paragraphs 1 through 33 of this Consent Agreement are incorporated herein by reference.
35. Section 12(a)(1)(C) of FIFRA, 7 U.S.C. § 136j(a)(1)(C), makes it unlawful for any person in any State to sell or distribute to any person any registered pesticide the composition of which differs at the time of its distribution or sale from its composition as described in the statement required in connection with its registration under Section 3 of FIFRA, 7 U.S.C. § 136a.
36. The composition of Respondent's supplemental distributor's pesticide product, Daycon KBQ-128 Disinfectant Deodorizer, as tested by the NCDA on behalf of EPA, differed at the time of its distribution or sale on April 16, 2008, as described in Paragraphs 30 through 32, above, from its composition as described in the statement required in connection with its registration under Section 3 of FIFRA, 7 U.S.C. § 136a.
37. Respondent's supplemental distributor's sale or distribution of its Daycon KBQ-128 Disinfectant Deodorizer product at Daycon's Maryland facility on April 16, 2008, as described in Paragraphs 30 through 32, above, constitutes a sale or distribution of a pesticide the composition of which differed at the time of its distribution or sale to a person on April 16, 2008 from its composition as described in the statement required in connection with its registration under Section 3 of FIFRA, 7 U.S.C. § 136a, in violation of Section 12(a)(1)(C) of FIFRA, 7 U.S.C. § 136j(a)(1)(C), for which penalties may be assessed against Respondent pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136l(a).

CIVIL PENALTY

38. In settlement of the above-captioned action, Respondent agrees to pay a civil penalty in the amount of Ten Thousand Four Hundred Dollars (\$10,400.00). This civil penalty is due and payable immediately upon Respondent's receipt of a true and correct copy of this CA/FO.
39. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest, administrative costs and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below.
40. In accordance with 40 C.F.R. § 13.11(a), interest on any civil penalty assessed in a Consent Agreement and Final Order begins to accrue on the date that a copy of the Consent Agreement and Final Order is mailed or hand-delivered to the Respondent. However, EPA will not seek to recover interest on any amount of such civil penalty that

is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).

41. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives - Cash Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
42. A late payment penalty of six percent per year will be assessed monthly on any portion of a civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on a debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
43. If Respondent pays the entire civil penalty of Ten Thousand Four Hundred Dollars (\$10,400.00) within thirty (30) calendar days of the date on which this CA/FO is mailed or hand-delivered to Respondent, no interest will be assessed against Respondent pursuant to 40 C.F.R. § 13.11(a)(1).
44. The above settlement amount was based upon Complainant's consideration of a number of factors, including, but not limited to, the statutory factors set forth in Section 14(a)(4) of FIFRA, 7 U.S.C. § 1361(a)(4) (i.e., the size of Respondent's business, the effect of the penalty on Respondent's ability to continue in business, and the gravity of the violation), and in accordance with EPA's FIFRA Enforcement Response Policy ("ERP") dated July 2, 1990.
45. Payment of the civil penalty amount described in Paragraph 38, above, shall be made by either cashier's check, certified check or electronic wire transfer, in the following manner:
 - A. All payments by Respondent shall reference its name and address, and the Docket Number of this action, *i.e.*, FIFRA-03-2009-0257;
 - B. All checks shall be made payable to "United States Treasury";
 - C. All payments made by check and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency—Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000
Contact: Eric Volck 513-487-2105

- D. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Bank
Government Lockbox 979077
U.S. EPA, Fines & Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101
Contact: 314-418-1028

- E. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance
US EPA, MS-NWD
26 W. M.L. King Drive
Cincinnati, OH 45268-0001

- F. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA = 021030004
Account No. = 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

- G. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
 5700 Rivertech Court
 Riverdale, MD 20737
 Contact: Jesse White 301-887-6548 or REX, 1-866-234-5681

H. On-Line Payment Option:

WWW.PAY.GOV/PAYGOV

Enter sfo 1.1 in the search field. Open and complete the form.

I. Additional payment guidance is available at:

http://www.epa.gov/ocfo/finservices/make_a_payment.htm

A copy of Respondent's check or a copy of Respondent's electronic transfer shall be sent simultaneously to:

EPA Region III
 1650 Arch Street
 Philadelphia, Pennsylvania 19103 - 2029, and
 Regional Hearing Clerk (3RC00)

Louis F. Ramalho
 Senior Assistant Regional Counsel
 U.S. Environmental Protection Agency - Region III
 1650 Arch Street
 Philadelphia, PA 19103-2029.

FULL AND FINAL SATISFACTION

46. Payment of the penalty specified in Paragraph 38, above, shall constitute full and final satisfaction of all civil claims for penalties which Complainant may have for the violations of FIFRA alleged herein.

RESERVATION OF RIGHTS

47. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice.

Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk.

OTHER APPLICABLE LAWS

- 48. Nothing in this CAFO shall relieve Respondent of any duties otherwise imposed on it by applicable federal, state or local law and/or regulations.

AUTHORITY TO BIND THE PARTIES

- 49. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and bind Respondent hereto.

ENTIRE AGREEMENT

- 50. This Consent Agreement and the attached Final Order constitute the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Consent Agreement and the attached Final Order.

EFFECTIVE DATE

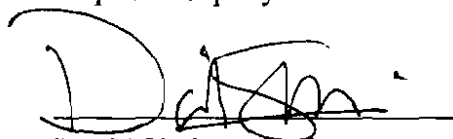
- 51. This CAFO shall become effective upon filing with the Regional Hearing Clerk

For Respondent:

Stepan Company

Date:

9/29/09



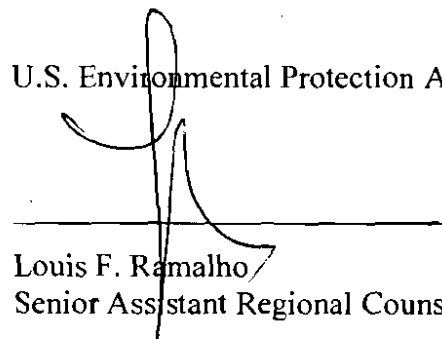
David Shelton, Senior Manager
Anti-Microbial Product Development

For Complainant:

U.S. Environmental Protection Agency

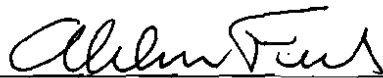
Date

9/30/2009


Louis F. Ramalho
Senior Assistant Regional Counsel

After reviewing the foregoing Consent Agreement and other pertinent information, the Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or the Regional Judicial Officer issue the Final Order attached hereto.

Date: 9/30/09



Abraham Ferdas, Director
Land and Chemicals Division
EPA Region III

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

IN RE:

Stepan Company
22 West Frontage Road
Northfield, Illinois 60093

DOCKET NO: FIFRA-03-2009-0257

RESPONDENT.

FINAL ORDER

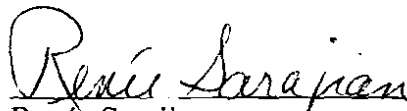
Complainant and Respondent have executed a document entitled "Consent Agreement" which I ratify as a Final Order in accordance with Section 22.18(b)(3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. § 22.18(b)(3).

NOW, THEREFORE, PURSUANT TO Section 22.18(b)(3) of the Consolidated Rules, and having determined, based on the representations in the Consent Agreement, that the penalty agreed to in the Consent Agreement is based on the consideration of the statutory factors set forth in Section 14(a)(4) of FIFRA, 7 U.S.C. § 136l(a)(4), it is hereby ordered that Respondent pay Ten Thousand Four Hundred Dollars (\$10,400.00), in accordance with the foregoing Consent Agreement, and otherwise comply with the terms and conditions of the Consent Agreement and this Final Order.

This Final Order shall become effective immediately upon filing with the Regional Hearing Clerk.

Date

9/30/09


Renée Sarajian
Regional Judicial Officer

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date listed below, the original of the foregoing Consent Agreement and Final Order, Docket No. **FIFRA-03-2009-0257** was filed with the Regional Hearing Clerk, U.S. EPA - Region III, 1650 Arch Street, Philadelphia, Pennsylvania, 19103-2029, and that a true and correct copy was sent to the following party:

Russell A. Garrison
Corporate Counsel
Stepan Company
22 W. Frontage Road
Northfield, Illinois 60093

Date

9/30/2009



Louis F. Ramalho
Sr. Assistant Regional Counsel
U.S. EPA - Region III
1650 Arch Street
Philadelphia, PA 19103-2029

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U.S. EPA - REGION III
PHILADELPHIA, PA

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