

BEFORE THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

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EPA--REGION 10

IN THE MATTER OF: )  
 )  
Acme Analytical Lab ) Docket No. RCRA-10-2014-0022  
Fairbanks, Alaska )  
EPA ID Number AKR 00020 3752 ) EXPEDITED SETTLEMENT  
 ) AGREEMENT AND  
 ) FINAL ORDER  
 )  
Respondent )  
\_\_\_\_\_ )

**EXPEDITED SETTLEMENT AGREEMENT**

1. The U.S. Environmental Protection Agency ("EPA") is authorized to enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA") and 40 C.F.R. § 22.13(b).
2. Acme Analytical Lab ("Respondent") is the owner or operator of a facility at 1921 Sanduri Avenue, Fairbanks, Alaska 99701 ("Facility"). The EPA inspected the Facility on June 18, 2013. The EPA alleges Respondent violated the following requirements of RCRA hazardous waste management program:
  - a. 40 C.F.R § 262.34(d)(4) references 40 C.F.R. § 262.34(a)(2), which requires that each hazardous waste container be marked with the date on which accumulation began. On June 18, 2013, four one-cubic yard containers of hazardous waste used crucibles and four plastic drums of hazardous waste scrubber waste were not marked with the date on which accumulation began, in violation of a condition set forth in 40 C.F.R § 262.34(d)(4).
  - b. 40 C.F.R § 262.34(d)(2) references 40 C.F.R. § 265.174, which requires that areas where containers of hazardous waste are stored be inspected at least weekly. On June 18, 2013, Respondent had not been conducting weekly inspections since October 2012, in violation of a condition set forth in 40 C.F.R § 265(d)(2).
3. The EPA has determined and Respondent agrees that settlement of this matter for a civil penalty of one thousand five hundred dollars (\$1,500.00) is in the public interest. The attached Penalty Calculation Worksheet is incorporated by reference.
4. The EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.
5. Each party shall bear its own costs and fees, if any.
6. In signing this Agreement, Respondent: (1) admits that the EPA has jurisdiction over Respondent and Respondent's conduct as alleged herein, (2) neither admits nor denies the factual

allegations contained herein, (3) consents to the assessment of this civil penalty, and (4) waives any right to contest the allegations contained herein in a hearing or appeal pursuant to Section 3008(b) of RCRA.

7. In signing this Agreement, Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected, and (2) the civil penalty has been paid. Respondent is submitting proof of payment of the civil penalty with this Agreement.
8. Upon the effective date of this Agreement, payment of the civil penalty shall constitute full settlement of the civil claims alleged herein.
9. This Agreement is binding on the parties signing below and, in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

IT IS SO AGREED,

**RESPONDENT:**

Name (print): Robert Kendrick

Title (print): Manager

Signature: 

Date: 2-12-14

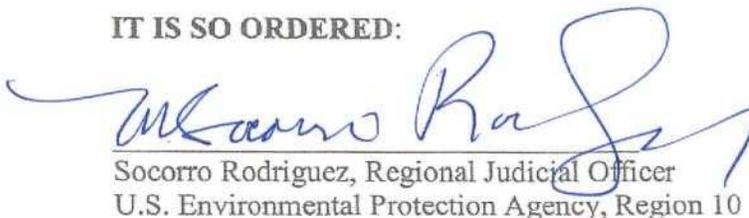
**EPA REGION 10:**



Edward J. Kowalski, Director  
Office of Compliance and Enforcement  
U.S. Environmental Protection Agency, Region 10

Date: 3/10/2014

**IT IS SO ORDERED:**

  
Socorro Rodriguez, Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 10

Date: 3/13/14