

Message Confirmation Report

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY -2 PM 3:21
REGION 7
901 N. 5th St.
KANSAS CITY, KANSAS 66101
REGIONAL COLLECTION
OFFICE
RECORDS MANAGEMENT CLERK

IN THE MATTER OF:)
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American Railcar Industries, Inc.) Docket No. RCRA-07-2006-0282
)
)
1101 Bedford Avenue)
North Kansas City, Missouri, 64116)
)
EPA ID# MOT300010022)
)
)
Respondent.) CONSENT AGREEMENT
AND FINAL ORDER

I. PRELIMINARY STATEMENT

This proceeding was initiated on or about September 28, 2006, when the United States Environmental Protection Agency, Region 7 (Complainant or EPA) issued a Complaint, Compliance Order and Notice of Opportunity for Hearing (Complaint) to American Railcar Industries, Inc. (American Railcar or Respondent), owner and operator of a rail car repair and maintenance facility located at 1101 Bedford Avenue, Kansas City, Missouri, 64118. Pursuant to Sections 3008(a) and (g) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 and the Hazardous and Solid Waste Amendments of 1984 (RCRA), Title 42 United States Code (U.S.C.), Section 6901 *et seq.*, the Complainant sought civil penalties for alleged violations of Section 3005 of RCRA and RSMo § 260.390(1). The Complainant and Respondent subsequently entered into negotiations in an attempt to settle the allegations contained in the Complaint. This Consent Agreement and Final Order (CAFO) is