



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

APR - 4 2019

REPLY TO THE ATTENTION OF

SC-5J

C. Matthew Cooper
Manager/Owner
Cooper Heat Treating, LLC
20251 Sherwood Street
Detroit, Michigan 48234
mcooper@cooperht.com

Re: Cooper Heat Treating, LLC, Detroit, Michigan
Consent Agreement and Final Order
Docket No. CAA-05-2019-0014

Dear Mr. Cooper,

Enclosed please find a fully executed Consent Agreement and Final Order (CAFO) in resolution of the above case. U.S. EPA has filed the original CAFO with the Regional Hearing Clerk on April 4, 2019. Please note Cooper Heat Treating, LLC's obligation to pay a civil penalty in the amount of \$8,000 in the manner prescribed in paragraphs 30-35 and please reference your check with the docket number. In addition, please complete the supplemental environmental projects in the manner prescribed in paragraphs 36-50.

Please feel free to contact Monika Chrzaszcz at (312) 886-0181 if you have any questions regarding the enclosed documents. Please direct any legal questions to Robert Peachey, Regional Counsel, at (312) 353-4510. Thank you for your assistance in resolving this matter.

Sincerely yours,

Michael E. Hans, Chief
Chemical Emergency
Preparedness & Prevention Section

Enclosure

cc. Robert Peachey, ORC

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:

**Cooper Heat Treating, LLC,
Detroit, Michigan,**

Respondent.

) **Docket No.** CAA-05-2019-0014
)
) **Proceeding to Assess a Civil Penalty Under**
) **Section 113(d) of the Clean Air Act, 42**
) **U.S.C. § 7413(d)**
)
)
)



Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 113(d) of the Clean Air Act (the "Act"), 42 U.S.C. § 7413(d), and Section 22.1(a)(2), 22.13(b), and 22.18(b)(2)-(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. § 22.1(a)(2), 22.13(b), and 22.18(b)(2)-(3), for alleged violations of Section 112(r) of the Act, 42 U.S.C. § 7412(r) and the implementing regulations at 40 C.F.R. Part 68.

2. The Complainant is, by lawful delegation, the Director of the Superfund Division, U.S. Environmental Protection Agency (EPA), Region 5.

3. Respondent is Cooper Heat Treating, LLC ("Cooper Heat Treating" or "Respondent"), a corporation doing business in the State of Michigan.

4. 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). *See* 40 C.F.R. § 22.13(b).

5. 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.

6. Respondent consents to the terms of this CAFO, including the assessment of the civil penalty specified below.

Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional and factual allegations in this CAFO.

8. Respondent waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this CAFO, including any right of review under Section 113(d)(4) of the Act, 42 U.S.C. § 7413(d)(4), and under 40 C.F.R. § 22.15(c), its right to seek federal judicial review of the CAFO pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-06, any right to contest the allegations in this CAFO, and its right to appeal this CAFO. Respondent also consents to the issuance of this CAFO without further adjudication.

Statutory and Regulatory Background

9. In accordance with Section 112(r) of the Act, 42 U.S.C. § 7412(r), EPA promulgated the “Accidental Release Prevention Requirements: Risk Management Programs Under Clean Air Act Section 112(r)(7),” 61 Fed. Reg. 31,668 (June 20, 1996), to prevent accidental releases of regulated substances and minimize the consequences of those releases that do occur. These regulations were codified at 40 C.F.R. Part 68 (Chemical Accident Prevention Provisions) and are commonly known as the “Risk Management Program regulations”.

10. The Risk Management Program regulations apply to all stationary sources with processes that contain more than a threshold quantity of a regulated substance. *See* 40 C.F.R.

§ 68.10(a). The List of Regulated Toxic Substances and Threshold Quantities for Accidental Release Prevention is codified at 40 C.F.R. § 68.130.

11. The Risk Management Program regulations define a “stationary source” as “any buildings, structures, equipment, installations, or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control), and from which an accidental release may occur.” *See* 40 C.F.R. § 68.3.

12. The Risk Management Program regulations define a “process” as “any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities.” *See id.*

13. Ammonia is a “regulated substance” as that term is defined in Section 112(r)(3) of the Act and 40 C.F.R. § 68.3. *See* 40 C.F.R. § 68.130, Table 1.

14. The “threshold quantity” (as that term is defined in 40 C.F.R. § 68.3) for ammonia is 10,000 pounds. This threshold quantity is present at a stationary source if the total quantity of ammonia contained in a process exceeds 10,000 pounds. *See* 40 C.F.R. § 68.115(a) and 68.130, Table 1.

15. Each process in which a regulated substance is present in more than a threshold quantity (a “covered process”) is subject to one of three risk management programs. *See* 40 C.F.R. § 68.10(b)-(d). If a covered process does not meet the eligibility requirements for Program 1 under 40 C.F.R. § 68.10(b), and the process is subject to the OSHA process safety management standard at 29 C.F.R. § 1910.119, then the process is subject to Program 3 under 40 C.F.R. § 68.10(d).

16. In addition to meeting the requirement to submit a risk management plan (RMP) under 40 C.F.R. § 68.12(a), the Program 3 requirements include developing and implementing a management system as provided in 40 C.F.R. § 68.15; conducting a hazard assessment as provided in 40 C.F.R. § 68.20 through 68.42; implementing the prevention requirements of 40 C.F.R. § 68.65 through 68.87; developing and implementing an emergency response program as provided in 40 C.F.R. § 68.90 to 68.95; and submitting as part of the RMP the data on prevention program elements for Program 3 processes as provided in 40 C.F.R. § 68.175. *See* 40 C.F.R. § 68.12(d).

Factual Allegations and Alleged Violations

17. Respondent is a “person” as that term is defined at Section 302(e) of the Act, 42 U.S.C. § 7602(e).

18. Respondent owns and operates a facility at 20251 Sherwood Street, Detroit, Michigan 48234 (the “facility”). Respondent is thus the “owner or operator” of the facility for purposes of 40 C.F.R. Part 68. *See* 42 U.S.C. § 7412(a)(9) (definition of “owner or operator”).

19. The facility consists of buildings, structures, equipment, installations, or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control), and from which an accidental release may occur. The facility is thus a “stationary source” under 40 C.F.R. § 68.3.

20. Respondent stores and uses ammonia, a “regulated substance” under Section 112(r)(3) of the Act and 40 C.F.R. § 68.3, at the facility in parts of the heat treating process. Respondent’s activities involving a regulated substance thus constitute a “process” under 40

C.F.R. § 68.3.

21. Respondent's heat treating process described in paragraph 20 contains more than the threshold quantity (10,000 pounds) of ammonia. *See* 40 C.F.R. § 68.130, Table 1.

22. The Risk Management Program regulations apply to Respondent's facility as a stationary source with a process that contain more than a threshold quantity of a regulated substance. *See* 40 C.F.R. § 68.10(a).

23. Respondent's heat treating process does not meet the eligibility requirements for Program 1 under 40 C.F.R. § 68.10(b) and is subject to the OSHA process safety management standard since the process involves ammonia above the threshold quantity in 29 C.F.R. § 1910.119, App. A. Respondent's heat treating process is therefore subject to Program 3 under 40 C.F.R. § 68.10(d).

24. On February 27, 2017, a representative from EPA conducted an inspection at the facility under the authority of Section 114(a) of the Act, 42 U.S.C. § 7414(a). The purpose of the inspection was to determine whether the Respondent was complying at the facility with Section 112(r) of the Act and the Risk Management Program regulations.

25. Based on the inspection conducted by EPA, Respondent failed to comply with the Risk Management Program regulations at the facility for Program 3 requirements as set forth below:

- a. Respondent failed to maintain records on the offsite consequence analysis, as required under 40 C.F.R. § 68.39(a)-(e).
- b. Respondent failed to compile written process safety information pertaining to the technology in the heat treating process, as required under 40 C.F.R.

§ 68.65(c).

- c. Respondent failed to compile written process safety information pertaining to the equipment in the heat treating process, as required under 40 C.F.R.

§ 68.65(d).

- d. Respondent failed to perform a process hazard analysis that addressed engineering and administrative controls, consequences of failure of engineering and administrative controls, stationary source siting and human factors, as required under 40 C.F.R. § 68.67(c).

- e. Respondent failed to establish a system to promptly address the process hazard analysis team's findings and recommendations, as required under 40 C.F.R.

§ 68.67(e).

- f. Respondent failed to certify annually that operating procedures are current and accurate, as required under 40 C.F.R. § 68.69(c).

- g. Respondent failed to train each employee presently involved in operating a process and each employee before being involved in operating a newly assigned process, in an overview of the process and in the operating procedures, as required under 40 C.F.R. § 68.71(a).

- h. Respondent failed to implement written procedures to maintain the ongoing integrity of process equipment, as required under 40 C.F.R. § 68.73(b).

- i. Respondent failed to perform inspections and tests on process equipment at a frequency consistent with applicable manufacturers' recommendations and good engineering practices and failed to document each inspection and test

performed, as required under 40 C.F.R. § 68.73(d).

- j. Respondent failed to correct deficiencies in equipment that are outside acceptable limits before further use or in a safe and timely manner when necessary means are taken to assure safe operations, as required under 40 C.F.R. § 68.73(e).
- k. Respondent failed to certify that they have evaluated compliance with the provisions of 40 C.F.R. Part 68, Subpart D at least every three years to verify that the procedure and practices developed under the subpart are adequate and are being followed, as required under 40 C.F.R. § 68.79(a).
- l. Respondent failed to obtain and evaluate information regarding the contract owner or operator's safety performance and programs, as required under 40 C.F.R. § 68.87(b).

26. Section 112(r)(7)(E) of the Act, 42 U.S.C. § 7412(r)(7)(E), provides that after the effective date of any regulation or requirement imposed under Section 112(r) of the Act, it shall be unlawful for any person to operate any stationary source subject to such regulation or requirement in violation of such regulation or requirement.

27. Under Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), the Administrator may issue an administrative order against any person assessing a civil administrative penalty whenever, on the basis of any available information, the Administrator finds that such person has violated Section 112(r) of the Act and 40 C.F.R. Part 68. The Administrator may assess a civil penalty of up to \$46,192 per day of violation, up to a total of \$369,532 for violations that occurred after November 2, 2015, where penalties are assessed on or after January 15, 2018. *See*

40 C.F.R. Part 19.

28. Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), limits the Administrator's authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

29. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

Civil Penalty

30. Complainant has determined that an appropriate civil penalty to settle this action is \$8,000. In determining the penalty amount, Complainant has considered the factors specified in Section 113(e) of the Act, 42 U.S.C. § 7413(e), the facts and circumstances of this case, and other factors such as cooperation, prompt return to compliance, and Respondent's agreement to perform a supplemental environmental project as described below. Complainant has also considered U.S. EPA's Combined Enforcement Policy for Clean Air Act Sections 112(r)(1), 112(r)(7), and 40 C.F.R. Part 68 (June 2012).

31. Within 30 days after the effective date of this CAFO, Respondent must pay the \$8,000 civil penalty by sending a cashier's or certified check, payable to the "Treasurer, United States of America," to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

The check must note the following: the case title (“In the Matter of Cooper Heat Treating, LLC”) and the docket number of this CAFO.

32. A transmittal letter stating Respondent’s name, complete address, and the docket number of this CAFO must accompany the payment in paragraph 31. Respondent must send a copy of the check and transmittal letter to:

Regional Hearing Clerk (E-19J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Monika Chrzaszcz (SC-5J)
Chemical Emergency Preparedness and Prevention Section
Superfund Division
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Robert M. Peachey (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

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

34. If Respondent does not timely pay the civil penalty, EPA shall request the Attorney General to bring a civil action in the appropriate district court to recover the amount assessed (plus interest at rates established pursuant to 26 U.S.C. § 6621(a)(2) from the effective date of the CAFO), as well as the United States enforcement expenses, including but not limited

to attorneys fees and costs incurred by the United States for collection proceedings. Respondent acknowledges that, in such an action, the validity, amount, and appropriateness of the civil penalty shall not be subject to review.

35. Pursuant to 31 C.F.R. § 901.9, Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any amount overdue from the date the payment was due at a rate established by the Secretary of the Treasury. Respondent must pay a \$15 handling charge each month that any portion of the penalty is more than 30 days past due. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue according to Section 113(d)(5) of the Act, 42 U.S.C. § 7413(d)(5). Such nonpayment penalty shall be 10 percent of the aggregate amount of such person's outstanding penalties and nonpayment penalties accrued as of the beginning of such quarter. *Id.*

Supplemental Environmental Project

36. Respondent must complete two supplemental environmental projects (SEPs) designed to protect the environment and public health by preventing, and reducing the risk of, a release of ammonia. Under the SEPs, Respondent must (1) install a remote automatic shutoff system for the ammonia (including all necessary valves, piping, electrical service, and controls); and (2) install a water spray curtain/deluge system to retain and mitigate releases of ammonia.

37. Respondent must spend at least \$32,000 for the engineering design, project management, purchase, and installation of the SEPs.

38. By June 30, 2019, Respondent must (1) complete the installation for the SEPs and (2) begin operating the equipment purchased for the SEPs.

39. With regard to the SEPs, Respondent certifies the truth and accuracy of each of

the following:

- a. That all cost information provided to the EPA in connection with the EPA's approval of the SEPs is complete and accurate and that Respondent in good faith estimates that the cost to implement the SEPs is \$32,000;
- b. That, as of the date of executing this CAFO, Respondent is not required to perform or develop the SEPs by any federal, state, or local law or regulation and is not required to perform or develop the SEPs by agreement, grant, or as injunctive relief awarded in any other action in any forum;
- c. That the SEPs are not a project that Respondent was planning or intending to construct, perform, or implement other than in settlement of the claims resolved in this CAFO;
- d. That Respondent has not received and will not receive credit for the SEPs in any other enforcement action;
- e. That Respondent will not receive reimbursement for any portion of the SEPs from another person or entity;
- f. That for federal income tax purposes, Respondent agrees that it will neither capitalize into inventory or basis nor deduct any costs or expenditures incurred in performing the SEPs;
- g. That Respondent is not a party to any open federal financial assistance transaction that is funding or could fund the same activity as the SEPs; and
- h. That Respondent has inquired of the SEPs implementer whether it is party to an open federal financial assistance transaction that is funding or could fund the same activity as the SEPs and has been informed by the implementer that it is not a party to such a transaction.

40. Respondent must submit a SEP completion report to EPA within 30 days after completion of the SEPs. This report shall contain the following information:

- a. Detailed description of the SEPs as completed;
- b. Description of any operating problems and the actions taken to correct the problems;
- c. Itemized cost of goods and services used to complete the SEPs documented by copies of invoices, purchase orders or cancelled checks that specifically identify

and itemize the individual cost of the goods and services;

- d. Certification that Respondent has completed the SEPs in compliance with this CAFO; and
- e. Description of the environmental and public health benefits resulting from the SEPs (quantify the benefits and pollution prevention, if feasible).

41. Respondent must submit all notices and reports required by this CAFO by first class mail to:

Monika Chrzaszcz (SC-5J)
Chemical Emergency Preparedness and Prevention Section
Superfund Division
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

42. In each report that Respondent submits in completing the SEPs, it must certify that the report is true and complete by including the following statement signed by one of its officers:

I certify that I am familiar with the information in this document and that, based on my inquiry of those individuals responsible for obtaining the information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

43. Following receipt of the SEP completion report described in paragraph 40, EPA must notify Respondent in writing that:

- a. It has satisfactorily completed the SEPs and the SEP completion report;
- b. There are deficiencies in the SEPs as completed or in the SEP completion report and EPA will give Respondent 30 days to correct the deficiencies; or
- c. It has not satisfactorily completed the SEPs or the SEP completion report and EPA will seek stipulated penalties under paragraph 45.

44. If EPA exercises option b. under paragraph 43, Respondent may object in writing

to the deficiency notice within 30 days of receiving the notice. The parties will have 60 days from EPA's receipt of Respondent's objection to reach an agreement. If the parties cannot reach an agreement, EPA will give Respondent a written decision on its objection. Respondent will comply with any requirement that EPA imposes in its decision. If Respondent does not complete the SEP as required by EPA's decision, Respondent will pay stipulated penalties to the United States under paragraph 45.

45. If Respondent violates any requirement of this CAFO relating to the SEPs, Respondent must pay stipulated penalties to the United States as follows:

- a. Except as provided in subparagraph b. below, if Respondent does not complete the SEPs satisfactorily according to the requirements of this CAFO, including the schedule in paragraph 38, as it may be extended under paragraph 49, Respondent must pay an additional civil penalty of \$47,000.
- b. If Respondent does not complete the SEPs satisfactorily according to the requirements of this CAFO, but EPA determines that Respondent made good faith and timely efforts to complete the SEPs and certifies, with supporting documents, that it has spent at least 90 percent of the amount set forth in paragraph 37, Respondent will not be liable for any stipulated penalty under subparagraph a. above;
- c. If Respondent completes the SEPs satisfactorily according to the requirements of this CAFO, but spends less than 90 percent of the amount set forth in paragraph 37, Respondent must pay an additional civil penalty, which is the difference between 90 percent of the amount set forth in paragraph 37 (\$28,800) and the amount that Respondent has spent in completing the SEPs.
- d. If Respondent fails to comply with the schedule in paragraph 38 for implementing the SEPs, or fails to submit timely the SEP completion report required by paragraph 40, as each may be extended under paragraph 49, Respondent must pay stipulated penalties for each failure to meet an applicable milestone, as follows:

<u>Penalty per violation per day</u>	<u>Period of violation</u>
\$100	1 st through 14 th day
\$250	15 th through 30 th day
\$500	31 st day and beyond

These penalties will accrue from the date Respondent was required to meet each milestone until Respondent achieves compliance with the milestone.

46. EPA's determination of whether Respondent satisfactorily completed the SEPs and whether Respondent made good faith and timely efforts to complete SEPs will bind Respondent.

47. Respondent must pay any stipulated penalties within 15 days of receiving EPA's written demand for the penalties. Respondent will use the method of payment specified in paragraph 31, and will pay interest, handling charges, and nonpayment penalties on any overdue amounts as provided in paragraph 35.

48. Any public statement that Respondent makes referring to the SEPs must include the following language, "Cooper Heat Treating, LLC undertook this project under the settlement of the United States Environmental Protection Agency's enforcement action against Cooper Heat Treating, LLC for violations of Section 112(r) of the Clean Air Act, 42 U.S.C. § 7412(r)."

49. If an event occurs which causes or may cause a delay in completing the SEPs as required by this CAFO:

- a. Respondent must notify EPA in writing within 10 days after learning of an event which caused or may cause a delay in completing the SEPs. The notice must describe the anticipated length of the delay, its cause(s), Respondent's past and proposed actions to prevent or minimize the delay, and a schedule to carry out those actions. Respondent must take all reasonable actions to avoid or minimize any delay. If Respondent fails to notify EPA according to this paragraph, Respondent will not receive an extension of time to complete the SEPs.
- b. If the parties agree that circumstances beyond the control of Respondent caused or may cause a delay in completing the SEPs, the parties will stipulate to an extension of time no longer than the period of delay.

- c. If EPA does not agree that circumstances beyond the control of Respondent caused or may delay in completing the SEPs, EPA will notify Respondent in writing of its decision and any delays in completing the SEPs will not be excused.
- d. Respondent has the burden of proving that circumstances beyond its control caused or may cause a delay in completing the SEPs. Increased costs for completing the SEPs will not be a basis for an extension of time under subparagraph b. above. Delay in achieving an interim step will not necessarily justify or excuse delay in achieving subsequent steps.

50. For federal income tax purposes, Respondent will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred in performing the SEPs.

General Provisions

51. Pursuant to 40 C.F.R. § 22.5(b)(2), the parties consent to service of this CAFO by email at the following email addresses: peachey.robert@epa.gov (for Complainant) and mcooper@cooperht.com (for Respondent). *See* 40 C.F.R. § 22.5-6. The parties waive their right to service by the methods specified in 40 C.F.R. § 22.6.

52. Respondent's full compliance with this CAFO shall only resolve Respondent's liability for federal civil penalties for the violations alleged in the CAFO.

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

54. This CAFO does not affect Respondent's responsibility to comply with the Act, the Risk Program Management regulations, and any other applicable federal, state, and local laws and regulations.

55. Respondent certifies that it is complying fully with Section 112(r) of the Act and 40 C.F.R. Part 68.

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

57. Each person signing this CAFO 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.

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

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

60. The effective date of this CAFO is the date on which it is filed with the Regional Hearing Clerk.

In the Matter of Cooper Heat Treating, LLC
Docket No. CAA-05-2019-0014

3/14/19
Date


Matthew Cooper
Owner
Cooper Heat Treating, LLC

United States Environmental Protection Agency, Complainant

3/21/19
Date


Thomas Richard Short Jr.
Acting Director
Superfund Division

In the Matter of Cooper Heat Treating, LLC
Docket No. CAA-05-2019-0014

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.

April 13, 2019

Date

Ann L. Coyle

Ann L. Coyle
Regional Judicial Officer
United States Environmental Protection Agency
Region 5

CONSENT AGREEMENT AND FINAL ORDER
In the Matter of Cooper Heat Treating, LLC
Docket No. CAA-05-2019-0014

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number CAA-05-2019-0014, which was filed on April 4, 2019, in the following manner to the addressees:

Copy be E-Mail to
Respondent:

M. Matthew Cooper
mcooper@cooperht.com

Copy by E-Mail to
Attorney for Complainant,
EPA, Region 5:

Robert Peachey
peachey.robert@epa.gov@epa.gov

Copy by E-Mail to
Enforcement Officer
EPA, Region 5:

Monika Chrzaszcz
Chrzaszcz.monika@epa.gov

Copy by E-Mail to
Regional Judicial Officer,
EPA, Region 5:

Ann Coyle
coyle.ann@epa.gov

Dated: April 4, 2019



LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5