

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Susan Studlien 9/26/13
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number TSCA-01-2013-0060

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Ametek, Inc.; Specialty Metal Products
21 Toettes Road
Wallingford, CT 06492

Total Dollar Amount of Receivable \$ 31,875 Due Date: 10/26/13

SEP due? Yes _____ No _____ Date Due _____

Installment Method (if applicable)

INSTALLMENTS OF:

- 1ST \$ _____ on _____
- 2nd \$ _____ on _____
- 3rd \$ _____ on _____
- 4th \$ _____ on _____
- 5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1 – New England
5 Post Office Square - Suite 100
Boston, Massachusetts 02109-3912

BY HAND

September 26, 2013

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: *In the Matter of Ametek, Inc., Specialty Metal Products.*
Docket No. TSCA-01-2013-0060

Dear Ms. ^{Wanda}~~Santiago~~:

Enclosed for filing in the above-referenced action, please find the original and one copy of a Complaint and Opportunity for Hearing and the original and one copy of a Consent Agreement and Final Order settling the above-referenced matter, together with a certificate of service.

Please contact me at (617) 918-1701 if you have any questions.

Sincerely,

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Enclosures

cc: Gregory Nelson, VP & BU Manager, Ametek, Inc. and Specialty Metal Products

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2013 SEP 26 P 1:24
EPA ORC
OFFICE OF
REGIONAL HEARING CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

RECEIVED

2013 SEP 26 P 1:24

In the Matter of:)
)
Ametek, Inc. Specialty Metal Products)
21 Toelles Road)
Wallingford, CT 06492)
)
)
Respondent.)
_____)

Docket No.
TSCA-01-2013-0060 ORC
OFFICE OF
REGIONAL HEARING CLEAN
CONSENT AGREEMENT AND
FINAL ORDER

CONSENT AGREEMENT

1. This Consent Agreement and Final Order (“CAFO”) is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (“EPA”) by Section 16(a) of the Toxic Substances Control Act (“TSCA”), 15 U.S.C. § 2615(a), and in accordance with 40 C.F.R. § 22.18 of EPA’s “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits,” 40 C.F.R. Part 22 (“Consolidated Rules of Practice”).

I. INTRODUCTION

2. Complainant, the United States Environmental Protection Agency (“EPA”), Region 1, initiated this proceeding against Respondent, Ametek, Inc. Specialty Metal Products, by issuing an administrative complaint (“Complaint”), pursuant to Section 16 of TSCA.

3. The complete factual and jurisdictional basis for proposing the assessment of civil penalties is set forth in the Complaint.

II. TERMS OF SETTLEMENT

4. The provisions of this Consent Agreement and Final Order (“CAFO”) shall apply to and be binding on Respondent, its officers, directors, successors and assigns.

5. Respondent agrees that EPA has jurisdiction over the subject matter alleged in the Complaint, and hereby waives any defenses it might have as to jurisdiction and venue.

6. Respondent acknowledges that it has been informed of its right to request a hearing in this proceeding and hereby waives its right to a judicial or administrative hearing or appeal on any issue of law or fact set forth in the Complaint.

7. Respondent hereby waives its right to appeal the Final Order accompanying this Consent Agreement.

8. Without admitting or denying the facts and violation alleged in the Complaint, Respondent consents to the terms and issuance of this CAFO and consents for the purposes of settlement to the payment of the civil penalty as set out in this CAFO.

9. After consideration of the nature of the violations alleged in the Complaint, and other relevant factors, including Respondent's ability to pay, Complainant has determined that it is fair and proper that Respondent pay a civil penalty in the amount of \$31,875.00 in settlement of this matter.

Penalty Payment

10. Respondent shall pay the civil penalty set forth in this CAFO within 30 days of the effective date of this CAFO.

11. This CAFO shall become effective on the date it is filed with the Regional Hearing Clerk.

12. Respondent shall make the penalty payment by submitting a bank, cashier's or certified check, payable to the order of the "Treasurer, United States of America," to:

U.S. EPA
Fines and Penalties
Cincinnati Finance Center

P.O. Box 979077
St. Louis, MO 63197-9000

Respondent shall note the case name ("In the Matter of: Ametek, Inc. Specialty Metal Products") and the docket number ("TSCA-01-2013-0060") of this action on the payment check and in an accompanying cover letter, and shall provide copies of the check and letter to:

Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA, Region 1
5 Post Office Square - Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

Marianne Milette
U.S. EPA, Region 1
5 Post Office Square - Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

13. Pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, and 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States as well as a charge to cover the cost of processing and handling a delinquent claim. Interest will begin to accrue on the civil penalty if it is not paid within 30 calendar days of the effective date of this CAFO. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2). A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorneys' fees in accordance with 31 C.F.R. § 901.9(c). In addition, a penalty charge of six percent per year compounded annually will be assessed on any portion of the debt that remains delinquent more than ninety (90) days after payment is due in accordance with 31 C.F.R. § 901.9(d). Should assessment of the penalty charge on the debt be required, it will be assessed as of the first day that payment is due.

Additional Provisions

14. The civil penalty and any interest, non-payment penalties, and/or other charges, shall represent penalties assessed by EPA and shall not be deductible for federal tax purposes.

15. Compliance with this CAFO, including payment of any penalties, interest or other charges, shall not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by EPA, and does not waive, suspend or modify the responsibility of Respondent to comply with such laws and regulations.

16. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Section 16 of TSCA for the specific violations alleged in this CAFO. Nothing in this CAFO shall be construed as prohibiting, altering or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent's violation of this agreement, or with respect to matters other than the allegations and violations alleged in the Complaint, violations of the statutes and regulations upon which this agreement is based, or for Respondent's violation of any other applicable provision of law. Nor shall this CAFO be construed to, nor is it intended to operate in any way to, resolve any criminal liability or any other civil liability of Respondents. EPA reserves all other civil and criminal enforcement authorities, including the authority to seek injunctive relief and the authority to address imminent hazards.

17. Except as described in Paragraph 13 herein, each party shall bear its own costs and fees in this proceeding, including attorney's fees, and specifically waives any right to recover such costs from the other party pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504.

18. Each undersigned representative of a party to this CAFO certifies that she or he is fully authorized to enter into the terms and conditions of this CAFO and to execute and legally bind such party to it.

THE UNDERSIGNED PARTIES enter into this CAFO for In the Matter of: Ametek, Inc. Specialty Metal Products, Docket No. TSCA-01-2013-0060

For Ametek, Inc. Specialty Metal Products

Gregory Nelson
Name: Gregory Nelson
Title: VP & BU Manager
Company: Ametek SMP

09/23/13
Date

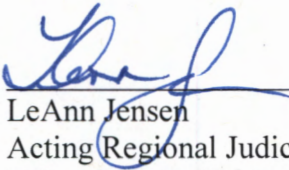
For U.S. EPA, Region 1:

Susan Studlien
Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region I
5 Post Office Square
Boston, Massachusetts 02109

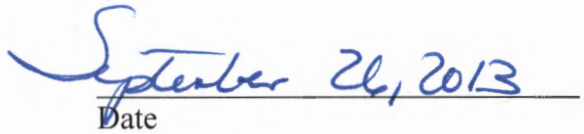
09/26/13
Date

FINAL ORDER

The foregoing Consent Agreement is hereby approved and incorporated by reference into this Order. The Respondent is ordered to comply with the terms of the above Consent Agreement, effective on the date it is filed with the Regional Hearing Clerk.



LeAnn Jensen
Acting Regional Judicial Officer
U.S. EPA, Region 1



Date

In the Matter of: Ametek, Inc. Specialty Metal Products, Docket No. TSCA-01-2013-0060

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

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In the Matter of:)

Ametek, Inc. Specialty Metal Products)
21 Toelles Road)
Wallingford, CT 06492)

Respondent)

Docket No.
TSCA-01-2013-0060

COMPLAINT AND
OPPORTUNITY FOR
HEARING

COMPLAINT

I. Introduction

1. Complainant, the United States Environmental Protection Agency ("EPA"), Region 1, issues this administrative Complaint and Notice of Opportunity for Hearing ("Complaint") to Ametek, Inc. Specialty Metal Products ("Respondent") under Section 16(a) of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2615(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22.

2. This Complaint notifies Respondent that Complainant intends to assess a penalty for alleged violations of the federal regulations entitled, "Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions" (the "PCB Regulations"), 40 C.F.R. Part 761. The alleged violations involve omissions and inaccuracies in a waste manifest for waste containing PCBs. The Notice of Opportunity for Hearing describes Respondent's option to file an Answer to the Complaint and to request a formal hearing.

II. Statutory and Regulatory Authority

3. Complainant takes this action under the authority of Section 16(a) of TSCA, 15 U.S.C. § 2615(a), for violations of Section 15 of TSCA, 15 U.S.C. § 2614, and 40 C.F.R. Part 761.

4. Section 15(1) of TSCA, 15 U.S.C. § 2614(1), makes it unlawful for any person to fail to comply with any rule promulgated under Section 6 of TSCA.

5. The PCB Regulations at 40 C.F.R. Part 761, were promulgated pursuant to Section 6(e) of TSCA, 15 U.S.C. 2605(e).

6. The PCB Regulations establish "prohibitions of, and requirements for, the manufacture, processing, distribution in commerce, use, disposal, storage, and marking of PCBs and PCB Items." See 40 C.F.R. § 761.1(a).

7. The PCB Regulations define "PCB" as "any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contain such substance." See 40 C.F.R. § 761.3.

8. Subpart K of 40 C.F.R. Part 761 sets forth the requirements for PCB waste disposal records and reports, including the requirements for storers and generators of PCB waste to have an EPA identification number, to notify EPA of PCB waste activity, and to properly prepare a PCB waste manifest. See 40 C.F.R. §§ 761.202, 205, and 207.

III. Background

9. Respondent is a business unit of Ametek, Inc., a global manufacturer of electronic instruments and electromechanical products with annual sales of \$3.5 billion. Ametek, Inc. is a corporation headquartered in Berwyn, Pennsylvania.

10. Respondent owns and operates a site located at 21 Toelles Road in Wallingford, Connecticut (the Site). Respondent operates three shifts and employs 105 people at the Site. There are three buildings on about five acres at the Site, which is in an industrial section on a well-traveled street. At the Site, this business unit manufactures bolts, nuts, rivets and washers, specializing in metal bolts; industrial instruments for control of process variables; primary metal

products, specializing in powdered iron; primary smelted or refined copper, steel wiredrawing, steel nuts and spikes, gaskets, packing and sealing devices.

11. At all times relevant to this Complaint, Respondent is a "person," as defined at 40 C.F.R. § 761.3, and is subject to the prohibitions set forth in TSCA and the PCB Regulations.

12. On June 11, 2012 the United States Environmental Protection Agency (EPA) was notified by Clean Harbors, Inc. that a waste oil shipment of 950 gallons had been received on April 26, 2012 by its company, Murphy's Oil, on manifest #005339545 FLE, identifying Respondent as the generator. The oil included sludge and flush material from a pipe chase at the Site. The waste was identified by Respondent as "Petroleum Oil," "off spec used oil" and "not mixed with PCBs." The waste oil was pumped from multiple drums into the front compartment of truck #4298 which ultimately contained 2,800 gallons. Analysis of the used oil by Murphy's showed that Respondent's shipment was contaminated with PCBs at a concentration of 38 parts per million (ppm).

13. On May 17, 2012 Clean Harbors received a letter from Respondent indicating it did not know the source of PCB oil on manifest #005339545 FLE but that it had contacted a contractor to help investigate the source. Based on this information, on May 23, 2012 Murphy's Oil manifested the waste oil from Truck #4298, including Respondent's shipment, as non-TSCA regulated waste.

14. According to Respondent, on or about May 24, 2012, Respondent received sampling results from residual oil in the drums, the highest of which was 228 ppm, and then notified Clean Harbors orally of these results. Later, on June 7, 2012 Respondent notified Clean Harbors that the waste oil picked up from the Site on manifest #005339545 FLE had now been determined by

its consultant to be from a TSCA source, specifically from the pipe chase sludge, which had a PCB concentration of 3,070 ppm. Clean Harbors rerouted the shipment to a TSCA incinerator.

15. On June 13, 2012 EPA requested Connecticut Department of Energy and Environmental Protection (DEEP) to inspect Respondent's Site to follow up on the improper manifest. On June 14, 2012 an inspection was conducted. During the inspection, DEEP learned that part of the waste oil shipment on manifest #005339545 FLE was sludge collected from a pipe chase; that Respondent's consultant had collected a sample of the sludge remaining in the pipe chase; and that the sample revealed PCBs at a concentration of 3,070 ppm in the sludge.

16. In 2006 Respondent had a prior improper manifest of PCB-regulated waste, for which a source was not determined. On September 18, 2006 United Industrial Services rejected a load of PCB contaminated oil, re-manifested it and sent it to Clean Harbors of Braintree for proper disposal. On September 21, 2006 Connecticut DEEP inspected the Site to try to determine the source of PCBs. The source of PCBs was not determined. At the time, Respondent indicated that it would sample future shipments of waste oil for PCBs.

17. According to Respondent, during the years following the 2006 incident, Respondent tested potential sources of PCBs in its equipment (i.e., transformer and gear box) and thus relied on "generator knowledge" to discontinue testing its oil. However, the waste that was shipped with manifest #005339545 FLE also included oil from an unknown, untested source – the pipe chase.

18. Based on this information, a violation of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. Section 2605(e) and the Polychlorinated Bipheyl (PCB) Regulations at 40 CFR Part 761 has been documented. Respondent failed to identify the waste

material as PCB waste, failed to list the weight of the waste in kilograms, and failed to indicate its storage for disposal date as required by 40 CFR Section 761.207.

19. At all times relevant to this Complaint, Respondent is a "generator of PCB waste," as defined at 40 C.F.R. § 761.3.

20. At all times relevant to this Complaint, the 950 gallons of PCB-contaminated waste oil from the Site described above in Paragraphs 12-17, is "PCB waste," as defined at 40 C.F.R. § 761.3.

21. Based on the Connecticut DEEP inspection described in Paragraph 15 above, Respondent's 2006 improper manifest described in Paragraph 16 above and other information provided to EPA, Complainant has determined that Respondent has violated the PCB Regulations and Section 15 of TSCA as set forth below.

COUNT I - Omissions and Inaccuracies on Waste Manifest (# 005339545 FLE)

22. Complainant realleges and incorporates by reference Paragraphs 1 through 21.

23. Pursuant to 40 C.F.R. § 761.207(a), a generator of PCB waste who relinquishes control of that waste by offering it for transport for off-site disposal must prepare a hazardous waste manifest on EPA Form 8700-22.

24. Pursuant to 40 C.F.R. § 761.207(a)(1), the waste manifest must specify, among other things: the identity of the PCB waste, the earliest date of removal from service for disposal, and the weight in kilograms of the PCB waste.

25. As described above in Paragraphs 12-14, Respondents "relinquishe[d] control" over PCB waste (i.e., the 950 gallons of PCB-contaminated waste oil) by "offering [it] for transport" for "offsite disposal."

26. As described above in Paragraphs 12-17, Respondents failed to indicate on Hazardous Waste Manifest # 005339545 FLE (a) that the 950 gallons of waste oil contained PCBs; (b) the earliest date of removal of the PCB-contaminated waste oil from service for disposal; and (c) the weight in kilograms of the PCB-contaminated waste oil.

27. Accordingly, Respondent's failure to comply with the PCB waste manifesting requirements for Hazardous Waste Manifest # 005339545 FLE constitutes a violation of 40 C.F.R. § 761.207(a) and Section 15 of TSCA.

IV. Proposed Civil Penalty

28. Section 16(a) of TSCA, 15 U.S.C. § 2615(a), authorizes the assessment of a civil administrative penalty of up to \$25,000 per day for each violation described above. Pursuant to the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, and 40 C.F.R. Part 19, violations that occurred between March 16, 2004 and January 12, 2009 are subject to up to \$32,500 per day of violation. Violations that occur on or after January 13, 2009 are subject to penalties up to \$37,500 per day per violation.

29. Complainant will calculate any proposed penalty using the penalty assessment criteria of Section 16(a)(2)(B) of TSCA, 15 U.S.C. § 2615(a)(2)(B), by taking into consideration the nature, circumstances, extent, and gravity of the violations and, with respect to Respondents, their ability to pay, the effect of the proposed penalty on their ability to continue in business, any prior history of such violations, their degree of culpability, and such other matters as justice may require.

30. In applying the penalty assessment criteria, Complainant will use the approach outlined in EPA's "Polychlorinated Biphenyls (PCB) Penalty Policy" (the "PCB Penalty Policy"), dated April 9, 1990, a copy of which is included with this Complaint. See EPA's "Notice of

Availability of Polychlorinated Biphenyls Penalty Policy," 55 Fed. Reg. 13955 (April 13, 1990).

A revised penalty matrix, inserted into the PCB Penalty Policy at page 9-C, takes into account inflation adjustments for violations occurring after January 12, 2009.

31. Any proposed civil penalty will be developed based upon the best information available to Complainant at this time and may be adjusted if Respondents establish bona fide issues of ability to pay or other defenses relevant to the amount of the proposed penalty by providing Complainant with adequate financial documentation.

32. By this Complaint, Complainant seeks to assess a civil penalty against Respondent of up to \$37,500 per day per violation for a violation occurring after January 12, 2009, as set forth below:

Count 1 (Improper Waste Manifest): One violation for Respondents' failure to comply with the PCB waste manifesting requirements for Hazardous Waste Manifest #005339545 FLE. The failure to properly identify PCBs in waste shipments presents a great risk of harm to human health and the environment. The shipment of PCB-contaminated waste to a facility that is not authorized to dispose of PCBs may result in the release of PCBs into the environment and/or the exposure of humans to PCBs. Once in the environment, PCBs do not readily break down and therefore may remain for long periods of time cycling between air, water, and soil. In addition, PCBs have been demonstrated to cause cancer, as well as a variety of other adverse health effects on the immune system, reproductive system, nervous system, and endocrine system.

V. Notice of Opportunity to Request a Hearing

33. As provided by Section 16(a) of TSCA, 15 U.S.C. § 2615(a), and in accordance with 5 U.S.C. § 554, Respondent has the right to request a hearing on any material fact alleged in this

Complaint. Any such hearing would be conducted in accordance with EPA's Consolidated Rules of Practice, a copy of which is enclosed with this Complaint. Any request for a hearing must be included in Respondent's written Answer to this Complaint ("Answer") and filed with the Regional Hearing Clerk at the address listed below within thirty (30) days of receipt of this complaint.

34. In its Answer, Respondent may also: (1) dispute any material fact in this Complaint; (2) contend that the proposed penalty is inappropriate; or (3) contend that it is entitled to judgment as a matter of law. The Answer must clearly and directly admit, deny, or explain each of the factual allegations contained in this Complaint of which Respondents have any knowledge. If Respondent has no knowledge of a particular factual allegation and so states, the allegation is considered denied. The failure to deny an allegation constitutes an admission of that allegation. The Answer must also include the grounds for any defense and the facts Respondent intends to place at issue.

35. The original and one copy of any motions or other pleadings filed or made before an Answer to the Complaint is filed, the Answer to the Complaint, and any Consent Agreement and Final Order to settle the case filed in this action must be sent to:

Wanda I. Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (Mail Code: ORA 18-1)
Boston, Massachusetts 02109-3912

After an Answer has been filed, except for a Consent Agreement and Final Order settling the case, a copy of all other documents Respondent files in this action must be sent to the Headquarters Hearing Clerk, in the following manner:

For U.S. Postal Service mailings -
Headquarters Hearing Clerk

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

For UPS, FedEx, DHL or other courier, or personal delivery -

Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Rm. M1200
1300 Pennsylvania Ave., NW
Washington, DC 20460

36. Respondent should also send a copy of the Answer, as well as a copy of all other documents that Respondent files in this action, to me at the following address:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square - Suite 100
Boston, Massachusetts 02109-3912
Phone: 617-918-1701

37. If Respondent fails to file a timely Answer to this Complaint, it may be found to be in default, which constitutes an admission of all the facts alleged in the Complaint and a waiver of the right to a hearing. An order may then be issued making Respondent liable for the full amount of any penalty proposed in this Complaint.

VI. SETTLEMENT CONFERENCE

38. Whether or not a hearing is requested upon the filing of an Answer, Respondent may confer informally with EPA concerning the alleged violations and/or the amount of any penalty. Such a conference provides Respondents with an opportunity to respond informally to the charges, and to provide any additional information that may be relevant to this matter. Where appropriate, the amount of any penalty may be modified to reflect any settlement agreement reached at such a conference.

39. Please note that a request for an informal settlement conference does not extend the thirty (30) day period within which a written answer must be submitted in order to avoid a default. To request an informal settlement conference, please contact me at 617-918-1701.

Susan Studlien
Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
5 Post Office Square
Boston, Massachusetts 02109

09/26/13
Date

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

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2013 SEP 26 P 1:24

In the Matter of:)
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Wallingford, CT 06492)
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Respondent.)
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Docket No.
TSCA-01-2013-0060
EPA ORC
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CONSENT AGREEMENT AND
FINAL ORDER

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4. The provisions of this Consent Agreement and Final Order (“CAFO”) shall apply to and be binding on Respondent, its officers, directors, successors and assigns.

⋮
⋮

5. Respondent agrees that EPA has jurisdiction over the subject matter alleged in the Complaint, and hereby waives any defenses it might have as to jurisdiction and venue.

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U.S. EPA
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P.O. Box 979077
St. Louis, MO 63197-9000

Respondent shall note the case name ("In the Matter of: Ametek, Inc. Specialty Metal Products") and the docket number ("TSCA-01-2013-0060") of this action on the payment check and in an accompanying cover letter, and shall provide copies of the check and letter to:

Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA, Region 1
5 Post Office Square - Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

Marianne Milette
U.S. EPA, Region 1
5 Post Office Square - Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

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15. Compliance with this CAFO, including payment of any penalties, interest or other charges, shall not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by EPA, and does not waive, suspend or modify the responsibility of Respondent to comply with such laws and regulations.

16. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Section 16 of TSCA for the specific violations alleged in this CAFO. Nothing in this CAFO shall be construed as prohibiting, altering or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent's violation of this agreement, or with respect to matters other than the allegations and violations alleged in the Complaint, violations of the statutes and regulations upon which this agreement is based, or for Respondent's violation of any other applicable provision of law. Nor shall this CAFO be construed to, nor is it intended to operate in any way to, resolve any criminal liability or any other civil liability of Respondents. EPA reserves all other civil and criminal enforcement authorities, including the authority to seek injunctive relief and the authority to address imminent hazards.

17. Except as described in Paragraph 13 herein, each party shall bear its own costs and fees in this proceeding, including attorney's fees, and specifically waives any right to recover such costs from the other party pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504.

18. Each undersigned representative of a party to this CAFO certifies that she or he is fully authorized to enter into the terms and conditions of this CAFO and to execute and legally bind such party to it.

THE UNDERSIGNED PARTIES enter into this CAFO for In the Matter of: Ametek, Inc.
Specialty Metal Products, Docket No. TSCA-01-2013-0060

For Ametek, Inc. Specialty Metal Products

Gregory Nelson
Name: Gregory Nelson
Title: VP & BU Manager
Company: Ametek SLP

09/23/13
Date

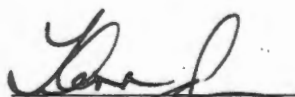
For U.S. EPA, Region 1:

Susan Studlien
Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region I
5 Post Office Square
Boston, Massachusetts 02109

09/26/13
Date

FINAL ORDER

The foregoing Consent Agreement is hereby approved and incorporated by reference into this Order. The Respondent is ordered to comply with the terms of the above Consent Agreement, effective on the date it is filed with the Regional Hearing Clerk.



LeAnn Jensen
Acting Regional Judicial Officer
U.S. EPA, Region 1

September 26, 2013
Date

In the Matter of: Ametek, Inc. Specialty Metal Products, Docket No. TSCA-01-2013-0060