

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

U.S. EPA-REGION 3-RHC
FILED-8MAY2019PM3:54

In the Matter of:	:
	:
Veolia North America Regeneration Services, LLC	:
4760 World Houston Parkway, Suite 100	:
Houston, Texas 77032,	:
Respondent.	:
	:
Veolia North America Regeneration Services, LLC	:
766 Governor Lea Road	:
New Castle, Delaware 19720,	:
Facility.	:

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III (“Complainant”) and Veolia North America Regeneration Services, LLC (“Respondent”) (collectively the “Parties”), pursuant to Section 3008(a) of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. § 6928(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. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA, and authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated it to the Complainant.
3. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “CAFO”) resolve Complainant’s civil penalty claims against Respondent under Subtitle C of RCRA, as amended, 42 U.S.C. §§ 6901 *et seq.*, the federal hazardous waste regulations set forth at 40 C.F.R. Parts 260-266, 268 and 270-273, and the State of Delaware’s federally-authorized Delaware Hazardous Waste Management Program, set forth in the Delaware regulations Governing Hazardous Waste (“DRGHW”) Parts 260 –

279, and Parts 122 and 124 for the violations alleged herein.

4. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

5. The U.S. Environmental Protection Agency has jurisdiction over the above-captioned matter, as described in Paragraphs 1 to 4, above.
6. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(4) and RCRA Section 3008(a) and (g), 42 U.S.C. § 6928(a) and (g).
7. In accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), and by written letter dated October 12, 2018, EPA notified the Delaware Department of Natural Resources and Environmental Conservation (DNREC) of EPA's intent to commence this administrative action against Respondent in response to violations of RCRA Subtitle C that are alleged herein.

GENERAL PROVISIONS

8. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
9. Except as provided in Paragraph 8, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
10. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this CAFO.
11. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this CAFO and waives its right to appeal the accompanying Final Order.
12. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
13. Respondent shall bear its own costs and attorney's fees in connection with this proceeding.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

14. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated

Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below. Respondent is a corporation organized under the laws of the State of Delaware. Respondent is a 'person' as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. Section 6903(15), 40 C.F.R. § 260.10 and DRGHW § 260.10, and is subject to the assessment of civil penalties for the violations alleged herein. Respondent is and, at all times relevant to the violations alleged herein, was the owner and operator of a facility located at 766 Governor Lea Road, New Castle, Delaware 19720 (hereinafter "the Facility").

15. The Facility referred to in Paragraph 14, above, including all of its associated equipment and structures (hereinafter the "Facility"), is a manufacturing facility located at 766 Governor Lea Road, New Castle, Delaware 19720.
16. At all times relevant to the allegations set forth in this CA, Respondent is, and has been, the "operator" and the "owner" of the Facility described in paragraph 15, as those terms are defined in DRGHW § 260.10.
17. On October 5, 2016, Respondent submitted a Notification of Hazardous Waste Activity ("Notification") for the Facility to DNREC and to EPA, Region III, pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930, identifying the Facility as a generator of hazardous waste. Subsequently, the Facility was assigned EPA ID Number DER000502138. The Facility reported as a Small Quantity Generator ("SQG") of hazardous waste. Respondent does not have a permit for the treatment, storage or disposal of hazardous waste at the Facility.
18. At all times relevant to the allegations set forth in this CA, Respondent is, and has been, a "generator" of "solid waste" and "hazardous waste" and has engaged in the temporary "storage" in "containers" at the Facility of corrosive sulfuric acid waste (EPA Hazardous Waste Code D002) that are "solid wastes" and "hazardous wastes," as those terms are defined in DRGHW § 260.10.
19. At all times relevant to the allegations set forth in this CA, Respondent's Facility is, and has been, a hazardous waste storage "facility" as that term is defined in DRGHW § 260.10.
20. On August 8, 2017, three inspectors from EPA and an inspector from DNREC conducted a Compliance Evaluation Inspection (the "CEI" or "Inspection") at the Facility, to examine the Respondent's compliance with the federally-authorized DRGHW and any applicable federal hazardous waste regulations.
21. On August 8, 2017, the following "hazardous waste" generated by Respondent was in "storage" in containers at the Facility:
 - a. Eight (8) 55-gallon containers of spent sulfuric acid, which the Facility indicated was a corrosive (D002) hazardous waste sulfuric acid mixture.
 - b. The eight 55-gallon containers were not dated with accumulation start dates and were not marked with the words "Hazardous Waste."

22. The August 8, 2017 CEI Report also revealed the following:
 - a. The Respondent failed to conduct weekly inspections in the areas at the Facility where hazardous waste containers were stored.
 - b. The Respondent failed to label a five-gallon container of Universal Waste batteries.
 - c. The Respondent failed to label a 55-gallon container, that contained a five(5)-gallon inner container, of used oil, with the words "Used Oil."
23. On February 22, 2019, EPA sent a Request to Show Cause ("Show Cause letter") to Respondent advising it of EPA's preliminary findings of violations at the Facility and offering the Respondent an opportunity to provide such additional information as it believed the Agency should review and consider before reaching any final conclusions as to the Respondent's compliance with the DRGHW at the Facility.
24. Based upon EPA's findings during the Inspection and additional information provided by Respondent to EPA, EPA concludes that Respondent has violated certain requirements and provisions of RCRA Subtitle C, 42 U.S.C. §§ 6921-6935, and certain federally-authorized DRGHW requirements promulgated thereunder.

Count I
**Operating a Treatment, Storage, and Disposal Facility for Hazardous Waste
without a Permit or Interim Status**

25. The allegations of Paragraphs 1 through 24 of this Consent Agreement are incorporated herein by reference.
26. Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and DRGHW § 122.1(c), require that no person may own or operate a facility for the treatment, storage or disposal of hazardous waste without first obtaining a permit or interim status for such facility.
27. Respondent has never had a permit or interim status, pursuant to Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), or DRGHW § 122.1(c), for the storage of hazardous waste at the Facility.

Generator Accumulation of Hazardous Waste (the "Generator Permit Exemption")

28. DRGHW § 262.34(d), with exceptions not relevant here, provides:

[A] generator may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that: (1) The waste is placed: (i) In containers and the generator complies with the applicable requirements of subparts I, AA, BB, and CC of 40 CFR part 265; and/or
* * *

(2) The date upon which each period of accumulation begins is clearly marked and

visible for inspection on each container;

(3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste" . . .

29. DRGHW § 262.34(d), with exceptions not relevant herein, provides that a generator who generates greater than 100 kilograms (220.46 pounds) but less than 1000 kilograms (2,204.62 pounds) of hazardous waste in a calendar year may accumulate hazardous waste on site for 180 days or less without a permit or without having interim status, provided that the generator complies with DRGHW §§ 262.34 (a)(2) and (a)(3).
30. In response to a request from EPA in follow-up to the August 8, 2017 Inspection, on October 10, 2018, via e-mail, the Facility sent copies of hazardous waste manifest #005918574SKS, dated 8/21/17, which documented the offsite shipment of the eight 55-gallon containers that were observed during the August 8, 2017 Inspection. In its October 10, 2018 e-mail, the Facility indicated that the waste material in the eight 55-gallon containers weighed approximately 1,200 pounds, thus requiring the Respondent to comply with DRGHW §§ 262.34 (a)(2) and (a)(3) to operate a hazardous waste storage facility with a permit or with interim status.
31. During the Inspection, the EPA inspector observed eight (8) 55-gallon containers that were labeled as "RL-48". At the time of the Inspection, Respondent failed to mark the eight (8) 5-gallon containers with an accumulation start date, as required by DRGHW §§ 262.34 (a)(2).
32. At the time of the Inspection, the Facility indicated that the content of the eight containers was a corrosive (D002) hazardous waste sulfuric acid mixture, but the Respondent failed to mark the containers with the words "hazardous waste," as required by DRGHW §§ 262.34 (a)(3).
33. From July 26, 2017 to August 8, 2017, Respondent violated DRGHW §§ 262.34 (a)(2) and (a)(3) permit exemption requirements, and thus did not qualify for the RCRA permit exemption at the time of the Inspection, in violation of Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and DRGHW § 122.1(c).
34. Respondent is therefore subject to civil penalties under Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), for violation of the permit requirements of Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and DRGHW § 122.1(c).

Count II

Failure to Conduct Weekly Inspections of Hazardous Accumulation Areas

35. The allegations of Paragraphs 1 through 34 of this Consent Agreement are incorporated herein by reference.
36. DRGHW § 265.174 provides that an owner or operator of a facility must inspect areas

where containers are stored at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

37. t During the weeks of May 10 - 24, 2015, August 23 - September 6, 2015, and October 9 - 23, 2016, Respondent failed to inspect its hazardous waste accumulation area to look for leaking containers and for deterioration of containers and containment systems caused by corrosion or other factors.
38. From May 10 - 24, 2015, August 23 - September 6, 2015, and October 9-23, 2016, Respondent violated DRGHW § 264.174, by failing to inspect the area at the Facility where hazardous waste containers were stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.

Count III

Failure to Label a Container of Universal Waste Batteries

39. The allegations of Paragraphs 1 through 38 of this Consent Agreement are incorporated herein by reference.
40. DRGHW § 273.14, provides that a small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as follows:
 - a. Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: “Universal Waste—Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies);
41. At the time of the EPA CEI, a five-gallon container that was closed and labeled as “Bat” at the Facility was half-full of waste batteries.
42. On August 8, 2017, Respondent violated the requirements of DRGHW § 273.14 by failing to label the five-gallon container of batteries described in Paragraph 41 above, as required by DRGHW § 273.14.

Count IV

Failure to Label a Container of Used Oil

43. The allegations of Paragraphs 1 through 42 of this Consent Agreement are incorporated herein by reference.
44. DRGHW § 279.22 provides that containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”
45. At the time of the EPA CEI, a 55-gallon metal container was used to capture an active oil drip from a compressor at the Facility.

46. A second five-gallon plastic container was located inside the 55-gallon container described in Paragraph 45, above.
47. On August 8, 2017, the 55-gallon container and the five-gallon container described in Paragraphs 45 and 46 above were not labeled with the words "Used Oil." On August 8, 2017, Respondent violated DRGHW § 279.22(c)(1) by failing to label a 55-gallon container and the five-gallon container described in Paragraphs 45 and 46 above, with the words "Used Oil."

CIVIL PENALTY

48. In settlement of EPA's claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of **NINE-THOUSAND NINE-HUNDRED AND NINETY dollars (\$9,990)**, which Respondent shall be liable to pay in accordance with the terms set forth below.
49. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in the Resource Conservation and Recovery Act (RCRA), Section 3008(a)(3), 42 U.S.C. § 6928(a)(3), including, the following: the seriousness of the violation and any good faith efforts to comply with the applicable requirements. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's RCRA CIVIL PENALTY POLICY, which reflects the statutory penalty criteria and factors set forth at RCRA, Section 3008, 42 U.S.C. § 6928, the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
50. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier's check, certified check or electronic wire transfer, in the following manner:
 - a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, *i.e.*, EPA Docket No. RCRA-03-2019-0080;
 - b. All checks shall be made payable to the "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
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

- d. For additional information concerning other acceptable methods of payment of the civil penalty amount see:

<https://www.epa.gov/financial/makepayment>

- e. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously to:

Daniel T. Gallo
Assistant Regional Counsel
U.S. EPA, Region III (3RC40)
1650 Arch Street
Philadelphia, PA 19103-2029
gallo.dan@epa.gov

51. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest 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. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties and/or administrative costs of handling delinquent debts.
52. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed CAFO. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed CAFO, with a date stamp indicating the date on which the CAFO was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
53. INTEREST: In accordance with 40 C.F.R. § 13.11(a)(1), interest on the civil penalty assessed in this CAFO will begin to accrue on the date that a copy of the fully executed and filed CAFO is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalties 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).
54. ADMINISTRATIVE COSTS: The costs of the EPA'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 – Case 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.

55. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
56. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this CAFO.

GENERAL SETTLEMENT CONDITIONS

57. By signing this Consent Agreement, Respondent acknowledges that this CAFO will be available to the public and represents that, to the best of Respondent's knowledge and belief, this CAFO does not contain any confidential business information or personally identifiable information from Respondent.
58. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this CAFO, including information about respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

59. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

60. Nothing in this CAFO shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This CAFO does not constitute a waiver, suspension or modification of the requirements of the Resource Conservation and Recovery Act, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

61. This CAFO resolves only EPA's claims for civil penalties for the specific violation[s] alleged against Respondent in this CAFO. 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. 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, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this CAFO after its effective date. Respondent reserves whatever rights or defenses it may have to defend itself in any such action.

EXECUTION /PARTIES BOUND

62. This CAFO shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this CAFO.

EFFECTIVE DATE

63. The effective date of this CAFO is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

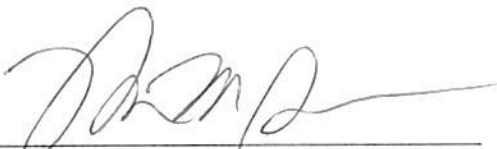
ENTIRE AGREEMENT

64. This CAFO constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this CAFO.

In Re: Veolia North America Regeneration Services, LLC
EPA Docket No. RCRA-03-2019-0080

For Respondent: Veolia North America Regeneration Services, LLC

Date: May 2, 2019


By: 

Tom Baker, Vice President, EHS&T
Technical and Performance

In Re: Veolia North America Regeneration Services, LLC
EPA Docket No. RCRA-03-2019-0080

For the Complainant: U.S. Environmental Protection Agency, Region III

Date: May 1, 2019

By: 
Daniel T. Gallo
Assistant Regional Counsel

After reviewing the Consent Agreement and other pertinent matters, the Enforcement and Compliance Assurance Division of the U.S. Environmental Protection Agency, Region III, recommends that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

Date: MAY 1 2019

By: 
Karen Melvin, Director
Enforcement and Compliance Assurance Division

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

REGION III

U.S. EPA-REGION 3-RHC
FILED-8MAY2019pm3:54

In the Matter of:

**Veolia North America Regeneration
Services, LLC
4760 World Houston Parkway
Houston, Texas 77032,**

EPA Docket No. RCRA-03-2019-0080

Respondent.

FINAL ORDER

**Veolia North America Regeneration
Services, LLC
766 Governor Lea Road
New Castle, Delaware 19720,**

Facility.

**Proceeding under Section 3008(a) and (g)
of the Resource Conservation and
Recovery Act (RCRA), as amended,
42 U.S.C. § 6928(a) and (g)**

FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Veolia North America Regeneration Services, LLC, have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement 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 of Practice"), 40 C.F.R. Part 22, with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA's October 1990 RCRA Civil Penalty Policy, as revised in June, 2003 ("RCRA Penalty Policy"), which reflects the statutory penalty criteria and factors set forth at Sections 3008(a)(3) and (g) of RCRA, 42 U.S.C.


§§ 6982(a)(3) and (g), the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.

NOW, THEREFORE, PURSUANT TO Section 3008(a) of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6928(a) and (g), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of ***NINE THOUSAND NINE HUNDRED AND NINETY DOLLARS (\$9,990.00)***, in accordance with the payment provisions set forth in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of RCRA Subtitle C and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

May 7, 2019
Date



Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. EPA Region III

In the Matter of:	:	
	:	
Veolia North America Regeneration Services, LLC	:	U.S. EPA Docket No. RCRA-03-2019-0080
4760 World Houston Parkway, Suite 100	:	
Houston, Texas 77032,	:	Proceeding under Section 3008(a) of the
	:	Resource Conservation and Recovery Act
Respondent.	:	(RCRA), 42 U.S.C. § 6928(a)
	:	
	:	
Veolia North America Regeneration Services, LLC	:	
766 Governor Lea Road	:	
New Castle, Delaware 19720,	:	
	:	
Facility.	:	

CERTIFICATE OF SERVICE

I certify that on MAY 08 2019, the original and one (1) copy of the foregoing **Consent Agreement and Final Order**, were filed with the EPA Region III Regional Hearing Clerk. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copy served via UPS Next Day Delivery, to:

Tom Baker, Vice President, EHS&T, Technical Performance
Veolia North America Regeneration Services, LLC
1 Eden Lane
Flanders, New Jersey 07836

Mr. Michael Schrang, Veolia General Counsel
Veolia North America Regeneration Services, LLC
4760 Houston World Parkway, Suite 100
Houston, Texas 77032

Copy served via Hand Delivery or Inter-Office Mail to:

Daniel T. Gallo, Assistant Regional Counsel
ORC – 3RC40
U.S. EPA – Region III
1650 Arch Street
Philadelphia, PA 19103

Dated: MAY 08 2019

Bettina L. Dumm
Regional Hearing Clerk

U.S. Environmental Protection Agency, Region III

TRACKING NUMBERS: 1Z A 43 F 710 1 97966217
1Z A 43 F 710 1 98442236