

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
LENEXA, KANSAS**

In the Matter of:)	
)	
Able Manufacturing & Assembly, LLC)	Docket No. CAA-07-2019-0272
)	EPCRA-07-2019-0273
Respondent)	
)	

AMENDMENT TO CONSENT AGREEMENT AND FINAL ORDER

On December 12, 2019, the U.S. Environmental Protection Agency Region 7 Regional Judicial Officer ratified the Consent Agreement and Final Order (CAFO) between the U.S. Environmental Protection Agency and Able Manufacturing & Assembly, LLC (Able). The CAFO was finalized and became effective on December 13, 2019, pursuant to 40 C.F.R. § 22.31, when it was entered by the Regional Hearing Clerk. Subsequent to the effective date of the CAFO, the parties agreed that two deadlines in paragraph 109 of the CAFO needed to be amended due to COVID-19 implications on Able’s facility and personnel. Able was unable to gather the information necessary to meet the first quarterly reporting deadline, and the Standard Operating Procedures deadline, as set forth in paragraph 109 of the CAFO. The parties have agreed to extend these two deadlines through the filing of this Amendment to the CAFO.

The first sentence of paragraph 109(a) in the CAFO stated, “Quarterly reports. Each quarterly report shall be submitted to EPA within 30 days of the end of every 3 months of the quarter.” This Amendment serves to strike the first sentence of paragraph 109(a) of the CAFO and to replace it with the following: “Quarterly reports. Each quarterly report shall be submitted to EPA within 30 days of the end of every 3 months of the quarter, except the first quarterly report shall be submitted to EPA by May 29, 2020.”

The second sentence of paragraph 109(b) in the CAFO stated, “Standard Operating Procedures. These written Standard Operating Procedures and Training Materials shall be submitted to EPA within 5 months following the effective date of this Consent Agreement and Final Order.” This Amendment serves to strike the second sentence of paragraph 109(b) of the CAFO and to replace it with the following: “Standard Operating Procedures. These written Standard Operating Procedures and Training Materials shall be submitted to EPA by May 29, 2020.”

All remaining provisions of the CAFO remain in full force and effect.

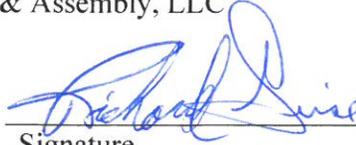
This Amendment shall become effective on the date it is filed by the Regional Hearing Clerk.

AGREED AND CONSENTED TO:

For Respondent: Able Manufacturing & Assembly, LLC

5-20-20

Date



Signature

Richard Grise

Typed or Printed Name

President

Title

For Complainant: U.S. Environmental Protection Agency

Date

David Cozad, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency Region 7

Date

Julie L. Murray
Assistant Regional Counsel
U.S. Environmental Protection Agency Region 7

APPROVED AND SO ORDERED this _____ day of _____, 2020.

Date

Karina Borromeo
Regional Judicial Officer
U.S. Environmental Protection Agency Region 7

CERTIFICATE OF SERVICE

I certify that that a true and correct copy of the foregoing Amendment to Consent Agreement and Final Order was sent this day in the following manner to the addressees:

Copy delivered to Attorney for Complainant:

Julie Murray
murray.julie@epa.gov

Copy delivered to the Respondent:

Lee Ann Scott, Human Resources/EHS Manager
LeeAnn.Scott@AbleMFG.com

Copy delivered to the Respondent's Attorney of Record:

James T. Price, Esq., Spencer Fane, LLP
jprice@spencerfane.com

Dated this _____ day of _____, 2020.

Lisa Haugen
Regional Hearing Clerk
U.S. Environmental Protection Agency Region 7