

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
901 NORTH 5<sup>th</sup> STREET  
KANSAS CITY, KANSAS 66101

2012 SEP 11 PM 1:07  
UNITED STATES  
ENVIRONMENTAL PROTECTION  
AGENCY-REGION 7

IN THE MATTER OF: )  
)  
Astoria Industries of Iowa, Inc. )  
1001 Furnas Drive )  
Osceola, Iowa 50213, )  
)  
Respondent )  
)  
Proceeding under Sections 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-07-2012-0029

**I. PRELIMINARY STATEMENT**

The U.S. Environmental Protection Agency (EPA), Region 7 (Complainant) and Astoria Industries of Iowa, Inc. (Respondent) have agreed to a settlement of this action before the filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) of 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 (Consolidated Rules of Practice), 40 Code of Federal Regulations (C.F.R.) §§ 22.13(b) and 22.18(b)(2).

**II. ALLEGATIONS**

**Jurisdiction**

1. This administrative action is being conducted pursuant to Section 3008(a) and (g) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA), and the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. § 6928(a) and (g), and in accordance with the Consolidated Rules of Practice. This authority has been delegated by the Administrator of EPA to the Regional Administrator and further delegated to the Director of the Air and Waste Management Division.

2. This Consent Agreement and Final Order serves as notice that the EPA has reason to believe that Respondent violated Section 3005 of RCRA, 42 U.S.C § 6925, the standards for the management of used oil (40 C.F.R. Part 279), and the standards for universal waste

management (40 C.F.R. Part 273).

### **Parties**

3. Complainant is the Chief of the Waste Enforcement and Materials Management Branch in the Air and Waste Management Division of EPA, Region 7, as duly delegated from the Administrator of EPA.

4. Respondent is Astoria Industries of Iowa, Inc., a corporation authorized to operate under the laws of Iowa.

### **Statutory and Regulatory Framework**

5. When EPA determines that any person has violated or is in violation of any RCRA requirement, EPA may issue an order assessing a civil penalty for any past or current violation and/or require immediate compliance or compliance within a specified time period pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

6. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes a civil penalty of not more than \$25,000 per day for violations of Subchapter III of RCRA (Hazardous Waste Management). This figure has been adjusted upward for inflation pursuant to the Civil Monetary Penalties Inflation Adjustment Rule, 40 C.F.R. Part 19, so that penalties of up to \$32,500 per day are authorized for violations of Subchapter III of RCRA that occur after March 15, 2004, through January 12, 2009. For violations of Subchapter III of RCRA that occur after January 12, 2009, penalties of up to \$37,500 per day are now authorized. Based upon the facts alleged in this Consent Agreement and Final Order and upon those factors which Complainant must consider pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), as discussed in the RCRA Civil Penalty Policy issued by EPA in June 2003, the Complainant and Respondent agree to the payment of a civil penalty pursuant to Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), and to take the actions required by the Final Order, for the violations of RCRA alleged in this Consent Agreement and Final Order.

### **General Factual Background**

7. Respondent is a corporation and authorized to conduct business within the State of Iowa. Respondent is a "person" as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

8. Respondent's facility is located at 1001 Furnas Drive, Osceola, Iowa 50213. Respondent is a manufacturer of fiberglass truck bodies and is located on the outskirts of Osceola, Iowa. It is located in a frame building with metal siding that has approximately 140,000 square feet of floor space. Respondent employs approximately 30 people.

9. At the time of the inspection, hazardous waste was present at the facility, in the form of several containers of waste acetone. Respondent's records show that four days prior to the inspection, Respondent shipped off site approximately 2,000 gallons of hazardous waste, in the form of waste acetone, which was contained in 40 drums.

10. At the time of the inspection, the following used oil containers were present at the facility:

- a. Two 55-gallon containers of used oil in the compressor room; and
- b. One 55-gallon container of used oil in a small storage building.

11. At the time of the inspection, the following universal waste containers were present:

- a. Four round cardboard boxes of spent fluorescent lamps in the compressor storage room; and
- b. More than twenty loose 8 foot long spent fluorescent lamps stored loosely in the compressor storage room.

12. On or about March 23, 2007, Respondent notified as a Small Quantity Generator (SQG) of hazardous waste pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930. SQGs generate more than 110 kilograms per month of hazardous waste, but less than 1,000 kilograms per month of hazardous waste.

13. Respondent has been assigned the following EPA ID Number: IAD010256923.

14. On or about September 20, 2011, EPA inspectors conducted a RCRA Compliance Evaluation Inspection (hereinafter "the inspection") of the hazardous waste management practices at Respondent's facility. Based on a review of the inspection report and the information provided during the inspection by facility personnel, it was determined that Respondent was operating, at the time of the inspection, as a Small Quantity Generator of hazardous waste, a Small Quantity Handler of universal waste, and used oil generator.

### **Violations**

15. Complainant hereby states and alleges that Respondent has violated RCRA and the federal regulations promulgated thereunder, as follows:

**Count 1**

**Operating as a Treatment, Storage or Disposal Facility  
Without a RCRA Permit or RCRA Interim Status**

16. Complainant hereby incorporates the allegations contained in Paragraphs 7 through 14 above, as if fully set forth herein.

**Generator Requirements**

17. The regulations at 40 C.F.R. § 262.34(d) state that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status provided the conditions listed in 40 C.F.R. § 262.34(d)(1)-(5) are met. If a generator fails to comply with any of these conditions, the generator is not allowed to store hazardous waste at their facility for any length of time. Respondent failed to comply with the following conditions:

*Failure to conduct weekly hazardous waste inspections*

18. The regulations at 40 C.F.R. § 262.34(d)(2) require that while hazardous waste is being accumulated on-site, the generator must comply with the applicable requirements of Subpart I of 40 C.F.R. Part 265.

19. Pursuant to 40 C.F.R. § 265.174, as found in 40 C.F.R. Part 265 Subpart I, the owner or operator must inspect, at least weekly, areas where containers of hazardous waste are stored, looking for leaking containers and deteriorating containers caused by corrosion or other factors.

20. At the time of the inspection, Respondent's representative stated that weekly inspections were not performed in the facility's hazardous waste accumulation area.

*Failure to date hazardous waste accumulation container*

21. The regulations at 40 C.F.R. § 262.34(d)(4) require generators to comply with 40 C.F.R. § 262.34(a)(2), which requires generators to clearly mark the date upon which each period of accumulation began on each container.

22. At the time of the inspection, one of the drums which contained hazardous waste, which was located in the hazardous waste accumulation area, was not marked with the date upon which the hazardous waste accumulation began.

*Failure to familiarize personnel with waste handling and emergency procedures*

23. The regulations at 40 C.F.R. § 262.34(d)(5)(iii) require that the generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

24. At the time of the inspection, Respondent's representative acknowledged that all employees are not thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

*Failure to designate an emergency coordinator for the facility*

25. The regulations at 40 C.F.R. § 262.34(d)(5)(i) require, that the generator designate an emergency coordinator for the facility.

26. At the time of the inspection, the Respondent's representative stated that there was no emergency coordinator designated for the facility.

*Failure to close container holding hazardous waste*

27. The regulations at 40 C.F.R. § 262.34(d)(2) require a generator to comply with the the regulations at 40 C.F.R. § 265.173, including 40 C.F.R. § 265.173(a), which requires that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

28. At the time of the inspection, a 55 gallon drum storing hazardous waste, in the form of waste acetone, had an open bung hole with a funnel placed in the hole.

*Storage Over Two Hundred Seventy Days*

29. The regulations at 40 C.F.R. § 262.34(f) state that a small quantity generator who accumulates hazardous wastes for more than one hundred eighty (180) days, or two hundred seventy (270) days if it must be shipped a distance of 200 miles or more, is an operator of a storage facility and must comply with 40 C.F.R. Parts 264 and 265, and the permit requirements of 40 C.F.R. § 270 unless he has been granted an extension to the one hundred eighty (180) day /two hundred-seventy (270) day period. Facilities classified as "Small Quantity Generators" may accumulate hazardous waste at their facility without a permit no more than the one hundred eighty (180) day/ two hundred-seventy (270) day period.

30. At the time of the inspection, Respondent had been accumulating forty, 55 gallon containers of hazardous waste, in the form of waste acetone, for more than two hundred seventy (270) days.

31. By accumulating hazardous waste on-site for greater than two hundred seventy (270) days, Respondent was operating as a hazardous waste storage facility and subjected itself to the requirements of 40 C.F.R. Parts 264, 265 and the permit requirements of 40 C.F.R. Part 270.

32. Section 3005 of RCRA, 42 U.S.C. § 6925, and the regulations at 40 C.F.R. § 270.1(b) require each person owning or operating a facility for the treatment, storage, or disposal of a hazardous waste identified or listed under Subchapter C of RCRA to have a permit or interim status for such activities.

33. Respondent's failure to obtain a hazardous waste storage permit is a violation of Section 3005 of RCRA, 42 U.S.C. § 6925.

### **Count 2**

#### **Failure to Comply with Universal Waste Management Requirements**

34. Complainant hereby incorporates the allegations contained in Paragraphs 7 through 14 above, as if fully set forth herein.

#### *Failure to label universal waste containers*

35. The regulations at 40 C.F.R. § 273.14(e) require small quantity handlers of universal waste to clearly label or mark each lamp or container or package in which such lamps are contained with one of the following phrases: "Universal Waste—Lamp(s)" or "Waste Lamp(s)," or "Used Lamp(s)."

36. At the time of the inspection, the following lamps or containers or packages located in the compressor room of the facility were not properly labeled or marked:

- a. One universal waste lamp storage container, containing universal waste lamps; and
- b. More than 20, eight foot, universal waste lamps which were lying loose in the room.

37. Respondent's failure to properly label the universal waste lamp container described above is a violation of 40 C.F.R. § 273.14(e).

38. Respondent's failure to label the universal waste containers described above with the earliest date that any universal waste in the container became a waste or was received is a violation of 40 C.F.R. § 273.15(c)(1).

*Failure to close universal waste containers*

39. The regulations at 40 C.F.R. § 273.13(d)(1) require a small quantity handler of universal waste to manage lamps in a way that prevents releases by containing the lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. At the time of the inspection, Respondent failed to close four containers which contained universal waste lamps in order to prevent releases and breakage. Additionally, there were more than 20, eight foot, universal waste lamps which were lying loose in the room.

40. Respondent's failure to keep accumulated universal waste lamps in closed containers or packages as described above to prevent releases and breakage is a violation of 40 C.F.R. § 273.13(d)(1).

*Accumulation of universal waste for longer than one year*

41. The regulations at 40 C.F.R. §§ 273.15(a) and (b) state that a small quantity handler of universal waste may accumulate universal waste for no longer than one (1) year from the date the universal waste is generated, or received from another handler, unless such accumulation is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal.

42. At the time of the inspection, two of the universal waste containers located in the compressor room of Respondent's facility were dated "2007", indicating that they had been accumulating for more than one year.

43. Respondent's accumulation of the universal waste lamps described above for longer than one year is a violation of 40 C.F.R. § 273.15(a).

**Count 3**

**Failure to Comply with Used Oil Regulations**

44. Complainant hereby incorporates the allegations contained in Paragraphs 7 through 14 above, as if fully set forth herein.

*Failure to properly label used oil containers*

45. The regulations at 40 C.F.R. § 279.22(c)(1) require used oil generators to label or clearly mark containers and above ground tanks used to store used oil at generator facilities with the words "Used Oil."

46. At the time of the inspection, Respondent failed to label or clearly mark two 55

gallon drums containing used oil with the words "Used Oil".

47. Respondent's failure to properly label the containers of used oil described above is a violation of 40 C.F.R. § 279.22(c)(1).

#### **Count 4**

#### **Improper Manifesting of Hazardous Waste Shipments**

48. The regulations at 40 C.F.R. § 262.20(a)(1) require a generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal to prepare a manifest in accordance with the regulations found within RCRA Subtitle C.

49. The regulations at 40 C.F.R. § 262.21(a) require a generator who prepares a manifest to place certain information on the manifest. 40 C.F.R. § 262.21(b)(2) requires the manifest to contain the generator's telephone number and 40 C.F.R. § 262.21(b)(4) requires the manifest to contain the generator's facility EPA Hazardous Waste I.D. number.

50. On September 16, 2011, Respondent arranged for the transportation of hazardous waste, in the form of 40 drums of waste acetone, from its facility to a disposal facility located in Detroit, Michigan. The manifest Respondent used in the transportation of this hazardous waste contained neither the Respondent's telephone number nor its EPA Hazardous Waste I.D. number.

51. Respondent's failure to include its telephone number nor its EPA Hazardous Waste I.D. number on the September 16, 2011 manifest is a violation of 40 C.F.R. § 262.20(a)(1), 40 C.F.R. § 262.21(b)(2), and 40 C.F.R. § 262.21(b)(4).

#### **CONSENT AGREEMENT**

52. Respondent and EPA agree to the terms of this Consent Agreement and Final Order and Respondent agrees to comply with the terms of the Final Order portion of this Consent Agreement and Final Order.

53. Respondent admits the jurisdictional allegations of this Consent Agreement and Final Order and agrees not to contest EPA's jurisdiction in this proceeding or any subsequent proceeding to enforce the terms of the Final Order portion of this Consent Agreement and Final Order set forth below.

54. Respondent neither admits nor denies the factual allegations and legal conclusions set forth in this Consent Agreement and Final Order.

55. Respondent waives its right to a judicial or administrative hearing on any issue of fact or law set forth above, and its right to appeal the proposed Final Order portion of the



Consent Agreement and Final Order.

56. Respondent and Complainant agree to conciliate the matters set forth in this Consent Agreement and Final Order without the necessity of a formal hearing and to bear their respective costs and attorney's fees.

57. Nothing contained in the Final Order portion of this Consent Agreement and 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.

58. This Consent Agreement and Final Order addresses all civil administrative claims for the RCRA violations identified above. Complainant reserves the right to take any enforcement action with respect to any other violations of RCRA or any other applicable law.

59. The effect of settlement described in the Consent Agreement and Final Order conditioned upon the accuracy of Respondent's representations to EPA, as memorialized in Paragraph 60 below.

60. Respondent certifies that by signing this Consent Agreement and Final order that to best of its knowledge, Respondent's facility is in compliance with all requirements of RCRA, 42 U.S.C. § 6901 *et. seq.* and all regulations promulgated thereunder.

61. The undersigned representative of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Consent Agreement and Final Order and to execute and legally bind Respondent to it.

62. Respondent agrees that, in settlement of the claims alleged in this Consent Agreement and Final Order, Respondent shall pay a penalty of Ten Thousand Dollars (\$10,000) as set forth in Paragraph 1 of the Final Order portion of this Consent Agreement and Final Order below. This amount represents a significant reduction from the penalty originally assessed in this matter, with the reduction being based upon documentation of Respondent's lack of ability to pay the penalty as originally assessed.

63. The penalty specified in the paragraph above shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal, State and local taxes.

64. Respondent consents to the issuance of this Consent Agreement and Final Order and consents for the purposes of settlement to the payment of the civil penalty cited in the immediately preceding paragraph.

65. Late Payment Provisions: 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. Interest will therefore begin to accrue on a civil or

stipulated penalty if it is not paid by the date required. Interest will be assessed at a rate of the United States Treasury Tax and loan rate in accordance with 31 C.F.R. § 901.9(b). A charge will be assessed to cover the costs of debt collection including processing and handling costs and attorney fees. In addition, a non-payment penalty charge of six (6) 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. Any such non-payment penalty charge on the debt will accrue from the date the penalty payment becomes due and is not paid. 31 C.F.R. § 901.9(c) and (d).

66. Respondent understands that failure to pay any portion of the civil penalty on the date the same is due may result in the commencement of a civil action in Federal District Court to collect said penalty, along with interest thereon at the applicable statutory rate

#### **Effective Date**

67. This Consent Agreement and Final Order shall be effective upon filing of the Final Order by the Regional Hearing Clerk for EPA, Region 7. Unless otherwise stated, all time periods stated herein shall be calculated in calendar days from such date.

#### **Reservation of Rights**

68. Notwithstanding any other provision of this Consent Agreement and Final Order, EPA reserves the right to enforce the terms of the Final Order portion of this Consent Agreement and Final Order by initiating a judicial or administrative action under Section 3008 of RCRA, 42 U.S.C. § 6928, and to seek penalties against Respondent in an amount not to exceed Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00) per day per violation pursuant to Section 3008(c) of RCRA, for each day of non-compliance with the terms of the Final Order, or to seek any other remedy allowed by law.

69. Complainant reserves the right to take enforcement action against Respondent for any future violations of RCRA and its implementing regulations and to enforce the terms and conditions of this Consent Agreement and Final Order.

70. Except as expressly provided herein, nothing in this Consent Agreement and Final Order shall constitute or be construed as a release from any claim (civil or criminal), 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 Respondent's facility.

71. Notwithstanding any other provisions of the Consent Agreement and Final Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority, should EPA find that the future handling, storage, treatment,

transportation, or disposal of solid waste or hazardous waste at Respondent's facility may present an imminent and substantial endangerment to human health and the environment.

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

73. The provisions of this Consent Agreement and Final Order shall be deemed satisfied upon a written determination by Complainant that Respondent has fully implemented the actions required in the Final Order.

### **FINAL ORDER**

Pursuant to the authority of Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), and according to the terms of this Consent Agreement and Final Order, IT IS HEREBY ORDERED THAT:

#### **A. Payment of Civil Penalty**

1. Within sixty (60) days of the effective date of this Consent Agreement and Final Order, Respondent will pay a civil penalty of Ten Thousand Dollars (\$10,000).

2. Payment of the penalty shall be made by cashier or certified check, by wire transfer, or on-line. The Payment shall reference the Docket Number on the check or wire transfer. If made by cashier or certified check, the check shall be made payable to "Treasurer of the United States" and remitted to:

United States Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, Missouri 63197-9000.

Wire transfers shall be directed to the Federal Reserve Bank of New York as follows:

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

On-line payments are available through the Department of Treasury:

www.pay.gov  
Enter "sfo 1.1" in the search field.  
Open the form and complete required files.

3. A copy of the check, transfer, or on-line payment confirmation shall simultaneously be sent to the following:

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 7  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101; and

Raymond C. Bosch, Attorney  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101.

4. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Consent Agreement and Final Order shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.

### **B. Compliance Actions**

5. Respondent shall take the following actions within the time periods specified, according to the terms and conditions specified below.

6. Within thirty (30) days of the Effective Date of this Consent Agreement and Final Order, and quarterly for a period of one year thereafter, Respondent shall submit to the EPA a report that includes photographs demonstrating that hazardous waste, universal waste, and used oil containers are properly labeled, dated, and closed. The report shall also include information showing the monthly generation rate of hazardous waste and copies of all hazardous waste manifests.

7. Respondent shall submit all documentation generated to comply with the requirements as set forth in Paragraph 6 of this Final Order to the following address:

Edwin G. Buckner, PE  
AWMD/WEMM  
U.S. Environmental Protection Agency, Region 7  
901 N. 5th Street  
Kansas City, Kansas 66101.

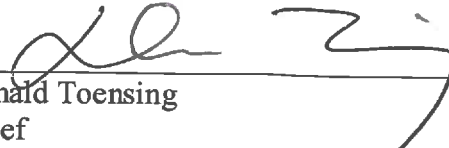
**C. Parties Bound**

8. The Final Order portion of this Consent Agreement and 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 and Final Order.

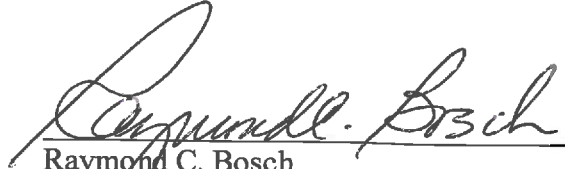
COMPLAINANT:

U.S. ENVIRONMENTAL PROTECTION AGENCY

9-11-12  
Date

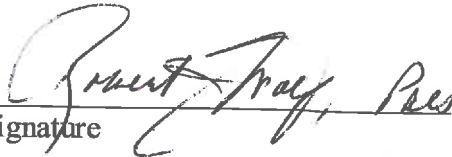
  
\_\_\_\_\_  
Donald Toensing  
Chief  
Waste Enforcement and Materials Management  
Branch  
Air and Waste Management Division

September 11, 2012  
Date

  
\_\_\_\_\_  
Raymond C. Bosch  
Office of Regional Counsel

FOR RESPONDENT,  
ASTORIA INDUSTRIES OF IOWA, INC.

9-6-12  
Date

  
Signature  
Robert J. Wolf  
Printed Name  
President  
Title

IT IS SO ORDERED. This Final Order shall become effective upon filing.

Sept. 11, 2012  
Date

Robert Patrick  
Robert Patrick  
Regional Judicial Officer

IN THE MATTER OF Astoria Industries of Iowa, Inc, Respondent  
Docket No. RCRA-07-2010-0029

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Order was sent this day in the following manner to the addressees:


Copy hand delivered to  
Attorney for Complainant:

Raymond C. Bosch  
Assistant Regional Counsel  
Region 7  
United States Environmental Protection Agency  
901 N. 5<sup>th</sup> Street  
Kansas City, Kansas 66101

Copy by First Class Mail to:

Charles Becker, Esq.  
Belin McCormick, P. C.  
666 Walnut St., Suite 2000  
Des Moines, Iowa 50309

Dated: 9/12/12

  
Kathy Robinson  
Hearing Clerk, Region 7