

FILED

June 17, 2026

9:01AM

**U.S. EPA REGION 7
HEARING CLERK**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BLVD.
LENEXA, KANSAS 66219

BEFORE THE ADMINISTRATOR

IN THE MATTER OF

AllMetal Recycling, LLC	)	
	)	Docket No. CWA-07-2025-0117
	)	
Respondent	)	CONSENT AGREEMENT /
	)	FINAL ORDER
Proceedings under Section 309(g) of the	)	
Clean Water Act, 33 U.S.C. § 1319(g)	)	
_____	)	

Jurisdiction

1. This is an administrative action for the assessment of civil penalties instituted pursuant to Section 309(g) of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (“CWA”), 33 U.S.C. § 1319(g), and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules”), 40 C.F.R. Part 22.

2. Complainant, the U.S. Environmental Protection Agency Region 7 (“EPA”) and Respondent, AllMetal Recycling, LLC (“AllMetal”), have agreed to a settlement of this action, and thus this action is simultaneously commenced and concluded pursuant to Consolidated Rules 22.13(b) and 22.18(b)(2) and (3), 40 C.F.R. §§ 22.13(b), 22.18(b)(2) and (3).

3. This Consent Agreement/Final Order serves as notice that the EPA has reason to believe that the Respondent has violated a permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, and regulations promulgated thereunder.

Parties

4. The authority to take action under Section 309(a) of the CWA, 33 U.S.C. § 1319(g), is vested in the Administrator of the EPA. The Administrator has delegated this authority to the Regional Administrator, EPA Region 7, who in turn has delegated the authority under Section 309(g) to the Director of the Enforcement and Compliance Assurance Division of EPA Region 7 (collectively referred to as the “Complainant”) with concurrence of the Regional Counsel.

5. Respondent is and was at all relevant times a limited liability corporation under the laws of the state of Kansas.

Statutory and Regulatory Framework

6. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants, except in compliance with, *inter alia*, Section 402 of the CWA, 33 U.S.C. § 1342. Section 402 of the CWA provides that pollutants may be discharged in accordance with the terms of a National Pollutant Discharge Elimination System (“NPDES”) permit issued pursuant to that Section.
7. The CWA prohibits the discharge of “pollutants” from a “point source” to a “navigable water,” as these terms are defined by Section 502 of the CWA, 33 U.S.C. § 1362.
8. Section 502(7) of the CWA, 33 U.S.C. § 1362(7), defines “navigable waters” as “the waters of the United States, including the territorial seas.”
9. To implement Section 402 of the CWA, the EPA promulgated regulations codified at 40 C.F.R. Part 122. Under 40 C.F.R. § 122.1, an NPDES permit is required for the discharge of pollutants from any point source into waters of the United States.
10. Pursuant to Section 402(p) of the CWA, the EPA promulgated regulations setting forth the NPDES permit requirements for stormwater discharges at 40 C.F.R. § 122.26.
11. 40 C.F.R. § 122.21(a) requires dischargers of pollutants from industrial facilities to apply for an NPDES permit.
12. 40 C.F.R. §§ 122.26(a)(1)(ii) and 122.26(c) require dischargers of stormwater associated with industrial activity to apply for an individual permit or to seek coverage under a promulgated stormwater general permit.
13. 40 C.F.R. § 122.26(b)(14) defines “stormwater discharge associated with industrial activity” as “the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw material storage areas at an industrial plant.”
14. Included in the categories of facilities considered to be engaging in “industrial activity” are facilities under Standard Industrial Classifications (“SIC”) Codes 5015 and 5093. See 40 C.F.R. § 122.26(b)(14)(vi).
15. The Kansas Department of Health and Environment (“KDHE”) is the agency within the state of Kansas that has been authorized by the EPA to administer the federal NPDES program pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, and applicable implementing regulations.
16. Pursuant to Section 402(i) of the CWA, 33 U.S.C. § 1342(i), the EPA retains concurrent enforcement authority with authorized states for violations of the CWA.

EPA's General Allegations

17. Respondent is a “person,” as defined by Section 502(5) of the CWA, 33 U.S.C. § 362(5).

18. At all times relevant for this action, Respondent is or was the owner and/or operator of the property located at 800 E. 21st St. N., Wichita, Kansas 67214 (“Facility”). The Facility operates under SICs 5015 and 5093 and conducts metal recycling operations.

19. The Facility is on a parcel that is approximately 20 acres. The stream, labeled Drainage Canal by the USGS, bisects the site and receives precipitation runoff from the Facility. The Drainage Canal has seasonal flow.

20. The Drainage Canal is a relatively permanent water of the United States within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

21. The Drainage Canal flows into Chisholm Creek, a perennial stream. The KDHE lists this section of Chisholm Creek as impaired for drinking water, aquatic life, and swimming and boating designated uses. Identified issues include bacteria and other microbes, degraded aquatic life, nitrogen and phosphorus, and salts.

22. Chisholm Creek is a perennial water of the United States within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

23. Chisholm Creek flows into the Arkansas River. The KDHE lists the receiving section of Arkansas River, or state waterbody KS-110300133, as impaired for drinking water, aquatic life, fish and shellfish consumption, and swimming and boating designated uses. The identified issues include bacteria and other microbes, degraded aquatic life, nitrogen, phosphorous, and Polychlorinated Biphenyls. There are existing Total Maximum Daily Loads plans to restore water quality for this waterbody.

24. The Arkansas River is an interstate water and traditional navigable water and is therefore a “navigable water” within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

25. Stormwater from the Facility contains “pollutants” as defined by Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

26. The Facility has “stormwater discharges associated with industrial activity” as defined by 40 C.F.R. § 122.26(b)(14) and is a “point source” as defined by Section 502(14) of the CWA, 33 U.S.C. § 1362(14).

27. Stormwater runoff from industrial activity at the Facility results in the addition of pollutants from a point source to navigable waters and thus is the “discharge of a pollutant” as defined by CWA Section 502(12), 33 U.S.C. § 1362(12).

28. Respondent's discharge of pollutants, including discharges of stormwater associated with an industrial activity, as defined by 40 C.F.R. § 122.26(b)(14)(ii), requires a permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

29. The KDHE issues the General NPDES Permit for Storm Water Discharges Associated with Industrial Activity ("Kansas General Permit").

30. On June 28, 2017, Respondent submitted a renewal NOI for permit number KSR001081 to KDHE to maintain the authorization to discharge at the Facility. Effective November 1, 2021, through October 31, 2026. KDHE assigned permit number KSR001081 to Respondent.

31. On December 12, 2024, the EPA performed an Industrial Stormwater Inspection ("EPA Inspection") of the Facility under the authority of Section 308(a) of the CWA, 33 U.S.C. § 1318(a), to evaluate Respondent's compliance with the CWA and transmitted a copy of the report to the facility on February 18, 2025.

EPA's Findings of Violation

The paragraphs above are re-alleged and incorporated herein by reference.

Count 1

Inadequate Stormwater Pollution Prevention Plan

32. Part 2 of the Permit requires the Respondent to develop and implement a Stormwater Pollution Prevention Plan ("SWPPP"). The SWPPP shall be specific to the industrial activity and site characteristics and contain stormwater management controls, managerial/administrative Best Management Practices ("BMPs"), structural control BMPs, and non-structural control BMPs appropriate for the facility.

33. Part 2.4.6 of the Permit requires the Respondent to re-evaluate and modify in a timely manner, but in no case more than 90 days after, the KDHE, EPA, or permittee's inspections (including the regular comprehensive site compliance evaluation required herein) indicate deficiencies in the SWPPP or any BMP.

34. Part 2 of the Permit identifies all the required elements of the SWPPP which include, but are not limited to: facility description, pollution prevention team, description of potential pollutant sources, measures and controls, comprehensive site compliance evaluation, monitoring and record keeping requirements, and SWP2 plan update and modification.

35. EPA's review of the Facility's SWPPP found that the Facility failed to include, among other things:

- a. Accurate conditions at the Facility;
- b. Complete records like monitoring, inspections, employee training, and maintenance logs;
- c. Update the SWPPP within 90 days after the permittee's inspection indicate deficiencies in the SWPPP or any BMP; and
- d. A complete and accurate site map, description of potential pollutant sources, inventory of exposed materials, sampling data, spill prevention and response measures, measures and controls and risk identification.

36. Based on observations during the EPA Inspection, a review of information provided by Respondent, and other relevant information, the Facility's SWPPP is inadequate and/or Respondent failed to update the Facility's SWPPP as required by Part 2 of the Permit.

37. Respondent's failure to develop an adequate and accurate SWPPP and/or to modify the SWPPP are violations of the conditions or limitations of the Permit issued pursuant to Section 402(p) of the CWA, 33 U.S.C. § 1342(p).

Count 2

Failure to Implement SWPPP

38. Part 2.1 of the Respondent's Permit requires the Respondent to develop and fully implement a Stormwater Pollution Prevention Plan. The purpose of the SWPPP is to ensure the design, implementation, management, and maintenance of BMPs in order to reduce the amount of pollutants in stormwater discharges associated with industrial activities at the facility. The SWPPP shall evaluate BMPs from each of three major classes: managerial/administrative structural controls, and non-structural controls.

39. During the EPA Inspection, the inspector observed the following failures to design and implement BMPs, good housekeeping, and spill prevention practices in accordance with the SWPPP and Permit:

- a. Material handling, material storage, and other process areas were not maintained in a clean and orderly manner;
- b. Spilled and leaked coolant was on the ground, in drainage pathways, and inside the Outfall 1 drainage structure;
- c. Coolant-coated materials were stored outdoors uncontained allowing coolant to be tracked across the site;
- d. Batteries were stored outdoors, uncontained, and exposed to stormwater;

- e. Leaked fluids from equipment and vehicles were on the ground;
- f. Stockpiles of soil, turnings, scrap, and fines were located near storm sewer inlets and stream embankments without BMPs to reduce the amount of pollutants discharged;
- g. Debris from site activity was migrating down the embankment towards the stream;
- h. Totes and tanks of liquid wastes stored outdoors without spill prevention or control measures;
- i. Numerous storm sewer inlets did not have BMPs to reduce the discharge of potential pollutants at the site; and
- j. Waste, garbage, and floatable debris were noted exposed to stormwater across the site.

40. Respondent's alleged failure to adequately maintain BMPs is a violation of the conditions of the Respondent's Permit, and as such is a violation of Section 402 of the CWA, 42 U.S.C. § 1311(a) and § 1342, and implementing regulations.

Count 3

Failure to Conduct and/or Document Inspections and Comprehensive Evaluations

41. Part 2.4.3.d of the Permit requires that the permittee inspect the Facility at appropriate intervals, but at a minimum a quarterly basis. The Permit requires that an inspection report shall be completed for each inspection which shall include: the inspection date, inspection personnel, scope of the inspection, major observations, and any revisions needed in the SWPPP. The inspection report shall include completion dates for correction of all deficiencies. Records of inspections shall be maintained on-site or in a readily accessible location for at least three years after the date of the inspection.

42. Part 2.4.4 of the Permit requires that a comprehensive site compliance evaluation shall be conducted and documented at least once a year.

43. Based on information provided to the EPA, Respondent either failed to conduct quarterly inspections or was unable to produce inspection records from September 2021 to March 2024.

44. Based on information available to the EPA, Respondent either failed to conduct annual comprehensive site compliance evaluations or was unable to produce in evaluation records from September 2021 to December 2023.

45. Respondent's failure to conduct and/or document inspections and evaluations are violations of the conditions or limitations of the Permit issued pursuant to Section 402(p) of the CWA, 33 U.S.C. § 1342(p).

Count 4

Failure to Conduct and/or Document Visual Examinations of Stormwater Quality

46. Part 2.4.5.a of the Respondent's permit requires Respondent to, at a minimum of once per year, perform and document a visual examination of a stormwater discharge associated with industrial activity from each identified stormwater outfall.

47. Respondent failed to conduct any visual examinations of stormwater discharge from each identified stormwater outfall from January 2021 to December 2023.

48. Respondent failed to conduct any visual examinations of stormwater discharge from Outfall 2 from January 2024 to December 2024.

49. Respondent's failures to conduct and/or document visual examinations of stormwater discharge are violations of the conditions or limitations of the Permit issued pursuant to Section 402(p) of the CWA, 33 U.S.C. § 1342(p).

Penalty

50. Pursuant to Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), as adjusted pursuant to 40 C.F.R. § 19.4, for violations that occurred after November 2, 2015, where penalties are assessed on or after December 27, 2023, Respondent is liable for civil penalties of up to \$26,685 per day for each day during which the violation continues, up to a maximum of \$333,552.

CONSENT AGREEMENT

51. Respondent and the EPA agree to the terms of this Consent Agreement/Final Order.

52. Respondent admits the jurisdictional allegations of this Consent Agreement/Final Order and agrees not to contest the EPA's jurisdiction in this proceeding or any subsequent proceeding to enforce the terms of this Complaint and Consent Agreement/Final Order.

53. Respondent neither admits nor denies the factual allegations asserted by the EPA in this Consent Agreement/Final Order.

54. Respondent waives its right to contest any issue of fact or law set forth above, and its right to appeal this Consent Agreement/Final Order. By signing this consent agreement, respondent waives any rights or defenses that respondent has or may have for this matter to be

resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the consent agreement.

55. Respondent and the EPA agree to conciliate the matters set forth in this Consent Agreement/Final Order without the necessity of a formal hearing and agree to bear their own costs and attorney's fees incurred as a result of this action.

56. Respondent consents to receive service of the filed Consent Agreement/Final Order electronically at the following email address: morgan@cornejocompanies.com.

57. The undersigned representative of Respondent certifies that they are fully authorized to enter into the terms and conditions of this Consent Agreement/Final Order and to execute and legally bind Respondent to it.

58. Respondent understands and agrees that this Consent Agreement/Final Order shall apply to and be binding upon Respondent and Respondent's agents, successors and/or assigns. Respondent shall ensure that all contractors, employees, consultants, firms or other persons or entities acting for Respondent with respect to matters included herein comply with the terms of this Consent Agreement/Final Order.

59. Respondent certifies by the signing of this Consent Agreement/Final Order that Respondent is in compliance with the Administrative Order for Compliance on Consent (Docket No. CWA-07-2025-0118).

Terms of Payment

60. Respondent agrees to pay a civil penalty in the amount of \$125,000.00 ("Assessed Penalty") within thirty (30) calendar days after the date the Final Order ratifying this Agreement is filed with the Regional Hearing Clerk ("Filing Date").

61. Respondent shall pay the assessed penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. However, for any payments made after September 30, 2025, and in accordance with the March 25, 2025 Executive Order on Modernizing Payments To and From America's Bank Account, Respondent shall pay using one of the electronic payments methods listed above and will not pay with a paper check.

62. When making a payment, Respondent shall:

- a. Identify every payment with Respondent's name and the docket number of this Agreement, CWA-07-2025-0117.
- b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve proof of such payment to the following persons:

Amy Gonzales
Regional Hearing Clerk
U.S. Environmental Protection Agency Region 7
Via electronic mail to:
r7_hearing_clerk_filings@epa.gov;

Angela Stillwagon
Office of Regional Counsel
U.S. Environmental Protection Agency
Via electronic mail to:
Stillwagon.Angela@epa.gov; and

U.S. Environmental Protection Agency
Cincinnati Finance Center
Via electronic mail to:
CINWD_AcctsReceivable@epa.gov.

“Proof of payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent’s name.

63. Interest, Charges, and Penalties on Late Payments. Pursuant to 33 U.S.C. § 1319(g)(9), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Agreement, the entire unpaid balance of the Assessed Penalty and all accrued interest shall become immediately due and owing, and EPA is authorized to recover the following amounts:

- a. Interest. Interest begins to accrue from the Filing Date. If the Assessed Penalty is paid in full within thirty (30) calendar days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) calendar days, interest will continue to accrue until the unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. Interest will be assessed at prevailing rates, per 33 U.S.C. § 1319(g)(9). The rate of interest is the IRS standard underpayment rate.
- b. Handling Charges. The United States’ enforcement expenses including, but not limited to, attorneys’ fees and costs of collection proceedings.
- c. Late Payment Penalty. A twenty percent (20%) quarterly non-payment penalty. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Agreement, EPA may take additional actions. Such actions EPA may take include, but are not limited to, the following:

Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.

- i. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
- ii. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.
- iii. Request that the Attorney General bring a civil action in the appropriate district court to recover the full remaining balance of the Assessed Penalty, in addition to interest and the amounts described above, pursuant to 33 U.S.C. § 1319(g)(9). In any such action, the validity, amount, and appropriateness of the Assessed Penalty shall not be subject to review.

64. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.

65. Tax Treatment of Penalties. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to annually send to the Internal Revenue Service ("IRS") a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements) that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Respondent's failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. To provide EPA with sufficient information to enable it to fulfill these obligations, Respondent shall complete the following actions as applicable.

- a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at <https://www.irs.gov/pub/irspdf/fw9.pdf>.
- b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN.

- c. Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Division at sherrer.dana@epa.gov on or before the date that Respondent's penalty payment is due, pursuant to Paragraph [] of the CAFO or within 7 days should the order become effective between December 15 and December 31 of the calendar year. EPA recommends encrypting IRS Form W-9 email correspondence.
- d. In the event that Respondent has certified in its completed IRS Form W-9 that it does not yet have a TIN but has applied for a TIN, Respondent shall provide EPA's Cincinnati Finance Division with Respondent's TIN, via email, within five (5) days of Respondent's receipt of a TIN issued by the IRS.

Effect of Settlement and Reservation of Rights

66. Respondent's payment of the entire civil penalty pursuant to this Consent Agreement/Final Order resolves all civil and administrative claims pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g), for alleged violations identified in this Consent Agreement/Final Order. Complainant reserves the right to take any enforcement action with respect to any other violations of the CWA or any other applicable law.

67. The effect of settlement described above is conditional upon the accuracy of the Respondent's representations to the EPA, as memorialized in this Consent Agreement/Final Order.

68. Nothing contained in this Consent Agreement/Final Order shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state, and local environmental statutes and regulations and applicable permits.

69. Notwithstanding any other provision of this Consent Agreement/Final Order, the EPA reserves the right to enforce the terms of this Complaint and Consent Agreement/Final Order by initiating a judicial or administrative action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, and to seek penalties against Respondent or to seek any other remedy allowed by law.

70. With respect to matters not addressed in this Consent Agreement/Final Order, the EPA reserves the right to take any enforcement action pursuant to the CWA and its implementing regulations, or any other available legal authority, including without limitation, the right to seek injunctive relief, penalties and damages.

General Provisions

71. The Parties acknowledge that this Consent Agreement/Final Order is subject to the public notice and comment required pursuant to Section 309(g)(4) of the CWA, 33 U.S.C. § 1319(g)(4), and 40 C.F.R. § 22.45.

72. Pursuant to 40 C.F.R. § 22.31(b), this Consent Agreement/Final Order shall be effective after signature by the authorized regional official and the date upon filing with the

Regional Hearing Clerk, U.S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. All time periods herein shall be calculated therefrom in calendar days unless otherwise provided in this Consent Agreement/Final Order.

73. The state of Kansas has been provided an opportunity to consult with Complainant regarding this matter in accordance with the requirements of 40 C.F.R. § 22.38(b) and Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1).

74. The headings in this Consent Agreement/Final Order are for convenience of reference only and shall not affect interpretation of this Complaint and Consent Agreement/Final Order.

75. Respondent and Complainant agree that this Consent Agreement/Final Order may be signed electronically in part and counterpart.

For the Complainant, United States Environmental Protection Agency Region 7:

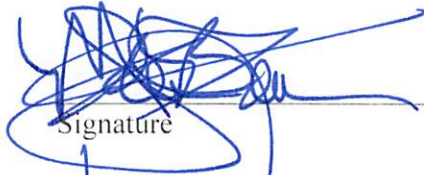
Date

Alyse Stoy
Acting Director
Enforcement and Compliance Assurance Division

Date

Angela Stillwagon
Assistant Regional Counsel
Office of Regional Counsel

For the Respondent, AllMetal Recycling, LLC:



Signature

4/27/2026
Date

Morgan Keon
Name

MEMBER & GENERAL COUNSEL
Title

FINAL ORDER

Pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g), and the Consolidated Rules of Practicing Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits, 40 C.F.R. Part 22, the foregoing Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

The Respondent is ORDERED to comply with all of the terms of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(b), the effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

IT IS SO ORDERED.

Date

Karina Borromeo
Regional Judicial Officer

CERTIFICATE OF SERVICE

I certify that on the date noted below, I sent a true and correct copy of this signed Consent Agreement/Final Order in the stated manner to the following:

Copy emailed to Respondent:

morgan@cornejocompanies.com

Copy emailed to representatives for Complainant:

Angela Stillwagon
EPA Region 7 Office of Regional Counsel
Stillwagon.Angela@epa.gov

Hannah Lewis
EPA Region 7 Enforcement and Compliance Assurance Division
Lewis.Hannah@epa.gov

Copy emailed to KDHE:

William Carr
Kansas Department of Health and Environment
William.j.Carr@ks.gov

Date

Signature