

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
ATLANTA, GEORGIA

In the Matter of:)
)
Rentenbach Constructors Incorporated)
2400 Sutherland Avenue)
Knoxville, Tennessee 37919)
)
)
Respondent.)
_____)

Docket No. TSCA-04-2018-2909(b)

2019 MAR 1 10 56 AM
HEARING CLERK
OFFICE OF REGIONAL
ADMINISTRATIVE
SERVICES

AMENDMENT TO CONSENT AGREEMENT AND FINAL ORDER

On September 25, 2018, the EPA Region 4 Regional Judicial Officer ratified the above-styled Consent Agreement and Final Order (CAFO) between the United States Environmental Protection Agency and Rentenbach Constructors Incorporated. The CAFO was finalized and became effective on September 25, 2018, pursuant to 40 C.F.R. § 22.31, when it was entered by the Regional Hearing Clerk. Subsequent to the effective date of the CAFO, the parties determined that the CAFO included a factual inaccuracy found in the second sentence of paragraph 10 of the CAFO, and the parties have agreed to correct this inaccuracy through the filing of this Amendment to the CAFO.

The second sentence of paragraph 10 in the CAFO stated that “Analytical results of sampling of the transformer fluid conducted by a consultant for the TN DGS showed that the transformer contained 1,390,000 mg/kg (parts per million) PCBs, thereby confirming that the transformer removed from the School by ELG was a PCB Transformer.” This Amendment serves to strike the second sentence of paragraph 10 of the CAFO and to replace it with the following: “Analytical results of sampling of the transformer fluid conducted by a consultant for ELG showed that the transformer contained 1,390,000 mg/kg (parts per million) PCBs, thereby confirming that the transformer removed from the School by ELG was a PCB Transformer.”

All remaining provisions of the CAFO remain in full force and effect.

This Amendment shall become effective on the date it is filed by the Regional Hearing Clerk.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAR 12 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Ashley Meredith Strittmatter
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
265 Brookview Centre Way, Suite 600
Knoxville, Tennessee 37919

SUBJ: Rentenbach Constructors Incorporated
Amendment to Consent Agreement and Final Order
Docket No. TSCA-04-2018-2909(b)

Dear Ms. Strittmatter:

Enclosed please find a copy of the executed Amendment to Consent Agreement and Final Order (CAFO) as filed with the Regional Hearing Clerk (RHC) in the above-referenced matter. The Amendment to the CAFO is effective on the date it is filed with the RHC.

Should you or your client have any questions about this matter please contact Robert Caplan at (404) 562-9520, or Kris Lippert at (404)562-8605.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry L. Lamberth".

Larry L. Lamberth
Chief, Enforcement and Compliance Branch
Resource Conservation and Restoration Division

Enclosure

AGREED AND CONSENTED TO:

Docket No.: TSCA-04-2018-2909(b)
Amendment to Consent Agreement and Final Order

For Respondent: Rentenbach Constructors Incorporated

By: Matthew T. Chappelle (Signature) Date: 12/20/2018
Name: Matthew T. Chappelle (Typed or Printed)
Title: Chief Financial Officer (Typed or Printed)

For Complainant: U.S. Environmental Protection Agency

By: Susan E. Hansen for Carol J. Monell Date: 3/5/19
~~Susan E. Hansen~~
Acting Director
Resource Conservation and Restoration Division
61 Forsyth Street
Atlanta, Georgia 30303-8960

APPROVED AND SO ORDERED this 11th day of March, 2018.

By: Tanya Floyd
Tanya Floyd
Regional Judicial Officer
EPA Region 4

AGREED AND CONSENTED TO:

Book No. 707-04-3018-20001
Amendment to Current Agreement with Final Order

For Respondent: Restoration of Wetlands Incorporated

Date: 12/14/2014 (Signature) Matthew T. Chappelle

Name: Matthew T. Chappelle
(Typed or Printed) Chief Financial Officer

Title: _____
(Typed or Printed)

For Complainant: U.S. Environmental Protection Agency

By: [Signature] Date: 12/14/2014

Special Agent in Charge
Regional Director
Restoration Compliance and Restoration Division
61 Forsyth Street
Atlanta, Georgia 30303-8900

Accepted and consented to: [Signature] Date: 12/14/2014

By: [Signature]
Regional Director
EPA Region 4

CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the original and a true and correct copy of the foregoing Amendment to Consent Agreement and Final Order (CAFO), for Rentenbach Constructors Incorporated, Docket Number: TSCA-04-2018-2909(b), on 3-12-19, and on 3-12-19, served the parties listed below in the manner indicated:

Robert Caplan
Senior Attorney
Office of Regional Counsel
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

(Via EPA Internal Mail)

Kris Lippert
Enforcement and Compliance Branch
Resource Conservation and Restoration Division
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

(Via EPA Internal mail)

Quantindra Smith
Enforcement and Compliance Branch
Resource Conservation and Restoration Division
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

(Via EPA Internal mail)

Ashley Meredith Strittmatter
Shareholder
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
265 Brookview Centre Way, Suite 600
Knoxville, Tennessee 37919

(Via Certified Mail – Return Receipt Requested)

Date:

3-12-19



Patricia A. Bullock, Regional Hearing Clerk
United States Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
(404) 562-9511