

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Tonia Bandowicz 4/14/11
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number MPRSA-01-2010-0078

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Burnham Associates, Inc.
14 Franklyn St.
Salem, MA 01970

Total Dollar Amount of Receivable \$ 105,000 Due Date: 5/11/11

SEP due? Yes _____ No Date Due _____

Installment Method (if applicable)

INSTALLMENTS OF:
1ST \$ _____ on _____
2ND \$ _____ on _____
3RD \$ _____ on _____
4TH \$ _____ on _____
5TH \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office Phone Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

BY HAND

April 12, 2011

Wanda Santiago
Regional Hearing Clerk
United States Environmental Protection Agency
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Re: In the Matter of Burnham Associates, Inc.
Docket No. MPRSA -01-2010-0078

Dear Ms. Santiago:

Enclosed please find a fully executed Consent Agreement and Final Order resolving the above-referenced case.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tonia Bandrowicz".

Tonia Bandrowicz
Senior Enforcement Counsel
U.S. EPA

Enclosure

cc: Susan L. Biro, Chief Administrative Law Judge
John D. Fitzpatrick, Esq.

Matter of Burnham Associates, Inc.
EPA Docket No. MPRSA-01-2010-0078

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order was transmitted to the following persons, in the manner specified, on the date below:

Original and one copy
hand-delivered:

Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA - Region I
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114-2023

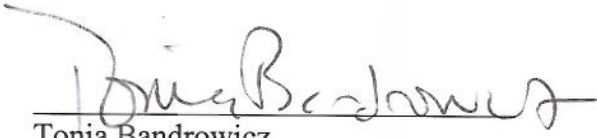
Copy by Overnight Mail

Susan L. Biro,
Chief Administrative Law Judge
U.S. EPA
Office of Administrative Law Judges
Franklin Court Building
1099 14th Street, NW, Suite 350
Washington, DC 20460

Copy by Overnight Mail

John D. Fitzpatrick, Esq.
Pingitore & Fitzpatrick, LLC
929 Massachusetts Avenue,
Suite 103
Cambridge, MA 02141.

Dated: 4/12/11


Tonia Bandrowicz
U.S. EPA - Region I
5 Post Office Square
Boston, MA 0219-3912
Phone: (617) 918-1734
Fax: (617) 918-0734
bandrowicz.toni@epa.gov

penalty of \$ 105,000.00, and shall pay the penalty, as specified below, within thirty (30) calendar days of the effective date of this CAFO.

9. Respondent shall pay the penalty of \$ 105,000.00 by check, payable to “U.S. Environmental Protection Agency,” and referencing the title and docket numbers of this action (“*In the Matter of Burnham Associates, Inc.* MPRSA 01-2010-0078”). The payment shall be mailed via U.S. Postal Service mail or by a commercial delivery service, to:

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

10. Respondent shall simultaneously submit a copy of the check referenced in the preceding paragraph to:

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code: MC-ORA 18-1
Boston, MA 02109-3912

and to:

Tonia Bandrowicz
Senior Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code: OES 04-3
Boston, MA 02109-3912

11. Pursuant to Section 105(a) of the MPRSA, upon the failure of the respondent to pay the penalty, EPA may request the Attorney General to commence an action in the appropriate district court of the U.S. for such relief as may be appropriate.

Tonia Bandrowicz,
Senior Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code: OES 04-3
Boston, MA 02109-3912

18. Each undersigned representative of the parties to this CAFO certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this CAFO and to execute and legally bind that party to it.

THE UNDERSIGNED PARTY enters into this Consent Agreement and Final Order in the Matter of Burnham Associates, Inc., Docket No. MPRSA-01-2010-0078, on behalf of EPA

4/8/11
Date

H. Curt Spalding ACTING
for
H. Curt Spalding, Regional Administrator
Office of Environmental Stewardship
U.S. EPA

THE UNDERSIGNED PARTY enters into this Consent Agreement and Final Order in the Matter Burnham Associates, Inc., Docket No. MPRSA-01-2009-0078, on behalf of Respondent

Date

17. Pursuant to 40 C.F.R. § 22.5(c)(4), the following individual is authorized to receive service on behalf of EPA:

Tonia Bandrowicz,
Senior Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code: OES 04-3
Boston, MA 02109-3912

18. Each undersigned representative of the parties to this CAFO certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this CAFO and to execute and legally bind that party to it.

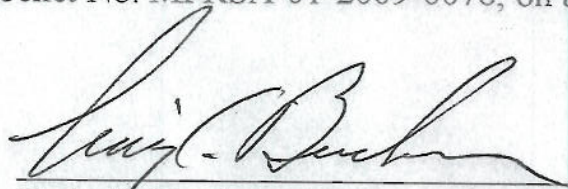
THE UNDERSIGNED PARTY enters into this Consent Agreement and Final Order in the Matter of Burnham Associates, Inc., Docket No. MPRSA-01-2010-0078, on behalf of EPA

Date

H. Curt Spalding, Regional Administrator
Office of Environmental Stewardship
U.S. EPA

THE UNDERSIGNED PARTY enters into this Consent Agreement and Final Order in the Matter Burnham Associates, Inc., Docket No. MPRSA-01-2009-0078, on behalf of Respondent

April 1, 2011
Date



Craig C. Burnham as
President
Burnham Associates, Inc.