

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2

In the Matter of:

Battery Recycling Company, Inc.,
Respondent.

Proceeding Under Section 3008 of the
Solid Waste Disposal Act, as amended.

**NOTICE OF FILING OF CONSENT
AGREEMENT AND FINAL ORDER**

Docket No. RCRA-02-2012-7101

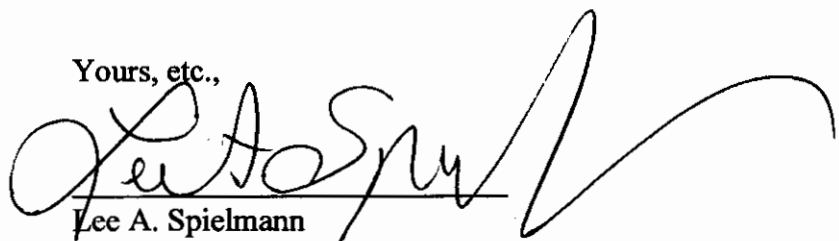
U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 FEB 23 P 2 16
REGIONAL HEARING
CLERK

COUNSEL:

PLEASE TAKE NOTICE that the original and one copy of the fully executed Consent Agreement and accompanying Final Order ("CA/FO") in the above-referenced matter have been filed with the Regional Hearing Clerk of the United States Environmental Protection Agency, Region 2, at 290 Broadway, 16th floor, New York, New York 10007-1866 on February 23, 2012. The filing of this CA/FO has been effected pursuant to 40 C.F.R. §§ 22.5(a)(1) and 22.6, and said CA/FO constitutes a final order within the meaning of 40 C.F.R. § 22.31. A true and correct copy of the filed CA/FO has been attached to this notice.

Dated: February 23, 2012
New York, New York

Yours, etc.,



Lee A. Spielmann
Assistant Regional Counsel
Office of Regional Counsel
Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, New York 10007-1866
212-637-3222
FAX: 212-637-3199

**TO: Office of the Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, New York 10007-1866**

**Carlos E. Colón Franceschi, Esq.
Toto, Colón, Mullet, Rivera & Sifre, P.S.C.
416 Ponce de León Avenue
Union Plaza, Suite 311
San Juan, Puerto Rico 00918-3430**

In re Battery Recycling Company, Inc.
Docket No. RCRA-02-2012-7101

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing "NOTICE OF FILING OF CONSENT AGREEMENT AND FINAL ORDER," dated February 23, 2012, together with the attachment thereto (the executed "CONSENT AGREEMENT AND FINAL ORDER" in the above-referenced proceeding and Appendix I thereto, "BASELINE ELEMENTS TO BE INCLUDED IN THE STANDARD OPERATING PROCEDURE MANUAL FOR RCRA-MANDATED COMPLIANCE"), in the following manner to the respective addressees listed below:

Original and One Copy
By Inter-Office Mail¹:

Office of Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 2
290 Broadway, 16th floor
New York, New York 10007-1866

Copy by UPS Overnight Mail,
and Certified Mail,
Return Receipt Requested:

Carlos E. Colón Franceschi, Esq.
Toto, Colón, Mullet, Rivera & Sifre, P.S.C.
416 Ponce de León Avenue
Union Plaza, Suite 311
San Juan, Puerto Rico 00918-3430

Dated: February 23, 2012
New York, New York


Lee A. Spielmann

¹ Pursuant to agreement with the Regional Hearing Clerk, a copy of the executed Consent Agreement and Final Order (CA/FO) and its appendix has not been included with the Notice of Filing provided to the Regional Hearing Clerk, said CA/FO (with appendix) having previously been filed with the Regional Hearing Clerk.