



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

** FILED **
28SEP2018 - 10:55AM
U.S.EPA - Region 09

DOCKET NO: CAA (112r)-09-2018-0015

This ESA is issued to: Waste Management LNG, Inc.
10840 Altamont Pass Rd.
Livermore, CA 94551

For: Violation of Section 112(r)(7) of the Clean Air Act.
At: Altamont Landfill and Resource Recovery Facility, 10840 Altamont Pass Rd.,
Unincorporated Alameda County, CA 94551

This Expedited Settlement Agreement ("ESA") is being entered into by the United States Environmental Protection Agency ("EPA"), Region IX, by its duly delegated official, the Superfund Director, and Waste Management LNG, Inc. ("Respondent") pursuant to Section 113(a)(3) and (d) of the Clean Air Act (the "Act"), 42 U.S.C. § 7413(a)(3) and (d), and by 40 C.F.R. § 22.13(b). EPA has obtained the concurrence of the U.S. Department of Justice, pursuant to Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), to pursue this administrative enforcement action.

ALLEGED VIOLATIONS

Respondent was required to review and update its risk management plan ("RMP") for the stationary source referenced above and submit it to EPA, as required by Section 112(r)(7) of the Act and 40 C.F.R. §§ 68.190(a) and 68.195. Respondent failed to review and update its RMP and submit it to EPA on or before **March 19, 2017**, in violation of Section 112(r)(7) of the Act and 40 C.F.R. §§ 68.190(a) and 68.195.

Respondent did not submit a fully updated RMP to EPA until **July 27, 2018**.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history and previous penalties assessed, if any, its good faith effort to comply, the duration and seriousness of the violation, the economic impact of the penalty, economic benefit, and other factors as justice may require, and upon consideration of the entire record, the parties enter into this ESA in order to settle the violations described above for the total penalty amount of **\$2,000.00**.

This settlement is subject to the following terms and conditions:

The Respondent by signing below admits to jurisdiction, neither admits nor denies the specific factual allegations contained above, and consents to the assessment of the penalty as stated above. Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C § 7413(d)(2)(A), and to appeal this ESA. Each party to this action shall bear its own attorney's fees and costs, if any. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has **corrected the violations listed above** and has sent an **Online Payment through the Department of Treasury: WWW.PAY.GOV** (Enter SFO 1.1 in search field. Open form and complete required fields) or **alternatively has sent a cashier's check or certified check** (payable to the Treasurer, United States of America) in the amount of **\$2,000.00** in payment of the full penalty amount to the following address:

US Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

CERTIFICATE OF SERVICE

This is to certify that a FINAL ORDER for the Consent Agreement and Final Order in the matter of Waste Management LNG, Inc. [Docket Number CAA(112R)-09-2018-00/5], has been signed by the Regional Judicial Officer and has been filed with the Regional Hearing Clerk.

The Final Order has been served on Respondent, and Counsel for EPA, as indicated below:

BY FIRST CLASS MAIL:
(With Return Receipt)

Respondent -

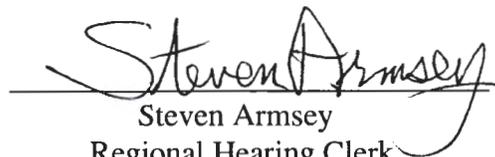
Ms. Tianna Nourot
Director, Safety & Management Programs
Waste Management LNG, Inc.
10840 Altamont Pass Rd.
Livermore, CA 94551

HAND DELIVERED:

Complainant -
(By Counsel)

Andrew Helmlinger
Office of Regional Counsel
ENVIRONMENTAL PROTECTION AGENCY
75 Hawthorne Street
San Francisco, CA. 94105

Dated at San Francisco, CA, Sept-28, 2018;


Steven Armsey
Regional Hearing Clerk
EPA, Region 9