

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

In the Matter of:

**Aalberts Integrated Piping Systems
Americas, Inc.**

1509 S. Van L Mungo Boulevard
Pageland, South Carolina 29728
EPA ID No.: SCR000006155

Respondent.

Docket No. **RCRA-04-2022-2105(b)**

Proceeding Under Section 3008(a) of the
Resource Conservation and Recovery Act,
42 U.S.C. § 6928(a)

CONSENT AGREEMENT

I. NATURE OF ACTION

1. This is an administrative penalty assessment proceeding brought under Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a) (RCRA or the Act) and Sections 22.13(b) and 22.18 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), as codified at Title 40 of the Code of Federal Regulations (C.F.R.), Part 22.
2. This Consent Agreement and the attached Final Order shall collectively be referred to as the CAFO.
3. Having found that settlement is consistent with the provisions and objectives of the Act and applicable regulations, the Parties have agreed to settle this action pursuant to 40 C.F.R. § 22.18 and consent to the entry of this CAFO without adjudication of any issues of law or fact herein.

II. PARTIES

4. Complainant is the Chief of the Chemical Safety and Land Enforcement Branch, Enforcement and Compliance Assurance Division, United States Environmental Protection Agency, Region 4, who has been delegated the authority on behalf of the Administrator of the EPA to enter into this CAFO pursuant to 40 C.F.R. Part 22 and Section 3008(a) of the Act.

5. Respondent is Aalberts Integrated Piping Systems Americas, Inc., a company doing business in the State of South Carolina. This proceeding pertains to Respondent's facility located at 1509 S. Van L Mungo Boulevard, Pageland, South Carolina 29728 (Facility).

III. GOVERNING LAW

6. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the State of South Carolina (State) has received final authorization to carry out a hazardous waste program in lieu of the federal program set forth in RCRA. The requirements of the authorized State program are found at South Carolina Hazardous Waste Management Act (SCHWMA), S.C. Code Ann. §§ 44-56-10 *et seq.* and to 25 S.C. Code Ann. Regs. 61-79.260-270, 61-79.273, and 61-79.279.
7. Pursuant to Section 3006(g) of RCRA, 42 U.S.C. § 6926(g), the requirements established by the Hazardous and Solid Waste Amendments of 1984 (HSWA), Pub. L. 98-616, are immediately effective in all states regardless of their authorization status and are implemented by the EPA until a state is granted final authorization with respect to those requirements. The State has received final authorization for certain portions of HSWA, including those recited herein.
8. Although the EPA has granted the State authority to enforce its own hazardous waste program, the EPA retains jurisdiction and authority to initiate an independent enforcement action pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2). This authority is exercised by the EPA in the manner set forth in the Memorandum of Agreement between the EPA and the State.
9. As the State's authorized hazardous waste program operates in lieu of the federal RCRA program, the citations for the violations of those authorized provisions alleged herein will be to the authorized State program; however, for ease of reference, the federal citations will follow in brackets.
10. Pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), Complainant has given notice of this action to the State before issuance of this CAFO.
11. Sections 44-56-30 and 44-56-35 of the SCHWMA, S.C. Code Ann. §§ 44-56-30 and 44-56-35 [Section 3002(a) of RCRA, 42 U.S.C. § 6922(a)], requires the promulgation of standards applicable to generators of hazardous waste. The implementing regulations for these standards are found at 25 S.C. Code Ann. Regs. 61-79 Part 262 [40 C.F.R. Part 262].
12. Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], sets forth the requirement that a facility treating, storing, or disposing of hazardous waste must have a permit or interim status. The implementing regulations for this requirement are found at 25 S.C. Code Ann. Regs. 61-79 Part 264 (permitted) and 25 S.C. Code Ann. Regs. 61-79 Part 265 (interim status) [40 C.F.R. Parts 264 (permitted) and 265 (interim status)].
13. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.2 [40 C.F.R. § 261.2], a "solid waste" is any discarded material that is not otherwise excluded from the regulations. A discarded material includes any material that is abandoned by being stored in lieu of being disposed.

14. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.3 [40 C.F.R. § 261.3], a solid waste is a “hazardous waste” if it meets any of the criteria set forth in 25 S.C. Code Ann. Regs. 61-79.261.3(a)(2) [40 C.F.R. § 261.3(a)(2)] and is not otherwise excluded from regulation as a hazardous waste by 25 S.C. Code Ann. Regs. 61-79.261.4(b) [40 C.F.R. § 261.4(b)].
15. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.3(a)(2)(i) and 261.20 [40 C.F.R. §§ 261.3(a)(2)(i) and 261.20], solid wastes that exhibit any of the characteristics identified in 25 S.C. Code Ann. Regs. 61-79.261.21-24 [40 C.F.R. §§ 261.21-24] are characteristic hazardous waste and are provided with the EPA Hazardous Waste Numbers D001 through D043.
16. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.20 and 261.24 [40 C.F.R. §§ 261.20 and 261.24], a solid waste that exhibits the characteristic of toxicity is a hazardous waste and is identified with the EPA Hazardous Waste Number associated with the toxic contaminant causing it to be hazardous. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.24 [40 C.F.R. § 261.24], a solid waste that exhibits the characteristic of toxicity for cadmium is identified with the EPA Hazardous Waste Number D006.
17. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.20 and 261.24 [40 C.F.R. §§ 261.20 and 261.24], a solid waste that exhibits the characteristic of toxicity is a hazardous waste and is identified with the EPA Hazardous Waste Number associated with the toxic contaminant causing it to be hazardous. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.24 [40 C.F.R. § 261.24], a solid waste that exhibits the characteristic of toxicity for lead is identified with the EPA Hazardous Waste Number D008.
18. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.20 and 261.24 [40 C.F.R. §§ 261.20 and 261.24], a solid waste that exhibits the characteristic of toxicity is a hazardous waste and is identified with the EPA Hazardous Waste Number associated with the toxic contaminant causing it to be hazardous. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.24 [40 C.F.R. § 261.24], a solid waste that exhibits the characteristic of toxicity for benzene is identified with the EPA Hazardous Waste Number D018.
19. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.3(a)(2)(ii) and 261.30 [40 C.F.R. §§ 261.3(a)(2)(ii) and 261.30], a solid waste is a listed “hazardous waste” if it is listed in 25 S.C. Code Ann. Regs. 61-79 Part 261 Subpart D [40 C.F.R. Part 261, Subpart D].
20. Listed hazardous wastes include the F-Listed wastes from nonspecific sources identified in 25 S.C. Code Ann. Regs. 61-79.261.31 [40 C.F.R. § 261.31].
21. Pursuant to 25 S.C. Code Ann. Regs. 61-79.261.31(a) [40 C.F.R. § 261.31(a)], a spent solvent mixture containing, before use, a total of ten percent or more of benzene is a listed hazardous waste and is identified with the EPA Hazardous Waste Number F005.
22. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], a “generator” is defined as any person, by site, whose act or process produces hazardous waste identified or listed in 25 S.C. Code Ann. Regs. 61-79 Part 261 [40 C.F.R. Part 261], or whose act first causes a hazardous waste to become subject to regulation.

23. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], a “person” includes a company.
24. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], an “owner” is “the person who owns a facility or part of a facility” and an “operator” is “the person responsible for the overall operation of a facility.”
25. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], a “facility” includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste, or for managing hazardous secondary materials prior to reclamation.
26. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], a “large quantity generator” (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2200 lbs) of non-acute hazardous waste in a calendar month.
27. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], a “central accumulation area” means any on-site hazardous waste accumulation area with hazardous waste accumulating in units subject to 25 S.C. Code Ann. Regs. 61-79.262.17 [40 C.F.R. § 262.17] (for large quantity generators).
28. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], “universal waste” means any of the following hazardous wastes that are managed under the universal waste requirements of 25 S.C. Code Ann. Regs. 61-79.273 [40 C.F.R. § 260.73]: (4) lamps as described in 25 S.C. Code Ann. Regs. 61-79.273.5 [40 C.F.R. § 273.5].
29. Pursuant to 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], a “universal waste handler” is a generator of universal waste.
30. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.11 [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 25 S.C. Code Ann. Regs. 61-79.261.2 [40 C.F.R. § 261.2], must determine if that waste is a hazardous waste following the methods articulated in 25 S.C. Code Ann. Regs. 61-79.262.11 [40 C.F.R. § 262.11], including identifying all applicable EPA hazardous waste numbers in subpart C and D of part 261.
31. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.15(a) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near the point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with 25 S.C. Code Ann. Regs. 61-79.262.16(b) or 262.17(a) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in 25 S.C. Code Ann. Regs. 61-79.262.15(a)(7) and (8) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area (SAA) conditions listed in 25 S.C. Code Ann. Regs. 61-79.262.15(a) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).
32. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.15(a)(4) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption, a generator is required to keep containers of hazardous

waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure.

33. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.15(a)(5) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption, a generator is required to mark or label its containers (i) with the words “Hazardous Waste” and (ii) with an indication of the hazards of the contents.
34. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17 [40 C.F.R. § 262.17], a LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in 25 S.C. Code Ann. Regs. 61-79.262.17 [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).
35. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(1)(iv)(A) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG Permit Exemption, a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.
36. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(1)(v) [40 C.F.R. § 262.17(a)(1)(v)], which is a condition of the LQG Permit Exemption, a generator is required to, at least weekly, inspect central accumulation areas (CAA) looking for leaking containers and for deterioration of containers caused by corrosion or other factors.
37. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(5)(i) [40 C.F.R. § 262.17(a)(5)(i)], which is a condition of the LQG Permit Exemption, a generator must mark or label its containers with the following: (A) the words “Hazardous Waste;” (B) an indication of the hazards of the contents; and (C) the date upon which each period of accumulation begins clearly visible for inspection on each container.
38. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(6) [40 C.F.R. § 262.17(a)(6)], which incorporates 25 S.C. Code Ann. Regs. 61-79.262.251 [40 C.F.R. § 262.251], and is a condition of the LQG Permit Exemption, a generator is required to maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
39. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(6) [40 C.F.R. § 262.17(a)(6)], which incorporates 25 S.C. Code Ann. Regs. 61-79.262.261(e) [40 C.F.R. § 262.261(e)], and is a condition of the LQG Permit Exemption, the contingency plan must include a list of all emergency equipment at the facility, where this equipment is required, and this list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.
40. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(6) [40 C.F.R. § 262.17(a)(6)], which incorporates 25 S.C. Code Ann. Regs. 61-79.262.262(b)(4) and (6) [40 C.F.R. § 262.262(b)(4) an (6)], and is a condition of the LQG Permit Exemption, an LQG must submit a quick reference guide of the contingency plan to the local emergency responders. The quick

reference guide must include (4) a map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; and (6) the locations of water supply (e.g. fire hydrant and its flow rate).

41. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(7)(i)(A) and (a)(7)(iii) [40 C.F.R. § 262.17(a)(7)(i)(A) and (a)(7)(iii)], which are conditions of the LQG Permit Exemption, facility personnel must successfully complete a program of classroom instruction, online training, or on-the-job training that teaches them to perform their duties in a way that ensures compliance with this part and must take part in an annual review of the initial program.
42. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.17(a)(7)(iv)(A) [40 C.F.R. § 262.17(a)(7)(iv)(A)], which is a condition of the LQG Permit Exemption, the LQG must maintain the following documents and records at the facility: the name of the employee filling each job related to hazardous waste management.
43. Pursuant to 25 S.C. Code Ann. Regs. 61-79.262.41(a)(5) and (6) [40 C.F.R. § 262.41(a)], an LQG who ships hazardous waste off-site to a treatment, storage or disposal facility within the United States must prepare and, no later than thirty days after the end of each calendar quarter submit a written report to the Department including, but not limited to a description, the EPA hazardous waste number, DOT hazardous class, and quantity of each hazardous waste shipped offsite for shipments to a treatment, storage or disposal facility within the United States, and the types and quantities of such wastes shipped for offsite treatment and disposal.
44. Pursuant to 25 S.C. Code Ann. Regs. 61-79.273.9 [40 C.F.R. § 273.9], a “Small Quantity Handler of Universal Waste” (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, or lamps, calculated collectively) at any time.
45. Pursuant to 25 S.C. Code Ann. Regs. 61-79.273.13(d)(1) [40 C.F.R. § 273.13(d)(1)], a SQHUW must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.
46. Pursuant to 25 S.C. Code Ann. Regs. 61-79.273.14(e) [40 C.F.R. § 273.14(e)], a SQHUW must label or mark each lamp or container or package in which such lamps are contained clearly with one of the following phrases: “Universal Waste - Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”

IV. FINDINGS OF FACTS

47. Respondent owns and operates a brass foundry facility that manufactures brass components used in various types of valves, regulators, and other flow control products. Respondent manufactures the components using a green sand brass casting process, which involves pouring molten brass into a single-use sand mold, allowing the metal to cool and solidify, separating the brass casting from the foundry sands, and machining the casting to create the finished component.
48. Respondent generates hazardous waste spent solvent, which is identified with the EPA Hazardous Waste Numbers D008, D018 and F005; hazardous waste floor sweepings, which are

identified with the EPA Hazardous Waste Number D008; hazardous waste vacuum dust, which is identified with the EPA Hazardous Waste Number D008; hazardous waste used personal protective equipment (PPE) and contaminated debris, which is identified with the EPA Hazardous Waste Number D008; and hazardous waste used foundry sand, which is identified with the EPA Hazardous Waste Number D008.

49. Respondent generates 1,000 kilograms or more of hazardous waste in a calendar month and has been operating as an LQG at the subject Facility for over twenty years.
50. Respondent accumulates less than 5,000 kilograms of universal waste and therefore is a SQHUW.
51. On February 9, 2021, the EPA and SCDHEC conducted a RCRA compliance evaluation inspection (CEI) at Respondent's Facility.
52. On April 12, 2021, the EPA mailed Respondent an Opportunity to Show Cause Letter (Show Cause Letter) and a CEI Report documenting its findings from the February 9, 2021 inspection.
53. On April 24, 2021, Respondent provided EPA its Response to the Show Cause Letter and CEI Report.
54. On May 14, 2021, the EPA issued a Request for Information to the Respondent, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927.
55. On June 15, 2021, Respondent submitted a written response to the EPA's Request for Information.
56. On October 27, 2021, Respondent received an electronic mail request from EPA for additional information.
57. On November 10, 2021, Respondent responded to EPA's request for additional information.
58. At the time of the CEI, the inspectors observed two shop vacuums on the wall just outside of the breakroom. The vacuums are used to clean employee clothing prior to leaving the production area. The inspectors determined that Respondent had not made an adequate hazardous waste determination for the vacuum dust.
59. At the time of the CEI, the inspectors observed the Respondent storing Martron Martex 2008 spent solvent in totes in the CAA storage shed. Respondent had identified Martron Martex 2008 spent solvent as a hazardous waste with only the EPA Hazardous Waste Number D018. Respondent did not provide records to show why the waste Martron Martex 2008 was identified with only the EPA Hazardous Waste Number D018 and not with the EPA Hazardous Waste Numbers D008 or F005.
60. At the time of the CEI, the inspectors observed that the ring was not secured to the lid of a 55-gallon drum of hazardous waste at one SAA for accumulating hazardous waste floor sweepings in the Machining Area. The drum was labeled with the EPA Hazardous Waste Number D008 and identified with a DOT Class 9 hazard placard, but it was not identified with an indication that the contents exhibit the RCRA characteristic of toxicity.

61. At the time of the CEI, the inspectors observed hazardous waste floor sweepings accumulating in a secondary containment pallet beneath a 55-gallon drum of hazardous waste at one SAA in the Machining Area. The secondary containment pallet was open, and it was not labeled with the words “hazardous waste” or marked with an indication of the hazards of its contents.
62. At the time of the CEI, the inspectors observed one 55-gallon drum of hazardous waste used PPE and contaminated debris in a SAA in the Tool Crib Area. The drum was labeled with the EPA Hazardous Waste Number D008, but it was not marked with an indication of the hazards of its contents.
63. At the time of the CEI, the inspectors observed the following open containers storing D008 hazardous waste: one blue box and one supersack containing a mixture of hazardous waste used foundry sand and brass parts in the CAAs next to the 34 Wheelabrator unit; three 55-gallon drums and one supersack containing hazardous waste used foundry sand at the Excess Sand/Bleedout CAA; one green hopper containing a mixture of hazardous waste used foundry sand and brass parts at the Rotary Screen Sand CAA; five hoppers and one 55-gallon drum containing hazardous waste used foundry sand in the Reclaim Room CAA; and two supersacks under the Sand System Baghouse and one supersack under the Travel Vent System Baghouse containing hazardous waste used foundry sand in the Baghouse CAA.
64. At the time of the CEI, Respondent was not able to provide records showing that weekly inspections were conducted for CAAs on the foundry side of the Facility during the following weeks: one week between December 20, 2018 and January 3, 2019, one week between December 19, 2019 and January 2, 2020, one week between November 12, 2020 and November 25, 2020, and two weeks between December 17, 2020 and January 4, 2021.
65. At the time of the CEI, the inspectors observed two supersacks in use under the Sand System Baghouse, one supersack in use under the Travel Vent System Baghouse, and multiple supersacks staged in the Baghouse CAA. The supersacks contained used foundry sand, a hazardous waste identified with the EPA Hazardous Waste Number D008. These supersacks were not labeled as hazardous waste, marked with an indication of the hazards of the contents, or marked with an accumulation start date.
66. At the time of the CEI, the inspectors observed a release onto the floor from a 55-gallon drum of used foundry sand, a hazardous waste identified with the EPA Hazardous Waste Number D008, in the Excess Sand/Bleedout CAA. Also, at the time of the CEI, the inspectors observed a release of used foundry sand, a hazardous waste identified with EPA Hazardous Waste Number D008, onto the floor in the Conveyor Belt Sand CAA.
67. At the time of the CEI, the inspectors determined that the Respondent’s contingency plan included a list of emergency equipment at the Facility and a brief outline of the capabilities for each item on the list, but that the plan did not include the location of each item on the list.
68. At the time of the CEI, the inspectors determined that the Respondent’s quick reference guide included a map of the Facility, but the map did not indicate where hazardous wastes are generated and routes for accessing these wastes or the location of the water supply.

69. At the time of the CEI, the inspectors determined that no hazardous waste training was provided to employees during calendar years 2019 and 2020, because the Respondent could not provide records of annual hazardous waste training for those years.
70. At the time of the CEI, the inspectors determined that the Respondent's hazardous waste training records did not include the name(s) of employees filling each position required to receive hazardous waste training.
71. At the time of the CEI, the inspectors determined that the Respondent's quarterly reports for Quarters 2 and 3 of 2020 did not include a waste index line for shipments of D018 hazardous waste liquids sent on July 17, 2020, under manifest number 013176109FLE, and on June 22, 2020, under manifest number 013176012FLE.
72. At the time of the CEI, the inspectors observed one box of universal waste 8-foot used fluorescent lamps, two boxes of universal waste 4-foot used fluorescent lamps, and three boxes of miscellaneous universal waste used lamps in the Foundry Maintenance Shop. The boxes were all open, and none of the containers were labeled as universal waste lamps.

V. ALLEGED VIOLATIONS

73. Respondent is a "person" as defined in 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10].
74. Respondent is the "owner" and "operator" of a "facility" located in Pageland, South Carolina, as those terms are defined in 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10].
75. Respondent is a "generator" of "solid waste" and "hazardous waste" as those terms are defined in 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10], 25 S.C. Code Ann. Regs. 61-79.261.2 [40 C.F.R. § 261.2], and 25 S.C. Code Ann. Regs. 61-79.261.3 [40 C.F.R. § 261.3], respectively.
76. Respondent is an "LQG" of hazardous waste as that term is defined in 25 S.C. Code Ann. Regs. 61-79.260.10 [40 C.F.R. § 260.10].
77. Respondent did not identify and was not managing vacuum dust in two shop vacuums as hazardous waste. In addition, Respondent failed to identify Martron Martex 2008 spent solvent with the EPA Hazardous Waste Numbers D008 or F005. The inspectors determined that the Respondent should have also identified the Martron Martex 2008 spent solvent with the EPA Hazardous Waste Numbers D008 and F005, because spent solvents containing, before use, a total of ten percent or more (by volume) of benzene are listed with EPA Hazardous Waste Number F005, and a solid waste that exhibits the characteristic of toxicity for elevated levels of lead is a characteristic hazardous waste that is identified with the EPA Hazardous Waste Number D008. The EPA therefore alleges that Respondent violated 25 S.C. Code Ann. Regs. 61-79.262.11 [40 C.F.R. § 262.11], by failing to make an accurate hazardous waste determination on solid waste, the shop vacuum dust and Martron Martex 2008 spent solvent generated at the Facility.

78. Respondent did not secure the ring to the lid of one 55-gallon drum of hazardous waste floor sweepings and was storing hazardous waste in an open secondary containment pallet at one SAA in the Machining Area. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to keep containers of hazardous waste closed at all times during accumulation, except when adding, removing, or consolidating waste; or when temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations, such as build-up of extreme pressure as required by 25 S.C. Code Ann. Regs. 61-79.262.15(a)(4) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA Permit Exemption.
79. At a SAA in the Machining Area, Respondent was accumulating hazardous waste floor sweepings in a 55-gallon drum that was labeled with the EPA Hazardous Waste Number D008 and identified with a DOT Class 9 hazard placard, but Respondent did not mark the drum with an indication that the contents exhibit the RCRA characteristic of toxicity. Respondent had also accumulated hazardous waste floor sweepings at this SAA in an open secondary containment pallet but did not label that container. At a SAA in the Tool Crib Area, Respondent was accumulating hazardous waste used PPE and contaminated debris in a 55-gallon drum that was labeled with the EPA Hazardous Waste Number D008, but Respondent did not mark the drum with an indication of the hazards of its contents. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to mark or label one container with the words “Hazardous Waste” and three containers with an indication of the hazards of the contents as required by 25 S.C. Code Ann. Regs. 61-79.262.15(a)(5) [40 C.F.R. § 262.15(a)(5)], which is a condition of the SAA Permit Exemption.
80. Respondent failed to keep the following containers storing hazardous waste identified with the EPA Hazardous Waste Number D008 closed at all times when it was not necessary to add or remove waste: one blue box and one supersack in the CAAs next to the 34 Wheelabrator unit; three 55-gallon drums and one supersack at the Excess Sand/Bleedout CAA; one green hopper at the Rotary Screen Sand CAA; five hoppers and one 55-gallon drum in the Reclaim Room CAA; and three supersacks in the Baghouse CAA. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to keep containers of hazardous waste closed during accumulation, except when it is necessary to add or remove waste as required by 25 S.C. Code Ann. Regs. 61-79.262.17(a)(1)(iv)(A) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG Permit Exemption.
81. Respondent did not provide records of weekly inspections for CAAs on the foundry side of the Facility during one week between December 20, 2018 and January 3, 2019, for one week between December 19, 2019 and January 2, 2020, for one week between November 12, 2020 and November 25, 2020, and for two weeks between December 17, 2020 and January 4, 2021. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to, at least weekly, inspect central accumulation areas looking for leaking containers and

for deterioration of containers caused by corrosion or other factors as required by 25 S.C. Code Ann. Regs. 61- 79.262.17(a)(1)(v) [40 C.F.R. § 262.17(a)(1)(v)], which is a condition of the LQG Permit Exemption.

82. Respondent was managing used foundry sand, a hazardous waste identified with EPA Hazardous Waste Number D008, in two supersacks in use under the Sand System Baghouse, one supersack in use under the Travel Vent System Baghouse, and numerous supersacks staged in the Baghouse CAA. Respondent had not labeled any of these containers as hazardous waste, marked any with an indication of the hazards of the contents, or marked any with an accumulation start date. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to mark or label containers of hazardous waste with the words “Hazardous Waste;” with an indication of the hazards of the contents and with the date upon which each period of accumulation begins clearly visible for inspection on each container as required by 25 S.C. Code Ann. Regs. 61- 79.262.17(a)(5)(i) [40 C.F.R. § 262.17(a)(5)(i)], which are conditions of the LQG Permit Exemption.
83. There was a release of hazardous waste, which was identified with the EPA Hazardous Waste Number D008, from one 55-gallon drum in the Excess Sand/Bleedout CAA and from one hopper in the Conveyor Belt Sand SAA. The EPA therefore alleges that Respondent violated Section 44- 56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 25 S.C. Code Ann. Regs. 61-79.262.17(a)(6) [40 C.F.R. § 262.17(a)(6)], by failing to maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment as required by 25 S.C. Code Ann. Regs. 61- 79.262.251 [40 C.F.R. § 262.251].
84. Respondent’s contingency plan did not include the location of each item on the list of emergency equipment at the Facility. The EPA therefore alleges that Respondent violated Section 44-56- 60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 25 S.C. Code Ann. Regs. 61-79.262.17(a)(6) [40 C.F.R. § 262.17(a)(6)], by failing to include the location of each item on the list of emergency equipment at the facility in the contingency plan as required by 25 S.C. Code Ann. Regs. 61-79.262.261(e) [40 C.F.R. § 262.261(e)].
85. Respondent’s quick reference guide included a map of the Facility, but the map did not indicate where hazardous wastes are generated and routes for accessing these wastes or the location of the water supply. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to meet a condition of the LQG Permit Exemption set forth in 25 S.C. Code Ann. Regs. 61- 79.262.17(a)(6) [40 C.F.R. § 262.17(a)(6)], by not complying with the requirements in 25 S.C. Code Ann. Regs. 61-79.262.262(b)(4) and (6), by failing to include in the quick reference guide the following: a map of the Facility showing where hazardous wastes

are generated, accumulated, and treated and routes for accessing these wastes; and the locations of water supply (e.g. fire hydrant and its flow rate).

86. Respondent did not provide hazardous waste training to employees during calendar years 2019 and 2020. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent's facility personnel failed to successfully complete a program of classroom instruction, online training, or on-the-job training that teaches them to perform their duties in a way that ensures compliance and failed to take part in an annual review of the initial program training as required by 25 S.C. Code Ann. Regs. 61-79.262.17(a)(7)(i)(A) and (a)(7)(iii) [40 C.F.R. § 262.17(a)(7)(i)(A) and (a)(7)(iii)], which is a condition of the LQG Permit Exemption.
87. Respondent's hazardous waste training records did not include the name(s) of employees filling each position required to receive hazardous waste training. The EPA therefore alleges that Respondent violated Section 44-56-60(a)(2) and (b) of the SCHWMA, S.C. Code Ann. § 44-56-60(a)(2) and (b) [Section 3005 of RCRA, 42 U.S.C. § 6925], by storing hazardous waste without a permit or interim status, because Respondent failed to maintain records of the name of the employee filling each job related to hazardous waste management as required by 25 S.C. Code Ann. Regs. 61-79.262.17(a)(7)(iv)(A) [40 C.F.R. § 262.17(a)(7)(iv)(A)], which is a condition of the LQG Permit Exemption.
88. Respondent's quarterly reports for Quarters 2 and 3 of 2020 did not include a waste index line for shipments of D018 hazardous waste liquids sent on July 17, 2020, under manifest number 013176109FLE, and on June 22, 2020, under manifest number 013176012FLE. The EPA therefore alleges that Respondent violated 25 S.C. Code Ann. Regs. 61-79.262.41(a)(5) and (6) [40 C.F.R. § 262.41(a)] by failing to prepare and, no later than thirty days after the end of each calendar quarter submit a written report to the Department including, but not limited to a description, the EPA hazardous waste number, DOT hazardous class, and quantity of each hazardous waste shipped offsite for shipments to a treatment, storage or disposal facility within the United States, and the types and quantities of such wastes shipped for offsite treatment and disposal.
89. Respondent was storing universal waste lamps in open containers in the Foundry Maintenance Shop/UHW Area. The EPA therefore alleges that the Respondent violated 25 S.C. Code Ann. Regs. 61-79.273.13(d)(1) [40 C.F.R. § 273.13(d)(1)], by failing to contain lamps in containers or packages that remain closed.
90. In the Foundry Maintenance Shop/UHW Area, Respondent was storing universal waste lamps in containers that were not labeled as universal hazardous waste. The EPA therefore alleges that the Respondent violated 25 S.C. Code Ann. Regs. 61-79.273.14(e) [40 C.F.R. § 273.14(e)], by failing to label or mark each lamp or container or package in which such lamps are contained clearly with one of the following phrases: "Universal Waste-Lamp(s)," "Waste Lamp(s)," or "Used Lamp(s)."

VI. STIPULATIONS

91. The issuance of this CAFO simultaneously commences and concludes this proceeding. 40 C.F.R. § 22.13(b).

92. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:
- a. admits that the EPA has jurisdiction over the subject matter alleged in this CAFO;
 - b. neither admits nor denies the factual allegations set forth in Section IV (Findings of Facts) of this CAFO;
 - c. consents to the assessment of a civil penalty as stated below;
 - d. consents to the conditions specified in this CAFO;
 - e. waives any right to contest the allegations set forth in Section V (Alleged Violations) of this CAFO; and
 - f. waives its rights to appeal the Final Order accompanying this CAFO.
93. For the purpose of this proceeding, Respondent:
- a. agrees that this CAFO states a claim upon which relief may be granted against Respondent;
 - b. acknowledges that this CAFO constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;
 - c. waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this CAFO, including any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706;
 - d. waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with the CAFO, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action;
 - e. waives any right it may have pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to the EPA officials where the purpose of such discussion, memorandum, or communication is to persuade such official to accept and issue this CAFO; and
 - f. agrees to comply with the terms of this CAFO.
94. By executing this CAFO, Respondent certifies to the best of its knowledge that Respondent is currently in compliance with all relevant requirements of the Act and its implementing regulations, and that all violations alleged herein, which are neither admitted nor denied, have been corrected.

95. In accordance with 40 C.F.R. § 22.5, the individuals named in the certificate of service are authorized to receive service related to this proceeding and the parties agree to receive service by electronic means.

VII. TERMS OF PAYMENT

96. Respondent consents to the payment of a civil penalty, which was calculated in accordance with the Act, in the amount of **EIGHTY-SEVEN THOUSAND DOLLARS (\$87,000)**, which is to be paid within thirty (30) calendar days of the Effective Date of this CAFO.
97. Payment(s) shall be made by cashier's check, certified check, by electronic funds transfer (EFT), or by Automated Clearing House (ACH) (also known as REX or remittance express). If paying by check, the check shall be payable to: Treasurer, United States of America, and the Facility name and docket number for this matter shall be referenced on the face of the check.
- a. If Respondent sends payment by the U.S. Postal Service, the payment shall be addressed to:

United States Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

- b. If Respondent sends payment by non-U.S. Postal express mail delivery, the payment shall be sent to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines & Penalties
1005 Convention Plaza
Mail Station: SL-MO-C2-GL
St. Louis, Missouri 63101
Contact Number: (314) 425-1819

- c. If paying by EFT, Respondent shall transfer the payment to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

- d. If paying by ACH, Respondent shall remit payment to:

US Treasury REX / Cashlink ACH Receiver

ABA: 051036706
Account Number: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking
Physical location of US Treasury facility:
5700 Rivertech Court
Riverdale, Maryland 20737
Contact: Craig Steffen, (513) 487-2091
REX (Remittance Express): 1-866-234-5681

98. Respondent shall send proof of payment, within 24 hours of payment of the civil penalty, to:

Regional Hearing Clerk
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
R4_Regional_Hearing_Clerk@epa.gov

and

Laurie Benton DiGaetano
Chemical Safety and Land Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
benton-digaetano.laurie@epa.gov

99. “Proof of payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to the EPA requirements, in the amount due, and identified with the Facility name and “Docket No. RCRA-04-2022-2105(b).”
100. Pursuant to 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to remit the civil penalty as agreed to herein, the EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the costs of processing and handling the delinquent claim. Accordingly, the EPA may require the Respondent to pay the following amounts on any amount overdue:
- a. Interest. Interest will begin to accrue on the civil penalty from the Effective Date of this CAFO. If the civil penalty is paid within 30 days of the Effective Date of this CAFO, Interest is waived. However, if the civil penalty is not paid in full within 30 days, Interest will continue to accrue on any unpaid portion until the unpaid portion of the civil penalty and accrued Interest are paid. Interest will be assessed at the rate of the United States Treasury tax and loan rate, as established by the Secretary of the Treasury, in accordance with 31 U.S.C. § 3717(a)(1), 31 C.F.R. § 901.9(b)(2), and 40 C.F.R. § 13.11(a).

- b. Non-Payment Penalty. On any portion of a civil penalty or a stipulated penalty more than ninety (90) calendar days past due, Respondent must pay a non-payment penalty of not more than six percent (6%) per annum, which will accrue from the date the penalty payment became due and is not paid, as provided in 31 U.S.C. § 3717(e)(2) and 31 C.F.R. § 901.9(d). This non-payment penalty is in addition to charges which accrue or may accrue under subparagraphs (a) and (c) and will be assessed monthly. 40 C.F.R. § 13.11(c).
 - c. Monthly Handling Charge. Respondent must pay a late payment handling charge to cover the administrative costs of processing and handling the delinquent claim, based on either actual or average cost incurred. 31 C.F.R. § 901.9(b)(c), and 40 C.F.R. § 13.11(b). Administrative costs will be assessed monthly throughout the period the debt is overdue except as provided by 40 C.F.R. § 13.12.
101. In addition to what is stated in the prior Paragraph, if Respondent fails to timely pay any portion of the penalty assessed under this CAFO, the EPA may:
- a. refer the debt to a credit reporting agency or a collection agency, 40 C.F.R. §§ 13.13 and 13.14;
 - b. collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. Part 13, Subparts C and H;
 - c. suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, 40 C.F.R. § 13.17; and/or
 - d. refer the debt to the Department of Justice as provided in 40 C.F.R. § 13.33. In any such judicial action, the validity, amount, and appropriateness of the penalty and of this CAFO shall not be subject to review.
102. Penalties paid pursuant to this CAFO shall not be deductible for purposes of federal taxes.

VIII. EFFECT OF CAFO

103. In accordance with 40 C.F.R. § 22.18(c), Respondent's full compliance with this CAFO shall only resolve Respondent's liability for federal civil penalties for the violations and facts specifically alleged above
104. Full payment of the civil penalty, as provided in Section VII (Terms of Payment), shall not in any case affect the right of the EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. 40 C.F.R. § 22.18(c).
105. Any violation of this CAFO may result in a civil penalty for each day of continued noncompliance with the CAFO and/or the suspension or revocation of any federal or state permit issued to the violator, as provided in Section 3008(c) of the Act, 42 U.S.C § 6928(c).

106. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit, except as expressly provided herein.
107. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment as provided under the Act.
108. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of both Parties, and approval of the Regional Judicial Officer.
109. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, authorized representatives, successors, and assigns.
110. Any change in the legal status of the Respondent, or change in ownership, partnership, corporate or legal status relating to the Facility, will not in any way alter Respondent's obligations and responsibilities under this CAFO.
111. By signing this Consent Agreement, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.
112. By signing this Consent Agreement, the Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents to this CAFO.
113. By signing this Consent Agreement, both Parties agree that each party's obligations under this CAFO constitute sufficient consideration for the other party's obligations.
114. By signing this Consent Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission, and continues to be, true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.
115. The EPA also reserves the right to revoke this CAFO and settlement penalty if and to the extent that the EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to the EPA. If such false or inaccurate material was provided, the EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. The EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

116. Unless specifically stated otherwise in this CAFO, each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding.
117. It is the intent of the parties that the provisions of this CAFO are severable. If any provision or authority of this CAFO or the application of this CAFO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CAFO shall remain in force and shall not be affected thereby.

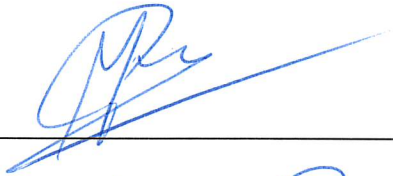
IX. EFFECTIVE DATE

118. This CAFO shall become effective after execution of the Final Order by the Regional Judicial Officer, on the date of filing with the Hearing Clerk.

**[Remainder of Page Intentionally Left Blank
Complainant and Respondent will Each Sign on Separate Pages.]**

The foregoing Consent Agreement In the Matter of **Aalberts Integrated Piping Systems Americas, Inc.**, Docket No. **RCRA-04-2022-2105(b)**, is Hereby Stipulated, Agreed, and Approved for Entry.

FOR RESPONDENT:

Signature  _____ Date 8/11/2022

Printed Name: Jeroen Praas

Title: CFO

Address: 10715 Sikes Place, Suite 200
Charlotte, NC 28277

The foregoing Consent Agreement In the Matter of **Aalberts Integrated Piping Systems Americas, Inc.**, Docket No. **RCRA-04-2022-2105(b)**, is Hereby Stipulated, Agreed, and Approved for Entry.

FOR COMPLAINANT:

Kimberly L. Bingham
Chief
Chemical Safety and Land Enforcement Branch
Enforcement & Compliance Assurance Division
U.S. Environmental Protection Agency, Region 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

In the Matter of:

**Aalberts Integrated Piping Systems
Americas, Inc.**

1509 S. Van L Mungo Boulevard
Pageland, South Carolina 29728

EPA ID No.: SCR000006155

Respondent.

Docket No. **RCRA-04-2022-2105(b)**

Proceeding Under Section 3008(a) of the
Resource Conservation and Recovery Act,
42 U.S.C. § 6928(a)

The Regional Judicial Officer is authorized to ratify this Consent Agreement which memorializes a settlement between Complainant and Respondent. 40 C.F.R. §§ 22.4(b) and 22.18(b)(3). The foregoing Consent Agreement is, therefore, hereby approved, ratified and incorporated by reference into this Final Order in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22.

The Respondent is hereby ORDERED to comply with all of the terms of the foregoing Consent Agreement effective immediately upon filing of this Consent Agreement and Final Order with the Regional Hearing Clerk. This Final Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

BEING AGREED, IT IS SO ORDERED.

Tanya Floyd
Regional Judicial Officer

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order, in the Matter of **Aalberts Integrated Piping Systems Americas, Inc.**, Docket No. **RCRA-04-2022-2105(b)**, were filed and copies of the same were emailed to the parties as indicated below.

Via email to all parties at the following email addresses:

To Respondent: Lee Knight Caffery
Senior Legal Counsel
(704) 841-6017
leeknight.caffery@aalberts-ips.com

Stan B. Green
Attorney
(704) 564-9878
sgreen@gmlawyers.org

To EPA: Laurie Benton DiGaetano
Senior Enforcement and Compliance
Specialist
benton-digaetano.laurie@epa.gov

Rob F. Summers
Attorney-Advisor
summers.robert@epa.gov

Quantindra Smith
Environmental Protection Specialist
smith.quantindra@epa.gov

Shannon L. Richardson
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region
4 61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960