



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAY 17 2012

REPLY TO THE ATTENTION OF:

LR-8J

**CERTIFIED MAIL 7001 0320 0006 0189 3741**  
**RETURN RECEIPT REQUESTED**

Mr. Michael McMahon  
McMahon DeGulis, LLP  
The Caxton Building  
812 Huron Road, Suite 650  
Cleveland, Ohio 44115

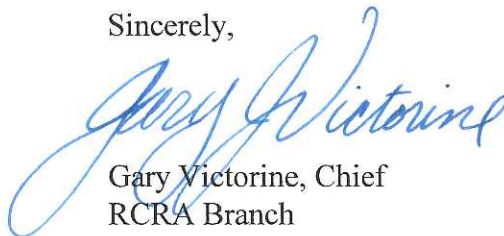
Re: Consent Agreement and Final Order  
Mayflower Vehicle Systems, LLC  
55 North Garfield Street  
Norwalk, Ohio 44857  
EPA I.D. No.: OHD039999164  
Docket No:

Dear Mr. McMahon:

Enclosed, please find an original signed fully-executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The original was filed on           MAY 17 2012           with the Regional Hearing Clerk.

Please pay the civil penalty in the amount of \$50,000 in the manner prescribed in paragraph 81 of the CAFO, and reference all checks with the number BD           2751242R006           and docket number           RCRA-05-2012-0006          . Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*. Your payment is due within 30 calendar days of the effective date of the CAFO. Thank you for your cooperation in resolving this matter.

Sincerely,



Gary Victorine, Chief  
RCRA Branch

Enclosure

## NOTICE OF SECURITIES AND EXCHANGE COMMISSION REGISTRANTS' DUTY TO DISCLOSE ENVIRONMENTAL LEGAL PROCEEDINGS

Securities and Exchange Commission regulations require companies registered with the SEC (e.g., publicly traded companies) to disclose, on at least a quarterly basis, the existence of certain administrative or judicial proceedings taken against them arising under Federal, State or local provisions that have the primary purpose of protecting the environment. Instruction 5 to Item 103 of the SEC's Regulation S-K (17 CFR 229.103) requires disclosure of these environmental legal proceedings. For those SEC registrants that use the SEC's "small business issuer" reporting system, Instructions 1-4 to Item 103 of the SEC's Regulation S-B (17 CFR 228.103) requires disclosure of these environmental legal proceedings.

If you are an SEC registrant, you have a duty to disclose the existence of pending or known to be contemplated environmental legal proceedings that meet any of the following criteria (17 CFR 229.103(5)(A)-(C)):

- A. Such proceeding is material to the business or financial condition of the registrant;
- B. Such proceeding involves primarily a claim for damages, or involves potential monetary sanctions, capital expenditures, deferred charges or charges to income and the amount involved, exclusive of interest and costs, exceeds 10 percent of the current assets of the registrant and its subsidiaries on a consolidated basis; or
- C. A governmental authority is a party to such proceeding and such proceeding involves potential monetary sanctions, unless the registrant reasonably believes that such proceeding will result in no monetary sanctions, or in monetary sanctions, exclusive of interest and costs, of less than \$100,000; provided, however, that such proceedings which are similar in nature may be grouped and described generically.

Specific information regarding the environmental legal proceedings that must be disclosed is set forth in Item 103 of Regulation S-K or, for registrants using the "small business issuer" reporting system, Item 103(a)-(b) of Regulation S-B. If disclosure is required, it must briefly describe the proceeding, "including the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought."

You have been identified as a party to an environmental legal proceeding to which the United States government is, or was, a party. If you are an SEC registrant, this environmental legal proceeding may trigger, or may already have triggered, the disclosure obligation under the SEC regulations described above.

This notice is being provided to inform you of SEC registrants' duty to disclose any relevant environmental legal proceedings to the SEC. This notice does not create, modify or interpret any existing legal obligations, it is not intended to be an exhaustive description of the legally applicable requirements and it is not a substitute for regulations published in the Code of Federal Regulations. This notice has been issued to you for information purposes only. No determination of the applicability of this reporting requirement to your company has been made by any governmental entity. You should seek competent counsel in determining the applicability of these and other SEC requirements to the environmental legal proceeding at issue, as well as any other proceedings known to be contemplated by governmental authorities.

If you have any questions about the SEC's environmental disclosure requirements, please contact the SEC Office of the Special Senior Counsel for Disclosure Operations at (202) 942-1888.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>In the Matter of:</b>	)	<b>Docket No. RCRA-05-2012-0006</b>
	)	
<b>Mayflower Vehicle Systems, LLC, Norwalk, Ohio 44857</b>	)	<b>Proceeding to Commence and Conclude an Action to Assess a Civil Penalty Under Section 3008(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6928(a)</b>
<b>U.S. EPA ID #OHD039999164</b>	)	
<b>Respondent.</b>	)	
<hr/>		

**RECEIVED**  
**MAY 17 2012**  
**REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY.**

**Consent Agreement and Final Order**

**Preliminary Statement**

1. This is an administrative action commenced and concluded under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), and Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules) as codified at 40 C.F.R. Part 22.

2. The Complainant is the Director of the Land and Chemicals Division, United States Environmental Protection Agency (U.S. EPA), Region 5.

3. U.S. EPA provided notice of commencement of this action to the State of Ohio pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

4. Respondent is Mayflower Vehicle Systems, LLC, a limited liability corporation doing business in the State of Ohio.

5. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the

issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

6. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

7. Respondent consents to the assessment of the civil penalty specified in this CAFO, and to the terms of this CAFO.

#### **Jurisdiction and Waiver of Right to Hearing**

8. Jurisdiction for this action is conferred upon U.S. EPA by Sections 3006 and 3008 of RCRA, 42 U.S.C. §§ 6926 and 6928.

9. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations or the legal conclusions in this CAFO.

10. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

11. Respondent certifies that its facility located at 55 North Garfield Street, Norwalk, Ohio, (the Facility), is complying fully with RCRA, 42 U.S.C. §§ 6901 – 6992(k), and the regulations at 40 C.F.R. Parts 260 - 279.

#### **Statutory and Regulatory Background**

12. U.S. EPA has promulgated regulations, codified at 40 C.F.R. Parts 260 through 279, governing generators and transporters of hazardous waste and facilities that treat, store, and dispose of hazardous waste, and used oil, pursuant to Sections 3001 – 3007, 3013, and 3014, of RCRA, 42 U.S.C. §§ 6921 – 6927, 6934, and 6935.

13. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of U.S. EPA may authorize a state to administer the RCRA hazardous waste program in lieu of the federal program when the Administrator finds that the state program meets certain conditions.

Any violation of regulations promulgated pursuant to Subtitle C (Sections 3001-3023 of RCRA, 42 U.S.C. §§ 6921-6939(e)) or any state provision authorized pursuant to Section 3006 of RCRA constitutes a violation of RCRA, subject to the assessment of civil penalties and issuance of compliance orders as provided in Section 3008 of RCRA, 42 U.S.C. § 6928.

14. Pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Administrator of U.S. EPA granted the State of Ohio final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective June 30, 1989. 54 Fed. Reg. 27170 (June 28, 1989).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), U.S. EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified period of time, or both. The Administrator of U.S. EPA may assess a civil penalty of up to \$25,000 per day for each violation of Subtitle C of RCRA according to Section 3008 of RCRA, 42 U.S.C. § 6928. The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 note (1996), required U.S. EPA to adjust its penalties for inflation on a periodic basis. Pursuant to the Civil Monetary Penalty Inflation Adjustment Rule, published at 40 C.F.R. Part 19, U.S. EPA may assess a civil penalty of up to \$32,500 per day for each violation of Subtitle C of RCRA that occurred from March 15, 2004 through January 12, 2009, and \$37,500 per day for each violation of Subtitle C of RCRA that occurred after January 12, 2009.

#### **Factual Allegations and Alleged Violations**

16. Respondent was and is a "person" as defined by OAC 3745-50-10(88), and 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. Respondent was and is the “operator” or “owner,” as defined by OAC 3745-50-10 (90) and (91) and 40 C.F.R. § 260.10, of the facility located at 55 North Garfield Street, Norwalk, Ohio, U.S. EPA I.D. No. OHD039999164, (the Facility).

18. On April 15, 2008, U.S. EPA inspected the Facility.

19. The Facility consisted of land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste.

20. Respondent manufactured Class A Cabs for the trucking industry.

21. Respondent created solid wastes including spent paint, solvent waste, and isopropanol; wastewater treatment sludge from its chemical conversion coating of aluminum; electrocoating (e-coat) tank line and paint filters; solid resin from ITEC roofing installations; sealer; phosphate sludge; and floor/tank sludge.

22. The hazardous waste code for spent paint and solvent waste was D001.

23. The hazardous waste code for wastewater treatment sludge from the chemical conversion coating of aluminum is F019.

24. Therefore, Respondent produced hazardous wastes identified or listed in OAC Rules 3745-50-01 to 3745-270 [40 C.F.R. Parts 260-270].

25. Therefore, Respondent was a “generator,” as that term is defined in OAC Rules 3745-50-10(45) and 40 C.F.R. § 260.10.

26. Therefore, Respondent was a generator of “hazardous waste” as that term is defined in OAC Rules 3745-50-10(A)(54) [40 C.F.R. § 260.10].

27. Therefore, Respondent was subject to the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§ 6921-6930, or the analogous Ohio regulations as part of the applicable state hazardous waste management program for the state of Ohio, or both.

28. Respondent generated an average of 2,686 lbs. of hazardous waste per month during 2007.

29. Respondent generated an average of 2,232 lbs. of hazardous waste per month during 2008.

30. Therefore, Respondent was not a small quantity hazardous waste generator as that term is defined at OAC 3745-50-10(A)(113) [40 C.F.R. § 260.10], but rather a large quantity generator.

31. The State of Ohio never issued to Respondent a RCRA Permit to treat, store, or dispose of hazardous waste at the Facility.

32. The Respondent did not have RCRA Interim Status for the treatment, storage, or disposal of hazardous waste at the facility.

### **Count 1**

33. Complainant incorporates paragraphs 1 through 32 of this CAFO as though set forth in this Count.

34. Respondent failed to determine if the spent wastewater treatment sludge generated by the chemical conversion coating of aluminum at its facility was a listed hazardous waste.

35. Therefore, Respondent violated the regulation at OAC 3745-52-11 [40 C.F.R. § 262.11].

### **Count 2**

36. Complainant incorporates paragraphs 1 through 35 of this Complaint as though set forth in this paragraph.

37. On at least seven separate and independent occasions during 2007 and 2008, Respondent caused the transportation, from its facility, to another facility not authorized to

manage hazardous waste, at least 61 totes of wastewater treatment sludge from its chemical conversion coating of aluminum.

38. On at least seven separate and independent occasions during 2007 and 2008, Respondent caused the disposal, at another facility not authorized to dispose of hazardous waste, at least 61 totes of wastewater treatment sludge from its chemical conversion coating of aluminum.

39. Therefore, Respondent violated Section 3005(a) of RCRA, 42 U.S.C. § 6925(a).

### **Count 3**

40. Complainant incorporates paragraphs 1 through 39 of this Complaint as though set forth in this Count.

41. Respondent failed to send, with the initial shipment of waste to each treatment storage, or disposal facility receiving its waste, and copy and file, a one-time written notice to notify the treatment, storage, or disposal facility if the waste had to be treated before it was land-disposed, or if the waste did not meet the treatment standards, or if the waste met the treatment standards at the original point of generation.

42. Therefore, Respondent violated the regulation at OAC 3745-270-07(A)(2) and (3)(a) [40 C.F.R. § 268.7(a)(2) – (3)(i)].

43. Respondent failed to provide in its RCRA Hazardous Waste Manifest Forms the hazardous waste number of F019 for its wastewater treatment sludge.

44. Therefore, Respondent violated the regulation at OAC 3745-52-20(A) [40 C.F.R. § 262.20(a)].

### **Count 4**

45. Complainant incorporates paragraphs 1 through 44 of this Complaint as though set



forth in this Count.

46. Respondent failed to provide all facility personnel filling a position of hazardous waste management an annual review of the initial hazardous waste training program and failed to maintain records to document the 2006 and 2007 Training and Annual Review to its facility personnel filling a position of hazardous waste management.

47. Respondent failed to maintain a written description of the type and amount of introductory and continuing training it would provide to each person filling a a position of hazardous waste management.

48. Therefore, Respondent failed to comply with the condition of OAC 3745-52-34(A)(4) [40 C.F.R. § 262.34(a)(4)] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste.

49. Therefore, Respondent violated the requirements of OAC 3745-65-16(C) and (D)(4) [40 C.F.R. § 265.16(c)]; OAC 3745-54-16(C) and (D)(4) [40 C.F.R. § 264.16(c), (d)(4)].

50. Therefore, Respondent violated OAC 3745-65-16(D)(3) [40 C.F.R. § 265.16(d)(3)], and OAC 3745-54-16(D)(3) [40 C.F.R. § 264.16(d)(3)].

51. Therefore, Respondent stored hazardous waste without a permit or interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a) and the regulations found at OAC 3745-50-40 to 3745-50-66, 3745-54 to 3745-57, 3745-205, and 3745-256 [40 C.F.R. Part 264, 40 C.F.R. §§ 270.1(c) and 270.10(a) and (d), and 270.13].

### **Count 5**

52. Complainant incorporates paragraphs 1 through 51 of this Complaint as though set forth in this Count.

53. On April 15, 2008, Respondent failed to maintain aisle space to allow the

unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.

54. Therefore, Respondent failed to meet the condition of OAC 3745-52-34(A)(4) [40 C.F.R. § 262.34(a)(4)] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste.

55. Therefore, Respondent violated the requirement of OAC 3745-65-35 [40 C.F.R. § 265.35]; OAC 3745-54-35 [40 C.F.R. § 264.35].

### **Count 6**

56. Complainant incorporates paragraphs 1 through 55 of this Complaint as though set forth in this Count.

57. On April 15, 2008, Respondent failed to include in its Contingency Plan the updated list of emergency coordinators, including names, addresses, and telephone numbers (office and home) of all persons qualified to act as emergency coordinator (see rule 3745-65-55 of the OAC), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.

58. Therefore, Respondent failed to meet the conditions of the regulations at OAC 3745-52-34(A)(4) [40 C.F.R. § 262.34(a)(4)] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste.

59. Therefore, Respondent violated OAC 3745-65-52(D) [40 C.F.R. § 265.52(d)]; OAC 3745-54-52(D) [40 C.F.R. § 264.52(d)].

60. Respondent also failed to review, and immediately amend, if necessary, whenever the list of emergency coordinators changed.

61. Therefore, Respondent failed to comply with the condition of the regulation at OAC OAC 3745-52-34(A)(4) [40 C.F.R. § 262.34(a)(4)] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste.

62. Therefore, Respondent violated OAC 3745-65-54(D) [40 C.F.R. § 265.54(d)]; OAC 3745-54-54(A)(4) [40 C.F.R. § 264.54(d)].

63. Therefore, Respondent stored hazardous waste without a permit or interim status in violation of Section 3005 of RCRA, 42 U.S.C. § 6925(a) and the regulations found at OAC 3745-50-40 to 3745-50-66, 3745-54 to 3745-57, 3745-205, and 3745-256 [40 C.F.R. Part 264, 40 C.F.R. §§ 270.1(c) and 270.10(a) and (d), and 270.13].

#### Count 7

64. Complainant incorporates paragraphs 1 through 63 of this Complaint as though set forth in this Count.

65. On April 15, 2008, Respondent failed to label or mark clearly universal waste batteries, or a container in which the batteries were contained, with any one of the following phrases: "Universal Waste - Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)."

66. On April 15, 2008, Respondent failed to label or mark clearly each universal waste lamp, or a container or package in which such lamps were contained, with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

67. On April 15, 2008, Respondent failed to label or mark clearly universal waste thermostats (i.e., each thermostat), or a container in which the thermostats were contained, with any one of the following phrases: "Universal Waste - mercury Thermostat(s)," or "Waste Mercury Thermostat(s)," or "Used Mercury Thermostat(s)."

68. Therefore, Respondent violated the regulations at OAC 3745-273-14(A), (D), and

(E), [40 C.F.R. § 273.14(a), (d)(2), and (e)].

69. On April 15, 2008, Respondent failed to contain spent lamps in closed containers or packages that were structurally sound, or adequate to prevent breakage, and compatible with the contents of the lamps.

70. Therefore, Respondent violated the regulations at OAC 3745-273-13(D)(1) [40 C.F.R. § 273.13(d)(1)].

### **Count 8**

71. Complainant incorporates paragraphs 1 through 70 of this Complaint as though set forth in this Count.

72. On April 15, 2008, Respondent failed to label, or mark clearly with the words “Used Oil,” the container it used to store oil at its facility.

73. Therefore, Respondent violated the regulation at OAC 3745-279-22( C)(1) [40 C.F.R. §§ 279.22( c)(1)].

### **Count 9**

74. Complainant incorporates paragraphs 1 through 73 of this Complaint as though set forth in this paragraph.

75. From November 1, 2006, - February 26, 2007, February 26, 2007, - June 12, 2007, June 12, 2007, - December 21, 2007, Respondent stored at its facility in excess of 90 days wastewater treatment sludge from the chemical conversion coating of aluminum.

76. Therefore, Respondent failed to comply with the conditions for a hazardous waste storage permit exemption in the regulations at OAC 3745-52-34(B) [40 C.F.R. § 262.34(b)] necessary to exempt it from the requirement to apply for and obtain a permit for the storage of hazardous waste.

77. Therefore, Respondent was an operator of a hazardous waste, storage or treatment facility.

78. However, Respondent had not applied for, or obtained, a hazardous waste storage permit.

79. Therefore, Respondent violated Section 3005 of RCRA, 42 U.S.C. § 6925(a), and the regulations at OAC 3745-50-40 to 3745-50-66; 3745-54 to 3745-57; 3745-205 and 3745-256 [40 C.F.R. §§ 270.1(c), 270.10(a) and (d), and 270.13].

#### Civil Penalty

80. Pursuant to Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), Complainant determined that an appropriate civil penalty to settle this action is \$50,000.00. In determining the penalty amount, Complainant took into account the seriousness of the violation and any good faith efforts to comply with the applicable requirements. Complainant also considered U.S. EPA's RCRA Civil Penalty Policy, dated June 23, 2003.

81. Within 30 days of the effective date of this CAFO, Respondent must pay a \$50,000.00 civil penalty for these alleged RCRA violations by sending a cashier's or certified check, payable to the "Treasurer, United States of America," to U.S. EPA

Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

The check must state the case title, Mayflower Vehicle Systems, LLC, the docket number of this CAFO RCRA-05-2012-0006, and the billing document number 2751242R006.

Alternatively, within 30 days of the effective date of this CAFO, Respondent must pay a \$50,000.00 civil penalty for these alleged RCRA violations via Electronic Funds Transfer payable to "Treasurer, United States of America," and sent to:

Federal Reserve Bank of New York  
ABA No. 021030004  
Account No. 68010727  
SWIFT address FRNYUS33  
33 Liberty Street  
New York, NY 10045  
Field Tag 4200 of the Fedwire message is  
“D68010727 Environmental Protection Agency”

In the comment or description field of the Electronic Funds Transfer, state Mayflower Vehicle Systems, LLC, the docket number of this CAFO RCRA-05-2012-0006, and the billing document number of this CAFO 2751242R006.

Alternatively, within 30 days of the effective date of this CAFO, Respondent must pay a \$50,000.00 civil penalty for these alleged RCRA violations via ACH Electronic Funds Transfer, also known as REX or Remittance Express, payable to “Treasurer, United States of America,” and sent to:

US Treasury REX / Cashlink ACH Receiver  
ABA: 051036706  
Account Number: 310006, Environmental Protection Agency  
CTX Format Transaction Code 22 – Checking.

82. A transmittal letter stating Respondent’s name, Mayflower Vehicle Systems, LLC, Respondent’s complete address, the case docket number, and the billing document number must accompany the payment. Respondent must send a copy of the check and transmittal letter to:

Regional Hearing Clerk  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Bryan Gangwisch (LR-8J)  
RCRA Branch  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Jeffery M. Trevino(C-14J)  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604.

83. This civil penalty is not deductible for federal tax purposes.

84. If Respondent does not timely pay the civil penalty U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States enforcement expenses for the collection action. The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

85. Interest will accrue on any amount overdue from the date payment was due at a rate established by the Secretary of the Treasury. 31 U.S.C. § 3717(a)(1). Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. 31 C.F.R. § 901.9. Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

#### **General Provisions**

86. This CAFO resolves only Respondent's liability for federal civil penalties for the facts and violations alleged in the CAFO. This CAFO neither specifies nor requires any compliance or remediation work or projects.

87. This CAFO does not affect the right of U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

88. This CAFO does not affect Respondent's responsibility to comply with RCRA and other applicable federal, state, local laws or permits.

89. This CAFO is a "final order" for purposes of 40 C.F.R. § 22.31, U.S. EPA's RCRA Civil Penalty Policy, and U.S. EPA's Hazardous Waste Civil Enforcement Response Policy

(December 2003).

90. The terms of this CAFO bind Respondent, its successors, and assigns.

91. Each person signing this agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

92. Each party agrees to bear its own costs and attorney's fees in this action.

93. This CAFO constitutes the entire agreement between the parties.



**In the Matter of: Mayflower Vehicle Systems, LLC, Norwalk, Ohio.  
Docket No.**

**Mayflower Vehicle Systems, LLC, Respondent**

3-13-12  
Date

Laura Macias, Vice Pres.  
Laura Macias, Officer

**United States Environmental Protection Agency, Complainant**

5/3/12  
Date

Margaret M. Guerriero  
Margaret M. Guerriero  
Director  
Land and Chemicals Division



**In the Matter of: Mayflower Vehicle Systems, LLC, Norwalk, Ohio.**  
**Docket No. RCRA-05-2012-0006**

**Final Order**

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

5-14-12

Date



Susan Hedman  
Regional Administrator  
United States Environmental Protection Agency  
Region 5

**RECEIVED**  
MAY 17 2012  
REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

CASE NAME: Mayflower Vehicle Systems (formerly known as Commercial Vehicle Group)

DOCKET NO: RCRA-05-2012-0006

**CERTIFICATE OF SERVICE**

I hereby certify that today I filed the original of this **Consent Agreement and Final Order** and this **Certificate of Service** in the office of the Regional Hearing Clerk (E-19J), United States Environmental Protection Agency, Region V, 77 W. Jackson Boulevard, Chicago, Illinois 60604-3590.

I further certify that I then caused a true and correct copy of the filed document to be mailed on the date below, via Certified Mail, Return Receipt Requested to:

Mr. Michael McMahon  
McMahon DeGulis, LLP  
The Caxton Building  
812 Huron Road, Suite 650  
Cleveland, Ohio 44115

Certified Mail Receipt # 7001 0320 0006 0189 3741

Dated: 5/17/12 2012

for Rene B. Aidge  
Gaye Cuerington  
Administrative Program Assistant  
U.S. Environmental Protection Agency

**RECEIVED**  
MAY 17 2012

**REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY**

Region V  
RCRA Branch  
Land and Chemicals Division LR-8J  
77 W. Jackson Blvd, Chicago, IL 60604-3590