



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

CERTIFIED MAIL 7009 1680 0000 7677 9210
RETURN RECEIPT REQUESTED

JUN - 2 2015

REPLY TO THE ATTENTION OF:

Mr. Dean J. Re
President
Meca and Technology Machine, Inc.
1281 Parkview Road
Green Bay, Wisconsin 54304

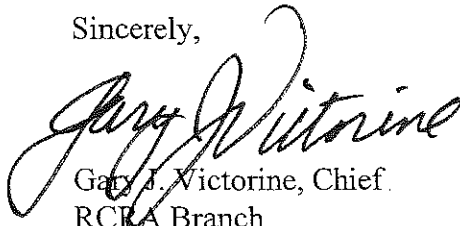
Re: Consent Agreement and Final Order
Meca and Technology Machine, Inc., Green Bay, Wisconsin
Docket No: **RCRA-05-2015-0010**

Dear Mr. Re:

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 June 2, 2015, with the Regional Hearing Clerk (RHC).

Please pay the civil penalty in the amount of \$57,888.85 in the manner prescribed in paragraph 45 of the CAFO, and reference all checks with the docket number **RCRA-05-2015-0010**. Your payment of \$28,944 is due within 30 days of the effective date of the CAFO, and your payment of \$29,210.18 within 360 days of the effective date of this CAFO. In addition, you must submit annual Supplemental Environmental Project (SEP) annual progress reports on the first, second, third, and fourth anniversary date of this CAFO, as described in paragraph 85, and a SEP completion report to EPA by September 30, 2019, see paragraph 86. Also, enclosed is a *Notice of Securities and Exchange Commission Registrant's Duty to Disclose Environmental Legal Proceedings*. Thank you for your cooperation in resolving this matter.

Sincerely,



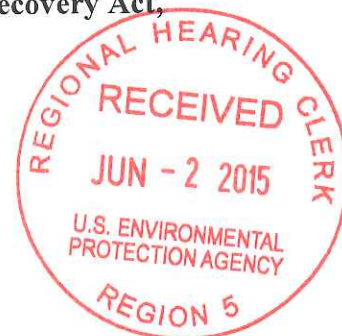
Gary J. Victorine, Chief
RCRA Branch

Enclosures

cc: Steven Sisbach, WDNR – Madison Central Office
(steven.sisbach@wisconsin.gov)
Michael Ellenbecker, WDNR-Sturtevant Service Center
(michael.ellenbecker@wisconsin.gov)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:)	Docket No. RCRA-05-2015-0010
)	
Meca & Technology Machine, Inc., Green Bay, Wisconsin,)	Proceeding to Commence and Conclude an Action to Assess a Civil Penalty Under Section 3008(a) of the Resource Conservation and Recovery Act,
)	
Respondent.)	42 U.S.C. § 6928(a)
<hr style="border: 0.5px solid black;"/>		



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 (EPA), Region 5.

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

4. Respondent is Meca & Technology Machine, Inc. (Meca), a corporation doing business in the State of Wisconsin.

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 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 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 it is complying fully with RCRA, 42 U.S.C. §§ 6901 – 6992k, and the regulations at 40 C.F.R. Parts 260 - 279.

Statutory and Regulatory Background

12. 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 or used oil, pursuant to Sections 3001 – 3007 and 3014, among others, of RCRA, 42 U.S.C. §§ 6921 – 6927 and 6935.

13. Pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the Administrator of 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. §§ 6921-6939e) 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 EPA granted the State of Wisconsin final authorization to administer a state hazardous waste program in lieu of the federal government's base RCRA program effective January 31, 1986. 51 Fed. Reg. 3783 (January 31, 1986).

15. Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), 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 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 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, EPA may assess a civil penalty of up to \$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 WAC § NR 660.10(90), 40 C.F.R. § 260.10, and Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

17. Respondent is the "owner" or "operator," as those terms are defined under WAC § NR 660.10(87) and (88) and 40 C.F.R. § 260.10, of a facility located at 1281 Parkview Road, Green Bay, Wisconsin (facility).

18. On August 17, 2011, EPA conducted an inspection of the facility.

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

20. Respondent manufactures gears and power transmission components, flexographic printing sleeves and mechanically engraved printing cylinders.

21. At all times relevant to this CAFO, Respondent created solid wastes including waste acetone from fiberglass resin cylinder production, waste copper electroplating process waste, waste parts washer solution, used oil, and used fluorescent lamps.

22. Respondent's processes at the facility produced several hazardous wastes identified or listed in WAC Chapter NR 660 or caused a hazardous waste to become subject to regulation under WAC Chapters NR 660-670 and 40 C.F.R. Parts 260-270.

23. Respondent is a "generator," as that term is defined in WAC § NR 660.10(50) and 40 C.F.R. § 260.10.

24. Respondent typically operates as a small quantity generator (100 kg (220 pounds) to 1,000 kg (2,200 pounds)/month).

25. Respondent occasionally operates as a large quantity generator.

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

27. At all times relevant to this CAFO, the State of Wisconsin has not issued a permit to Respondent to treat, store, or dispose of hazardous waste at the facility.

28. At all times relevant to this CAFO, Respondent did not have interim status for the treatment, storage, or disposal of hazardous waste at the facility.

Count 1

29. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in this paragraph.

30. Except as otherwise provided, a small quantity generator may, for 180 days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without a Wisconsin hazardous waste license, provided that the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] are met.

31. The generator must comply, among other things, with the requirements for owners or operators in subchapter C (preparedness and prevention) of WAC Chapter NR 665. WAC § NR 662.192(1)(d) [40 C.F.R. § 262.34(d)(4)].

32. The owner or operator shall 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, unless aisle space is not needed for any of these purposes. WAC § NR 665.0035 [40 C.F.R. § 265.35].

33. During the August 17, 2011 inspection, the inspectors observed two rows of 55-gallon containers of waste acetone without any aisle space.

34. If the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] are not met, then the generator must apply for a hazardous waste license under WAC Chapter NR 670 [40 C.F.R. Part 270].

35. As set forth above, Respondent did not meet the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste; 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 WAC Chapters NR 664, 665 and 670 [40 C.F.R. Parts 264, 265 and 270].

Count 2

36. Complainant incorporates paragraphs 1 through 28 of this CAFO as though set forth in this paragraph.

37. Pursuant to WAC § NR 662.010(8) [40 C.F.R. § 262.10(h)], an owner or operator who initiates a shipment of hazardous waste from a treatment, storage or disposal facility shall comply with the standards applicable to generators established in WAC Chapter NR 662 [40 C.F.R. Part 262].

38. WAC § NR 662.033 [40 C.F.R. § 262.33] requires that before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator shall placard or offer the initial transporter the appropriate placards according to U.S. Department of Transportation regulations for hazardous materials under 49 C.F.R. Part 172, Subpart F.

39. During the inspection on August 17, 2011, Respondent did not have the appropriate placards.

40. Respondent's failure to have the proper placards violated WAC § NR 662.033 [40 C.F.R. § 262.33].

Count 3

41. Complainant incorporates paragraphs 1 through 28 of this Complaint as though set forth in this paragraph.

42. Except as otherwise provided, a small quantity generator may, for 180 days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without a Wisconsin hazardous waste license, provided that the conditions of WAC § NR 662.192 [40

C.F.R. § 262.34] are met.

43. During the August 17, 2011 inspection, the inspectors observed three 55-gallon containers of waste acetone that had been stored for greater than 180 days. Meca shipped the containers off-site on August 23, 2011. Meca had stored hazardous waste on-site for 246, 208 and 186 days.

44. If the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] are not met, then the generator must apply for an operating permit under WAC Chapter NR 670 [40 C.F.R. Part 270].

45. As set forth above, Respondent did not meet the conditions of WAC NR § 662.192 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste; 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 WAC Chapters NR 664, 665 and 670 [40 C.F.R. Parts 264, 265 and 270].

Count 4

46. Complainant incorporates paragraphs 1 through 28 of this Complaint as though set forth in this paragraph.

47. Except as otherwise provided, a small quantity generator may, for 180 days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without a Wisconsin hazardous waste license, provided that the conditions of WAC § NR 662.190 [40 C.F.R. § 262.34] are met.

48. The generator must comply, among other things, with the requirements for owners or operators in subchapter C (preparedness and prevention) of WAC Chapter NR 665 [subpart C of 40 C.F.R. Part 265]. WAC § NR 662.192(1)(d) [40 C.F.R. § 262.34(d)(4)].

49. The owner or operator shall attempt to have agreements with state emergency response teams, emergency response contractors and equipment suppliers and make arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions or releases at the facility. WAC § NR 665.0037(1)(c) and (d) [40 C.F.R. § 265.37(a)(3) and (4)].

50. During the August 17, 2011 inspection, the inspectors were told that the facility did not have agreements with any emergency response contractors and had not familiarized the local hospital with the hazardous wastes handled at the facility.

51. If the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] are not met, then the generator must apply for an operating permit under WAC Chapter NR 670 [40 C.F.R. Part 270].

52. As set forth above, Respondent did not meet the conditions of WAC NR 662.192 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste; 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 WAC Chapters NR 664, 665 and 670 [40 C.F.R. Parts 264, 265 and 270].

Count 5

53. Complainant incorporates paragraphs 1 through 28 of this Complaint as though set forth in this paragraph.

54. Except as otherwise provided, a small quantity generator may, for 180 days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without a Wisconsin hazardous waste license, provided that the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] are met.

55. The generator must comply, among other things, with the requirements for owners or operators in subchapter C (preparedness and prevention) of WAC Chapter NR 665. WAC § NR 662.192(d) [40 C.F.R. § 262.34(d)(4)].

56. All facilities shall be equipped with portable fire extinguishing equipment (including special extinguishing equipment, such as that using foam, inert gas or dry chemicals), spill control equipment and decontamination equipment. WAC § NR 665.0032(3) [40 C.F.R. § 265.32(c)].

57. During the August 17, 2011 inspection, the inspectors were told that the facility did not have spill control and decontamination equipment.

58. If the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] are not met, then the generator must apply for an operating permit under WAC Chapter NR 670 [40 C.F.R. Part 270].

59. As set forth above, Respondent did not meet the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste; 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 WAC Chapters NR 664, 665 and 670 [40 C.F.R. Parts 264, 265 and 270].

Count 6

60. Complainant incorporates paragraphs 1 through 28 of this Complaint as though set forth in this paragraph.

61. Except as otherwise provided, a small quantity generator may, for 180 days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without a Wisconsin hazardous waste license, provided that the conditions of WAC § NR 662.190 [40

C.F.R. § 262.34] are met.

62. The generator must post all of the following information next to the telephone: the name and telephone number of the emergency coordinator; location of fire extinguishers and spill control material, and, if present, fire alarm; and the telephone number of the fire department, unless the facility has a direct alarm. WAC § NR 662.192(1)(e)(2)(a) through (c) [40 C.F.R. § 262.34(d)(5)(ii)(A) through (C)].

63. During the August 17, 2011 inspection, the inspectors did observe a telephone posting. However, it did not include the locations of fire extinguishers and spill control equipment and telephone number of the fire department.

64. If the conditions of WAC § NR 662.190 [40 C.F.R. § 262.34] are not met, then the generator must apply for an operating permit under WAC Chapter NR 670 [40 C.F.R. Part 270].

65. As set forth above, Respondent did not meet the conditions of WAC § NR 662.192 [40 C.F.R. § 262.34] necessary to exempt it from the requirement to obtain interim status or apply for and obtain a permit for the storage of hazardous waste; 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 WAC Chapters NR 664, 665 and 670 [40 C.F.R. Parts 264, 265 and 270].

Count 7

66. Complainant incorporates paragraphs 1 through 28 of this Complaint as though set forth in this paragraph.

67. Used oil generators are subject to subchapter C of WAC Chapter NR 679 [40 C.F.R. Part 279, Subpart C]. Containers and aboveground storage tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil." WAC § NR

679.22(3)(a) [40 C.F.R. § 279.22(c)(1)].

68. During the inspection of the Mechanical Engraving Department, the inspectors observed several plastic containers of used oil that were not labeled “Used Oil.”

69. Respondent failed to label or mark the containers with the words “Used Oil,” and therefore, failed to comply with WAC § NR 679.22(3)(a) [40 C.F.R. § 279.22(c)(1)].

Civil Penalty

70. 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 \$57,888.85. In determining the penalty amount, Complainant took into account the seriousness of the violations and any good faith efforts to comply with the applicable requirements and Respondent’s agreement to perform a supplemental environmental project (SEP). Complainant also considered EPA’s RCRA Civil Penalty Policy, dated June 23, 2003.

71. Respondent must pay a \$57,888.85 civil penalty in two installments with interest as follows: \$28,944.00 within 30 days of the effective date of this CAFO, and \$29,210.18 within 360 days of the effective date of this CAFO. Respondent must pay the installments by 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 “In the Matter of: Meca & Technology Machine, Inc.” and the docket number of this CAFO.

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

73. If Respondent does not timely pay the civil penalty, or any stipulated penalties due under paragraph 91, 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.

74. 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 payment was due at a rate established by the Secretary of the Treasury pursuant to 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. In addition, Respondent must pay a 6 percent per year penalty on any principal amount 90 days past due.

Supplemental Environmental Project

75. Respondent must complete a SEP designed to protect the environment and public health by preventing pollution.

76. At its facility and after Respondent received a prefiling notice letter from EPA, Respondent proposed to perform a SEP. Respondent proposed to eliminate both its spent acetone and liquid copper sulfate hazardous waste streams.

77. In order to eliminate its acetone hazardous waste stream, Respondent began using Hydrite Blend 5002 instead of acetone to clean rollers. Respondent purchased additional rollers and installed a drying hood to speed the process of drying the rollers. Respondent tested the waste liquid to ensure it was not hazardous. Respondent will clean no more than 250 rollers per six gallons of Hydrite Blend 5002 so as to stay above the ignitability flashpoint.

78. In order to eliminate its liquid copper sulfate hazardous waste streams, Respondent

installed a reduction unit that includes steel plates. Respondent began plating the copper to the steel plates and physically removing the copper, obviating the need to use sulfuric acid.

79. In order to eliminate the waste streams referred to in paragraphs 77 and 78, Respondent must spend at least \$151,411 to purchase the equipment, purchase Hydrite Blend 5002, operate the equipment until August 31, 2019 and properly dispose of waste.

80. Respondent must use Hydrite Blend 5002 and may not clean more than 250 rollers per six gallons of Hydrite Blend 5002.

81. Respondent must continuously use or operate the equipment installed as the SEP until August 31, 2019.

82. Respondent certifies that it is not required to perform or develop the SEP by any law, regulation, grant, order, or agreement, or as injunctive relief as of the date it signs this CAFO. Respondent further certifies that it has not received, and is not negotiating to receive, credit for the SEP in any other enforcement action.

83. Respondent certifies that it began performing the SEP after receiving a pre-filing notice letter from EPA. Respondent further certifies that the equipment was installed and operational by August 2014.

84. EPA may inspect the facility at any time to monitor Respondent's compliance with this CAFO's SEP requirements.

85. Respondent must submit annual progress reports on the first, second, third and fourth anniversary of the effective date of this CAFO. Each annual progress report must describe all activities that have been undertaken and completed during the reporting year and all activities for the next year of SEP implementation.

86. Respondent must submit a SEP completion report to EPA by September 30, 2019.

This report must contain the following information:

- a. Detailed description of the SEP as completed;
- b. Description of any operating problems and the actions taken to correct the problems;
- c. Itemized costs of goods and services used to complete the SEP documented by copies of invoices, purchase orders, or canceled checks that specifically identify and itemize the individual costs of the goods and services;
- d. Certification that Respondent has completed the SEP in compliance with this CAFO; and
- e. Description of the environmental and public health benefits resulting from the SEP (quantify the benefits and pollution reductions, if feasible).

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

Walt Francis
RCRA Branch (LR-8J)
Land and Chemicals Division
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

88. In each report that Respondent submits as provided by this CAFO, 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.

89. Following receipt of the SEP completion report described in paragraph 51, above, EPA must notify Respondent in writing that:

- a. Respondent has satisfactorily completed the SEP and the SEP report;

- b. There are deficiencies in the SEP as completed or in the SEP report and EPA will give Respondent 30 days to correct the deficiencies; or
- c. It has not satisfactorily completed the SEP or the SEP report and EPA will seek stipulated penalties under paragraph 91.

90. If EPA exercises option b, above, Respondent may object in writing to the deficiency notice within ten days of receiving the notice. The parties will have 30 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 requirements 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 91.

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

- a. Except as provided in subparagraph b, below, if Respondent did not complete the SEP satisfactorily according to the requirements of this CAFO, Respondent must pay a penalty of \$90,850.
- b. If Respondent did not complete the SEP satisfactorily, but EPA determines that Respondent (i) made good faith and timely efforts to complete the SEP and (ii) certified, with supporting documents, that it spent at least 90 percent of the amount set forth in paragraph 79, Respondent will not be liable for a stipulated penalty under subparagraph a, above.
- c. If Respondent completed the SEP satisfactorily, but spent less than 90 percent of the amount set forth in paragraph 79, Respondent must pay a penalty of \$30,250.
- d. If Respondent did not timely submit the SEP completion report or did not timely submit any other report required by paragraph 85, Respondent must pay penalties in the following amounts for each day after the report was due until it submits the report:

<u>Penalty per violation per day</u>	<u>Period of violation</u>
\$100	1 st through 14 th day
\$200	15 through 30 th day
\$500	31 st day and beyond

92. EPA's determinations of whether Respondent satisfactorily completed the SEP and whether Respondent made good faith and timely efforts to complete the SEP will bind Respondent.

93. 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 71, above, and will pay interest, handling charges, and nonpayment penalties on any overdue amounts.

94. Any public statement that Respondent makes referring to the SEP must include the following language, "Meca & Technology Machine, Inc. undertook this project under the settlement of the United States Environmental Protection Agency's enforcement action against Meca & Technology Machine, Inc. for violations of the Resource Conservation and Recovery Act and the Wisconsin Administrative Code."

95. Nothing in this CAFO is intended to, nor will be construed to, constitute EPA approval of the equipment or technology installed by the Respondent in connection with the SEP under this CAFO.

96. For Federal Income Tax purposes, Respondent will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred in performing the SEP.

General Provisions

97. This CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts alleged in the CAFO.

98. This CAFO does not affect the right of EPA or the United States to pursue

appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

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

100. This CAFO is a "final order" for purposes of 40 C.F.R. § 22.31, EPA's RCRA Civil Penalty Policy, and EPA's Hazardous Waste Civil Enforcement Response Policy (December 2003).

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

102. 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.

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

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

Meca & Technology Machine, Inc., Respondent

April 09, 2015
Date

Dean Re
Dean Re
President
Meca & Technology Machine, Inc.

United States Environmental Protection Agency, Complainant

5/20/2015
Date


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

In the Matter of:
Meca & Technology Machine, Inc.
Docket No. **RCRA-05-2015-0010**

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.

5-28-2015
Date



Susan A. Hedman
Regional Administrator
United States Environmental Protection Agency
Region 5

In the matter of: Meca and Technology Machine, Inc.
Docket Number: **RCRA-05-2015-0010**

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, which was filed on *June 2, 2015*, this day in the following manner to the addressees:

Copy by certified mail
return-receipt requested:

Mr. Dean J. Re
Meca and Technology Machine, Inc.
1281 Parkview Road
Green Bay, Wisconsin 54304

Copy by e-mail to
Attorney for Complainant:

Mark Koller
koller.mark@epa.gov

Copy by e-mail to
Regional Judicial Officer:

Ann Coyle
coyle.ann@epa.gov

Dated:

June 2, 2015



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

Certified Mail Receipt Number:

7009 1680 0000 7677 9210