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REGIONAL CLERK

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

In the matter of)	U.S. EPA Docket No.
)	RCRA-9-2011-0002
The Bumper Shop, Inc..)	
)	CONSENT AGREEMENT AND
EPA ID No. CAD 030382790)	FINAL ORDER PURSUANT TO
)	40 C.F.R. SECTIONS 22.13 AND
<u>Respondent.</u>)	22.18

CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative enforcement action instituted pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6928(a)(1), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 40 Code of Federal Regulations ("C.F.R.") Part 22, as revised by 64 Fed. Reg. 141 (July 23, 1999). Complainant is the United States Environmental Protection Agency, Region 9 ("EPA"). Respondent is The Bumper Shop, Inc. (Respondent or "Bumper Shop").
2. Respondent owns and operates a facility located at 828 E. Florence Avenue, Los Angeles, California, 90001 (the "Facility"). The Facility's EPA Identification Number is CAD 030382790. Respondent provides chrome finishes on new and used auto parts.
3. This Consent Agreement and Final Order pursuant to 40 C.F.R. Sections 22.13 and 22.18 ("CA/FO"), simultaneously commences and concludes this proceeding, wherein EPA alleges that Respondent had the following violations: (1) storage of hazardous waste without a permit, in violation of 22 CCR § 66270.1 [40 CFR § 270.1], including storage of hazardous waste for periods exceeding 90 days, as provided in 22 CCR § 66262.34(a) [40 CFR § 262.34(a)] and failure to label satellite accumulation area containers of hazardous waste, as required by 22 CCR §§ 66262.34(e)(1) and (f)(3)[40 CFR § 262.34(c)(1)]; (2) failure to close containers of hazardous waste, in violation of 22 CCR §§ 66262.34(a) and 66265.173(a) [40 CFR §§ 262.34(a) and 265.173(a)]; (3) failure to

minimize the release of hazardous waste from a chrome-acid tank, in violation of 22 CCR §§ 66265.31 [40 CFR §§ 265.31]; (4) failure to maintain adequate aisle space in the hazardous waste storage area, in violation of 22 CCR §§ 66265.35 [40 CFR §§ 265.35]; (5) failure to have a contingency plan, in violation of 22 CCR §§ 66265.51 [40 CFR §§ 265.51]; (6) failure to have adequate training plan or records, in violation of 22 CCR §§ 66265.16 [40 CFR §§ 265.16]; (7) failure to maintain copies of hazardous wastes manifests, in violation of 22 CCR §§ 66262.40(a) [40 CFR §§ 262.40(a)]; and (8) failure to submit a 2007 Biennial Report, in violation of 22 CCR §§ 66262.41(b) [40 CFR §§ 262.41(b)]. These are all in violation of Section 3001 *et seq.* of RCRA, 42 U.S.C. § 6921 *et seq.*, and state regulations adopted pursuant thereto.¹

B. JURISDICTION

4. On August 1, 1992, the State of California received authorization to administer the hazardous waste management program in lieu of the federal program pursuant to § 3006 of RCRA, 42 U.S.C. § 6926, and 40 C.F.R. Part 271. The authorized program is established pursuant to the Hazardous Waste Control Law, Chapter 6.5 of Division 20 of the California Health and Safety Code, and the regulations promulgated thereunder at Title 22, Division 4.5 of the California Code of Regulations, 22 C.C.R. §§ 66001 *et seq.* The State of California has been authorized for all the regulations referenced in this CA/FO.
5. Respondent is a "person" as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
6. Respondent is the "operator" of a facility as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].
7. Respondent's hazardous waste manifests indicate it is a large quantity "generator" of hazardous waste as defined in 22 C.C.R. § 66260.10 [40 C.F.R. § 260.10].
8. Respondent is or has been engaged in "storage" of hazardous waste as defined in 22 C.C.R. § 66260.10 [*see also* 40 C.F.R. § 260.10].

¹ All citations to the "C.C.R." refer to Division 4.5 of Title 22 of the current California Code of Regulations. EPA is enforcing California hazardous waste management program requirements as approved and authorized by the United States on August 1, 1992 (*see* 57 FR 32726, July 23, 1992) and September 26, 2001 (66 FR 49118, September 26, 2001). Corresponding Federal citations are provided in brackets.

9. Respondent generates and accumulates, or has generated and accumulated, materials that are "wastes" as defined in 22 C.C.R. §§ 66260.10 and 66261.2 [*see also* 40 C.F.R. §§ 260.10 and 261.2].
10. At the Facility, Respondent generates and accumulates, or has generated and accumulated, "hazardous waste" as defined in California Health & Safety Code § 25117, and 22 C.C.R. §§ 66260.10 and 66261.3 [*see also* RCRA § 1004(5), and 40 C.F.R. §§ 260.10 and 261.3]. These hazardous wastes include, but are not limited to, electroplating sludge (F006), spent cyanide filters (F008), old water treatment chemicals (D002), sulfuric acid sludge with chrome (D007), hazardous waste solids (D007), and non-RCRA grinding dust (CA 181).
11. On July 23, 2008, a U.S. Environmental Protection Agency (EPA) representative and County of Los Angeles Fire Department Certified Unified Program Agency (CUPA) representatives conducted an unannounced site inspection of the Bumper Shop facility in Los Angeles, CA. The purpose of the inspection was to determine Bumper Shop's compliance with applicable federal environmental statutes and regulations, and in particular, the Resource Conservation and Recovery Act (RCRA), as amended, the regulations provided in the Code of Federal Regulations (CFR), Chapter 40, Parts 261-265, 268, and 279, and the California Code Regulations (CCR), Title 22, Division 4.5 and the California Health and Safety Code, Division 20. Based upon the findings EPA made during the inspection, and additional information obtained subsequent to the inspection, EPA determined that Respondent had violated California Health & Safety Code § 25100 *et seq.* and the regulations adopted pursuant thereto, as approved and authorized by the United States.
12. Section 3006 of RCRA, 42 U.S.C. § 6926 provides, *inter alia*, that authorized state hazardous waste programs are carried out under Subtitle C of RCRA. Therefore, a violation of any requirement of law under an authorized state hazardous waste program is a violation of a requirement of Subtitle C of RCRA.
13. A violation of California's authorized hazardous waste program, found at H&SC § 25100 *et seq.*, constitutes a violation of Subtitle C of RCRA and, therefore, a person who violates California's authorized hazardous waste program is subject to the powers vested in the EPA Administrator by Section 3008 of RCRA, 42 U.S.C. § 6928.
14. Section 3008 of RCRA, 42 U.S.C. § 6928, authorizes the EPA Administrator to issue orders requiring compliance immediately or within a specified time for violation of any requirement of Subtitle C of RCRA, Section 3001 of RCRA *et seq.*, 42 U.S.C. § 6921 *et seq.*
15. The Administrator has delegated the authority under Section 3008 of RCRA to the EPA Regional Administrator for Region 9, who has redelegated this authority to the Director

of the Waste Management Division.

C. ALLEGED VIOLATIONS

COUNT I

Storage of Hazardous Waste Without a Permit

16. Paragraphs 1 through 15 above are incorporated herein by this reference as if they were set forth here in their entirety.
17. 22 C.C.R. § 66270.1(c) requires that each person owning or operating a facility where hazardous waste is transferred, treated, stored, or disposed must have a permit. At the time of the inspection, Respondent did not have a permit or grant of interim status to store hazardous waste under 22 C.C.R. § 66270.1(c) [*see also* 40 C.F.R. § 270.1(c)].
18. 22 C.C.R. § 66262.34(a) provides that a large quantity generator may accumulate hazardous waste on-site for 90 days or less without a permit or grant of interim status provided the generator meets certain conditions. 22 C.C.R. § 66262.34(f) requires that generators label containers with the words "hazardous waste" and with the date accumulation of the waste begins, and the label must be visible for inspection [*see also* 40 C.F.R. § 262.34(a)]. 22 C.C.R. § 66262.34(c)(1) provides that a generator may accumulate up to 55 gallons of hazardous waste at a satellite accumulation area [*see also* 40 C.F.R. § 262.34(c)(1)]. Generators who fail to label containers of hazardous waste accordingly, or who exceed the 55 gallon limit at a satellite accumulation area fail to meet the requirements of 22 C.C.R. § 66262.34, and are subject to the permitting requirements of 22 C.C.R. § 66270.1 [*see also* 40 C.F.R. § 270.1].
19. On July 23, 2008, the EPA Inspector observed that the following containers in the satellite accumulation areas did not have the required labeling: a 5-gallon ply container of waste nickel stripping sludge (D007), two 55-gallon containers of chrome waste; three containers of old chemicals including one 1-gallon container of muriatic acid (D002) and two 5-gallon containers of hydrogen peroxide (D002).
20. Two cubic-yard boxes of hazardous waste had been stored longer than 90 days. These included a box of acid nickel sludge (D007) stored since April 10, 2008, and a box of nickel filter cake (F006) stored since March 3, 2008.
21. Respondent's failure to meet the requirements set forth or referenced by 22 C.C.R. § 66262.34 subject it to the permit requirements of 22 C.C.R. § 66270.1 [*see also* 40 C.F.R. §§ 262.34 and 270.1]. Therefore EPA alleges that Respondent stored hazardous waste without a permit, a violation of 22 C.C.R. § 66270.1(c) [*see also* 40 C.F.R. § 270.1(c)].

COUNT II

Failure to Close Containers of Hazardous Waste

17. Paragraphs 1 through 16 above are incorporated herein by this reference as if they were set forth here in their entirety.
18. 22 C.C.R. § 66265.173(a) provides that containers of hazardous waste should remain closed, except when it is necessary to add or remove waste [see also 40 C.F.R. § 265.173(a)].
19. On July 23, 2008, the EPA Inspector observed that a 5 gallon container of waste nickel stripping sludge (D007) and two 55-gallon containers of chrome wastewater were open.
20. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 22 C.C.R. § 66265.173(a) [see also 40 C.F.R. § 265.173(a)].

COUNT III

Failure to Minimize the Release of Hazardous Waste

21. Paragraphs 1 through 20 above are incorporated herein by this reference as if they were set forth here in their entirety.
22. 22 C.C.R. § 66265.31 requires that facilities be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment [see also 40 C.F.R. § 265.31].
23. On July 23, 2008, the EPA Inspector observed a pipe from the chrome acid tank in the chrome plating area was leaking into the secondary containment. The liquid released would have been characteristically hazardous for corrosivity (D002) and chromium (D007).
24. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 66265.31 [see also 40 C.F.R. § 265.31].

COUNT IV

Failure to Maintain Adequate Aisle Space

25. Paragraphs 1 through 28 above are incorporated herein by this reference as if they were set forth here in their entirety.
26. 22 C.C.R. § 66265.35 requires that the owner or operator maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and any decontamination equipment to any area of facility operations in an

emergency [*see also* 40 C.F.R. § 265.35].

27. On July 23, 2008, the EPA Inspector observed that there was inadequate aisle space such that the inspector's ability to access the hazardous waste was limited.
28. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 66265.35 [*see also* 40 C.F.R. § 265.35].

COUNT V

Failure to Have a Contingency Plan

29. Paragraphs 1 through 32 above are incorporated herein by this reference as if they were set forth here in their entirety.
30. 22 C.C.R. § 66265.51(a) requires that each owner or operator must have a contingency plan for his or her facility [*see also* 40 C.F.R. § 265.51(a)].
31. At the time of the July 23, 2008 CEI, Respondent did not have a contingency plan available for review.
32. Therefore, EPA alleges that Respondent has failed to comply with the requirements of 22 C.C.R. §§ 66265.51(a) [*see also* 40 C.F.R. § 265.51(a)].

COUNT VI

Failure to Comply with Training Requirements

33. Paragraphs 1 through 36 above are incorporated herein by this reference as if they were set forth here in their entirety.
34. 22 C.C.R. § 66265.16(a) requires that facility personnel must successfully complete a program of training that teaches them to perform their duties in a way that ensures the facility's with the requirements of applicable hazardous waste law have an annual review of their hazardous waste training and 22 C.C.R. § 66265.16(d)(1-4) requires that the owner or operator of a facility maintain training records at the facility [*see also* 40 C.F.R. § 265.16(a) and 40 C.F.R. § 265.16(d)(1-4)].
35. At the time of the July 23, 2008 CEI, Bumper Shop did not have any training plan or training records.
36. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 66265.16(a) and 22 C.C.R. § 66265.16(d)(1-4) [*see also* 40 C.F.R. § 265.16(a) and 40 C.F.R. § 265.16(d)(1-4)].

COUNT VII

Failure to Maintain Copies of Hazardous Waste Manifests

37. Paragraphs 1 through 36 above are incorporated herein by this reference as if they were set forth here in their entirety.
38. 22 C.C.R. § 66262.40(a) requires that a generator keep a copy of each manifest by the destination facility for three years [*see also* 40 C.F.R. § 262.40(a)].
39. At the time of the July 23, 2008 CEI, Bumper Shop could not provide copies of all manifests for the prior three years and did not have the signed copy from the final destination facility for four manifests (Feb. 6, 2007, March 8, 2007, May 24, 2007 and August 3, 2007).
40. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 66262.40(a) [*see also* 40 C.F.R. § 262.40(a)].

COUNT VIII

Failure to Submit a Biennial Report

41. Paragraphs 1 through 44 above are incorporated herein by this reference as if they were set forth here in their entirety.
42. 22 C.C.R. § 66262.41(b) requires that any generator who treats, stores or disposes of hazardous waste on-site must submit a report covering those wastes [*see also* 40 C.F.R. § 262.41(b)(requiring Biennial Report)].
43. At the time of the July 23, 2008 CEI, Bumper Shop had not submitted the report for 2007.
44. Therefore, EPA alleges that Respondent has violated 22 C.C.R. § 66262.41(b) [*see also* 40 C.F.R. § 262.41(b)].

D. CIVIL PENALTY

45. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), as adjusted by the Debt Collection Improvement Act of 1996, *see* 61 Fed. Reg. 69360 (Dec. 31, 1996), and the Civil Monetary Penalty Inflation Adjustment Rule, *see* 69 Fed. Reg. 7121 (Feb. 13, 2004), authorizes a civil penalty of up to THIRTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$32,500) per day for violations of Subtitle C of RCRA, 42 U.S.C. § 6921 *et seq.*, that occur after March 15, 2004 and before Jan. 13, 2009, 69 Fed. Reg. 7121 (Feb. 13, 2004) and up to THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500) for violations that occur after January 12, 2009. 69 Fed. Reg. 75340, 75346 (Dec. 11, 2008). Based upon the facts alleged herein and upon those factors which EPA must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and the

RCRA Civil Penalty Policy, including the seriousness of the violations, any good faith efforts by Respondent to comply with applicable requirements, and any economic benefit accruing to Respondent, as well as such other matters as justice may require, EPA proposes that Respondent be assessed ONE THOUSAND DOLLARS (\$1000.00) as the civil penalty for the violations alleged herein. The proposed penalties were calculated in accordance with the "June 2003 RCRA Civil Penalty Policy." Under the penalty policy, EPA uses a penalty assessment matrix to determine a gravity-based penalty. That penalty amount is then adjusted to take into account multi-day violations, the economic benefit gained from non-compliance, where appropriate, and case-specific circumstances, including the financial condition of Respondent.

E. ADMISSIONS AND WAIVERS OF RIGHTS

46. For the purposes of this proceeding, Respondent admits to the jurisdictional allegations set forth in Section B of this CA/FO and agrees not to contest EPA's jurisdiction and authority to enter into and issue this CA/FO and to enforce its terms. Further, Respondent will not contest EPA's jurisdiction and authority to compel compliance with this CA/FO in any enforcement proceedings, either administrative or judicial, or to impose sanctions for violations of this CA/FO.
47. Respondent neither admits nor denies any allegations of fact or law set forth in Section C of this CA/FO, and this CA/FO and Respondent's compliance with it shall not be construed as an admission by Respondents of any wrongdoing or liability. Notwithstanding the foregoing, Respondent hereby waives any rights Respondent may have to contest the allegations set forth in this CA/FO, waives any rights Respondent may have to a hearing on any issue relating to the factual allegations or legal conclusions set forth in this CA/FO, including without limitation a hearing pursuant to Section 3008(b) of RCRA, 42 U.S.C. § 6928(b), and hereby consents to the issuance of this CA/FO without adjudication. In addition, Respondent hereby waives any rights Respondent may have to appeal the Final Order attached to this Consent Agreement and made part of this CA/FO.

F. PARTIES BOUND

48. This CA/FO shall apply to and be binding upon Respondent and its agents, successors and assigns, until such time as the civil penalty required under Sections D and G has been paid in accordance with Section G, and any delays in performance and/or stipulated penalties have been resolved. At such time as those matters are concluded, this CA/FO shall terminate and constitute full settlement of the violations alleged herein.
49. No change in ownership or corporate, partnership or legal status relating to the Facility will in any way alter Respondent's obligations and responsibilities under this CA/FO.
50. The undersigned representative of Respondent hereby certifies that he or she is fully authorized by Respondent to enter into this CA/FO, to execute and to legally bind Respondent to it.

G. PAYMENT OF CIVIL PENALTY

51. Respondent consents to the assessment of and agrees to pay a civil penalty of ONE THOUSAND DOLLARS (\$1000.00) in full settlement of the federal civil penalty claims set forth in this CA/FO.
52. Respondent shall submit payment of the ONE THOUSAND DOLLARS (\$1000.00) within 30 days of the Effective Date of this CA/FO. The Effective Date of this CA/FO is the date the Final Order, signed by the Regional Judicial Officer, is filed with the Regional Hearing Clerk. All payments shall indicate the name of the Facility, EPA identification number of the Facility, the Respondent's name and address, and the EPA docket number of this action. Payment shall be made by certified or cashier's check payable to "Treasurer of the United States" and sent to:

US Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000.

At the time payment is made, a copy of the check shall be sent to:

Steven Armsey
Acting Regional Hearing Clerk (RC-1)
U.S. Environmental Protection Agency - Region 9
75 Hawthorne Street
San Francisco, CA 94105

and

James Polek (WST-3)
Waste Management Division
U.S. Environmental Protection Agency - Region 9
75 Hawthorne Street
San Francisco, CA 94105.

53. In accordance with the Debt Collection Act of 1982 and U.S. Treasury directive (TFRM 6-8000), each payment must be received by the due date set forth in this CA/FO to avoid additional charges. If payment is not received by the due date, interest will accrue from the Effective Date of this CA/FO at the current rate published by the United States Treasury as described at 40 C.F.R. § 13.11. A late penalty charge of \$15.00 will be imposed after thirty (30) calendar days with an additional \$15.00 charge for each subsequent 30-day period. A 6% per annum penalty will further apply on any principal amount not paid within ninety (90) calendar days of its due date. Respondent further will be liable for stipulated penalties as set forth below for any payment not received by its due date.

H. DELAY IN PERFORMANCE/STIPULATED PENALTIES

54. In the event Respondent fails to meet any requirement set forth in this CA/FO, Respondent shall pay stipulated penalties as set forth below:

For failure to submit a payment to EPA by the time required in this CA/FO: ONE HUNDRED DOLLARS (\$100) per day for first to fifteenth day of delay, FIVE HUNDRED DOLLARS (\$500) per day for sixteenth to thirtieth day of delay, and ONE THOUSAND DOLLARS (\$1,000) per day for each day of delay thereafter.

55. All penalties owed to EPA under this Section shall be due within thirty (30) days of receipt of a notification of noncompliance. Such notification shall describe the noncompliance and shall indicate the amount of penalties due. Interest at the current rate published by the United States Treasury, as described at 40 C.F.R. §13.11, shall begin to accrue on the unpaid balance at the end of the thirty-day period.
56. All penalties shall be made payable by certified or cashier's check to "Treasurer of the United States" and shall be remitted as described in Paragraph 79.
57. The payment of stipulated penalties shall not alter in any way Respondent's obligation to complete the performance required hereunder.
58. The stipulated penalties set forth in this Section do not preclude EPA from pursuing any other remedies or sanctions which may be available to EPA by reason of Respondent's failure to comply with any of the requirements of this CA/FO.

I. COMPLIANCE

59. By signing this consent agreement, Respondent certifies under penalty of law to EPA that the Respondent has, to the best of its knowledge and belief, fully complied with RCRA Hazardous Waste Management requirements, 42 U.S.C. §§ 6921-6939e, and the federally authorized California hazardous waste management program, including the requirements that formed the basis for the violations alleged in this CA/FO. This certification of compliance is based upon true, accurate, and complete information, which the signatory can verify personally or regarding which the signatory has inquired of the person or persons directly responsible for gathering the information.
60. At the time of the payment required above in Paragraph 56, Respondent will certify to EPA that to the best of its knowledge and belief it is in compliance with RCRA Hazardous Waste Management requirements, 42 U.S.C. §§ 6921-6939e, and the federally authorized California hazardous waste management program, which formed the basis for the violations alleged in this CA/FO. The certification may be submitted in the form of a letter to James Polek, at the address set out above in Paragraph 56.

J. RESERVATION OF RIGHTS

61. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including the right to require that Respondent perform tasks in addition to those required by this CA/FO, except as to those civil penalties for the violations and facts alleged herein. EPA further reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, which may pertain to Respondent's failure to comply with any of the requirements of this CA/FO, including without limitation, the assessment of penalties under Section 3008(c) of RCRA, 42 U.S.C. § 6928(c). This CA/FO shall not be construed as a covenant not to sue, release, waiver or limitation of any rights, remedies, powers or authorities, civil or criminal, which EPA has under RCRA (except as to those civil penalties for the violations and facts alleged herein); the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"); or any other statutory, regulatory or common law enforcement authority of the United States.
62. Compliance by Respondent with the terms of this CA/FO shall not relieve Respondent of its obligations to comply with RCRA or any other applicable local, State or federal laws and regulations.
63. The entry of this CA/FO and Respondent's consent to comply shall not limit or otherwise preclude EPA from taking additional enforcement actions should EPA determine that such actions are warranted except as they relate to Respondent's liability for federal civil penalties for the specific alleged violations and facts as set forth in Section C of this CA/FO.
64. This CA/FO is not intended to be nor shall it be construed as a permit. This CA/FO does not relieve Respondent of any obligation to obtain and comply with any local, State or federal permits.

K. OTHER CLAIMS

65. Nothing in this CA/FO shall constitute or be construed as a release from nor an admission by Respondents of any other claim, cause of action or demand in law or equity by or against any person, firm, partnership, entity or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous constituents, hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from the Facility.

L. MISCELLANEOUS

66. This CA/FO may be amended or modified only by written agreement executed by both EPA and Respondent.
67. The headings in this CA/FO are for convenience of reference only and shall not affect interpretation of this CA/FO.

68. The Effective Date of this CA/FO is the date the Final Order, signed by the Regional Judicial Officer, is filed by the Regional Hearing Clerk.

IT IS SO AGREED.

10/21/10
Date



The Bumper Shop, Inc.

12/16/10
Date



Jeff Scott, Director
Waste Management Division
U.S. Environmental Protection Agency, Region 9

FINAL ORDER

IT IS HEREBY ORDERED that this Consent Agreement and Final Order pursuant to 40 C.F.R. Sections 22.13 and 22.18 (U.S. EPA Docket No. RCRA-9 -2011- 0002) be entered and that the Bumper Shop Inc. shall pay a civil penalty of ONE THOUSAND DOLLARS (\$1000.00) due in accordance within thirty (30) days from the effective date of this Consent Agreement and Final Order. Payment must be made pursuant to Section G of the Consent Agreement.

This Final Order shall be effective upon filing by the Regional Hearing Clerk.

12/10/10

Date



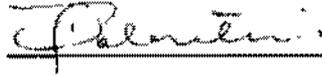
Steven Jawgiel
Regional Judicial Officer
United States Environmental Protection Agency,
Region 9

CERTIFICATE OF SERVICE

I hereby certify that on the date below, the original copy of the foregoing Consent Agreement and Final Order in the matter of The Bumper Shop, Inc., was filed with the Regional Hearing Clerk, Region IX, and that a copy was sent by certified mail, return receipt requested, to:

Mr. Carlos Gaitan, Jr.
Owner
The Bumper Shop, Inc.
828 East Florence Avenue
Los Angeles, CA 90001

12/14/10



Date

For: Regional Hearing Clerk
Office of Regional Counsel, Region IX