

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

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U.S. EPA - REGION IX
HEARING CLERK

In the matter of)	U.S. EPA Docket No.
)	RCRA-9-2013-0006
Scelzi Enterprises, Inc.)	
)	CONSENT AGREEMENT AND
EPA ID No. CAR000228239)	FINAL ORDER PURSUANT TO
)	40 C.F.R. SECTIONS 22.13 AND
<u>Respondent.</u>)	22.18

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6928(a)(1), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 Code of Federal Regulations ("C.F.R.") Part 22. Complainant is the United States Environmental Protection Agency, Region 9 ("EPA"). Respondent is Scelzi Enterprises, Inc. (Respondent or "Scelzi Enterprises").
2. Respondent owns and operates a facility located at 2286 East Date Avenue, Fresno California (the "Facility"). The Facility's EPA Identification Number is CAR000228239. Respondent manufactures custom truck bodies for a wide range of customers. The Facility generates hazardous waste associated with the painting of custom truck bodies, including waste paint sludge and waste paint filters.
3. On June 29, 2012, a United States EPA representative conducted an unannounced site inspection of the Facility. The purpose of the inspection was to determine the Facility's compliance with applicable federal environmental statutes and regulations, and in particular RCRA, as amended, and the regulations in 40 C.F.R. Parts 261-265, 268, 273 and 279, and the regulations adopted by the California authorized program under RCRA in the California Code of Regulations, Title 22, Division 4.5 and the California Health and Safety Code, Division 20 (the "Applicable Statutes and Regulations"). Based upon the findings EPA made during the inspection, and additional information obtained subsequent to the inspection, EPA determined that Respondent had violated RCRA, and

the state regulations adopted pursuant thereto, as approved and authorized by the United States.

4. Following the inspection, EPA issued a July 9, 2012, RCRA Compliance Evaluation Inspection Report ("Inspection Report"), which stated that potential violations included, *inter alia*, (1) at the time of the inspection, Scelzi was a large quantity generator; (2) that Scelzi had incomplete labelling on a 30-gallon container in Scelzi's satellite accumulation area; (3) Scelzi failed to label hazardous waste containers in its waste paint filters storage area; (4) Scelzi failed to maintain and operate the facility in a safe manner in its waste paint filters storage area; (5) Scelzi failed to label a white 55-gallon container of waste paint sludge in its waste paint filters storage area; (6) Scelzi failed to label and close a black 55-gallon container of waste paint filters in its waste paint filters storage area; (7) Scelzi failed to label and close seven 55 gallon containers of waste paint filters in its waste paint filters storage area; (8) Scelzi failed to label and close eight 55-gallon containers of waste paint sludge in its in its waste paint sludge storage area; (9) Scelzi failed to label and close seventeen 55-gallon containers of waste paint filters and waste paint sludge in the parking lot adjacent to its hazardous waste storage area; (10) Scelzi failed to label a 55-gallon container of waste paint sludge in its paint booth; (11) Scelzi stored hazardous waste materials for longer than the 90-day time limit allowed for Large Quantity Generators; (12) Scelzi lacked a hazardous waste management-training plan; (13) Scelzi did not file a 2011 Biennial Report; and (14) Scelzi was not conducting weekly inspections of its Hazardous Waste Storage Areas.

5. This Consent Agreement and Final Order ("CA/FO") pursuant to 40 C.F.R. Sections 22.13 and 22.18, simultaneously commences and concludes this proceeding, wherein EPA alleges that Respondent failed to: (1) close containers of hazardous waste, a violation of 22 California Code of Regulations ("C.C.R.") § 66265.173(a) [*see also* 40 C.F.R. § 265.173(a)]; and (2) obtain a permit for storage of hazardous waste, a violation of 22 C.C.R. §§ 66262.34(d) and 66270.1 [*see also* 40 C.F.R. §§ 262.34(d) and 270.1]. These are in violation of Section 3001 *et seq.* of RCRA, 42 U.S.C. § 6921 *et seq.*, and state regulations authorized pursuant thereto.¹ Nothing herein shall be construed as an admission by Scelzi Enterprises of the above allegations.

¹ All citations to the "C.C.R." refer to Division 4.5 of Title 22 of the current California Code of Regulations. EPA is enforcing California hazardous waste management program requirements as approved and authorized by the United States on August 1, 1992 (*see* 57 Fed. Reg. 32726, July 23, 1992), September 26, 2001 (66 Fed. Reg. 49118, September 26, 2001), and October 7, 2011 (*see* 76 Fed. Reg. 62303, October 7, 2011). Corresponding Federal citations are provided in brackets.

B. JURISDICTION

6. On August 1, 1992, the State of California received initial authorization to administer the hazardous waste management program in lieu of the federal program pursuant to § 3006 of RCRA, 42 U.S.C. § 6926, and 40 C.F.R. Part 271. The authorized program is established pursuant to the Hazardous Waste Control Law, Chapter 6.5 of Division 20 of the California Health and Safety Code, and the regulations promulgated thereunder at Title 22, Division 4.5 of the California Code of Regulations, 22 C.C.R. §§ 66001 *et seq.* The State of California has been authorized for all the regulations referenced in this CA/FO.
7. Respondent is a "person" as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
8. Respondent is an "operator" of a "facility" as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
9. Respondent is a "generator" of hazardous waste as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
10. Respondent generates and accumulates, or has generated and accumulated, materials that are "wastes" as defined in 22 C.C.R. §§ 66260.10 and 66261.2 [*see also* 40 C.F.R. §§ 260.10 and 261.2].
11. At the Facility, Respondent generates and accumulates, or has generated and accumulated, "hazardous waste" as defined in California Health & Safety Code ("H&SC") § 25117, and 22 C.C.R. §§ 66260.10 and 66261.3 [*see also* RCRA § 1004(5), and 40 C.F.R. §§ 260.10 and 261.3]. These hazardous wastes include, but are not limited to, waste paint sludge and waste paint filters.
12. Respondent is or has been engaged in "storage" of hazardous waste as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
13. On June 29, 2012, a United States EPA representative conducted an unannounced site inspection of the Facility to determine the Facility's compliance with Applicable Statutes and Regulations. Based upon the findings EPA made during the inspection, and additional information obtained subsequent to the inspection, EPA determined that Respondent had violated RCRA, and the state regulations adopted pursuant thereto, as approved and authorized by the United States.

14. Section 3006 of RCRA, 42 U.S.C. § 6926, provides, *inter alia*, that authorized state hazardous waste programs are carried out in lieu of the Federal RCRA program. Therefore, a violation of any requirement of law under an authorized state hazardous waste program is a violation of a requirement of RCRA.
15. A violation of California's authorized hazardous waste program, found at H&SC § 25100 *et seq.*, constitutes a violation of RCRA hazardous waste requirements and, therefore, a person who violates California's authorized hazardous waste program is subject to the powers vested in the EPA Administrator by Section 3008 of RCRA, 42 U.S.C. § 6928.
16. Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the EPA Administrator to issue an order assessing a civil penalty and/or requiring compliance immediately or within a specified time for violation of any requirement of RCRA, Section 3001 *et seq.*, 42 U.S.C. § 6921 *et seq.*
17. The Administrator has delegated the authority under Section 3008 of RCRA to the EPA Regional Administrator for Region 9, who has redelegated this authority to the Director of the Enforcement Division.

C. ALLEGED VIOLATIONS

Count I

Failure to Close Containers of Hazardous Waste

18. Paragraphs 1 through 15 above are incorporated herein by this reference as if they were set forth here in their entirety.
19. 22 C.C.R. § 66265.173(a) requires that a container holding hazardous waste shall always be closed during transfer and storage, except when it is necessary to add or remove waste [*see also* 40 C.F.R. § 265.173(a)].
20. At the time of inspection, EPA contends the EPA Inspectors observed the following containers that were open when waste was not being added or removed: one 55-gallon container of compressed waste paint filters; three 55-gallon containers of waste paint filters; five 55-gallon containers of waste paint sludge; and seven 55-gallon containers of waste paint sludge and waste paint filters.
21. In addition, at the time of the inspection, EPA alleges Respondent was storing waste paint filters, a D005 RCRA waste, on open pallets, thereby failing to meet the requirements of 22 C.C.R. § 66265.173.

22. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 66265.173(a) [*see also* 40 C.F.R. § 262.34(d)(2) and 40 C.F.R. § 265.173(a)].

COUNT II

Storage of Hazardous Waste without a Permit

23. Paragraphs 1 through 20 are incorporated herein by this reference as if they were set forth here in their entirety.
24. 22 C.C.R. § 270.1 requires a permit for the treatment, storage or disposal of hazardous waste [*see also* 40 C.F.R. § 270.1].
25. 22 C.C.R. § 66262.34(d) provides that small quantity generators of hazardous waste (generators of 1,000 kilograms or less of hazardous waste per month) may accumulate hazardous waste without a permit or grant of interim status for up to 180 days provided the generator meets certain conditions, including that generators label containers with the words "hazardous waste" and with the date accumulation of the waste begins [*see also* 40 CFR § 262.34(d)].
26. Generators who fail to label containers of hazardous waste appropriately fail to meet the requirements of 22 C.C.R. § 66262.34(d), and are subject to the permitting requirements of 22 C.C.R. § 66270.1 [*see also* 40 C.F.R. § 270.1].
27. At the time of inspection, EPA contends the EPA Inspectors observed the following containers of hazardous waste without appropriate labels: two pallets of waste paint filters; eleven 55-gallon containers of waste paint filters and eight 55-gallon containers of waste paint sludge in the waste paint filter preparation or storage areas; and seventeen 55-gallon containers of waste paint filters and waste paint sludge in the parking lot adjacent to the hazardous waste storage area.
28. In addition, 22 C.C.R. § 66262.34(d) states that a generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies [*see also* 40 C.F.R. § 262.34(d)(5)(iii)].
29. At the time of the inspection, EPA Inspectors determined that Respondent's employees were not familiar with proper waste handling procedures.
30. Respondent does not have a permit for the treatment, storage or disposal of hazardous waste.

31. Therefore, EPA alleges that Respondent has violated 22 C.C.R. §§ 66262.34(d) and 66270.1 [*see also* 40 C.F.R. §§ 262.34(d) and 270.1].

D. CIVIL PENALTY

32. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), as adjusted by the Debt Collection Improvement Act of 1996 and the Civil Monetary Penalty Inflation Adjustment Rule authorizes a civil penalty of up to thirty-seven thousand five hundred dollars (\$37,500) per day for violations of Subtitle C of RCRA, 42 U.S.C. §6921 *et seq.*, occurring after January 12, 2009. Based upon the facts alleged herein and upon those factors which EPA must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and the 2003 RCRA Civil Penalty Policy ("Penalty Policy"), including the seriousness of the violations, any good faith efforts by Respondent to comply with applicable requirements, and any economic benefit accruing to Respondent, as well as such other matters as justice may require, EPA proposes that Respondent be assessed TWENTY-FOUR THOUSAND TWO HUNDRED DOLLARS (\$24,200) as the civil penalty for the violations alleged herein. The proposed penalties were calculated in accordance with the Penalty Policy.

E. ADMISSIONS AND WAIVERS OF RIGHTS

33. For the purposes of this proceeding, Respondent admits to the jurisdictional allegations set forth in Section B of this CA/FO and agrees not to contest EPA's jurisdiction and authority to enter into and issue this CA/FO and to enforce its terms.
34. Respondent neither admits nor denies any allegations of fact or law set forth in Section C of this CA/FO. Respondent hereby waives any rights Respondent may have to contest the allegations set forth in this CA/FO, waives any rights Respondent may have to a hearing on any issue relating to the factual allegations or legal conclusions set forth in this CA/FO, including without limitation a hearing pursuant to Section 3008(b) of RCRA, 42 U.S.C. § 6928(b), and hereby consents to the issuance of this CA/FO without adjudication. In addition, Respondent hereby waives any rights Respondent may have to appeal the Final Order attached to this Consent Agreement and made part of this CA/FO.
35. Respondent consents to the assessment of the civil penalty described herein.

F. PARTIES BOUND

36. This CA/FO shall apply to and be binding upon Respondent and its agents, successors and assigns, until such time as the civil penalty required under Sections D and G has been paid in accordance with Section G, and any delays in performance and/or stipulated

penalties have been resolved. At such time as those matters are concluded, this CA/FO shall terminate and constitute full settlement of the violations alleged herein.

37. No change in ownership or corporate, partnership, or legal status relating to the Facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.
38. The undersigned representative of Respondent hereby certifies that he or she is fully authorized by Respondent to enter into this CA/FO, to execute and to legally bind Respondent to it.

G. PAYMENT OF CIVIL PENALTY

39. Respondent consents to the assessment of and agrees to pay a civil penalty of TWENTY-FOUR THOUSAND TWO HUNDRED DOLLARS (\$24,200) in full settlement of the federal civil penalty claims set forth in this CA/FO.
40. Respondent shall submit payment of the TWENTY-FOUR THOUSAND TWO HUNDRED DOLLARS (\$24,200) within thirty (30) calendar days of the Effective Date of this CA/FO. The Effective Date of this CA/FO is the date the Final Order, signed by the Regional Judicial Officer, is filed with the Regional Hearing Clerk. All payments shall indicate the name of the Facility, EPA identification number of the Facility, the Respondent's name and address, and the EPA docket number of this action. Payment shall be made by certified or cashier's check payable to "Treasurer of the United States" (or be 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.

41. At the time payment is made, a copy of the check shall be sent to:

Bryan K. Goodwin
Regional Hearing Clerk (RC-1)
U.S. Environmental Protection Agency – Region 9
75 Hawthorne Street
San Francisco, CA 94105

and

Jelani Shareem (ENF-3-3)
Enforcement Division
U.S. Environmental Protection Agency – Region 9
75 Hawthorne Street
San Francisco, CA 94105

42. In accordance with the Debt Collection Act of 1982 and U.S. Treasury directive (TFRM 6-8000), each payment must be received by the due date set forth in this CA/FO to avoid

additional charges. If payment is not received by the due date, interest will accrue from the Effective Date of this CA/FO at the current rate published by the United States Treasury as described at 40 C.F.R. § 13.11. A late penalty charge of \$15.00 will be imposed after thirty (30) calendar days with an additional \$15.00 charge for each subsequent 30-day period. A 6% per annum penalty will further apply on any principal amount not paid within ninety (90) calendar days of its due date. Respondent further will be liable for stipulated penalties as set forth below for any payment not received by its due date.

H. DELAY IN PERFORMANCE/STIPULATED PENALTIES

43. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as set forth below:

For failure to submit a payment to EPA by the time required in this CA/FO: FIVE HUNDRED DOLLARS (\$500) per day for first to fifteenth day of delay, ONE THOUSAND DOLLARS (\$1,000) per day for sixteenth to thirtieth day of delay, and ONE THOUSAND FIVE DOLLARS (\$1,500) per day for each day of delay thereafter.

44. All penalties owed to EPA under this Section shall be due within thirty (30) days of receipt of a notification of noncompliance. 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.
45. All penalties shall be made payable by certified or cashier's check or wire transfer to "Treasurer of the United States" and shall be remitted as described in Paragraph 36.
46. The payment of stipulated penalties shall not alter in any way Respondent's obligation to complete the performance required hereunder.
47. 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 CA/FO.

I. CERTIFICATION OF COMPLIANCE

48. By Signing this consent agreement, Respondent certifies under penalty of law to EPA that the Respondent has, to the best of its knowledge and belief, fully complied with RCRA Hazardous Waste Management requirements, 42 U.S.C. §§ 6921-6939e, and the federally authorized California hazardous waste management program including 22 C.C.R. § 66262.34(d) [*see also* 40 C.F.R. § 262.34(d)], and 22 C.C.R. § 66265.173(a) [*see also* 40 C.F.R. § 265.173(a)], that formed the basis for the violations alleged in this

CA/FO. This certification of compliance is based upon true, accurate, and complete information, which the signatory can verify personally or regarding which the signatory has inquired of the person or persons directly responsible for gathering the information.

J. SCOPE OF CA/FO & RESERVATION OF RIGHTS

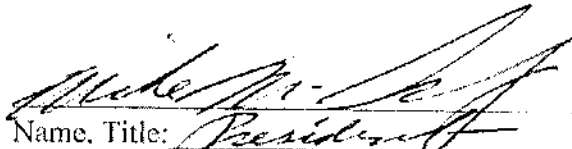
49. The CA/FO shall constitute a final and binding resolution and settlement of RCRA civil penalty liability for all "Covered Matters" against Respondent, and each of its subsidiaries and divisions, any parent companies, its officers and directors, and its successors or assignees or other entities, acting by, through, under or on behalf of Respondent. As used in this CA/FO, the terms "Covered Matters" or "Covered Matter" mean the violations and facts alleged above. This Paragraph does not limit the ability of EPA to enforce the Stipulation and Judgment.
50. Any claim, violation, or cause of action that is not a Covered Matter is a "Reserved Claim." EPA reserves the right to pursue any Reserved Claim. "Reserved Claims" include, but are not necessarily limited to, any claims or causes of action related to: (1) any claims, violations, or causes of action that are not alleged in the CA/FO; (2) performance of corrective action, response action, or recovery of costs actions, concerning or arising out of any actual past or future releases, spills, leaks, discharges, or disposal of hazardous materials, hazardous wastes, and/or hazardous substances; and (3) the disposal of hazardous materials, hazardous wastes, and/or hazardous substances by Respondent, where such disposal is unknown to EPA.
51. Nothing in this CA/FO is intended nor shall it be construed to preclude EPA or any other government agency, department, board or entity from exercising its authority under any law, statute or regulation, and EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including the right to require that Respondent perform tasks in addition to those required by this CA/FO, except as provided herein. EPA further reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, which may pertain to Respondent's failure to comply with any of the requirements of this CA/FO, including without limitation, the assessment of penalties under Section 3008(c) of RCRA, 42 U.S.C. § 6928(c). This CA/FO shall not be construed as a covenant not to sue, release, waiver or limitation of any rights, remedies, powers or authorities, civil or criminal, which EPA has under RCRA (except as to those civil penalties for the violations alleged herein); the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"); or any other statutory, regulatory or common law enforcement authority of the United States.

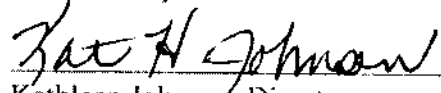
52. Compliance by Respondent with the terms of this CA/FO shall not relieve Respondent of its obligations to comply with RCRA or any other applicable local, State or federal laws and regulations.
53. This CA/FO is not intended to be nor shall it be construed as a permit. This CA/FO does not relieve Respondent of any obligations to obtain and comply with any local, State or federal permits.
- K. RESERVED CLAIMS
54. Nothing in this CA/FO shall constitute or be construed as a release from nor an admission by Respondents of any Reserved Claim.
- L. MISCELLANEOUS
55. This CA/FO may be amended or modified only by written agreement executed by both EPA and Respondent.
56. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.
57. The Effective Date of this CA/FO is the date the Final Order, signed by the Regional Judicial Officer, is filed by the Regional Hearing Clerk.

IT IS SO AGREED.

9/23/2013
Date

9/30/2013
Date


Name, Title: President
Scelzi Enterprises, Inc.


Kathleen Johnson, Director
Enforcement Division
U.S. Environmental Protection Agency, Region 9

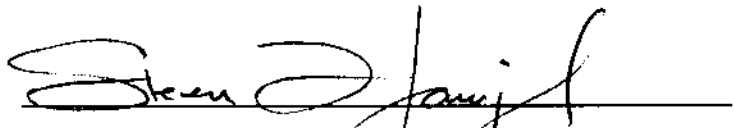
FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order pursuant to 40 C.F.R. Sections 22.13 and 22.18 (U.S. EPA Docket No. RCRA-09-2013-0006) be entered and that Scelzi Enterprises Inc. pay a civil penalty of TWENTY FOUR THOUSAND TWO HUNDRED DOLLARS (\$24,200.00) due within thirty (30) days from the Effective Date of this Consent Agreement and Final Order. Payment must be made pursuant to Section G of the Consent Agreement.

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

09/30/13

Date

A handwritten signature in black ink, appearing to read "Steven Jawgiel", is written over a horizontal line.

Steven Jawgiel
Regional Judicial Officer
United States Environmental Protection Agency,
Region 9

CERTIFICATE OF SERVICE

I certify that the original of the fully executed Consent Agreement and Final Order in the matter of **Scelzi Enterprises Inc. (Docket #: RCRA-09-2013-0006)** was filed with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was sent to the following parties:

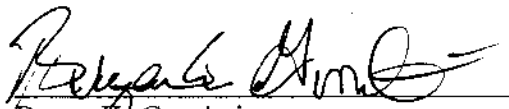
A copy was mailed via CERTIFIED MAIL to:

Amy Moua
Human Resources and Regulatory Manager
Scelzi Enterprises, Inc.
912286 E. Date Ave.
Fresno, CA 93706

CERTIFIED MAIL NUMBER: 7012 1640 0001 2190 6888

And additional copy was hand-delivered to the following U.S. EPA case attorney:

Rebecca Sugerman, Esq.
Office of Regional Counsel
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105


Bryan D. Goodwin
Regional Hearing Clerk
U.S. EPA, Region IX

9/30/13
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail No.: 7012 1640 0001 2190 6888

Refer to: Scelzi Enterprises, Inc.

SEP 20 2013

Amy Moua
Human Resources and Regulatory Manager
Scelzi Enterprises, Inc.
912286 E. Date Ave
Fresno, CA 93706

Re: Consent Agreement and Final Order, Settlement of RCRA Violations at Scelzi Enterprises, Inc.

Dear Ms. Moua:

Enclosed please find a copy of the fully executed Consent Agreement and Final Order (CA/FO) negotiated between the United States Environmental Protection Agency, Region IX, and Scelzi Enterprises, Inc.

The CA/FO simultaneously commences and concludes this proceeding resolving civil penalty liability for violations of RCRA as set out in the CA/FO.

If you have any questions regarding the RCRA requirements governing operations at your facility, or which concern the proceedings terminated by the enclosed document, please contact Rebecca Sugerman at (415) 972-3893.

Sincerely,

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

Kathleen H. Johnson
Director
Enforcement Division

Enclosure