

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Michael Wagner 9/30/15
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number EPCRA-01-2015-0045

Site-specific Superfund (SF) Acct. Number _____

This is an original debt _____ This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Laticrete International, Inc
91 Amity Road
Bethany, CT 06524

Total Dollar Amount of Receivable \$ 21,078 Due Date: 10/30/15

SEP due? Yes No _____ Date Due _____

Installment Method (if applicable)

INSTALLMENTS OF:

- 1st \$ _____ ON _____
- 2nd \$ _____ ON _____
- 3rd \$ _____ ON _____
- 4th \$ _____ ON _____
- 5th \$ _____ ON _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office

Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

September 30, 2015

BY HAND

Wanda Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 1 (ORA 18-1)
5 Post Office Square, Suite 100
Boston, MA 02109-3912



Re: *In the matter of Laticrete International, Inc.*, Docket No. EPCRA-01-2015-0045

Dear Ms. Santiago:

Enclosed for filing are the following original documents, and one copy of each, relating to the above-referenced matter:

1. Consent Agreement and Final Order; and
2. Certificate of Service.

Kindly file the documents in the usual manner. Thanks very much for your help.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael Wagner".

Michael Wagner
Enforcement Counsel

Enclosures

cc: Alfred Smith (Respondents' counsel)
Chris Rascher, OES, EPA Region 1

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

)
IN THE MATTER OF)
)
LATICRETE INTERNATIONAL, INC.)
)
91 Amity Road)
Bethany, Connecticut 06524)
)
Respondent)
)
Proceeding under Section 325(c) of the)
Emergency Planning and Community)
Right-to-Know Act, 42 U.S.C. § 11045(c))
_____)

Docket No: EPCRA-01-2015-0045

**CONSENT AGREEMENT
AND FINAL ORDER**

Complainant, the United States Environmental Protection Agency, Region 1 (“EPA”), alleges that Respondent Laticrete International, Inc. (“Laticrete” or “Respondent”) violated Section 313 of Title III of the Superfund Amendments and Reauthorization Act, 42 U.S.C. § 11023 (also known as the Emergency Planning and Community Right-to-Know Act or “EPCRA”), and the federal regulations promulgated thereunder.

EPA and Respondent agree that settlement of this matter is in the public interest and that entry of this Consent Agreement and Final Order (“CAFO”) without further litigation is the most appropriate means of resolving this matter. Pursuant to 40 C.F.R. § 22.13(b) of EPA’s “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits,” 40 C.F.R. Part 22, EPA and Respondent agree to simultaneously commence and settle this action by the issuance of this CAFO.

Therefore, before any hearing, without adjudication of any issue of fact or law, upon the record, and upon consent and agreement of EPA and Respondent, it is hereby ordered and

RECEIVED
SEP 30 2015
EPA ORC WS
Office of Regional Hearing Clerk

adjudged as follows:

I. STATUTORY AND REGULATORY AUTHORITY

1. Pursuant to Sections 313 and 328 of EPCRA, 42 U.S.C. §§ 11023 and 11048, EPA promulgated the Toxic Chemical Release Reporting: Community Right-to-Know Rule, 40 C.F.R. Part 372:

2. Section 313(a) of EPCRA, 42 U.S.C. § 11023(a), requires owners or operators of a facility subject to the requirements of Section 313(b) to submit annually, no later than July 1 of each year, a Toxic Chemical Release Inventory Reporting Form, EPA Form 9350-1 (hereinafter, "Form R"), for each toxic chemical listed under 40 C.F.R. § 372.65 that was manufactured, processed, or otherwise used during the preceding calendar year in quantities exceeding the toxic chemical thresholds established under Section 313(f) of EPCRA, 42 U.S.C. § 11023(f), and 40 C.F.R. § 372.25. If the owner or operator determines that the alternative reporting threshold specified in 40 C.F.R. § 372.27 applies, the owner or operator may submit an alternative threshold certification statement that contains the information required under 40 C.F.R. § 372.95 (the alternative threshold certification statement is also known as "Form A"). Each Form R or Form A is required to be submitted to the Administrator of EPA and to the state in which the subject facility is located. Forms R and Forms A are hereinafter referred to as "TRI Forms."

3. Section 313(b) of EPCRA, 42 U.S.C. § 11023(b), and 40 C.F.R. § 372.22 provide that owners or operators of facilities that have 10 or more full-time employees; that are in a Standard Industrial Classification ("SIC") code or North American Industry Classification System ("NAICS") code set forth in 40 C.F.R. § 372.23; and that manufactured, processed, or otherwise used a toxic chemical listed under 40 C.F.R. § 372.65 in a quantity exceeding the established threshold during a calendar year are required to submit a Form R or Form A for each of these substances for that year.

8/2

4. Section 325(c) of EPCRA, 42 U.S.C. § 11045(c) (as amended by the Federal Civil Penalties Inflation Adjustment Act, 28 U.S.C. § 2461, and the Debt Collection Improvement Act, 31 U.S.C. § 3701), and EPA's Civil Monetary Penalty Inflation Adjustment Rule, promulgated thereunder at 40 C.F.R. Part 19, authorize the assessment of civil administrative penalties of up to \$37,500 per day for each violation of Section 313 of EPCRA that occurred after January 12, 2009. Pursuant to Section 325(c)(3) of EPCRA, 42 U.S.C. § 11045(c)(3), each day a Section 313 violation continues constitutes a separate violation.

II. GENERAL ALLEGATIONS

5. Laticrete is a corporation organized under the laws of the State of Connecticut with a usual place of business at 91 Amity Road in Bethany, Connecticut ("Facility").

6. Respondent manufactures and sells cement and latex adhesives, epoxy grouts, and waterproof membrane products for ceramic tile and stone installation systems at the Facility.

7. Laticrete owns the Facility.

8. On October 21, 2014, a duly authorized representative of EPA conducted a compliance evaluation inspection of the Facility (the "EPA inspection") to determine its compliance with EPCRA reporting requirements.

9. As a corporation, Respondent is a "person" within the meaning of Section 329(7) of EPCRA, 42 U.S.C. § 11049(7).

10. Respondent owns and operates a "facility," as that term is defined by Section 329(4) of EPCRA, 42 U.S.C. § 11049(4), and 40 C.F.R. § 372.3.

11. The Facility has more than 10 "full-time employees," as that term is defined by 40 C.F.R. § 372.3.

12. The Facility is classified in a SIC code or NAICS code set forth in 40 C.F.R. § 372.23.

13. During the calendar years 2011 and 2013, Respondent processed ethylene glycol, a toxic chemical listed under 40 C.F.R. § 372.65, in quantities exceeding the established threshold of 25,000 pounds set forth at 40 C.F.R. § 372.25.

14. During the calendar year 2013, Respondent processed lithium carbonate, a toxic chemical listed under 40 C.F.R. § 372.65, in quantities exceeding the established threshold of 25,000 pounds set forth at 40 C.F.R. § 372.25.

15. The requirements of Section 313 of EPCRA, 42 U.S.C. § 11023, therefore apply to the Facility.

III. VIOLATIONS

Count 1: Failure to Timely File TRI Form for Ethylene Glycol for Reporting Year 2011

16. The foregoing paragraphs 1 through 15 are incorporated by reference as if fully set forth herein.

17. During the calendar year 2011, Respondent processed ethylene glycol, a chemical listed under 40 C.F.R. § 372.65, in a quantity exceeding the established threshold. Respondent were therefore required to submit to the Administrator of EPA a TRI Form for this chemical on or before July 1, 2012.

18. Respondent failed to submit this form to the Administrator of EPA on or before July 1, 2012.

19. Respondent's failure to timely submit this form was in violation of Section 313 of EPCRA and 40 C.F.R. Part 372.

Count 2: Failure to Timely File TRI Form for Ethylene Glycol for Reporting Year 2013

20. The foregoing paragraphs 1 through 19 are incorporated by reference as if fully set forth herein.

21. During the calendar year 2013, Respondent processed ethylene glycol, a chemical listed under 40 C.F.R. § 372.65, in a quantity exceeding the established threshold. Respondent were therefore required to submit to the Administrator of EPA a TRI Form for this chemical on or before July 1, 2014.

22. Respondent failed to submit this form to the Administrator of EPA on or before July 1, 2014.

23. Respondent's failure to timely submit this form was in violation of Section 313 of EPCRA and 40 C.F.R. Part 372.

Count 3: Failure to Timely File TRI Form for Lithium Carbonate for Reporting Year 2013

24. The foregoing paragraphs 1 through 23 are incorporated by reference as if fully set forth herein.

25. During the calendar year 2013, Respondent processed lithium carbonate, a chemical listed under 40 C.F.R. § 372.65, in a quantity exceeding the established threshold. Respondent was therefore required to submit to the Administrator of EPA a TRI form for this chemical on or before July 1, 2014.

26. Respondent failed to submit this form to the Administrator of EPA on or before July 1, 2014.

27. Respondent's failure to timely submit this form was in violation of Section 313 of EPCRA and 40 C.F.R. Part 372.

IV. TERMS OF SETTLEMENT

28. Respondent certifies that it has corrected the alleged violations cited in this CAFO and will operate the facility in compliance with Section 313 of EPCRA, 42 U.S.C. § 11023, and the regulations promulgated thereunder found at 40 C.F.R. Part 372.

29. Respondent stipulates that EPA has jurisdiction over the subject matter alleged in this CAFO and that this CAFO states a claim upon which relief may be granted against Respondent. Respondent hereby waives any defenses it might have as to jurisdiction and venue.

30. Respondent hereby waives its right to a judicial or administrative hearing on any issue of law or fact set forth in this CAFO and waives its right to appeal the Final Order.

31. Without admitting or denying the facts and violations alleged in this CAFO, Respondent consents to the terms and issuance of this CAFO and agrees to the payment of the civil penalty set forth herein.

Civil Penalty

32. Pursuant to the relevant factors for penalties issued pursuant to Section 325(c)(1) of EPCRA, 42 U.S.C. § 11045(c)(1), and taking into account any such matters as justice may require, Complainant has determined that it is fair and proper that Respondent pay a total civil penalty in the amount of twenty-one thousand and seventy-eight dollars (\$21,078) to resolve the violations alleged in this matter.

33. Within thirty (30) days of the effective date of this CAFO, Respondent shall submit a company, bank, cashier's, or certified check in the amount of \$21,078, payable to the order of the "Treasurer, United States of America." The check should be sent to:

U.S. EPA
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MP 63197-9000

Or, Respondent may make payment by electronic funds transfer via:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT Address = FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency"

Respondent shall include the case name and docket number ("*In re Laticrete International, Inc.*, Docket No. EPCRA-01-2015-0045") on the face of the check or wire transfer confirmation. In addition, at the time of payment, Respondent shall simultaneously send notice of the payment and a copy of the check or electronic wire transfer confirmation to:

Wanda I. Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code ORA18-1
Boston, MA 02109-3912

and

Michael Wagner
Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code OES 04-3
Boston, MA 02109-3912.

Supplemental Environmental Project ("SEP")

34. Respondent shall complete the Supplemental Environmental Project ("SEP" or "Project") as described in Attachment 1, which the parties agree is intended to secure significant environmental and public health protection and benefits. Respondent has selected the Bethany Fire Department ("BFD") as the "SEP Recipient." The SEP requires purchasing equipment for BFD that will enhance its ability to respond to and prepare for emergencies involving hazardous chemicals.

35. Respondent shall satisfactorily complete the SEP according to the requirements and schedule set forth in Attachment 1, which is incorporated herein by reference and is enforceable by this CAFO. The SEP is projected to cost approximately \$20,000. As described in this CAFO, "satisfactory completion" means (a) purchasing the required equipment within sixty days of the effective date of this CAFO; (b) ensuring that the equipment is in working order according to manufacturer instructions at the time of its delivery to the SEP Recipient; and (c) spending approximately \$20,000 to purchase the equipment.

36. **SEP Completion Report.** Respondent shall submit a SEP Completion Report within 30 days of completion of the SEP. The SEP Completion Report shall contain the following information: (i) a detailed description of the SEP as implemented and benefits associated with the SEP; (ii) evidence of SEP completion (which may include but is not limited to photos, vendor invoices or receipts, and/or correspondence from SEP Recipients); (iii) a list of itemized costs for implementing the SEP; and (iv) certification by a corporate official of each Respondent that the SEP has been fully implemented pursuant to the provisions of this CAFO and in accordance with Attachment 1.

37. Respondent agrees that failure to submit the report required by paragraph 36 shall be deemed a violation of this CAFO, and Respondent shall become liable for stipulated penalties pursuant to paragraph 41 below.

38. Respondent shall submit all notices, submissions, and reports required by this CAFO to Michael Wagner by email at wagner.michael@epa.gov, to Chris Rascher by email at Rascher.Chris@epa.gov, and by First Class mail or any other commercial delivery service to EPA at the addresses set forth below:

Michael Wagner, Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code OES 04-3
Boston, MA 02109-3912

and

Chris Rascher, Environmental Engineer
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code OES 05-1
Boston, MA 02109-3912

The submission will be deemed to be made upon tendering the delivery to a commercial delivery service for overnight delivery or upon the date of the postmark in the event of use by First Class mail.

39. After receipt of the SEP Completion Report described in paragraph 36 above, EPA will notify Respondent in writing:

- a. That EPA concludes that the SEP has been completed satisfactorily;
- b. That EPA has determined that the project has not been completed satisfactorily and is specifying a reasonable schedule for correction of the SEP or the SEP Completion Report; or
- c. That EPA has determined that the SEP does not comply with the terms of this CAFO and is seeking stipulated penalties in accordance with paragraph 41 herein.

40. If EPA notifies Respondent pursuant to paragraph 1.b above that the SEP itself or the SEP Completion Report does not comply with the requirements of this CAFO, Respondent shall make corrections to the SEP and/or modify the SEP Completion Report in accordance with the schedule specified by EPA. If EPA notifies Respondent that the SEP itself does not comply with the requirements of this CAFO, Respondent shall pay stipulated penalties in accordance with paragraph 41 herein.

41. Stipulated Penalties.

a. In the event that Respondent fails to comply with any of the terms or provisions of this CAFO relating to performance of the SEP, Respondent shall be liable for stipulated penalties according to the provisions set forth below:

i. For failure to submit the SEP Completion Report, Respondent shall pay a stipulated penalty in the amount of \$200 for each day that Respondent is late; and

ii. For a SEP or any portion thereof that has not been completed satisfactorily pursuant to this CAFO, Respondent shall pay a stipulated penalty of the dollar value of the portion of the SEP not satisfactorily completed times 1.25, plus interest from the effective date of the CAFO. The definition of "satisfactory completion" is set out in paragraph 35. However, if Respondent spends less than \$20,000 but otherwise satisfactorily completes the SEP, Respondent shall only be required to pay a stipulated penalty in the amount equal to the difference between \$20,000 and the actual amount spent on the Project.

b. The determinations of whether the SEP has been satisfactorily completed and whether the Respondent has made a good faith, timely effort to implement the SEP shall be in the sole discretion of EPA.

c. Stipulated penalties shall begin to accrue on the day after performance is due, and shall continue to accrue through the final day of the completion of the activity.

d. Respondent shall pay stipulated penalties not more than fifteen (15) days after receipt of written demand by EPA for such penalties. The method of payment shall be in accordance with the provisions of paragraph 33. Interest and late charges shall be paid as stated in paragraph 45.

e. Payment of stipulated penalties shall be in addition to any other relief available under federal law.

f. EPA may, in its sole discretion, decide not to seek stipulated penalties or to waive any portion of the stipulated penalties that accrue pursuant to this CAFO.

42. With regard to the SEP described herein and in Attachment 1, Respondent certifies the truth and accuracy of each of the following:

a. That all cost information provided to EPA in connection with EPA's approval of the SEP is complete and accurate and that Respondent in good faith estimates that the cost to implement the SEP is \$20,663.

b. That, as of the date of executing this CAFO, Respondent is not required to perform or develop the SEP by any federal, state, or local law or regulation, nor is Respondent required to perform the SEP by agreement, grant, or as injunctive relief awarded in this or any other action in any forum;

c. That the SEP is not a project that Respondent was planning or intending to construct, perform, or implement other than in settlement of the claims resolved in this CAFO;

d. That Respondent has not received and will not receive credit for the SEP in any other enforcement action;

e. That Respondent will not receive reimbursement for any portion of the SEP from another person or entity;

f. That for federal income tax purposes, Respondent agrees that it will neither capitalize into inventory or basis nor deduct any costs or expenditures incurred in performing the SEP;

g. That Respondent is not party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP; and

h. That Respondent has inquired of the BFD whether it is a party to an open federal financial assistance transaction that is funding or could fund the same activity as the SEP and has been informed by the BFD that it is not a party to such a transaction.

43. For the purposes of the certifications in paragraphs 42.g and 42.h, the term "open federal financial assistance transaction" refers to a grant, cooperative agreement, federal loan, federally-guaranteed loan, or other mechanism for providing federal financial assistance whose performance period has not yet expired.

44. Respondent agrees that any public statement, oral or written, in print, film, or other media, made by Respondent making reference to the SEP under this CAFO from the date of Respondent's execution of this CAFO shall include the following language: "This project was undertaken in connection with the settlement of an enforcement action, *In the matter of Laticrete International, Inc.*, taken by the U.S. Environmental Protection Agency to enforce federal laws."

45. Pursuant to 31 U.S.C. § 3717, EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. In the event that any partial payment of the civil penalty, plus interest thereon, is not paid when due without demand, the penalty plus accrued interest shall be payable with additional interest from the original due date to the date of payment, at the rate of the United States Treasury tax and loan rate in accordance with 31 C.F.R. § 901.9(b)(2). A charge will be assessed to cover the costs of debt collection, including processing and handling costs and attorneys' fees. In addition, a penalty charge of six percent per year, compounded annually, will be assessed on any portion of the debt which remains delinquent more than ninety (90) days after payment is due. However, should assessment of the penalty charge on the debt be required, it will be assessed as of the first day payment becomes due in accordance with 31 C.F.R. § 901.9(d).

46. The civil penalty under this CAFO and any interest, nonpayment penalties, and other charges described herein shall represent penalties assessed by EPA, and shall not be deductible for purposes of federal, state, or local taxes. Accordingly, Respondent agrees to treat all payments made pursuant to this CAFO as penalties within the meaning of 26 C.F.R. § 1.162-21, and further agrees not to use these payments in any way as, or in furtherance of, a tax deduction under federal, state, or local law.

47. The provisions of this CAFO shall be binding upon Respondent and Respondent's officers, directors, agents, servants, employees, and successors or assigns.

48. Respondent shall bear its own costs and attorneys' fees in this proceeding and specifically waives any right to recover such costs pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, or other applicable laws.

49. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Section 325(c) of EPCRA for the violations specifically alleged in this CAFO. Compliance with this CAFO shall not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by EPA, and it is the responsibility of Respondent to comply with such laws and regulations. This CAFO in no way relieves Respondent or its employees of any criminal liability. Nothing in this CAFO shall be construed to limit the authority of the United States to undertake any action against Respondent in response to conditions which may present an imminent and substantial endangerment to the public.

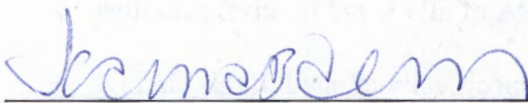
50. Nothing in this CAFO shall be construed as prohibiting, altering, or in any way limiting the ability of EPA to seek any other remedies or sanctions if Respondent is in violation of this CAFO or continues to be in violation of the statutes and regulations upon which the allegations in this CAFO are based, or for Respondent's violation of any other applicable provision of federal, state, or local law.

51. Each of the undersigned representatives of the parties certifies that he or she is fully authorized by the party responsible to enter into the terms and conditions of this CAFO and to execute and legally bind that party to it.

52. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of all parties, and approval of a Regional Judicial Officer.

53. In accordance with 40 C.F.R. § 22.31(b), the effective date of this CAFO is the date on which this CAFO is filed with the Regional Hearing Clerk.

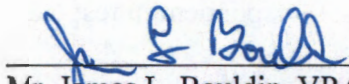
FOR U.S. ENVIRONMENTAL PROTECTION AGENCY:



Joanna Jerison, Legal Enforcement Manager
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1

Date: 9/29/15

FOR RESPONDENT LATICRETE INTERNATIONAL, INC.:



Mr. James L. Bouldin, VP Operations and Procurement
North American Division
Laticrete International, Inc.

Date: 9/28/15

Attachment 1 – Supplemental Environmental Project

Laticrete International, Inc., Docket No.

Laticrete International, Inc. shall perform this Supplemental Environmental Project as a component of its settlement with EPA.

BACKGROUND

Laticrete is a corporation organized under the laws of the State of Connecticut with a usual place of business at 91 Amity Road in Bethany, Connecticut (“Facility”). Respondent manufactures and sells cement and latex adhesives, epoxy grouts, and waterproof membrane products for ceramic tile and stone installation systems at the Facility. The Town of Bethany has a population of approximately 4800.

The Bethany Fire Department (“BFD”) is a volunteer fire department that responds to fire and hazardous materials incidents in the community. The town finances a portion of BFD’s budget, and the remainder comes from fundraising events. Accordingly, BFD has a very tight budget for emergency response equipment. The BFD has a need for additional hazardous materials response equipment.

SCOPE OF WORK

The SEP will provide the BFD with emergency response equipment, as described below. Respondent shall purchase and provide to BFD, as specified below, the following equipment within 60 days of the effective date of the CAFO. Respondent shall confirm that the equipment is in good working order according to manufacturer instructions at the time of its delivery to the BFD.

Item Number	Quantity and description of equipment	Estimated Cost
1	Six (6) BW Gas Alert Quatro 4-gas meters LEL, O2, H2S, CO	\$4,700
2	Ipad 2 Air with WiFi and Cellular 128 Gb.; Havis Case with Docking Station, NFPA approved mounting system in six Front line Apparatus	\$10,800
3	2 Spill Control Kits	\$769
4	2 cases Kappler Zytron suits Model KAP Z3H571 XL	\$1,200

5	8 pairs Haz Mat boots Model TIN82330 09	\$544
6	BW Meter Calibration station	\$2,650

The equipment described above will prepare local emergency personnel to respond to accidental releases of hazardous chemicals in the community, which will reduce risks to public health and the environment. The equipment to be purchased is relevant to emergency responses involving chemicals that are regulated pursuant to EPCRA. It includes: portable gas meters and associated equipment that allow for field readings of air in the event of hazardous materials incidents and will greatly enhance the BFD's hazardous materials response capabilities and the safety of emergency response personnel and the public during such an incident by providing real time data on releases; computer equipment that will allow for immediate access to chemical and mapping data; spill control kits to respond to spills of hazardous materials; specialized equipment worn by emergency response teams that will allow those responders who encounter hazardous chemicals to take protection against typical first response exposures to hazardous materials; and meter calibration stations to ensure proper calibration of meters to ensure safety of BFD personnel and the public.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

)
IN THE MATTER OF)

)
LATICRETE INTERNATIONAL, INC.)

)
Respondent.)


Docket No: EPCRA-01-2015-0045

FINAL ORDER

Pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)-(c) of EPA's Consolidated Rules of Practice, the attached Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified.

The Respondent, as specified in the Consent Agreement, is hereby ordered to comply with the terms of the Consent Agreement, effective on the date on which it is filed with the Regional Hearing Clerk.

SO ORDERED THIS ³⁴30 DAY OF SEPTEMBER 2015



LeAnn Jensen
Acting Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement was sent to the following persons, in the manner specified, on the date below:

Two copies, hand-delivered:

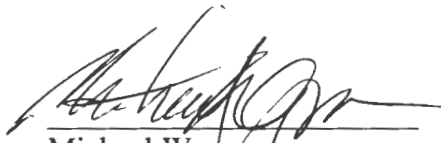
Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 1
5 Post Office Square, Suite 100
Mail Code: ORA18-1

A true and correct copy, by certified mail, return receipt requested:

Alfred E. Smith, Jr.
Murtha Cullina LLP
One Century Tower,
265 Church Street
New Haven, CT 06510

Date:

9/30/15


Michael Wagner
Senior Enforcement Counsel