

JESSE LUEDERS
Assistant Regional Counsel
United States Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105
(415) 972-3174

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U.S. EPA - REGION IX

SYLVIA QUAST
Regional Counsel
United States Environmental Protection Agency, Region IX

Attorneys for Complainant

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105

_____)	Docket No. CAA-09-2020- <u>0052</u>
In the Matter of:)	
)	
Roadrunner Transportation Systems, Inc.)	CONSENT AGREEMENT AND
)	FINAL ORDER PURSUANT TO
Respondent)	40 C.F.R. §§ 22.13 and 22.18
_____)	

I. CONSENT AGREEMENT

A. PRELIMINARY STATEMENT

1. This is a civil administrative penalty assessment proceeding brought under section 113(d) of the Clean Air Act (“Act”), 42 U.S.C. § 7413(d), and sections 22.13 and 22.18 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, as codified at 40 C.F.R. part 22. In accordance with 40 C.F.R. §§ 22.13 and 22.18, entry of this Consent Agreement and Final Order (“CAFO”) simultaneously initiates and concludes this matter.

2. Complainant is the Director of the Enforcement Division, United States Environmental Protection Agency, Region IX (“EPA”), who has been duly delegated the authority to initiate and settle civil administrative penalty proceedings under section 113(d) of the Act.
3. Respondent is Roadrunner Transportation Systems, Inc. (“Roadrunner”). Respondent is a trucking company that owns and operates diesel-fired vehicles throughout the continental United States. It also engages trucking services through independent contractors. At all relevant times, Respondent was the owner of Morgan Southern, Inc. (“Morgan Southern”), a subsidiary company specializing in intermodal trucking services, whose operations are the focus of this proceeding.¹
4. Complainant and Respondent, having agreed that settlement of this action is in the public interest, consent to the entry of this CAFO without adjudication of any issues of law or fact herein and agree to comply with the terms of this CAFO.

B. JURISDICTION

5. Pursuant to section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), EPA and the United States Department of Justice jointly determined that this matter, which involves alleged violations that occurred more than one year before the initiation of this proceeding, is appropriate for an administrative penalty assessment.
6. The regulations at issue in this action have been incorporated into the federally-approved and federally-enforceable California state implementation plan (“SIP”); therefore, in satisfaction

¹ Roadrunner purchased Morgan Southern in 2011, and operated the company as a component of its intermodal services division. In November 2019, Roadrunner sold the Morgan Southern fleet and other intermodal assets and operations to Universal Logistics Holdings. Pursuant to this sale, Roadrunner has agreed to resolve outstanding EPA claims regarding operations by Morgan Southern. Herein, “Respondent” is used to refer to Roadrunner and/or Morgan Southern under Roadrunner ownership.

of the notice requirements of section 113(a) of the Act, 42 U.S.C. § 7413(a), on November 18, 2019, EPA issued a notice of violation (“NOV”) to Respondent and provided a copy of the NOV to the California Air Resources Board (“CARB”), providing notice to both Respondent and CARB that EPA found that Respondent committed the alleged violations described in Section I.E of this CAFO and providing Respondent an opportunity to confer with EPA. Representatives of Respondent and EPA discussed the NOV on December 9, 2019.

C. GOVERNING LAW

Clean Air Act

7. Pursuant to section 107(d) of the Act, 42 U.S.C. § 7407(d), the Administrator has promulgated lists of attainment status designations for each air quality control region (“AQCR”) in every state. These lists identify the attainment status of each AQCR for each of the criteria pollutants. The attainment status designations for California AQCRs are listed at 40 C.F.R. § 81.305.
8. There are multiple AQCRs designated as nonattainment for fine particulate matter (“PM_{2.5}”) in California. *See* 40 C.F.R. § 81.305.
9. Section 110(a) of the Act requires that all states adopt SIPs that provide for the implementation, maintenance and enforcement of primary and secondary air quality standards. 42 U.S.C. § 7410(a).
10. A person’s failure to comply with any approved regulatory provision of a SIP renders the person in violation of an applicable implementation plan and subject to enforcement under section 113(a)(1) of the Act. 42 U.S.C. § 7413(a)(1).

Title 13, Section 2025 of California Code of Regulations:
Truck and Bus Regulation

11. On September 19, 2011, CARB amended its “Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use Heavy-Duty Diesel-Fueled Vehicles,” codified at title 13, section 2025 of the California Code of Regulations (“Truck and Bus Regulation”). The Truck and Bus Regulation was made effective under state law on December 14, 2011.
12. The Truck and Bus Regulation was incorporated into the federally-approved and federally-enforceable California SIP on May 4, 2012. *See* 77 Fed. Reg. 20308 (April 4, 2012). Since that time, EPA has coordinated with CARB regarding EPA’s enforcement of the Truck and Bus Regulation pursuant to section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1), and 40 C.F.R. § 52.23.
13. Section 2025(a) of the Truck and Bus Regulation states that the purpose of the regulation is “to reduce emissions of diesel particulate matter (PM), oxides of nitrogen (NOx) and other criteria pollutants from in-use diesel-fueled vehicles.”
14. Section 2025(b) of the Truck and Bus Regulation states that the regulation applies to owners and operators of on-road diesel-fueled vehicles with a manufacturer’s gross vehicle weight rating (“GVWR”) greater than 14,000 pounds.
15. Section 2025(d)(17) of the Truck and Bus Regulation defines “Diesel Particulate Filter” (“DPF”) as “an emission control technology that reduces diesel particulate matter emissions by directing the exhaust through a filter that physically captures particles but permits gases to flow through....”

16. Section 2025(d)(18) of the Truck and Bus Regulation defines “Diesel Particulate Matter (PM)” as “the particles found in the exhaust of diesel-fueled compression ignition engines....”
17. Section 2025(d)(28) of the Truck and Bus Regulation defines “Fleet” as “one or more vehicles, owned by a person, business, or government agency, traveling in California and subject to this regulation....”
18. Section 2025(d)(29) of the Truck and Bus Regulation defines “Fleet Owner,” with certain exceptions, as “either the person registered as the owner or lessee of a vehicle by the California Department of Motor Vehicles (“DMV”), or its equivalent in another state, province, or country; as evidenced on the vehicle registration document carried in the vehicle.”
19. Under section 2025(d)(42) of the Truck and Bus Regulation, “Motor Carrier” is the same as defined in California Vehicle Code (“CVC”) section 408 for fleets other than those that are comprised entirely of school buses. CVC section 408 defines “Motor Carrier” as “the registered owner, lessee, or bailee of any vehicle set forth in [CVC] Section 34500, who operates or directs the operation of any such vehicle on either a for-hire or not-for-hire basis.”
20. Section 2025(d)(47) of the Truck and Bus Regulation defines “Person” as “an individual, corporation, business trust, estate, trust, partnership, Limited Liability Company, association, joint venture, government, governmental subdivision, agency, or instrumentality, public corporation, or any other legal or commercial entity.”

21. Section 2025(g) of the Truck and Bus Regulation requires Fleet Owners to comply with the following compliance schedule for vehicles above 26,000 pounds GVWR:²
- a. Vehicles with an engine model year of 1996 through 1999 must be equipped with a DPF by January 1, 2012.
 - b. Vehicles with an engine model year of 2000 through 2004 must be equipped with a DPF by January 1, 2013.
 - c. Vehicles with an engine model year of 2005 through 2006 must be equipped with a DPF by January 1, 2014.
 - d. Vehicles with an engine model year of 2007 or newer must be equipped with a DPF by January 1, 2014, if not original equipment manufacturer (OEM) equipped.
22. Section 2025(x)(1) of the Truck and Bus Regulation provides that “[t]he vehicle owner shall comply with all applicable requirements and compliance schedules set forth in this regulation.”
23. Section 2025(x)(2) of the Truck and Bus Regulation provides that “[a]ny in-state or out-of-state motor carrier, California broker, or any California resident who operates or directs the operation of any vehicle subject to this regulation shall verify that each hired or dispatched vehicle is in compliance with the regulation and comply with the record keeping requirements of Section 2025(s)(4).”
24. Section 2025(x)(3) of the Truck and Bus Regulation provides that “[c]ompliance may be accomplished by keeping at the business location, a copy of the Certificate of Reported

² The schedule in section 2025(g) includes additional compliance deadlines through January 1, 2023; only compliance dates within the scope of this NOV are noted herein. The schedule applies to all vehicles that were not reported to ARB under an alternative compliance option and are not otherwise exempt under the Truck and Bus Regulation.

Compliance with the In-Use On-Road Diesel Vehicle Regulation for each fleet, or in the vehicle.”

25. Section 2025(s)(4) of the Truck and Bus Regulation provides that motor carriers or brokers must maintain bills of lading and other documentation for hired or dispatched vehicles that identifies the vehicle and the motor carrier or broker who hired or dispatched the vehicle.

Title 13, Section 2027 of California Code of Regulations:
Drayage Truck Regulation

26. On September 19, 2011, CARB amended its “Regulation to Control Emissions from In-Use On-Road Diesel-Fueled Heavy-Duty Drayage Trucks”), codified at title 13, section 2027 of the California Code of Regulations (“Drayage Truck Regulation”). The Drayage Truck Regulation was made effective under state law on November 9, 2011.
27. The Drayage Truck Regulation was incorporated into the federally-approved and federally-enforceable California SIP on May 4, 2012. *See* 77 Fed. Reg. 20308 (April 4, 2012). Since that time, EPA has coordinated with CARB regarding EPA’s enforcement of the Drayage Truck Regulation pursuant to section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1), and 40 C.F.R. § 52.23.
28. Section 2027(a) of the Drayage Truck Regulation states that the purpose of the regulation is “to reduce emissions and public exposure to diesel particulate matter (diesel PM), oxides of nitrogen (NOx), and other air contaminants by setting emission standards for in-use, heavy-duty diesel-fueled vehicles that transport cargo to and from California's ports and intermodal rail facilities.”
29. Section 2027(b)(1) of the Drayage Truck Regulation states that the regulation “applies [through December 31, 2022] to owners and operators of on-road diesel-fueled, alternative

diesel-fueled and dual-fueled heavy-duty drayage trucks that operate in California ‘motor carriers,’ that dispatch drayage trucks that operate in California, ‘marine or port terminals,’ ‘intermodal rail yards,’ and rail yard and port authorities.’”

30. Section 2027(c)(15) of the Drayage Truck Regulation defines “Drayage Truck” as follows:

[A]ny in-use on-road vehicle with a gross vehicle weight rating (GVWR) greater than 26,000 pounds that is used for transporting cargo, such as containerized, bulk, or break-bulk goods, that operates:

- (A) on or transgresses through port or intermodal rail yard property for the purpose of loading, unloading or transporting cargo, including transporting empty containers and chassis; or,
- (B) off port or intermodal rail yard property transporting cargo or empty containers or chassis that originated from or is destined to a port or intermodal rail yard property.

Drayage trucks are not:

- (C) Vehicles operating off of port or intermodal rail yard properties that transport cargos that have originated from a port or rail yard property but have been off-loaded from the equipment (e.g., a trailer or container) that transported the cargo from the originating port or rail yard; or,
- (D) Vehicles operating off of port or intermodal rail yard properties that transport cargos that are destined for a port or rail yard but will be subsequently transferred into or onto different equipment (e.g., a trailer or container) before being delivered to a port or intermodal railyard.

31. Section 2027(c)(16) of the Drayage Truck Regulation defines “Drayage Truck Owner” as follows:

(A) the person registered as the owner of a drayage truck as shown by the Department of Motor Vehicles, or its equivalent in another state, providence, or country; or the International Registration Plan.

or

(B) the lessee of the truck, as indicated on the drayage truck’s registration pursuant to Vehicle Code section 4453.5.

32. Section 2027(c)(18) of the Drayage Truck Regulation defines “Drayage Truck Registry (DTR)” as “an ARB database that contains information on all trucks that conduct business at California ports and intermodal rail yards.”

33. Section 2027(c)(33) of the Drayage Truck Regulation defines “Motor Carrier” as “a business intermediary that contracts with beneficial cargo owners, ship companies, port terminals or Class I railroads, and with owners and operators of drayage trucks that it dispatches for pick-up and delivery of goods that are destined for or originated from ports and/or intermodal rail yards.”

34. Section 2027(d)(2) of the Drayage Truck Regulation requires drayage trucks to meet “Phase 1” and “Phase 2” requirements by the compliance deadlines. Under the Phase 2 requirements:

a. After December 31, 2013, all drayage trucks must be equipped with a 1994 or newer model year engine that meets or exceeds 2007 model year California or federal emission standards.

35. Section 2027(d)(3)(A)1 of the Drayage Truck Regulation requires drayage truck owners to meet all applicable requirements and deadlines set forth in Phases 1 and 2.
36. Section 2027(d)(3)(A)3 of the Drayage Truck Regulation requires drayage truck owners to register with the Drayage Truck Registry (“DTR”) according to section 2027(e) of the Drayage Truck Regulation:
- a. Section 2027(e)(1)(A) of the Drayage Truck Regulation requires drayage trucks owners doing business at a port or intermodal railyard to register with the DTR database by September 30, 2009.
 - b. Section 2027(e)(1)(B) of the Drayage Truck Regulation requires drayage trucks intending to begin operations at a port or intermodal rail yard after September 30, 2009 to be registered with the DTR database prior to commencing operations.
37. Section 2027(d)(5)(A)5 of the Drayage Truck Regulation requires motor carriers to keep a record of all dispatched drayage trucks to a port or intermodal rail yard containing the information set forth in (a) through (d) below for a minimum of five years from the dispatch date. Dispatch records are to be made available to enforcement personnel within 72 hours of an official written or oral request.
- a. truck dispatch date and time;
 - b. bill of lading or tracking number;
 - c. truck license plate number and issuing state;
 - d. Drayage Truck Registry number.

D. STIPULATED FACTS

38. On December 19, 2017, EPA issued an information request to Respondent pursuant to section 114 of the Act, 42 U.S.C. § 7414, regarding compliance with the Truck and Bus Regulation and Drayage Truck Regulation (“Information Request”), which was shared with CARB.
39. On February 8, 2018, Respondent submitted responses to EPA’s Information Request. Respondent submitted supplemental responses to EPA’s Information Request on October 10, 2018, October 30, 2018, and August 21, 2019.
40. As referenced in Paragraph 6 above, on November 18, 2019, EPA issued an NOV to Respondent and provided a copy of the NOV to CARB regarding the alleged violations described in Section I.E of this CAFO, providing notice to both Respondent and CARB and an opportunity for Respondent to confer with EPA regarding the NOV.
41. Representatives of Respondent and EPA discussed the NOV on December 9, 2019 and have had additional discussions on subsequent occasions.
42. Respondent represents that it has taken actions with respect to its private fleet and recordkeeping systems sufficient to address the violations EPA alleged in the NOV and to assure compliance with the Truck and Bus Regulation and Drayage Truck Regulation.

E. VIOLATIONS OF LAW ALLEGED BY EPA

43. At all times relevant to this CAFO, Respondent was a “Person” as defined under section 302(e) of the Act, 42 U.S.C. § 7602(e), and section 2025(d)(47) of the Truck and Bus Regulation.

44. At all times relevant to this CAFO, Respondent was a “Fleet Owner” of a “Fleet” as those terms are defined under section 2025(d)(28) and (29) of the Truck and Bus Regulation.
45. At all times relevant to this CAFO, Respondent was a “Motor Carrier” as that term is defined under section 2025(d)(42) of the Truck and Bus Regulation and section 2027(c)(33) of the Drayage Truck Regulation.
46. At all times relevant to this CAFO, Respondent was a “Drayage Truck Owner” of “Drayage Trucks” as those terms are defined under section 2027(c)(15) and (16) of the Drayage Truck Regulation.
47. Respondent owned and operated at least 4 diesel-fueled vehicles without DPFs during 2014–2015.
48. Respondent violated section 2025(g) of the Truck and Bus Regulation as a Fleet Owner by failing to timely install DPFs on these 4 diesel-fueled vehicles that it owned and operated in California during 2014–2015.
49. Respondent hired diesel-fueled vehicles operated in California from at least 16 companies and individuals between January 1, 2014 and December 19, 2017, and failed to verify that each of these hired vehicles were in compliance with the Truck and Bus Regulation.
50. Respondent violated section 2025(x)(2) of the Truck and Bus Regulation as a Motor Carrier by failing to verify whether the diesel-fueled vehicles it hired to operate in California between January 1, 2014 and December 19, 2017 were in compliance with the Truck and Bus Regulation.

51. Respondent owned and operated at least one drayage truck during 2014–2015 that was not equipped with a 1994 or newer model year engine meeting or exceeding 2007 model year California or federal emission standards.
52. Respondent violated sections 2027(d)(2) and 2027(d)(3)(A)1 of the Drayage Truck Regulation as a Drayage Truck Owner by not meeting the Phase 2 requirements and compliance deadline for this drayage truck that it owned and operated during 2014–2015.
53. Respondent owned and operated at least five drayage trucks at a port or intermodal railyard during 2014–2017 that were not registered with the DTR.
54. Respondent violated section 2027(d)(3)(A)3 and 2027(e)(1) of the Drayage Truck Regulation as a Drayage Truck Owner by operating these five drayage trucks at a port or intermodal railyard without registering the drayage trucks with the DTR.
55. Respondent dispatched drayage trucks from at least six companies and individuals between January 1, 2014 and December 19, 2017, without keeping dispatch records for the dispatched drayage trucks.
56. Respondent violated Section 2027(d)(5)(A)5 of the Drayage Truck Regulation as a Motor Carrier by dispatching drayage trucks without keeping dispatch records for the dispatched drayage trucks.

F. TERMS OF CONSENT AGREEMENT

57. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:
 - a. admits that EPA has jurisdiction over the subject matter alleged in this CAFO and over Respondent;
 - b. admits to the stipulated facts contained in Section I.D of this CAFO;

- c. neither admits nor denies the specific factual allegations contained in Section I.E of this CAFO;
- d. consents to the assessment of a civil penalty under this Section, as stated below;
- e. waives any right to contest the allegations set forth in Section I.E of this CAFO; and
- f. waives its rights to appeal the proposed Order contained in this CAFO.

Civil Penalty

58. Respondent agrees to:

- a. pay the civil penalty of ONE HUNDRED SEVENTEEN THOUSAND (\$117,000) (“EPA Penalty”) within 30 calendar days of the effective date of this CAFO;
- b. pay the EPA Penalty using any method, or combination of methods, provided on the website <http://www2.epa.gov/financial/additional-instructions-making-payments-epa>, and identifying each and every payment with “Docket No. CAA-09-2020-0052”; and
- c. within 24 hours of payment of the EPA Penalty, send proof of payment to Andrew Chew at:

Enforcement and Compliance Assurance Division, ENF-2-1
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St.
San Francisco, CA 94105

and at Chew.Andrew@epa.gov (“proof of payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to the EPA requirements, in the amount due, and identified with “Docket No. CAA-09-2020-0052”).

59. If Respondent fails to pay the EPA Penalty within 30 days after the effective date of this CAFO, then Respondent shall pay to EPA a stipulated penalty in the amount of ONE THOUSAND DOLLARS (\$1,000) for each day the default continues, upon written demand by EPA. Additionally, if Respondent fails to timely pay any portion of the penalty assessed under this CAFO, EPA may:
- a. request the Attorney General to bring a civil action in an appropriate district court to recover: the amount assessed; interest at rates established pursuant to 26 U.S.C. § 6621(a)(2); the United States' enforcement expenses; and a 10 percent quarterly nonpayment penalty, 42 U.S.C. § 7413(d)(5);
 - b. refer the debt to a credit reporting agency or a collection agency, 42 U.S.C. § 7413(d)(5), 40 C.F.R. §§ 13.13, 13.14, and 13.33;
 - c. collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 40 C.F.R. part 13, subparts C and H; and
60. consistent with 40 C.F.R. § 13.17, (i) suspend or revoke Respondent's licenses or other privileges if the failure to timely pay is "inexcusable, prolonged, or repeated," or (ii) suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds.

Additional Terms of Settlement

61. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assignees. Respondent must give written notice and a copy of this CAFO to any successors in interest prior to any transfer of ownership or control of any portion of or interest in Respondent. Simultaneously with such notice, Respondent shall provide written notice of such transfer, assignment, or delegation to EPA. In the event of any such transfer, assignment, or delegation, Respondent shall not be released from the obligations or liabilities of this CAFO unless EPA has provided written approval of the release of said obligations or liabilities.
62. By signing this CAFO, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.
63. By signing this CAFO, the undersigned representative of Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents to this CAFO.
64. By signing this CAFO, Respondent certifies that the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

65. Each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding.

G. EFFECT OF CONSENT AGREEMENT AND ATTACHED FINAL ORDER

66. In accordance with 40 C.F.R. § 22.18(c), completion of the terms of this CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts specifically alleged above.

67. Penalties paid pursuant to this CAFO shall not be deductible for purposes of federal taxes.

68. This CAFO constitutes the entire agreement and understanding of the parties and supersedes any prior agreements or understandings, whether written or oral, among the parties with respect to the subject matter hereof.

69. Any violation of this Order may result in a civil judicial action for an injunction or civil penalties of up to \$101,439 per day per violation, or both, as provided in section 113(b)(2) of the Act, 42 U.S.C. § 7413(b)(2), as well as criminal sanctions as provided in section 113(c) of the Act, 42 U.S.C. § 7413(c). EPA may use any information submitted under this Order in an administrative, civil judicial, or criminal action.

70. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit.

71. Nothing herein shall be construed to limit the power of EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.
72. EPA reserves the right to revoke this CAFO and settlement penalty if and to the extent that EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to EPA, and EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

H. EFFECTIVE DATE

73. Respondent and Complainant agree to issuance of the attached Final Order. Upon filing, EPA will transmit a copy of the filed CAFO to Respondent. This CAFO shall become effective after execution of the Final Order by the Regional Judicial Officer on the date of filing with the Regional Hearing Clerk.

The foregoing Consent Agreement in the Matter of Roadrunner Transportation Systems, Inc., Docket No. CAA-09-2020-0052 is hereby stipulated, agreed, and approved for entry.

FOR RESPONDENT:



Signature

July 24, 2020
Date

Printed Name: Patrick J. Unzicker

Title: Executive Vice President and Chief Financial Officer

Address: 1431 Opus Place, Suite 530, Downers Grove, IL 60515

Respondent's Federal Tax Identification Number: 20-2454942

The foregoing Consent Agreement in the Matter of Roadrunner Transportation Systems, Inc., Docket No. CAA-09-2020-0052, is hereby stipulated, agreed, and approved for entry.

FOR COMPLAINANT:

Digitally signed by
JOEL JONES JOEL JONES
Date: 2020.07.31
14:59:18 -07'00'

DATE


FOR
Amy C. Miller-Bowen
Director
Enforcement and Compliance Assurance Division
United States Environmental
Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

II. FINAL ORDER

EPA Region IX and Roadrunner Transportation Systems, Inc. having entered into the foregoing Consent Agreement,

IT IS HEREBY ORDERED that this CAFO (Docket No. CAA-09-2020-0052) be entered, and Respondent shall pay a civil administrative penalty in the amount of ONE HUNDRED SEVENTEEN THOUSAND (\$117,000) and otherwise comply with the terms set forth in the CAFO.

**STEVEN
JAWGIEL**

 Digitally signed by
STEVEN JAWGIEL
Date: 2020.08.11 11:08:38
-07'00'

DATE

STEVEN JAWGIEL
Regional Judicial Officer
United States Environmental
Protection Agency, Region IX

CERTIFICATE OF SERVICE

This is to certify that the original of the fully executed Consent Agreement and Final Order in the matter of Roadrunner Transportation Systems Inc. (CAA-09-2020-0052) was filed with the Regional Hearing Clerk and that a true and correct copy of the same was sent to the following parties:

FOR RESPONDENT: Patrick J. Unzicker
Executive Vice President and Chief Financial Officer
Roadrunner Transportation Systems, Inc.
Pat.Unzicker@rrts.com

and

Andrew C. Mikulecky, Esq.
Corporate Counsel
Roadrunner Freight
amikulecky@rrts.com

FOR COMPLAINANT: Jesse Lueders
Assistant Regional Counsel
U.S. EPA, Region IX
Lueders.Jesse@epa.gov

Steven Armsey
Regional Hearing Clerk

Date