

# Message Confirmation Report

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## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 N. 5<sup>TH</sup> STREET  
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION  
AGENCY REGION VII  
REGIONAL HEARING CLERK

IN THE MATTER OF: )

United States Department of Agriculture, Grain )  
Inspection, Packers and Stockyards Administration, )  
Federal Grain Inspection Service )  
10383 North Ambassador Drive )  
Kansas City, Missouri 64153 )

EPA ID No. MOD985796762 )

Respondent. )

Proceeding under Section )  
3008(a) and (g) of the Resource )  
Conservation and Recovery Act, )  
as amended. 42 U.S.C. § 6928(a) and (g). )

CONSENT AGREEMENT  
AND FINAL ORDER

Docket No. RCRA-07-2006-0276

### I. PRELIMINARY STATEMENT

This proceeding was initiated on or about September 29, 2006, when the United States Environmental Protection Agency, Region VII ("Complainant" or "EPA") issued a Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") to the United States Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Federal Grain Inspection Service ("Respondent"). 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 42 U.S.C. § 6925 and 40 Code of Federal Regulations (C.F.R.), Parts 262 and 265, as well as the substantially equivalent Missouri state regulations found at Title 10, Code of State Regulations ("C.S.R."), Chapter 25 ("10 C.S.R. 25").

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 the result of such negotiations and resolves all issues relating to the administrative claims arising from the allegations in the Complaint.