

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

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In the Matter of: :
 :
Superior Forge & Steel Corporation :
1820 McClain Road :
Lima, Ohio 45804, :

Docket No. EPCRA-03-2013-0192

Respondent. :
 :
 :

Superior Forge & Steel Corporation :
1101 Muriel Street :
Pittsburgh, PA 15203, :

**Proceeding Under Section 325(c) of
EPCRA, 42 U.S.C. § 11045(c)**

and :
 :
 :

Superior Forge & Steel Corporation :
597 Commerce Avenue :
New Castle, PA 16101, :

Facilities. :
 :
 :

CONSENT AGREEMENT

Preliminary Statement

This Consent Agreement is entered into by the Director of the Land and Chemicals Division, U.S. Environmental Protection Agency, Region III (“Complainant”), and Superior Forge & Steel Corporation (“Respondent”), pursuant to Sections 313 and 325(c) of the Emergency Planning and Community Right-to-Know Act of 1986 (“EPCRA”), 42 U.S.C. §§ 11023 and 11045(c), the regulations implementing EPCRA Section 313, as set forth at 40 C.F.R. Part 372, 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. Pursuant to 40 C.F.R. §§ 22.13(b), 22.18(b)(2) and 22.18(b)(3), this Consent Agreement and the accompanying Final Order (collectively, “CAFO”) simultaneously commences and concludes this proceeding against Respondent to resolve violations of EPCRA Section 313, 42 U.S.C. § 11023, as alleged herein, by Respondent at its facilities located in Pittsburgh and New Castle, Pennsylvania.

General Provisions

1. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
2. Except as provided in Paragraph 1, immediately above, Respondent neither admits nor denies the specific factual allegations and legal conclusions set forth in this CAFO.

3. 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.
4. For purposes of this proceeding only, Respondent hereby expressly waives any right to contest any issue of law or fact set forth in this Consent Agreement and any right to appeal the accompanying Final Order.
5. Respondent consents to the issuance of this CAFO and agrees to comply with its terms and conditions.
6. Each party shall bear its own costs and attorney's fees in connection with this proceeding.

Findings of Fact and Conclusions of Law

7. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), Complainant adopts the following findings of fact and conclusions of law.
8. EPCRA Section 329(4), 42 U.S.C. § 11049(4), and 40 C.F.R. § 372.3 define "facility" to mean, in relevant part, all buildings, equipment, structures, and other stationary items that are located on a single site and that are owned or operated by the same person.
9. EPCRA Section 313(a), 42 U.S.C. § 11023(a), requires subject owners or operators of any facility that, in any calendar year, manufactures, processes or otherwise uses a toxic chemical listed under EPCRA Section 313(c), 42 U.S.C. § 11023(c), in quantities exceeding a regulatory threshold established under EPCRA Section 313(f), 42 U.S.C. § 11023(f), to complete and submit a toxic inventory report (*i.e.*, "Form R" or "Form A") for each such listed toxic chemical. Pursuant to EPCRA Section 313(a), 42 U.S.C. § 11023(a), each required Form R or Form A must include the information required under Section 313(g) of EPCRA, 42 U.S.C. § 11023(g), and must be submitted to EPA and to the designated State agency by July 1 of the year following the year for which such toxic inventory report is required.
10. EPCRA Section 313(b), 42 U.S.C. § 11023(b), and 40 C.F.R. § 372.22 provide, in relevant and applicable part, that a facility which meets the following criteria for a calendar year is a "covered facility" for that calendar year and must report under 40 C.F.R. § 372.30: [a] the facility has 10 or more full-time employees; [b] the facility is in a Standard Industrial Classification ("SIC") (as in effect on January 1, 1987) major group or industrial code listed in 40 C.F.R. § 372.23(a), for which the corresponding North American Industrial Classification System ("NAICS") (as in effect on January 1, 2007, for reporting year 2008 and thereafter) subsector and industry codes are listed in 40 C.F.R. § 372.23(b) and (c) by virtue of the fact that the facility is an establishment with a primary SIC major group or industry code listed in 40 C.F.R. § 372.23(a), or a primary NAICS subsector or industry code listed in 40 C.F.R. § 372.23(b) or 40 C.F.R. § 372.23(c); and [c] the facility manufactured (including imported), processed, or otherwise used a toxic chemical in excess of an applicable threshold quantity of that

chemical set forth in 40 C.F.R. § 372.25, 372.27, or 375.28.

11. 40.C.F.R. § 372.30(a) provides, in relevant part, that for each toxic chemical known by the owner or operator to be manufactured (including imported), processed, or otherwise used in excess of an applicable threshold quantity in 40 C.F.R. § 372.25, § 372.27, or § 372.28 at its covered facility for a calendar year, the owner or operator must submit to EPA and to the State in which the facility is located a completed EPA Form R (EPA Form 9350-1) in accordance with the instructions referred to in 40 C.F.R. Part 372, Subpart E.
12. 40 C.F.R. § 372.30(d) provides, in relevant part, that: “[e]ach report under this section for activities involving a toxic chemical that occurred during a calendar year at a covered facility must be submitted on or before July 1 of the next year.”
13. EPCRA Section 329(7), 42 U.S.C. § 11049(7), defines “person” to include any corporation.
14. Respondent is a corporation incorporated in the State of Ohio with its principal office located at 1207 Muriel Street, Pittsburgh, Pennsylvania 15203, and is a “person” as defined in Section 329(7) of EPCRA, 42 U.S.C. § 11049(7).
15. Respondent owns and operates and, at the time of the violations alleged herein, owned and operated integrated forged steel production plants located at 1101 Muriel Street, Pittsburgh, PA 15203 (the “Pittsburgh Facility”) and at 597 Commerce Avenue, New Castle, PA 16101 (the “New Castle Facility”) (collectively referred to herein as “the Facilities”).
16. Each of Respondent’s Facilities is a “facility,” as defined in Section 329(4) of EPCRA, 42 U.S.C. § 11049(4), and 40 C.F.R. § 372.3.
17. During calendar years 2010 and 2011, at the time of the alleged violations and at all other times herein relevant, Respondent employed 10 or more full-time employees at each of the Facilities.
18. During calendar years 2010 and 2011, the Facilities each had a primary SIC major group code (*i.e.*, Major Group 33 – Primary Metal Industries) listed in 40 C.F.R. § 372.23(a) for which the corresponding NAICS industry code (*i.e.*, Industry Code 333 – Machinery Manufacturing) was listed in 40 C.F.R. § 372.23(b).
19. The Pittsburgh Facility processed 322,138 pounds of the toxic chemical Chromium and 2,145 pounds of the toxic chemical Lead in 2011. The New Castle Facility processed 168,131 pounds of the toxic chemical Chromium and 1,042 pounds of the toxic chemical Lead in 2010. The New Castle Facility also processed 203,642 pounds of the toxic chemical Chromium and 1,623 pounds of the toxic chemical Lead in 2011.

20. For purposes of toxic chemical release reporting, the Pittsburgh Facility was a “covered facility,” within the meaning of 40 C.F.R. §§ 372.22 and 372.30(c), in calendar year 2011 and the New Castle Facility was a “covered facility” in calendar years 2010 and 2011.

Count I
Pittsburgh Facility
Calendar Year 2011
Toxic Chemical Reporting Failure for Chromium

21. The allegations of Paragraphs 1 through 20 of this Consent Agreement are incorporated herein by reference.
22. “Chromium” is a “toxic chemical” as defined in EPCRA §§ 313(c) and 329(10), 42 U.S.C. §§ 11023(c) and 11049(10), and 40 C.F.R. § 372.3, and is listed in 40 C.F.R. § 372.65.
23. As provided in Section 313(f)(1)(B)(iii) of EPCRA, 42 U.S.C. § 11023(f)(1)(B)(iii), and as set forth in 40 C.F.R. § 372.25, the reporting threshold amount for Chromium that is manufactured (including imported) or processed at a facility is 25,000 pounds.
24. Respondent processed more than 25,000 pounds of Chromium at the Pittsburgh Facility during calendar year 2011.
25. Pursuant to EPCRA § 313(a), 42 U.S.C. § 11023(a), Respondent was required to submit to the Administrator of EPA and to the Commonwealth of Pennsylvania by July 1, 2012 a completed Form R or Form A for the Chromium processed at the Pittsburgh Facility during calendar year 2011.
26. Respondent did not submit a complete Form R or Form A for the toxic chemical Chromium that Respondent processed at the Pittsburgh Facility during calendar year 2011 to the Administrator of EPA or to the Commonwealth of Pennsylvania until on or about January 2, 2013.
27. Respondent’s failure to submit, on or before July 1, 2012, a complete Form R or Form A to EPA and to the Commonwealth of Pennsylvania for the toxic chemical Chromium that Respondent processed at the Pittsburgh Facility during calendar year 2011 constitutes a violation of EPCRA Section 313, 42 U.S.C. § 11023.

Count II
Pittsburgh Facility
Calendar Year 2011
Toxic Chemical Reporting Failure for Lead

28. The allegations of Paragraphs 1 through 27 of this Consent Agreement are incorporated herein by reference.

29. "Lead" is a "toxic chemical" as defined in EPCRA §§ 313(c) and 329(10), 42 U.S.C. §§ 11023(c) and 11049(10), and 40 C.F.R. § 372.3, and is listed in 40 C.F.R. § 372.65.
30. As provided in Section 313(f)(2) of EPCRA, 42 U.S.C. § 11023(f)(2), and as set forth in 40 C.F.R. § 372.28, the reporting threshold amount for Lead which is manufactured (including imported), processed or otherwise used at a facility is 100 pounds.
31. Respondent processed more than 100 pounds of Lead at the Pittsburgh Facility during calendar year 2011.
32. Pursuant to EPCRA § 313(a), 42 U.S.C. § 11023(a), Respondent was required to submit to the Administrator of EPA and to the Commonwealth of Pennsylvania by July 1, 2012 a completed Form R or Form A for the Lead processed at the Pittsburgh Facility during calendar year 2011.
33. Respondent did not submit a complete Form R or Form A for the toxic chemical Lead that Respondent processed at the Pittsburgh Facility during calendar year 2011 to the Administrator of EPA or to the Commonwealth of Pennsylvania until on or about January 2, 2013.
34. Respondent's failure to submit, on or before July 1, 2012, a complete Form R or Form A to EPA and to the Commonwealth of Pennsylvania for the toxic chemical Lead that Respondent processed at the Pittsburgh Facility during calendar year 2011 constitutes a violation of EPCRA Section 313, 42 U.S.C. § 11023.

Count III
New Castle Facility
Calendar Year 2010
Toxic Chemical Reporting Failure for Chromium

35. The allegations of Paragraphs 1 through 34 of this Consent Agreement are incorporated herein by reference.
36. Respondent processed more than 25,000 pounds of Chromium at the New Castle Facility during calendar year 2010.
37. Pursuant to EPCRA § 313(a), 42 U.S.C. § 11023(a), Respondent was required to submit to the Administrator of EPA and to the Commonwealth of Pennsylvania by July 1, 2011 a completed Form R or Form A for the Chromium processed at the New Castle Facility during calendar year 2010.
38. Respondent did not submit a complete Form R or Form A for the toxic chemical Chromium that Respondent processed at the New Castle Facility during calendar year 2010 to the Administrator of EPA or to the Commonwealth of Pennsylvania until on or about March 13, 2013.

39. Respondent's failure to submit, on or before July 1, 2011, a complete Form R or Form A to EPA and to the Commonwealth of Pennsylvania for the toxic chemical Chromium that Respondent processed at the New Castle Facility during calendar year 2010 constitutes a violation of EPCRA Section 313, 42 U.S.C. § 11023.

Count IV
New Castle Facility
Calendar Year 2010
Toxic Chemical Reporting Failure for Lead

40. The allegations of Paragraphs 1 through 39 of this Consent Agreement are incorporated herein by reference.
41. Respondent processed more than 100 pounds of Lead at the New Castle Facility during calendar year 2010.
42. Pursuant to EPCRA § 313(a), 42 U.S.C. § 11023(a), Respondent was required to submit to the Administrator of EPA and to the Commonwealth of Pennsylvania by July 1, 2011 a completed Form R or Form A for the Lead processed at the New Castle Facility during calendar year 2010.
43. Respondent did not submit a complete Form R or Form A for the toxic chemical Lead that Respondent processed at the New Castle Facility during calendar year 2010 to the Administrator of EPA or to the Commonwealth of Pennsylvania until on or about March 13, 2013.
44. Respondent's failure to submit, on or before July 1, 2011, a complete Form R or Form A to EPA and to the Commonwealth of Pennsylvania for the toxic chemical Lead that Respondent processed at the New Castle Facility during calendar year 2010 constitutes a violation of EPCRA Section 313, 42 U.S.C. § 11023.

Count V
New Castle Facility
Calendar Year 2011
Toxic Chemical Reporting Failure for Chromium

45. The allegations of Paragraphs 1 through 44 of this Consent Agreement are incorporated herein by reference.
46. Respondent processed more than 25,000 pounds of Chromium at the New Castle Facility during calendar year 2011.
47. Pursuant to EPCRA § 313(a), 42 U.S.C. § 11023(a), Respondent was required to submit to the Administrator of EPA and to the Commonwealth of Pennsylvania by July 1, 2012 a completed Form R or Form A for the Chromium processed at the New Castle Facility during calendar year 2011.

48. Respondent did not submit a complete Form R or Form A for the toxic chemical Chromium that Respondent processed at the New Castle Facility during calendar year 2011 to the Administrator of EPA or to the Commonwealth of Pennsylvania until on or about March 13, 2013.
49. Respondent's failure to submit, on or before July 1, 2012, a complete Form R or Form A to EPA and to the Commonwealth of Pennsylvania for the toxic chemical Chromium that Respondent processed at the New Castle Facility during calendar year 2011 constitutes a violation of EPCRA Section 313, 42 U.S.C. § 11023.

Count VI
New Castle Facility
Calendar Year 2011
Toxic Chemical Reporting Failure for Lead

50. The allegations of Paragraphs 1 through 49 of this Consent Agreement are incorporated herein by reference.
51. Respondent processed more than 100 pounds of Lead at the New Castle Facility during calendar year 2011.
52. Pursuant to EPCRA § 313(a), 42 U.S.C. § 11023(a), Respondent was required to submit to the Administrator of EPA and to the Commonwealth of Pennsylvania by July 1, 2012 a completed Form R or Form A for the Lead processed at the New Castle Facility during calendar year 2011.
53. Respondent did not submit a complete Form R or Form A for the toxic chemical Lead that Respondent processed at the New Castle Facility during calendar year 2011 to the Administrator of EPA or to the Commonwealth of Pennsylvania until on or about March 13, 2013.
54. Respondent's failure to submit, on or before July 1, 2012, a complete Form R or Form A to EPA and to the Commonwealth of Pennsylvania for the toxic chemical Lead that Respondent processed at the New Castle Facility during calendar year 2011 constitutes a violation of EPCRA Section 313, 42 U.S.C. § 11023.

Civil Penalty

55. Section 325(c) of EPCRA, 42 U.S.C. § 11045(c), provides that any person who violates § 313 of EPCRA, 42 U.S.C. § 11023, shall be liable to the United States for a civil penalty of up to \$25,000 per violation. Pursuant to the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. Part 19, violations of Section 313 of EPCRA, 42 U.S.C. § 11023, which occurred between March 16, 2004 and January 12, 2009, are subject to an increased statutory maximum penalty of \$32,500 per violation and the maximum inflation-adjusted statutory penalty for violations occurring after January 12, 2009 is increased to \$37,500 per violation.

56. In settlement of EPA's claims for civil monetary penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of **Sixty-One Thousand Six Hundred and Seventy Three Dollars (\$61,673.00)**, which Respondent agrees to pay in accordance with the terms set forth below. Such civil penalty shall become due and payable immediately upon Respondent's receipt of a true and correct copy of this CAFO, fully executed by all parties, signed by the Regional Administrator or his designee, the Regional Judicial Officer, and filed with the Regional Hearing Clerk. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with such civil penalty, Respondent must pay such civil penalty no later than thirty (30) calendar days after the date on which this CAFO is mailed or hand-delivered to Respondent.
57. The civil penalty set forth in the preceding paragraph is based on a number of factors, including, but not limited to, the facts and circumstances of this case, the statutory factors set forth in Section 325(b)(1)(C) of EPCRA, 42 U.S.C. § 11045(b)(1)(C), and the penalty criteria set forth in EPA's *Enforcement Response Policy for Section 313 of the Emergency Planning and Community Right-to-Know Act (1986)* (August 10, 1992), as amended. Complainant has also considered the Adjustment of Civil Penalties for Inflation, 40 C.F.R. Part 19, and the November 16, 2009 memorandum by EPA Waste and Chemical Enforcement Division Director Rosemarie A. Kelley entitled *Adjusted Penalty Policy Matrices Based on the 2008 Civil Monetary Penalty Inflation Adjustment Rule*. The settlement in this proceeding is consistent with the provisions and objectives of Section 313 of EPCRA, 42 U.S.C. § 11023, and 40 C.F.R. Part 372.
58. Respondent shall pay the civil penalty amount assessed in Paragraph 56, above, plus any interest, administrative fees, and late payment penalties owed, in accordance with Paragraphs 59, 60, 61 and 62, below, by either 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.*, EPCRA-03-2013-0192;
 - 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

Customer service contact: 513-487-2105

- 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: 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

j. A copy of Respondent's check or electronic fund transfer receipt shall be sent simultaneously to:

A.J. D'Angelo
Sr. Assistant Regional Counsel
U.S. EPA, Region III (3RC30)
1650 Arch Street
Philadelphia, PA 19103-2029

and

Ms. Lydia Guy
Regional Hearing Clerk
U.S. EPA, Region III (3RC00)
1650 Arch Street
Philadelphia, PA 19103-2029

59. 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 as specified herein shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.
60. 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).
61. 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.

62. 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).
63. Respondent agrees not to deduct for federal tax purposes the civil monetary penalty assessed in this CAFO.

Certification

64. The individual who signs this Consent Agreement on behalf of Respondent certifies that the Facilities referred to in this Consent Agreement currently are in compliance with all applicable requirements of EPCRA Section 313, 42 U.S.C. § 11023.

Other Applicable Laws

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

Reservation of Rights

66. This Consent Agreement and the accompanying Final Order resolve only EPA's claims for civil penalties for the specific violations of Section 313 of EPCRA, 42 U.S.C. § 11023, alleged herein. 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 40 C.F.R. § 22.18(c). Further, EPA reserves any rights and remedies available to it under EPCRA, 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.

Scope of Settlement

67. The settlement set forth in this CAFO shall constitute full and final satisfaction of Complainant's civil claims for penalties for the specific violations alleged herein. Compliance with the 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.

Parties Bound

68. This Consent Agreement and the accompanying Final Order 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 party represented to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and the accompanying Final Order.

Effective Date

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

Entire Agreement

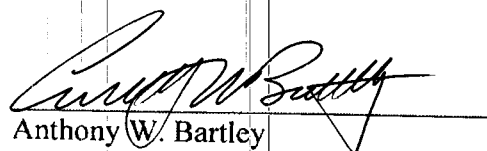
70. This Consent Agreement and the accompanying Final Order constitute the entire agreement and understanding of the parties regarding settlement of all claims pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the parties other than those expressed in this CAFO.

For Respondent:

Date:

8/26/2013

By:


Anthony W. Bartley

Treasurer
Superior Forge & Steel Corporation


In the Matter of:
Superior Forge & Steel Corporation

Consent Agreement
Docket No. EPCRA-03-2013-0192

For Complainant:

Date: AUG 28 2013

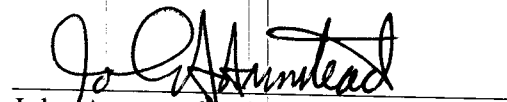
By:


A.J. D'Angelo
Senior Assistant Regional Counsel

Accordingly, I hereby recommend that the Regional Administrator, or his designee, the Regional Judicial Officer, issue the attached Final Order.

Date: 8, 30, 13

By:


John Armstead, Director
Land and Chemicals Division