

Message Confirmation Report

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH FIFTH STREET
KANSAS CITY, KANSAS 66101

10 JAN 19 03:03 PM '10
REG. MAIL PERMIT NO. 1077
KANSAS CITY, MO 64101
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KANSAS CITY, MO 64101

BEFORE THE ADMINISTRATOR

IN THE MATTER OF ) Docket No. CAA-07-2009-0021
)
CHARGER, INC. AND ALL FAMILY )
CRAFT, INC. )
)
RICHLAND, MISSOURI ) CONSENT AGREEMENT AND
) FINAL ORDER
)
)
Respondents. )

I. PRELIMINARY STATEMENT

The proceeding was initiated on or about August 14, 2009, when the United States Environmental Protection Agency, Region 7 (Complainant or EPA) issued a Complaint, Notice of Proposed Penalty, and Notice of Opportunity for Hearing (Complaint) to Charger, Inc. and All Family Craft, Inc. Pursuant to Sections 113(d)(2)(A) and 113(d)(2)(B) of the Clean Air Act (CAA), 42 U.S.C. §§ 7413(d)(2)(A), 7413(d)(2)(B) the Complainant sought civil penalties for alleged violations of 40 C.F.R. Part 63, Subpart VVVV, promulgated pursuant to Section 112 of the CAA, 42 U.S.C. § 7412.

The Complainant and Respondents subsequently entered into negotiations in an attempt to settle the allegations contained in the Complaint. This Consent Agreement and Final Order (CAFO) is the result of such negotiations and resolves all issues relating to the administrative claims arising from the Complaint.

II. CONSENT AGREEMENT

1. Respondents and EPA agree to the terms of this CAFO and Respondents agree to comply with the terms of the Final Order portion of this CAFO. The terms of this CAFO shall not be modified except by a subsequent written agreement between the parties.

2. For purposes of this proceeding, Respondents admit the jurisdictional allegations set forth above, and agree not to contest EPA's jurisdiction in this proceeding or any subsequent proceeding to enforce the terms of the Final Order portion of this