

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

In the Matter of:)
)
Montgomery County Fire)
and Rescue Service)
100 Edison Park Drive, Floor 2)
Gaithersburg, Maryland 20878)
)
RESPONDENT,)
)
East Germantown Fire Station #34)
20633-35 Boland Farm Road)
Germantown, MD 20876)
)
Kensington Fire Station #25)
14401 Connecticut Avenue)
Silver Springs, MD 20906)
)
FACILITIES.)

U.S. EPA Docket Number
RCRA-03-2018-0153

U.S. EPA-REGION 3-RHC
FILED-19SEP2018am10:31

Proceeding Under Section 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C. Section 6991e

CONSENT AGREEMENT

This Consent Agreement ("CA") is entered into by the Director, Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("Complainant") and Montgomery County Fire and Rescue Service ("Respondent"), pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. §§ 6991e, 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, including, specifically 40 C.F.R. §§ 22.13(b) and .18(b)(2) and (3).

This CA and the Final Order (collectively "CAFO"), resolve violations of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the State of Maryland's federally authorized underground storage tank program by Respondent in connection with its underground storage tanks at Respondent's facilities located at 20633-35 Boland Farm Road, Germantown, Maryland ("East Germantown Fire Station #34) and 14401 Connecticut Avenue, Silver Springs, Maryland ("Kensington Fire Station #25") (collectively the "Facilities").

Effective July 30, 1992, pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, and 40 C.F.R. Part 281, Subpart A, the State of Maryland was granted final authorization to administer a state underground storage tank management program *in lieu* of the Federal underground storage tank management program established under Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991i. The

provisions of the Maryland underground storage tank management program, through this final authorization, have become requirements of Subtitle I of RCRA and are, accordingly, enforceable by EPA pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e. Maryland's authorized underground storage tank program regulations are administered by the Maryland Department of the Environment ("MDE"), and are set forth in the Code of Maryland Regulations, Title 26, Subtitle 10, and will be cited as "COMAR" followed by the applicable section of the regulations.

GENERAL PROVISIONS

1. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
2. Respondent neither admits nor denies the specific Factual Allegations and Conclusions of Law set forth in this CAFO, except as provided in Paragraph 1, above. In accordance with 40 C.F.R. §§ 22.13(b) and .18(b)(2) and (3) of the *Consolidated Rules of Practice*, Complainant hereby simultaneously commences and resolves, as part of the settlement set forth herein, EPA's civil claims alleged in this Consent Agreement.
3. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this Consent Agreement ("CA"), the issuance of the attached Final Order ("FO"), or the enforcement of this CAFO.
4. For the purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact set forth in this CA and any right to appeal the accompanying FO.
5. Respondent consents to the issuance of this CAFO and agrees to comply with its terms and conditions set forth herein. The settlement agreed to by the parties in this CAFO reflects the desire of the parties to resolve this matter without litigation. This CAFO resolves whatever liability for civil penalties Respondent may have for the violations alleged in the Factual Allegations and Conclusions of Law set forth herein.
6. Respondent shall bear its own costs and attorney's fees.
7. The provisions of this CAFO shall be binding upon EPA and Respondent, and Respondent's officers, directors, employees, successors and assigns.
8. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit, nor does this CAFO constitute a waiver, suspension or modification of the requirements of RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, or any regulations promulgated thereunder.
9. Complainant shall have the right to institute further actions to recover appropriate relief if Complainant obtains evidence that the information provided and/or representations made

by Respondent to EPA regarding matters at issue in the CAFO are false or, in any material respect, inaccurate. Respondent is aware that the submission of false or misleading information to the United States government may subject Respondent to separate civil and/or criminal liability.

10. EPA has given the State of Maryland prior notice of the issuance of this CAFO in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2) in a letter dated April 26, 2018.

FACTUAL ALLEGATIONS AND CONCLUSIONS OF LAW

11. The United States Environmental Protection Agency - Region III ("EPA" or the "Region") and EPA's Office of Administrative Law Judges have jurisdiction over this matter pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e, 40 C.F.R. Part 280 and 40 C.F.R. § 22.1(a)(4) and .4(c).
12. At all times relevant to this CAFO, Respondent has been the "owner" and/or "operator," as those terms are defined in Section 9001(3) and (4) of RCRA, 42 U.S.C. § 6991(3) and (4), and COMAR § 26.10.02.04B(37) and (39), of the "underground storage tanks" ("USTs") and "UST systems" as those terms are defined in Section 9001(10) of RCRA, 42 U.S.C. § 6991(10), and COMAR § 26.10.02.04B(64) and (66), located at the Facility described herein.
13. Respondent is a "person" as defined in Section 9001(5) of RCRA, 42 U.S.C. § 6991(5), and COMAR § 26.10.02.04B.(40).
14. On July 28, 2017, EPA performed a Compliance Evaluation Inspection ("CEI") at Germantown Fire Station #34 Facility. At the time of the July 28, 2017 CEI, and at all times relevant to the violations alleged herein, three (3) USTs were located at the Germantown Fire Station #34 Facility as described in the following subparagraphs:
 - A. A two thousand five hundred (2,500) gallon double-walled fiberglass reinforced plastic tank that was installed in or about 2009, and that, at all times relevant hereto, routinely contained and was used to store diesel, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter "UST No. 1");
 - B. A one thousand (1,000) gallon double-walled fiberglass reinforced plastic tank that was installed in or about 2009, and that, at all times relevant hereto, routinely contained and was used to store regular grade gasoline, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter "UST No. 2"); and

- C. A two thousand five hundred (2,500) gallon double-walled fiberglass reinforced plastic tank that was installed in or about 2009, and that, at all times relevant hereto, routinely contained and was used to store regular grade gasoline, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter "UST No. 3").
15. On September 10, 2015, EPA performed a Compliance Evaluation Inspection ("CEI") at Kensington Fire Station #25 Facility. At the time of the September 10, 2015 CEI, and at all times relevant to the violations alleged herein, three (3) USTs were located at the Kensington Fire Station #25 Facility as described in the following subparagraphs:
- A. A three thousand (3,000) gallon fiberglass composite steel tank that was installed in or about 1990, and that, at all times relevant hereto, routinely contained and was used to store regular grade gasoline, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter "UST No. 4");
 - B. A three thousand (3,000) gallon fiberglass composite steel tank that was installed in or about 1990, and that, at all times relevant hereto, routinely contained and was used to store diesel, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter "UST No. 5"); and
 - C. A five hundred fifty (550) gallon fiberglass composite steel tank that was installed in or about 1990, and that, at all times relevant hereto, routinely contained and was used to store used oil, a "regulated substance" as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48) (hereinafter "UST No. 6").
16. At all times relevant to the violations alleged herein, USTs Nos. 1 through 6 have been "petroleum UST systems" and "new tank systems" as these terms are defined in COMAR § 26.10.02.04B(43) and (31), respectively.
17. USTs Nos. 1 through 6 are and were, at all times relevant to applicable violations alleged in this CAFO, used to store "regulated substance(s)" at Respondent's Facilities, as defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and COMAR § 26.10.02.04B(48), and have not been "empty" as that term is defined at COMAR § 26.10.10.01A.

COUNT 1

(Failure to perform release detection on USTs Nos. 1, 2 and 6)

18. The allegations of Paragraphs 1 through 17 of this CAFO are incorporated herein by reference.

19. Pursuant to COMAR § 26.10.05.01A and C, owners and operators of new and existing UST systems must provide a method or combination of methods of release detection monitoring that meets the requirements described therein.
20. COMAR § 26.10.05.02B provides, in pertinent part, that USTs shall be monitored at least every 30 days for releases using one of the methods listed in COMAR § 26.10.05.04E-I, except that:
 - (1) UST systems that meet the performance standards in COMAR §§ 26.10.03.01 (Performance Standards for New UST Systems) and .02 (Upgrading of Existing UST Systems), and the monthly inventory control requirements in COMAR § 26.10.05.04B or C (Inventory Control or Manual Tank Gauging) shall use tank tightness testing, conducted in accordance with COMAR § 26.10.05.04D (Tank Tightness Test), at least every 5 years until December 22, 1998, or until 10 years after the UST is installed or upgraded under COMAR § 26.10.03.02B (Tank Upgrading Requirements); and
 - (2) UST systems that do not meet the performance standards in COMAR §§ 26.10.03.01 (Performance Standards for New UST Systems) and .02 (Upgrading of Existing UST Systems), may use monthly inventory controls, conducted in accordance with COMAR § 26.10.05.04B or C (Inventory Control or Manual Tank Gauging) and annual tank tightness testing, conducted in accordance with COMAR § 26.10.05.04D (Tank Tightness Test) until December 22, 1998, when the tank must be upgraded under COMAR § 26.10.03.02 (Tank Upgrading Requirements) or permanently closed under COMAR § 26.10.10.02; and
 - (3) Tanks with a capacity of 550 gallons or less and not metered may use weekly tank gauging, conducted in accordance with COMAR § 26.10.05.04C.
21. At all times relevant to the violation alleged herein, the method of release detection selected by Respondent for the USTs Nos. 1, 2 and 6 was automatic tank gauging in accordance with COMAR § 26.10.05.04E.
22. From July 24, 2017 until August 12, 2017, Respondent failed to perform automatic tank gauging for the UST Nos. 1 and 2 in accordance with COMAR § 26.10.05.04E.
23. From October 1, 2015 until January 11, 2016, and from March 22, 2016 until August 15, 2016, Respondent failed to perform automatic tank gauging for the UST No. 6 in accordance with COMAR § 26.10.05.04E.

24. During the periods of time indicated in Paragraphs 22 and 23, above, Respondent did not use any of the other release detection methods specified in COMAR § 26.10.05.02B(1)-(3) and/or COMAR § 26.10.05.04E-I on USTs Nos. 1, 2 and 6 located at the Facility.
25. Respondent's acts and/or omissions as alleged in Paragraphs 22 through 24, above, constitute violations by Respondent of COMAR § 26.10.05.01A and .02B.

COUNT II

(Failure to perform automatic line leak detector testing annually on USTs Nos. 1 and 2)

26. The allegations of Paragraphs 1 through 25 of the CA are incorporated herein by reference.
27. COMAR § 26.10.05.02C(2) provides, in pertinent part, that underground piping that conveys regulated substances under pressure shall:
 - A. Be equipped with an automatic line leak detector conducted in accordance with COMAR § 26.10.05.05B; and
 - B. Have an annual line tightness test conducted in accordance with COMAR § 26.10.05.05C or have monthly monitoring conducted in accordance with COMAR § 26.10.05.05D.
28. COMAR § 26.10.05.05B provides, in pertinent part, that an annual test of the operation of the leak detector shall be conducted in accordance with the manufacturer's requirements.
29. Respondent failed to test annually the automatic line leak detectors from May 3, 2017 to November 20, 2017 for USTs Nos. 1 and 2.
30. From May 3, 2017 to November 20, 2017, the underground piping for USTs Nos. 1 and 2 conveyed regulated substances under pressure.
31. Respondent's acts and/or omissions as alleged in Paragraphs 29 and 30, above, constitute violations by Respondent of COMAR § 26.10.05.02C(2)(a) and COMAR § 26.10.05.05B.

CIVIL PENALTY

32. In settlement of EPA's claims for civil penalties assessable for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of **Thirteen Thousand Two Hundred Twenty-One Dollars (\$13,221.00)** which Respondent shall be liable to pay in accordance with the terms set forth below. Such civil penalty amount shall become due and payable immediately upon Respondent's receipt of a

true and correct copy of this CAFO. If Respondent pays the entire penalty of \$13,221.00 within thirty (30) calendar days of the date on which this CAFO is mailed or hand-delivered to Respondent, no interest will be assessed against the Respondent pursuant to 40 C.F.R. § 13.11(a)(1).

33. Respondent shall pay the civil penalty set forth in Paragraph 32, above, by sending either a cashier's check, certified check, or electronic wire transfer, in the following manner:

A. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, *i.e.*, RCRA-03-2018-0153;

B. All checks shall be made payable to "**United States Treasury**";

C. All payments made by check and sent by regular mail shall be addressed to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

Contact: Craig Steffen 513-487-2091

D. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Bank
Government Lockbox 979077
U.S. EPA, Fines & Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, MO 63101

Contact: 314-418-1028

E. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance
US EPA, MS-NWD
26 W. M.L. King Drive
Cincinnati, OH 45268-0001

F. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York
ABA = 021030004
Account No. = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:
D 68010727 Environmental Protection Agency

G. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver
ABA = 051036706
Account No.: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737

Contact: John Schmid (202) 874-7026 or REX, 1-866-234-5681

H. On-Line Payment Option:

WWW.PAY.GOV/PAYGOV

Enter sfo 1.1 in the search field. Open and complete the form.

I. Additional payment guidance is available at:

http://www.epa.gov/ocfo/finservices/make_a_payment.htm

A copy of Respondent's check or a copy of Respondent's electronic transfer shall be sent simultaneously to:

Regional Hearing Clerk (3RC00)
EPA Region III

1650 Arch Street
Philadelphia, Pennsylvania 19103 - 2029, and

Louis F. Ramalho
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

34. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest, administrative costs 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 or to comply with the conditions in this CAFO shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.
35. Interest on the civil penalty assessed in this CAFO will begin to accrue on the date that a true and correct copy of this CAFO is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalty 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).
36. The costs of the Agency'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 - Cash 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.
37. A late payment penalty of six percent (6%) 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). The late payment penalty on any portion of the civil penalty that remains delinquent more than ninety days shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
38. The Respondent agrees not to deduct for federal tax purposes the civil monetary penalty specified in this Consent Agreement and the accompanying Final Order.
39. The aforesaid settlement amount was based upon Complainant's consideration of a number of factors, including, but not limited to, the statutory factors of the seriousness of

Respondent's violations and any good faith efforts by Respondent to comply with all applicable requirements as provided in RCRA Section 9006(c) and (e), 42 U.S.C. § 6991e(c) and (e), with specific reference to EPA's Penalty Guidance for Violations of UST Regulations ("UST Guidance") dated November 4, 1990. In addition, the proposed civil penalty considered the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the January 11, 2018 memorandum by EPA Assistant Administrator Susan Parker Bodine, entitled *Amendments to EPA's Civil Penalty Policies to Account for Inflation (Effective January 15, 2018)*.

FULL AND FINAL SATISFACTION

40. This CAFO constitutes a settlement by EPA of its claims for civil penalties pursuant to 9006(a) of RCRA, 42 U.S.C. § 6991e(a), for the violations alleged in this Consent Agreement. Compliance with this CAFO shall not be a defense to any action commenced at any time for any other violation of the federal laws and regulations administered by EPA.

RESERVATION OF RIGHTS

41. 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. In addition, 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. Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk.

OTHER APPLICABLE LAWS

42. Nothing in this CAFO shall relieve Respondent of the obligation to comply with all applicable federal, state, and local laws and regulations.

AUTHORITY TO BIND THE PARTIES

43. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and bind Respondent hereto.

CERTIFICATION OF COMPLIANCE

44. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief that it currently is complying with applicable provisions of Subtitle I of RCRA and 40 C.F.R. Part 280, and Code of Maryland Regulations, Title 26, Subtitle 10.

ENTIRE AGREEMENT

45. This Consent Agreement and the attached Final Order and Settlement Conditions Document constitute the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Consent Agreement and the attached Final Order.

EFFECTIVE DATE

46. This CAFO shall become effective upon filing with the Regional Hearing Clerk.

For Respondent:

Montgomery County Fire
and Rescue Service

Sept 6 2019
Date

Scott Goldstein
Scott Goldstein, Fire Chief

For Complainant:


U.S. Environmental Protection Agency,
Region III

9/10/19
Date

Louis F. Ramalho
Senior Assistant Regional Counsel

After reviewing the foregoing Consent Agreement and other pertinent information, the Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or the Regional Judicial Officer issue the Final Order attached hereto.

9.13.18
Date

By: 

John A. Armstead, Director
Land and Chemicals Division
EPA Region III

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

In the Matter of:)

Montgomery County Fire)
and Rescue Service)
100 Edison Park Drive, Floor 2)
Gaithersburg, Maryland 20878)

RESPONDENT,)

East Germantown Fire Station #34)
20633-35 Boland Farm Road)
Germantown, MD 20876)

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Proceeding Under Section 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C. Section 6991e

FINAL ORDER

Complainant, the Director, Land and Chemicals Division, U.S. Environmental Protection Agency–Region III, and Montgomery County Fire and Rescue Service (“Respondent”), 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 40 C.F.R. §§ 22.13(b) and .18(b)(2) and (3)). The terms of the foregoing Consent Agreement are acceptable to 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 the consideration of a number of factors, including, but not limited to, the statutory factors of the seriousness of Respondent’s violations and any good faith efforts by Respondent to comply with all applicable requirements as provided in Section 9006(c) and (e) of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. § 6991e(c) and (e), with specific reference to EPA’s Penalty Guidance for Violations of UST Regulations (“UST Guidance”) dated November 4, 1990. In addition, the proposed civil penalty considered the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the January 11, 2018 memorandum by EPA Assistant Administrator Susan

Parker Bodine, entitled *Amendments to EPA's Civil Penalty Policies to Account for Inflation (Effective January 15, 2018)*.

NOW, THEREFORE, PURSUANT TO Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty of **Thirteen Thousand Two Hundred Twenty-One Dollars (\$13,221.00)** in accordance with the payment provisions set forth in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

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.

Sept. 19, 2018
Date



Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. Environmental Protection Agency, Region III

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

In the Matter of:)	
)	
Montgomery County Fire)	
and Rescue Service)	U.S. EPA Docket Number
100 Edison Park Drive, Floor 2)	RCRA-03-2018-0153
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)	
RESPONDENT,)	
)	
East Germantown Fire Station #34)	Proceeding Under Section 9006 of the
20633-35 Boland Farm Road)	Resource Conservation and Recovery Act,
Germantown, MD 20876)	as amended, 42 U.S.C. Section 6991e
)	
Kensington Fire Station #25)	
14401 Connecticut Avenue)	
Silver Springs, MD 20906)	
)	
FACILITIES.)	

CERTIFICATE OF SERVICE

I certify that on SEP 19 2018, the original and one (1) copy of 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 served a true and correct copy of the same to each of the following persons, in the manner specified below, at the following addresses:

Copy served via UPS Overnight Commercial Delivery to:

Edward E. Haenftling, Jr.
Associate County Attorney
Montgomery County Attorney's Office
101 Monroe Street, Third Floor
Rockville, Maryland 20850

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

Louis F. Ramalho
Senior Assistant Regional Counsel
Office of Regional Counsel (3RC50)

RCRA-03-2018-0153

U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(Attorney for Complainant)

Dated: SEP 19 2018

Bevin Esposito

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region III

TRACKING NUMBER(S): 1Z A43 F7124 9598 1670