



Re: United States Coast Guard  
RCRA-06-2017-0949

may be granted.

4. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of the CAFO.
5. The Respondent explicitly waives any right to contest the allegations and its right to appeal the final order contained in this CAFO, including any right to confer with the EPA Administrator under 40 C.F.R. § 22.31(e) with regard to this case. Respondent expressly waives any right to confer with the EPA Administrator under RCRA Section 6001(b)(2), 42 U.S.C. § 6961(b)(2), on all issues of fact and law set forth in this CAFO. Respondent waives all defenses which have been raised or could have been raised to the claims set forth in the CAFO.
6. The CAFO only resolves those violations which are alleged herein.
7. Respondent consents to the issuance of the CAFO hereinafter recited, and consents to the assessment and payment of the stated civil penalty in the amount and by the method set out in this CAFO, and consents to the Compliance Order in this CAFO.
8. The provisions of this CAFO shall be binding upon Complainant and Respondent, and their successor agencies, departments, or instrumentalities.
9. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal law, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit; nor does this CAFO constitute a waiver, suspension or modification of the requirements of RCRA or any regulations promulgated thereunder.

II.  
JURISDICTION

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10. This CAFO is issued by the EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928, as amended by the Hazardous and Solid Waste Amendments of 1984 (“HSWA”), and is simultaneously commenced and concluded through the issuance of this CAFO under 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).
11. Section 3008(a) of RCRA, 42 U.S.C. § 6928(a) authorizes EPA to take an enforcement action whenever it is determined that a person is in violation of any requirement of RCRA Subtitle C or EPA’s regulations promulgated thereunder.
12. Section 6001(b) of RCRA, 42 U.S.C. § 6961(b), authorizes EPA to take enforcement action against departments, agencies, and instrumentalities of the federal government in the same manner and under the same circumstances as against any other person.
13. Respondent agrees to undertake and complete all actions required by the terms and conditions of this CAFO. In any action by the EPA or the United States to enforce the terms of this CAFO, Respondent agrees not to contest the authority or jurisdiction of the EPA to issue or enforce this CAFO, and agrees not to contest the validity of this CAFO or its terms or conditions.

III.  
FINDINGS OF FACT AND CONCLUSIONS OF LAW

14. In accordance with the Consolidated Rules of Practice at 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) -(3), Complainant makes the findings of fact and conclusions of law which follow.
15. Respondent is a branch of the United States Department of Homeland Security who operates a federal facility in New Orleans, Louisiana, 70129.
16. Respondent is a “person” as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), which includes “each department, agency, and instrumentality of the United

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States,” and within the meaning of and as defined by LAC.33: V.109 [40 C.F.R. § 260.10] which includes a “government agency.”

17. During the relevant time period, Respondent owned and operated Base New Orleans located at 1790 Saturn Blvd, New Orleans, Louisiana, 70129.

18. Respondent was the “owner” and “operator” of the facility as those terms are defined at LAC.33: V.109 [40 C.F.R. § 260.10] during the relevant time period.

19. Base New Orleans described in paragraph 17 is a “facility” as defined at LAC. 33: V.109 [40 C.F.R. § 260.10].

20. During the relevant time period, Respondent reported to the Louisiana Department of Environmental Quality (LDEQ) as a “conditionally exempt small quantity generator” (CESQG) of hazardous waste, which is a facility that generates 100 kilograms or less of hazardous waste per month. LAC:33. V. 108 [40 C.F.R. § 261.5].

21. During the period from 2013 through 2015, Respondent operated over the limits for a CESQG.

22. Specifically, and based on information received from Respondent, the facility generated hazardous waste at the level of Small Quantity Generator (SQG) (i.e., more than 100kg but less and 1000kg waste generated per month) in 2013, 2014, and 2016; and generated waste at the level of a Large Quantity Generator (LQG) (i.e., more than 1000kg waste generated per month) in 2015.

23. As an SQG, Respondent is subject to the requirements for a SQG under RCRA § 3010(a), 42 U.S.C. § 6930(a), LAC 33: V.1109.E, [40 C.F.R. Part 262].

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24. As an LQG, Respondent is subject to the requirements for a LQG under RCRA § 3010(a), 42 U.S.C. § 6930(a), LAC 33: V. Chapters 11 and 3, [40 C.F.R. Parts 262 and 270].
25. On September 26, 2016, representatives of EPA conducted an onsite inspection at the Facility (hereinafter, the "inspection") to evaluate compliance with RCRA regulations for generators of hazardous wastes.
26. At all times relevant to this CAFO, Respondent receives Coast Guard vessels and conducts maintenance related activities, including sand blasting and painting of the vessels. Hazardous waste is generated through the performance of these activities. There is an air pollution control device located at the maintenance area of the facility.
27. Section 3308(a) of RCRA, 42 U.S.C. § 6928(a), as amended by EPA's 2016 Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, promulgated in accordance with the Debt Collection Improvement Act of 1996 (DCIA), 31 U.S.C. § 3701, and the Federal Civil Penalties Inflation Adjustment Act of 1990, Public Law 101-410, 28 U.S.C. § 2461 note, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, section 701 of Public law 114-74, 129 Stat. 599 (Nov. 2, 2015), provides for the assessment of civil penalties for violations of RCRA in amounts up to \$37,500 per day per violation for violations occurring after December 6, 2013 through November 2, 2015, and up to \$57,391 per day for violations that occurred after November 2, 2015 and assessed on or after January 15, 2017. *See 2017 Penalty Inflation Rule Adjustment* (82 Fed. Reg. 3633 (January 12, 2017)).

**Count I:**

28. The allegations in Paragraphs 1 – 27 are re-alleged and incorporated herein by reference.
29. A generator of hazardous waste is subject to certain requirements, including the applicable

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parts of LAC. 33: V. chapter 1 through 51[40 C.F.R. Parts 124, 262-68, 270].

30. Pursuant to Section 3010(a) of RCRA, 42 U.S.C. § 6930(a), any “person” generating a characteristic or listed hazardous waste shall file with the Administrator, or authorized State, a notification stating the location and general description of such activity and the identified characteristic or listed hazardous wastes handled by such “person.”

31. Respondent did not file with the Administrator, or the authorized State, an adequate and subsequent notification of its hazardous waste activities at the facility during the periods in 2013 through 2015 to reflect its generation of hazardous waste triggering the small, and later, large quantity thresholds in violation of Section 3010(a) of RCRA, 42 U.S.C. § 6930(a), LAC 33: V.1105.A [40 C.F.R. §262.12(b)].

32. Through its failure to file an adequate and subsequent notification of its hazardous waste activities, it violated the requirements of Section 3010(a) of RCRA, 42 U.S.C. § 6930(a), LAC. 33: V.1105. A. [40 C.F.R. §262.12(b)].

**Count II:**

33. The allegations in Paragraphs 1–32 are re-alleged and incorporated herein by reference.

34. Pursuant to the requirements set forth at 40 C.F.R. § 270.1 & 270.10 owners/operators of hazardous waste generating facilities must obtain a permit for certain hazardous waste activities unless they meet the permit exemption requirements set forth in 40 C.F.R. §262.16 and 262.17.

35. During EPA’s inspection of the facility, EPA inspectors noted the following: Respondent had no signage with the emergency coordinator name and contact information; Respondent did not properly label drums in the 90-day storage area; Respondent did not mark drums with the words “Hazardous Waste” in the satellite accumulation areas; Respondent did not close the

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lid of a 55-gallon drum located in the satellite accumulation area, which was required to be closed, and was not marked with the date the waste accumulation began; Respondent failed to conduct weekly inspections during various time periods from August 2015 through August 2016; the contingency plan for the facility failed to meet the requires for a contingency plan under

40 CFR C.F.R. § 265.52 (a), (b), (d), (e) and (f).

36. Through these failures, see *supra*, Respondent failed to fully or adequately meet the exemption conditions set forth at LAC.33: V.1109.E, [40 C.F.R. § 262.34(a)(4)(v)], and therefore violated 40 C.F.R. §§ 270.1 and 270.10.

**Count III:**

37. The allegations in Paragraphs 1 – 36 are re-alleged and incorporated herein by reference.

38. Pursuant to LAC. 33: V. 1103.B [40 C.F.R. § 262.11] requires that a person who generates a solid waste must determine if that waste is hazardous.

39. Respondent was unable to provide an accurate waste determination for materials collected underneath the air pollution control device (APCD) in a 55-gallon metal drum.

40. Respondent collects the waste from the sand blasting area and deposits the sand blast media into 55-gallon metal drums placed underneath the outlet of the APCD device.

Typically, the sandblast waste from one vessel does not fill a drum. As each boat or vessel is sandblasted, the waste is placed in the 55-gallon drum until it is filled. The sand blast waste from each vessel may be different, so the sandblast waste in each 55-gallon drum may vary in metals concentration through the depth of the drum. A sample of waste collected at the top of the drum may not be consistent with a sample of waste collected from the bottom of the drum.

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41. Respondent indicated that they were taking "grab samples" from the container located underneath the APCD device for purposes of making a waste determination.
42. . Respondent grabs the sample from the top of the 55-gallon drums. A "grab sample" is not a representative sample of the waste because the sample collected from the top of container will only represent the sample for the last boat or vessel that was sand blasted. Grab samples are not representative of the waste collected in the whole 55-gallon drum.
43. Therefore, Respondent failed to meet the requirements of 33 LAC 1103.B [40 C.F.R. § 262.11] through its failure to conduct an accurate hazardous waste determination for waste material collected from sand blasting operations.

**Count IV:**

44. The allegations in Paragraphs 1-43 are re-alleged and incorporated herein by reference.
45. Pursuant to LAC. 33: V.1107.A1-2 [40 C.F.R. § 262.20(a)(1)], a generator shall not offer its hazardous waste for shipment unless it prepares a standard manifest form (EPA Form 8700-22) according to the instructions found in the Appendix to 40 C.F.R. Part 262.
46. Respondent used "CESQG" as its EPA ID number on manifest 012553040 JJK, dated May 8, 2014. Respondent did not use its EPA ID number (i.e., LAR000074930 as required by LAC. 33: V 1107 A1-2[40 C.F.R. § 262.20(a)(1)].
47. Through its failure to use the EPA ID number on a manifest, Respondent violated the requirements set forth at LAC. 33: V 1107 A1-2 [40 C.F.R. § 262.20(a)(1)].

**Count V:**

48. The allegations in Paragraphs 1-47 are re-alleged and incorporated herein by reference.

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49. LAC 33: V.1111 requires generators in Louisiana who ship hazardous waste off site to submit an annual report March 1 of each year.
50. Federal regulations, *see* 40 C.F.R. § 262.41, requires LQGs to submit a biennial report for each odd numbered year by March 1 of the following even-numbered year which must cover generator activities during the previous year.
51. In 2015, Respondent was a LQG but failed to file an annual report as required by LAC 33: V.1111 or biennial report required by 40 C.F.R. § 262.41.
52. Respondent violated RCRA and its promulgated regulations by failing to file the biennial report.

IV.  
COMPLIANCE ORDER

53. Base New Orleans requirement: Within ninety (90) days (NLT 12/28/17) of the effective date of this CAFO, the Respondent must provide to EPA documentation describing how the Respondent has addressed the violations alleged herein, including details of corrective actions the Respondent has taken to ensure compliance.
54. In all instances in which this CAFO requires written submission to EPA, the submittal made by Respondent shall be signed and include the following certification:

“I certify under the penalty of law that these documents and all the attachments were prepared by me or under my direct supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

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Copies of all documents required by this CAFO shall be sent to the following:

Chief  
Waste Compliance I Section (6EN-H1)  
Waste Enforcement Branch  
1445 Ross Avenue  
Dallas, TX 75202-2733  
Attn: Tripti Thapa

V.  
TERMS OF SETTLEMENT

**A. Penalty and Settlement Provisions**

55. As a Penalty Condition of Settlement, Respondent agrees to the performance of a Pollution Prevention Control Supplemental Environmental Project (PPC SEP). Respondent has tendered outlines of a PPC SEP designed to electronically store and notify a specific facility of all of its legal requirements under RCRA to maintain compliance with its generator status, including reporting schedules, inspection schedules, waste activities, etc., and upload the responses, reports or inspections generated by the facility in a manner to allow real time off-site monitoring of a facility's compliance. Respondent shall develop and submit to EPA an approvable PPC SEP Plan within 60 days (NLT 11/28/17) of the effective date of this CAFO. Respondent shall comply with the provisions of subparagraphs V.A. and V.B. below.

A. Within Ninety (90) days of the date Respondent receives EPA approval of the PPC SEP Plan, Respondent shall execute development of the PPC SEP.

B. Respondent certifies to the truth and accuracy of each of the following:

1. That all cost information provided to the EPA in connection with the EPA's approval of the PPC SEP is complete and accurate and that Respondent in good faith estimates that the cost to implement the PPC

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SEP is no less than \$327,657.60;

2. That, as of the date of its execution of this CAFO, Respondent is not required to perform or develop the PPC SEP by any Federal, state, or local law or regulation and is not required to perform or develop the PPC SEP by agreement, grant, or as injunctive relief awarded in any other action in any other forum;
3. That the PPC SEP is not a project that the Respondent was planning or intending to construct, perform, or implement other than in settlement of the claims resolved in this CAFO.
4. That Respondent has not received and will not receive credit for the PPC SEP in any other enforcement action.
5. That Respondent will not receive reimbursement for any portion of the PPC SEP from another person or entity.
6. 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 PPC SEP;
7. That Respondent is not a party to any open federal financial assistance transaction that is funding or could fund the same activity as the PPC SEP described in paragraph 55.
8. Any public statement, oral or written, in print, film, or other media, made by Respondent making reference to the PPC SEP under this CAFO shall include the following language: "This project was undertaken in connection with the settlement of an administrative

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enforcement action taken by the U.S. Environmental Protection Agency to enforce federal laws.”

56. Satisfactory completion of the PPC SEP is defined as Respondent having done the activities identified in Paragraph 55 and completing all work under the PPC SEP Plan within two-hundred and seventy (270) days of EPA’s approval of the PPC SEP Plan.
57. If Respondent fails to satisfactorily complete the PPC SEP within 270 days of EPA approval (the deadline), Respondent agrees to lump-sum stipulated penalty of 150% of the PPC SEP cost, minus documented amounts already expended by Respondent in pursuit of the PPC SEP, payable no later than 30 days from the deadline according to the payment instructions listed below in paragraph 61. In the event that circumstances outside Respondent’s control (e.g. shipping delays, discontinuation or unavailability of equipment subject to the PPC SEP) will delay or make impossible the timely performance of some or all of the PPC SEP, Respondent will provide notice to EPA within fifteen (15) calendar days of Respondent’s actual notice of such circumstances and may, at its election, propose a reasonable alternative schedule and/or substitution of equivalent equipment to EPA to be satisfactorily completed in lieu of payment of stipulated penalties. EPA may, in its discretion, accept Respondent’s proposal, which acceptance shall not be unreasonably withheld.
58. The EPA may, in the unreviewable exercise of its discretion, reduce or waive stipulated penalties otherwise due under this CAFO. At such time as the Respondent believes that it has satisfactorily completed the PPC SEP, Respondent agrees to submit a final PPC SEP completion report. The report shall provide evidence of PPC SEP completion that will include vendor invoices or receipts, correspondence from the PPC SEP recipient, and document all PPC SEP expenditures. The report will: (1) quantify the benefits associated

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with the project; (2) set forth how the benefits were measured or estimated, or (3) explain why it is infeasible to quantify any benefits associated with the project. The final PPC SEP report will be signed, and Respondent represents that the signing representative will be fully authorized by Respondent to certify that the terms and conditions of this CAFO have been met.

59. EPA has 90 days from the date of receipt to respond with questions or disagreement that the conditions of the CAFO have been satisfied. Respondent agrees that the time period from the Effective Date of this CAFO until all the conditions specified in Paragraphs 53, 55 and 56 are completed shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by Complainant on any claims set forth above. Respondent shall not assert, plead, or raise in any fashion, whether by answer, motion or otherwise, any defense of laches, estoppel, or waiver, or other similar equitable defense based on the running of any statute of limitations or the passage of time during the above described time period in any action brought on the claims set forth in the above.

60. Should Respondent fail to complete the project in the time line specified above in paragraph 57, the Respondent shall transmit the stipulated penalty in one of the following manners:

Regular Mail, U.S. Postal Mail (including certified mail) or U.S. Postal Service Express, the check or MIPR (Military Interdepartmental Purchase Request) should be remitted to:

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

Overnight Mail (non-U.S. Postal Service), the check should be remitted to:

U.S. Bank  
Government Lockbox 979077

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US EPA Fines and Penalties  
1005 Convention Plaza  
SL-MO-C2-GL  
St. Louis, MO 63101  
314-418-1028

Wire Transfer:

Federal Reserve Bank of New York  
ABA: 021030004  
Account No. 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street  
New York, NY 10045

The case name and docket number (In the U.S. Coast Guard, Docket No. RCRA-06-2017-0949) shall be clearly documented on or within your chosen method of payment to ensure proper credit.

61. The Respondent shall send a simultaneous notice of such payment to the following:

Lorena S. Vaughn  
Regional Hearing Clerk (6RC-D)  
U.S. EPA, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Chief  
Mark Potts  
Waste Enforcement Branch  
Compliance Assurance and Enforcement Division  
U.S. EPA, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733  
Attention: Tripti Thapa

Your adherence to this request will ensure proper credit is given when penalties are received by EPA.

62. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on outstanding debts owed to the United

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States and a charge to cover the cost of process and handling a delinquent claim. Interest on any civil penalty assessed in this CAFO will begin to accrue on the due date specified in the CAFO and will be recovered by EPA on any amount of civil penalty that is not paid within thirty (30) calendar days of the civil penalty's due date and will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a). Moreover, the costs of EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. See 40 C.F.R. § 13.11(b). EPA will also assess a Fifteen Dollar (\$15.00) administrative handling charge for administrative costs on unpaid penalties for the thirty (30) day period after the payment is due and an additional Fifteen Dollar (\$15.00) for each subsequent thirty (30) day period the penalty remains unpaid. In addition, a penalty charge of up to six percent (6%) per year will be assessed monthly on any portion of the debt which remains delinquent more than ninety (90) days. See 40 C.F.R.

§ 13.11(b). Should a penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d). Other penalties for failure to make a payment may also apply.

#### **B. Costs**

63. Each party shall bear its own costs and attorney's fees.

#### **C. Reservation of Rights**

64. This CAFO resolves only the civil claims for monetary penalties for the specific allegations alleged in the CAFO. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition,

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this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk. Respondent reserves all available rights and defenses it may have to defend itself in any such action.

**D. Effect of Settlement**

65. Completion of the SEP described above in Paragraph 55, shall constitute full and final satisfaction of all civil claims for penalties that Complainant may have under RCRA for the specific violations alleged. Compliance with this CAFO shall not be a defense to any action commenced at any time for any other violations of the federal laws and regulations administered by EPA.

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**E. Termination and Satisfaction**

66. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Sections 3008(a)(1) and (g) and 6001(b) of RCRA, 42 U.S.C. §§ 6928(a)(1) (g) and 6961(b), for the specific violations alleged in this CAFO. This CAFO constitutes the entire agreement and understanding of the parties regarding settlement of all claims pertaining to specific violations alleged herein, and there are no representations, warranties, covenants, terms, or conditions agreed upon between the parties other than those expressed in this CAFO.

67. When Respondent believes that it has complied with all the requirements of this CAFO, by submitting payment of the civil penalty, Respondent shall certify this in writing and in accordance with the certification language set forth in Section IV (Compliance Order). Unless EPA, Region 6 objects in writing within sixty (60) days of EPA's receipt of Respondent's certification, then this CAFO is terminated on the basis of Respondent's certification.

**F. Anti-Deficiency Act**

68. Respondent shall seek all existing funds to meet the requirements of this CAFO. Failure to obtain adequate funds or appropriations from Congress does not release Respondent from its obligation to comply with RCRA, the applicable regulations thereunder, or with this CAFO. Nothing in this CAFO shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341.

**G. Authority to Bind the Parties**

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69. The undersigned representative of Respondent certifies that he or she is fully authorized by the Respondent to enter into the terms and conditions of this Consent Agreement and to bind the Respondent to it.

70. The undersigned Complainant certifies that he has the delegated authority to enter into the terms and conditions of this Consent Agreement and to bind EPA to it.

#### H. Effective Date of Settlement

71. This CAFO shall become effective upon filing with the Regional Hearing Clerk.

#### THE UNDERSIGNED PARTIES CONSENT TO THE ENTRY OF THIS CONSENT AGREEMENT AND FINAL ORDER:

FOR THE RESPONDENT:

Date: 28 September 2017

Veronica Bredt, COB  
Commanding Officer ACTING  
U.S. Coast Guard Base New Orleans

FOR THE COMPLAINANT:

Date: September 28, 2017

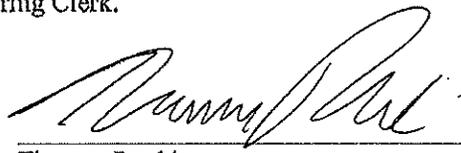
Esteban Hernandez  
FCW Cheryl T. Seager  
Director  
Compliance Assurance and  
Enforcement Division

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**FINAL ORDER**

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, the foregoing CAFO is hereby ratified. Pursuant to 40 C.F.R. § 22.31(a), this Final Order shall not in any case 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. This Final Order shall resolve only those causes of action alleged herein. Nothing in this Final Order shall be construed to waive, extinguish, or otherwise affect Respondent's (or its officers, agents, servants, employees, successors, or assigns) obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action. Respondent is ordered to comply with the terms of settlement and the civil penalty payment instructions as set forth in the CAFO. The undersigned Regional Judicial Officer has the delegated authority to issue this Final Order. Pursuant to 40 C.F.R. § 22.31(b) this Final Order shall become effective upon filing with the Regional Hearing Clerk.

Date: 9/28/17

  
\_\_\_\_\_  
Thomas Rucki  
Regional Judicial Officer

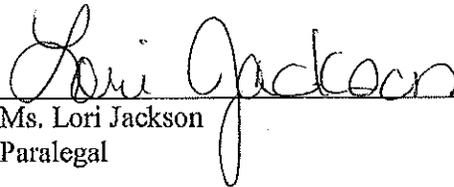
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of September, 2017, the original of the foregoing Consent Agreement and Final Order was hand delivered to the Regional Hearing Clerk, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and that a true and correct copy of the CAFO was sent to the following by the method below:

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED** 7001 0360 0003 66748292

CDR Veronica A. Brecht  
United States Coast Guard Base New Orleans  
1790 Saturn Blvd  
New Orleans, LA 70129

  
\_\_\_\_\_  
Ms. Lori Jackson  
Paralegal