

MAR 19 2015

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Office of Air, Waste & Toxics

IN THE MATTER OF: )
Alaskan Copper and Brass Company DBA )
Alaskan Copper Works )
Seattle, Washington )
EPA ID Number WAD 98073 8546 )
Respondent )

Docket No. RCRA-10-2015-0054
EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER

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HEARINGS CLERK EPA--REGION 10

EXPEDITED SETTLEMENT AGREEMENT

- 1. The U.S. Environmental Protection Agency ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA") and 40 C.F.R. § 22.13(b).
2. Alaskan Copper and Brass Company ("Respondent") is the owner and/or operator of the Alaskan Copper Works facility at 3200 6th Avenue South, Seattle, Washington 98124 ("Facility"). The EPA inspected the Facility on February 21, 2014. The EPA alleges Respondent violated the following requirements of RCRA:
a. WAC 173-303-200(1)(d) requires that containers used to accumulate dangerous waste be marked with the words "Hazardous Waste" or "Dangerous Waste" and a label identifying the major risk associated with the waste. On February 21, 2014, a container that was used to collect sludge from the filter press unit was not marked with the words "Hazardous Waste" or "Dangerous Waste" and did not have a label identifying the major risk associated with the waste in violation of WAC 173-303-200(1)(d).
b. WAC 173-303-573(9)(c)(ii) requires that a small quantity handler of universal waste accumulate universal waste lamps in containers or packages that are structurally sound and adequate to prevent breakage of the universal waste lamps. On February 21, 2014, universal waste lamps in the maintenance shop were not in a container in violation of WAC 173-303-573(9)(c)(ii).
c. WAC 173-303-573(10)(a) requires that containers of universal waste batteries must be labeled with the words "Universal waste - Batteries," or "Waste Batteries," or "Used Batteries." On February 21, 2014, a container of universal waste batteries that was not labeled. Failure to keep containers of universal waste batteries properly labeled is a violation of WAC 173-303-573(10)(a).

3. The EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of three thousand dollars (\$3,000.00) is in the public interest. The attached Penalty Calculation Worksheet is incorporated by reference.
4. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
5. Each party shall bear its own costs and fees, if any.
6. In signing this Agreement, Respondent: (1) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual allegations contained herein, (3) consents to the assessment of this civil penalty, and (4) waives any right to contest the allegations contained herein in a hearing or appeal pursuant to Section 3008(b) of RCRA.
7. In signing this Agreement, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) the civil penalty has been paid. Respondent is submitting proof of payment of the civil penalty with this Agreement.
8. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
9. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

IT IS SO AGREED,

**RESPONDENT:**

Name (print): JULIE WINTERMUTE

Title (print): ASSISTANT TREASURER

Signature: 

Date: 3-11-15

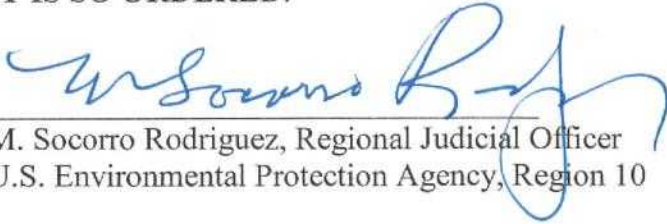
**EPA REGION 10:**



Edward J. Kowalski, Director  
Office of Compliance and Enforcement  
U.S. Environmental Protection Agency, Region 10

Date: 3/24/2015

**IT IS SO ORDERED:**



M. Socorro Rodriguez, Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 10

Date: March 26, 2015



**Certificate of Service**

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: Alaskan Copper Works, DOCKET NO.: RCRA10-2015-0054**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Jack Boller  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, AWT-1500  
Suite 900  
Seattle, WA 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Mr. Gerald Thompson  
Alaskan Copper Works  
P.O. Box 3546  
Seattle, Washington 98124

DATED this 27<sup>th</sup> day of March, 2015

  
Signature

Candace H. Smith  
Regional Hearing Clerk  
EPA Region 10

