

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

APR 23 AM 9:35

IN THE MATER OF ) Docket No. RCRA-07-2014-0017  
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)  
CCP Composites US LLC ) EXPEDITED SETTLEMENT  
EPA ID. No. MOD086787371 ) AGREEMENT AND  
Respondent ) FINAL ORDER  
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**EXPEDITED SETTLEMENT AGREEMENT**

1. The U.S. Environmental Protection Agency (“EPA”) alleges that CCP Composites US LLC (“Respondent”), owner or operator of the facility at 1412 Knox Street, North Kansas City, Missouri (the “Facility”), failed to perform hazardous waste determinations, perform weekly inspections in the less than 90-day storage area, and properly label used oil containers as required under the Resource Conservation and Recovery Act (“RCRA”) and the EPA approved and authorized Missouri hazardous waste management program. 10 CSR 25-5.262(1), 10 CSR 25-5.262(2)(C)2.C(I) and (II), and 10 CSR 25-11.279(1).
2. Under RCRA a generator of hazardous waste is required to comply with RCRA and its implementing regulations. During an inspection of the Facility on April 22 and 23, 2013, and through subsequent correspondence, it was revealed that Respondent failed to comply with the following requirements:
  - a. Failure to perform hazardous waste determinations on multiple waste streams;
  - b. Failure to perform weekly inspections in the less than 90-day storage area; and
  - c. Failure to properly label used oil containers.
3. EPA and Respondent agree that settlement of this matter for a penalty of Four Thousand Dollars (\$4,000) is in the public interest.
4. EPA is authorized to enter into this Expedited Settlement Agreement (“Agreement”) pursuant to Section 3008 of RCRA and 40 C.F.R. § 22.13(b).
5. In signing this Agreement, Respondent: (1) admits that Respondent is subject to 10 CSR 25-5.262(1), 10 CSR 25-5.262(2)(C)2.C(I) and (II), and 10 CSR 25-11.279(1); (2) admits that EPA has jurisdiction over Respondent and Respondent’s conduct as alleged herein, (3) neither admits nor denies the factual allegations contained herein; (4) consents to the assessment of this penalty; (5) waives its right to contest any issue of fact or law set forth in this CAFO and its right

to appeal the Final Order accompanying this Consent Agreement; and (6) certifies that the undersigned representative is fully authorized to enter into the terms and conditions of this CAFO and to execute and legally bind Respondent to it.

6. By its signature below Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that: (1) the alleged violations have been corrected as documented on the Return to Compliance Worksheet; and (2) Respondent is submitting proof of payment of the civil penalty with this Agreement.

7. Respondent agrees that the civil penalty of Four Thousand Dollars (\$4,000) shall be paid in accordance with the Penalty Collection Procedures provided to the Respondent.

8. Proof of payment of the civil penalty and submission of the completed Return to Compliance Worksheet shall be provided to Kelley Catlin at the address below within thirty (30) days of Respondent's receipt of the letter invitation setting forth the opportunity for expedited settlement.

9. Upon the effective date of this Agreement, payment of the civil penalty and submission of the completed Return to Compliance Worksheet shall constitute full settlement of the civil claim alleged herein.

10. EPA reserves all of its rights to take enforcement action for any other past, present, or future violations by Respondent of RCRA, any other federal statute or regulation, or this Agreement.

11. Upon signing and returning this Agreement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 3008(b) of RCRA.

12. Each party shall bear its own costs and fees, if any.

13. This Agreement is binding on the parties signing below, and in accordance with 40 C.F.R. § 22.31(b), is effective upon filing.

### **Final Order**

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

1. Respondent shall pay a civil penalty of Four Thousand Dollars (\$4,000) within thirty (30) days of its receipt of the letter invitation setting forth the opportunity for expedited settlement. Such payment shall identify Respondent by name and docket number and be paid in accordance with the Penalty Collection Procedures provided to Respondent.

2. A copy of the check or other information confirming payment shall simultaneously be sent to the following:

Regional Hearing Clerk  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219.

and

Kelley Catlin  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219

3. No portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this CAFO shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.
4. This CAFO shall be effective upon the 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.

IT IS SO AGREED,

CCP Composites US LLC

Signature: 

Date 04/14/2014

Printed Name: Eric A. Nelson

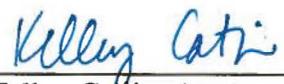
Printed Title: Director of HSEQ

APPROVED BY EPA:



Donald Toensing, Chief  
Waste Enforcement and Materials Management Branch  
Air and Waste Management Division

Date 4-16-14



Kelley Catlin, Attorney  
Office of Regional Counsel

Date 4/15/14

IT IS SO ORDERED.



Karina Borromeo  
Regional Judicial Officer

Date 4/23/14

IN THE MATTER OF CCP Composites US LLC, Respondent

Docket No. RCRA-07-2014-0017

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 emailed to Attorney for Complainant:

catlin.kelley@epa.gov

Copy by First Class Mail to Respondent:

Eric Nelson  
Director of HSEQ  
CCP Composites US LLC  
PO Box 41389  
Kansas City, Missouri 66141

Dated: 4/23/14



Kathy Robinson  
Hearing Clerk, Region 7